

February 4, 2025

Sixty-ninth  
Legislative Assembly  
of North Dakota

## PROPOSED AMENDMENTS TO

### HOUSE BILL NO. 1437

Introduced by

Representatives Motschenbacher, Hauck, J. Johnson, Klemin, Lefor, Meier, Rohr, Dockter  
Senators Larson, Rummel, Dwyer

1 A BILL for an Act to create and enact a new section to chapter 15-10 of the North Dakota  
2 Century Code, relating to ~~the prohibition of~~ academic tenure policy at two year  
3 colleges/institutions of higher education.

#### 4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 **SECTION 1.** A new section to chapter 15-10 of the North Dakota Century Code is created  
6 and enacted as follows:

#### 7 ~~Academic tenure prohibited at two year colleges~~ Policy - Evaluations.

8 ~~A faculty member is not eligible for academic tenure, if the faculty member is hired after~~

9 1. ~~By July 1, 2026, and employed at a two year college in the state. For purposes of this~~

10 ~~section, a two year college is any of the following: Bismarck state college, Dakota~~

11 ~~college at Bottineau, Lake Region state college, North Dakota state college of science,~~

12 ~~and Villiston state college institutions of higher education under the control of the state~~

13 ~~board of higher education offering faculty academic tenure shall develop and adopt a~~

14 ~~policy for tenured and tenure-track faculty employed by the institution, which:~~

15 ~~a. Defines progression and advancement criteria at each stage of tenure~~

16 ~~progression, including post-tenure review.~~

17 ~~b. Establishes a procedure for annual evaluation of all nontenure, tenure-track, and~~

18 ~~tenured faculty by the president of the institution or the designee of the president.~~

19 ~~c. Establishes a procedure for tenure progression evaluations and post-tenure~~

20 ~~reviews, which must be completed at least every three-five years, informed by the~~

1 \_\_\_\_\_ annual evaluations under subdivision b, ~~and conducted by a committee~~  
2 ~~appointed by the president of the institution or the designee of the president. The~~  
3 ~~committee must include the faculty member administrative supervisor of the~~  
4 ~~faculty member under evaluation or review at least one ranking administrator,~~  
51 ~~and no more than one other faculty member.~~

62 \_\_\_\_\_ d. Defines the outcome of an unsatisfactory review of post-tenured faculty which  
7 ~~may be revocation of tenure or removal from the position~~ include termination of  
employment. The decision to revoke  
~~tenure or to remove faculty from a position~~ terminate a faculty member's employment must be made by  
the employing  
8 \_\_\_\_\_ institution, the North Dakota university system, or the state board of higher  
98 \_\_\_\_\_ education.

109 \_\_\_\_\_ e. Is approved by the North Dakota university system and the state board of higher  
110 \_\_\_\_\_ education.

1211 \_\_\_\_\_ 2. Advertisement of open faculty positions by institutions of higher education under the  
1312 \_\_\_\_\_ control of the state board of higher education offering faculty academic tenure must  
1413 \_\_\_\_\_ designate the position as nontenure-track or tenure-track. Upon offering a tenure-track  
1514 \_\_\_\_\_ position to a candidate, the institution shall provide the candidate the policy required  
1615 \_\_\_\_\_ under this section.