North Dakota Board of Higher Education
Meeting Notice and Agenda
November 20, 2014

The State Board of Higher Education meeting on Thursday, November 20, 2014 will begin at 8:00 a.m. CT at North Dakota State University, Great Room in the Memorial Union, 1401 Administrative Ave, Fargo, ND 58102. The live video stream can be viewed at: http://www.ndus.edu/board/live-stream/

AGB Training and Assessment (8:00-10:00) – Mr. Tom Meredith

NOTE: The agenda sequence has been changed for this meeting to accommodate a Board member who has to depart early and wished to participate in Board business.

Call to Order

1. Approval of Agenda
2. Approval of Meeting Minutes
   • October 2, 2014
   • October 30, 2014
   • November 6, 2014
3. Board Chair’s Report – Board Chair Diederich

Board Business
4. Approve Admissions Standards – Dr. Sonia Cowen
5. Approve High Performance Computing – Dr. Josh Riedy
6. Approve Draft Legislation to be PreFiled by December 4 – Mr. Murray Sagsveen
7. Approve Cancellation of SBHE Meeting December 18, 2014
8. Approve Special Board Meeting (Chancellor Search Committee), December 9, 2014, 1:00 p.m. CT, face to face, at Bismarck State College

SBHE Academic and Student Affairs Committee Recommendations – Chair Reichert
9. Committee Consent:
   i) Tenure

Other Board Consent
10. Approve Finance Revenue Bonds
Reports and Public Comment

11. Interim Chancellor’s Report – Interim Chancellor Skogen
   • Status of DSU Foundation

12. President’s Reports

13. North Dakota Student Association Report – Conner Swanson


15. Staff Senate Report – Emma Tufte

16. Public Comment

Board Policy

First Reading

None

Second Reading

17. Policy 805.3 Application Fees – Ms. Cynthia Goulet
18. Policy 611.2 Intellectual Property – Mr. Michael Moore
19. Policy 1912 Records Retention – Dr. Lisa Feldner
20. Policy HR 23 Resignation – Ms. Cynthia Goulet

Policies Under Review

• Policy 340.2 Foundations

Board Discussion Concerning Assessment of Meeting and Potential Future Agenda Items

Adjourn

Future Board Meetings

• December 18, 2014 – DCB
• January 29, 2015 – BSC
• February 26, 2015 – BSC

Contact Kristie Hetzler (701) 328-2966 or Kristie.hetzler@ndus.edu prior to the scheduled meeting date if auxiliary aids or services are needed.
1. **Issues:** NDSU and UND propose to increase their general undergraduate admissions index (a.k.a. “guidelines”), effective Fall of 2016, to reflect a minimum of 22 ACT and 2.75 cumulative high school GPA for first-time, full-time college students admitted to either institution; students applying for admission who have ACT scores and/or cumulative high school GPAs below this standard may be given additional consideration if they demonstrate potential to succeed academically, based on other factors. Additionally, NDSU and UND would require that first-time, full-time college students who are seeking admission for Fall 2016, who graduate from a North Dakota (ND) high school and who are under the age of 25 on the first day of class, shall have completed successfully a minimum of 13 credits from ND’s high school core curriculum; that the same category of students seeking admission for Fall 2017 shall have completed successfully a minimum of 14 credits from ND’s high school core curriculum; and that the same category of students seeking admission for Fall 2018 and thereafter shall have completed successfully a minimum of 15 credits from ND’s high school core curriculum. SBHE needs to take action to adopt the general undergraduate admissions indexes, effective Fall of 2016, for the regional institutions and MiSU, as proposed to the SBHE on 26 June 2014.

2. **Proposed motions.** Approve (1) NDSU’s and UND’s proposed general undergraduate admissions index, effective Fall of 2016, (1) to admit first-time, full-time college students who have a minimum of 22 ACT and 2.75 cumulative high school GPA; (2) to enable NDSU and UND to consider further the admission of first-time, full-time college students who have ACT scores and/or cumulative high school GPAs below this standard if they demonstrate potential to succeed academically, based on other factors; and (3) approve NDSU’s and UND’s proposed admissions requirements that first-time, full-time college students who have graduated from North Dakota’s high schools and who are under the age of 25 on the first day of class, who seek admission to NDSU and/or UND (3-a) in the Fall of 2016, have completed successfully a minimum of 13 credits of ND’s high school core curriculum, (3-b) in the Fall of 2017, have completed successfully a minimum of 14 credits of ND’s high school core curriculum, and (3-c) in the Fall of 2018 and thereafter, have completed successfully a minimum of 15 credits of ND’s high school core curriculum. Additionally, approve the general undergraduate admissions indexes, effective Fall of 2016, for first-time, full-time college students applying for admission to NDUS’ regional universities and MiSU, as proposed to the SBHE on 26 June 2014.

3. **Background information.** The *NDUS Task Force on Admissions Index* presented a set of recommendations to the SBHE on 26 June 2014. No action was taken at that meeting to approve the recommendations. The SHBE was presented with an additional set of recommendations at its meeting on 2 October 2014, at which time it was proposed that NDSU and UND implement a set of general undergraduate admissions standards for first-time, full-time freshmen that would be higher than that recommended for MiSU at the SBHE meeting on 26 June 2014. The amended recommendations of the general undergraduate admissions index for NDSU and UND are aforementioned under the headings of “Issues” and “Proposed motions”. The possible enrollment impact of implementing the newly proposed general undergraduate admissions index at NDSU and UND--
based on data available for entering first-time, full-time students at both institutions with ACT scores and/or cumulative high school GPAs below those now proposed—would range in a loss of 4-6% at each institution.

4. Financial implications. A reduction in enrollment would impact tuition collected at each institution.

5. Legal/policy issues. SHBE Policy 402 Delegation of Admissions Authority states “The Board delegates to the institutions authority to adopt policies and procedures governing admission of students to the institutions and programs consistent with Board policy”. Additional SBHE policies for admissions address Beginning Freshman Applicants (402.1), Standardized Test Scores (402.1.1), Student Placement into College Courses (402.1.2) Beginning Freshman Applicants—Baccalaureate Programs (402.2), Home Educated and Other Special Categories of Applicants (402.3), Transfer Applicants (402.4), Former Students (402.4), Graduate and First-Professional Degree Programs (402.6), Selected Undergraduate/Graduate Programs (402.7), Non-resident Students (402.8), New International Students (402.9) and Students Enrolling Under Reciprocal Agreements (402.10). SBHE Policy 402.2 Admission Policies—Beginning Freshman Applicants—Baccalaureate Programs enables NDUS’s baccalaureate institutions to “establish additional criteria beyond the core curriculum stated in subsection 2 for the admission of students to the institution.” No elements of the proposed admissions indexes for the regional institutions and MiSU (i.e., as presented to the SBHE on 26 June 2014) nor the proposed admissions index and core curriculum requirements recommended to the SBHE for NDSU and UND (i.e., as presented at its meeting on 2 October 2014), would be in conflict with any of SBHE’s existing policies pursuant to the general admission of first-time, full-time students.

6. Academic issues. Not applicable.

7. Coordination. The proposed admissions indexes for NDUS’ regional universities, MiSU, NDSU, and UND have been reviewed at various intervals between February and September 2014 by the NDUS Task Force on Admissions Index, the Academic Affairs Council, the Student Affairs Council, the Chancellor’s Cabinet, and the SBHE Committee on Academic and Student Affairs. In recent months, the Academic Affairs and Student Affairs councils, as well as the Chancellor’s Cabinet, have reviewed the proposed revisions to the NDSU and UND admissions index. All are in agreement that adoption of the proposed admissions indexes would be appropriate to the goal of increasing student success across the NDUS.

8. Attachments. PowerPoint (5 pages) “Recommended Admissions Index for NDSU and UND”.

9. Contact information. Sonia S. Cowen, Ph.D., Interim Vice Chancellor for Academic and Student Affairs, North Dakota University System, 600 E Boulevard Ave. Dept. 215, Bismarck, ND 58505-0230.

10. Recommendation to the SBHE: NDUS’ Interim Chancellor Larry Skogen recommends approval of the proposed admissions indexes for the regional institutions and MiSU as presented to the SBHE on 26 June 2014, and approval of the proposed admissions index and increased ND’s high school core curriculum standards for candidates for admission to NDSU and UND as first-time, full-time students, as presented to the SBHE on 2 October 2014.
1. **Issue:** Establishing enhance high performance computing resources to serve the State of North Dakota.

2. **Proposed motion:** The State Board of Higher Education (SBHE) supports hosting enhanced high performance computing resources in the form of a Collaborative Center for Computation and Data (CCCD) intended to serve the State including all North Dakota universities and companies choosing to participate. Furthermore, the SBHE requests inclusion of such resources in the Governor’s Executive Budget similar to that of the Northern Tier Network.

3. **Background:** North Dakota is enjoying economic prosperity and growing competitiveness through leadership in energy, agriculture, and unmanned aircraft systems (UAS) and sound political and economic decisions. To sustain, and more importantly to enhance, this competitive position, its industrial and academic sectors must embrace the same 21st century knowledge and technology economy that has helped to foster the current success and extend it to other areas that will become increasingly compute-intensive and data-driven.

The most direct path to accomplish this is to become a leader in advanced computational R&D and to develop academic–industry partnerships to stimulate new companies and industry sectors. To do this, the State should establish a Collaborative Center for Computation and Data (CCCD), with its primary focus on statewide academic–industry collaboration. Using advanced computing and big data techniques, this new collaborative center for North Dakota universities and business will foster R&D, technology transfer, and commercialization to build and attract businesses, talent, and funding to North Dakota by bringing valuable leadership and a large return on investment to the state.

A Collaborative Center for Computation and Data (CCCD) could achieve national leadership in advanced computational research and development (R&D) through the exploitation of two major opportunities. First, having new, highly capable systems enables recruiting and sustaining of the other leadership component: talent/expertise. The second major reason is that truly collaborative, “center-scale” academic–industry partnerships in advanced computational research are still relatively new; there are few true leaders in this context. North Dakota will leverage its current competitive positions in petroleum, agriculture, and aviation to create new computational programs focused on collaboration and technology transfer, while using new computing capabilities and expertise to create and grow programs in medicine and healthcare and big data.
analytics, which is increasingly important across all industry sectors and in public policy, education, and beyond.

4. Financial implications: Establishing and operating the Collaborative Center for Computation and Data (CCCD) requires facilities, systems, staff, and operations. Fortunately, the most expensive item—the facilities—are already built and ready for use: the NDUS Information Technologies building and tier 3 data center. The staffing and operations are annual costs, and systems are periodic costs (upgrades) that can be annualized through payment plans and leases. The annual cost of operating a highly capable CCCD, however, is relatively small due to persistent advances in price/performance of technologies, and the return on investment can be substantial once the center has established strong industry partnerships and academic support programs.

The expected distribution of funding for a center capable of building, enhancing, and sustaining leadership in North Dakota academic research and key businesses would be:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Systems: computing, data, visualization, networking, etc.</td>
<td>$10.0M</td>
</tr>
<tr>
<td><strong>Total one-time budget request</strong></td>
<td>$10.0M</td>
</tr>
<tr>
<td>Staff: leadership, R&amp;D liaisons, support</td>
<td>$2.0M</td>
</tr>
<tr>
<td>Operations: data center infrastructure, software, travel, etc.</td>
<td>$1.2M</td>
</tr>
<tr>
<td><strong>Total annual budget request</strong></td>
<td>$3.2M</td>
</tr>
</tbody>
</table>

5. Academic implications: As research and industry increasingly become more tightly connected through computing and data, it is imperative for universities and industry to have competitive computing resources and talent. This reliance on powerful computing and digital data is a good thing: research universities have made discoveries that led to industry innovations, and adopted advanced computing technologies power discoveries that not only advance human understanding, but all human endeavors including commerce. With predictions of federal research funding being flat or slightly declining in the coming years, it is even more important that research universities be productive in making discoveries and translating them effectively into innovations for industry. The Collaborative Center for Computation and Data (CCCD) will provide high-performance computing (HPC), large-scale data analytics, and massive data management capabilities and expertise to foster innovation and discovery. CCCD will drive discovery and innovation, and maximize these results and impacts:

1. Acquire and operate a powerful, balanced ecosystem of computing, analysis, and data storage resources that enables innovation and discovery,
2. Work with North Dakota industry and academic researchers, developers, and technical staff to develop applications and techniques for using these capabilities in new ways,
3. Promote new university research and development funding that leverages the CCCD systems to achieve maximum statewide success and positive impact,
4. Transition R&D results into companies to increase profitability, quality, and safety, and thereby attract new companies/company growth to North Dakota,

5. Demonstrate the importance, impact, and value of computing and data technologies to universities, companies, governmental agencies, and North Dakota citizens.

6. Legal/policy issues: If approved, the SBHE will review current statutes to determine the need for minor modifications to facilitate use of high performance computing resources by private entities.

7. Review Process:
   - Dr. Lisa Feldner, Vice Chancellor Information Technologies and Institutional Research

8. Enclosures: None

9. Key contact person(s) concerning issue: Lisa Feldner, Ph.D., Vice Chancellor for Information Technologies and Institutional Research, North Dakota University System, 600 E Boulevard Ave. Dept. 215, Bismarck, ND  58505-0230.

1. **Issue:** **SBHE approval of tenure.** Two of NDUS’ campuses have submitted their recommendations for faculty tenure for new faculty hires. In each case, criteria for tenure has been identified and applied by each campus’ respective internal review entities (i.e., faculty within the designated department/ division/ college or school, Provost/ Vice President for Academic Affairs, and President).

2. **Proposed motion.** As per the recommendations of the Interim Chancellor, approve recommendations for tenure of six faculty candidates—as listed in item 3, as effective for the Academic Year of 2014-15, and as submitted by North Dakota State University and the University of North Dakota.

3. **Background information.** In the past, all tenure recommendations were made to the State Board of Higher Education (SBHE) for approval in May of each year. This year, however, the State Board of Higher Education’s (SBHE’s) designated its meeting of 24 April 2014 as the date for its consideration and approval of the campuses’ recommendations for tenure so that contracts on the applicable campuses could be developed and issued without rush. At that meeting, only eight of NDUS’ campuses submitted tenure recommendations for SBHE approval for the Academic Year (AY) of 2014-15. Since the SBHE’s meeting in April of 2014, additional requests have been made by individual institutions for new faculty hires (i.e., SBHE approved two tenure recommendations for NDSU at its 29 May 2014 meeting, one tenure recommendation for NDSU at its 26 June 2014 meeting, and two tenure recommendations for UND at its 2 October 2014 meeting).

Attached are the *Candidate Recommendations for Tenure* submitted by the North Dakota State University and the University of North Dakota for new hires, with a request for a retroactive approval of tenure, effective for the AY of 2014-15, for the following hires:

**North Dakota State University**
Michael James Yellow Bird, Ph.D., Professor of Sociology and Anthropology, Department of Sociology and Anthropology, College of Arts, Humanities and Social Sciences.

**The University of North Dakota**
Malak Kotb, Ph.D., Professor of Basic Sciences, Department of Basic Sciences, School of Medicine and Health Sciences;
Ralph Renger, Ph.D., Professor of Family and Community Medicine, Family and Community Medicine, School of Medicine and Health Sciences;
Gayle Roux, Ph.D., Professor of Graduate Nursing, Department of Graduate Nursing, College of Nursing and Professional Disciplines;
Larry Williams, Ph.D., Professor of Psychology, Department of Psychology, College of Arts and Sciences; and,
4. **Financial implications.** Any additional expenses associated in contracting the listed candidates as tenured faculty will be drawn from the respective campuses’ budgets for the AY 2014-15, and thereafter.

5. **Legal/policy issues.** SBHE Policy 605.1, *Academic Freedom and Tenure—Academic Appointments*, requires Board approval of candidates for tenure at the respective institutions:

Tenure is awarded by the Board upon recommendation of the Chancellor, following review and recommendations made pursuant to the procedures established at the institution and a recommendation by the institution’s president to the Chancellor. A favorable recommendation means that the applicant meets all of the prerequisites and criteria and the award of tenure is consistent with the sound fiscal management and academic priorities of the institution and the system of education under the control of the Board. Tenure recommendations submitted to the Board shall include a brief summary of the candidate’s qualifications and reasons for the recommendation.

Subsections of SBHE Policy 605.1, *Academic Freedom and Tenure—Academic Appointments*, further delineate the criteria under which faculty may be recommended by the NDUS institutions and approved by the SBHE:

| SBHE Policy 605.1.c. | “Tenure is not an entitlement, and the granting of tenure requires an affirmative act by the Board.”
| | “Tenure is limited to the academic unit or program area in the institution in which tenure is granted and shall not extend to an administrative or coaching position.”
| SBHE Policy 605.1.2.c. | “Board” means the North Dakota State Board of Higher Education.
| | “Faculty” means all members of the academic staff, excluding only coaches and administrators in their capacities as coaches or administrators.
| SBHE Policy 605.1.3.b. | “The criteria for tenure evaluation…shall include scholarship in teaching, contribution to a discipline or profession through research, other scholarly or professional activities, and service to the institution and society. Institutions may adopt additional criteria.”
| SBHE Policy 605.1.3.c. | “Eligibility for tenure requires a probationary period of six years of continuous service to the institution, during which the faculty member is evaluated at least annually according to an evaluation process designed to foster continuous improvement. The term may be extended beyond six years or the continuous service requirement may be waived in exceptional circumstances…which must include maternity or parental leave….”

Each of the recommendations for tenure presented by NDSU and UND for approval by the SBHE at its meeting on 13 November 2014, have been vetted by the Interim Chancellor as meeting “exceptional circumstances” in reference to the criteria for tenure under SBHE Policy 605.1.3.c. and/or SBHE Policy 605.1.4.b. and/or 605.1.2.c.

6. Academic issues. None.

7. Coordination. Each request was reviewed initially by the sending institution and was approved by its president. Also, the Interim Vice Chancellor for Academic and Student Affairs reviewed each request, and submitted five to the Interim Chancellor for further review. Following his conversations with the presidents of NDSU and UND, the Interim Chancellor recommends approval of tenure for each of the above-referenced new hires.

8. Attachments. Tenure recommendations are attached from the North Dakota State University and the University of North Dakota. Tenure years noted on each of the forms submitted by NDSU and UND indicate the tenure secured by each candidate prior to their hire by the respective campuses.
Also attached are the updated *Faculty Appointments Data Sheets* of each NDUS institution—regardless if they have submitted tenure recommendations for AY 2014-2015. In addition, two compilations of data on Faculty Appointments are attached as (a) *The North Dakota University System Report on Faculty Appointments: Academic Year 2013-2014*, and (b) *The North Dakota University System Report on Faculty Appointment Trends—Terminated and Non-Renewed: Academic Years 2007-2014*.

9. **Contact information.** Sonia S. Cowen, Interim Vice Chancellor for Academic and Student Affairs, North Dakota University System, 600 E Boulevard Ave. Dept. 215, Bismarck, ND 58505-0230.

10. **Recommendation of the SBHE Committee on Academic and Student Affairs:** Interim Chancellor Skogen recommended approval of the tenure requests as submitted to the SBHE Committee on Academic and Student Affairs, and on 13 November 2014, the SBHE Committee on Academic and Student Affairs unanimously recommended approval of each of the six tenure recommendations at the SBHE meeting on 20 November 2014.
1. **Issue:** NDSU requests authorization to refinance housing/auxiliary revenue bonds.

2. **Proposed motion:** 1) Authorize issuance of not-to-exceed $24,000,000 State Board of Higher Education of the State of North Dakota, NDSU Housing and Auxiliary Facilities Revenue Refunding Bonds, Series 2015A, for the purpose of refinancing the outstanding NDSU Housing and Auxiliary Facilities Revenue Bonds, Series 2005, Series 2006A and Series 2006B Bonds, Maturing on and after April 1, 2015, and paying the costs of issuance of the Series 2015A; 2) Authorize the NDSU President and Vice President for Finance and Administration to approve the sale of the bonds (Series 2015A) provided that the rate not exceed 5%, provided the present value of the debt service savings is not less than 3%. The approximate final date upon which the principal amount of the obligation will mature or become payable is April 1, 2036; 3) Appoint the firm of Arntson Stewart Wegner PC as the bond counsel and Fieldman, Rolapp & Associates (Independent Financial Advisors to Government) as the financial advisor.

3. **Background:** The refinancing of the existing bonds requires SBHE approval as per NDCC 15-55.

4. **Financial implications:** Refinancing of the existing bonds will take advantage of lower interest rates and subsequently reduce the overall carrying costs of the bonds. Financial advisors indicate the anticipated net savings will be approximately $3.5 Million.

5. **Academic implications:** No significant implications

6. **Legal/policy issues:** No significant legal/policy issues.

7. **Review Process:** Reviewed by Glatt, Tonder.

8. **Enclosures:** 1) 11-14 NDSU 2015 01 Board Resolution v1; 2) 11-14 Housing Aux Fac Rev Refunding Bonds 2015A [FINAL-NDSU]

9. **Contact person:** NDSU VP Bruce Bollinger, bruce.bollinger@ndsu.edu (701) 231-8412

10. **Chancellor’s Recommendation:** The Chancellor recommends his approval.
1. **Issue:** Proposed amendment of [SBHE Policy 805.3](#).

2. **Proposed motion:** Motion to approve the proposed amendments to SBHE Policy 805.3.

3. **Background:** Currently, the Chancellor must approve all student requests to waive an application fee. The proposed amendment in paragraph 1(a) would delegate that decision to the institution president.

   Also, currently the Chancellor shall approve an institution’s fee for “attached credit” (i.e., credit for instruction sponsored or approved by an institution taught by an instructor not employed or paid by the institution). The proposed amendment in paragraph 1(g) would delegate that decision to the institution president. This proposed amendment was added after the first reading as a result of conversations with the representatives of the State Auditor.

4. **Financial implications:** If the proposed amendments are approved, the institutions would no longer need to seek Chancellor approval of relatively minor administrative issues.

5. **Academic implications:** N/A

6. **Legal/policy issues:** The proposed amendments would be consistent with SBHE Policy 305.1(1), which provides: “The Board delegates to the president of each institution full authority and responsibility to administer the affairs of the institution in accordance with Board policies, plans, budgets, and standards, including the management and expenditure of all institutional funds, within budgetary and other limitations imposed by law or by the Board.”

7. **Review Process:**
   - Dr. Sonia Cowen, Interim Vice Chancellor for Academic and Student Affairs
   - Laura Glatt, Vice Chancellor for Administrative Affairs

8. **Enclosures:** SBHE Policy 805.3 showing the proposed amendments.

9. **Key contact person(s) concerning issue:** Murray G. Sagsveen, Chief of Staff

10. **Chancellor’s Recommendation:** Recommend approval.
1. **Issue:** Proposed amendments to [SBHE Policy 611.2](#) concerning intellectual property.

2. **Proposed motion:** Motion to approve the proposed amendments to SBHE Policy 611.2.

3. **Background:** Section 15-10-17(9) of the North Dakota Century Code empowers the State Board of Higher Education (SBHE) to:

   [a]dopt rules promoting research, encouraging development of intellectual property and other inventions and discoveries by university system employees, and protecting and marketing the inventions and discoveries. The rules must govern ownership or transfer of ownership rights and distribution of income that may be derived from an invention or discovery resulting from research or employment in the university system. The rules may provide for transfer of ownership rights or distribution of income to a private, nonprofit entity created for the support of the university system or one of its institutions.

The SBHE adopted the current version of Policy 611.2 in 2002. Over the past several years, various stakeholders have been expressing increased interest in updating this policy. The SBHE was presented a proposed draft in late 2013, but the SBHE tabled the issue pending further input by interested parties.

Interim Chancellor Skogen recently convened a new task force to review Policy 611.2, to also review the work that led up to the 2013 proposal, and to recommend appropriate amendments to the SBHE before the end of 2014. The task force is made up of faculty, administrators, a student, and a private business owner:

- Dr. Kelly Rusch, Ph.D., P.E., Vice President, Office for Research and Creative Activity, NDSU (Co-Chair)
- Michael F. Moore, CLP, Associate VP, IP Commercialization and Economic Development, UND (Co-Chair)
- Mikhail Bobylev, Ph.D., Assistant Professor, Department of Chemistry, Minot State University
- Jason Jenkins, J.D., Assistant General Counsel – Patent Attorney, UND
- Val Kettner, J.D., Associate Vice President for Sponsored Programs Administration, NDSU
- John J. Miller, Export Control Officer, UND
- John Mitzel, UND Student
- Eric J. Murphy, Ph.D., Associate Professor, School of Medicine and Health Sciences, UND (also faculty advisor to the State Board of Higher Education)
The task force met in Fargo, in Grand Forks, and by telephone from July 11 through October 7. The task force members were engaged and the discussions have been very robust. The task force reviewed the historic underpinnings of the policy, a critical evaluation of the 2013 proposal, and needs of the State in the future.

4. **Financial implications**: No immediate financial implications. However, if the policy promotes additional creativity that leads to marketable intellectual property, the institution and the system should benefit.

5. **Academic implications**: No immediate academic implications. However, if the policy promotes additional creativity, faculty and students should benefit.

6. **Legal/policy issues**: Federal patent and copyright laws vis-à-vis educational institutions are largely unchanged, although Congress has enacted legislation (the Leahy-Smith America Invents Act) that places a premium on timely and decisive actions concerning the preservation by owners of patent rights. Institutions are accordingly expected to have a mechanism to receive and review invention disclosures, especially in the case of federally funded research activities, and to manage resulting intellectual property with public benefit and commercialization being primary objectives.

These revisions reflect the experiences and observations of UND and NDSU over the past several years, and are intended to clarify the rights and responsibilities of faculty, staff, and students. Much of the core of existing policy is retained, and substantive changes are relatively minor. Of note, the minimum allocation of net royalties to inventors and authors (such remuneration being a fundamental requirement of US patent law) is increased from 30% to 40%. An expanded statement of purpose is provided, as are streamlined definitions. The proposed policy also addresses intellectual property created by System office employees. Finally, specific provisions have been drafted to address concerns about student ownership and carefully delineating the circumstances under which an institution might have some measure of interest (e.g., license or ownership) in student work.

7. **Review Process**: Explained in paragraph 3. The interim Higher Education Funding Committee and the interim Judiciary Committee have been informed about the progress during 2014.

8. **Enclosures**: SBHE Policy 611.2:
   - As amended
9. **Key contact person(s) concerning issue:** Dr. Kelly Rusch, NDSU, Michael Moore, UND, and Jason Jenkins, UND.

10. **Chancellor's Recommendation:** Recommend approval.
1. **Issue:** Adoption of a [NDUS system-wide general records retention schedule](#)

2. **Proposed motion:** Amend NDUS Policy 1912.7 - The university system office and each institution shall maintain a continuing program for the management of records as required by N.D.C.C. chapter 54-46 using the North Dakota Colleges/Universities General Records Retention Schedule maintained and updated by the ND Information Technology Department and Agency Specific Retention Schedule maintained by individual institutions. Records received or created by Board members are governed by the system office program. Records not required to be retained pursuant to records management programs and records retention schedules, including, but not limited to, extra copies of documents distributed or preserved only for convenience of reference or stocks of publications and processed documents, miscellaneous correspondence and e-mail, notes, preliminary drafts, records of telephone messages and calendars, may be discarded or deleted in the discretion of the officer or employee in possession of the records.

3. **Background:** Records Management is the practice of identifying, classifying, archiving, preserving, and destroying the records of an organization. This includes determining retention periods (i.e., based on legal, fiscal, historical and administrative values), selecting the appropriate retention medium (e.g., paper, electronic, film), choosing the best retention location (e.g., active, inactive), and selecting the best filing system for the records. Good records management is a critical component of cyber security best practices in that it minimizes the amount of information available to hackers.

Presently, NDUS institutions do not have uniform records management across the system. NDUS is now implementing electronic imaging system-wide and it is essential to the process that as documents are processed they are assigned a retention period. As a result, electronic documents will be maintained per the retention period and tagged for purging if/when the expiration date is reached. In two of our recent security breaches, the amount of information available to the hackers would have been minimal had retention policies been in place and adhered.
4. **Financial implications:** None

5. **Academic implications:** None

6. **Legal/policy issues:** None

7. **Review Process:** The Chancellor’s Cabinet recommended approval of this request on 30 January 2014.

8. **Enclosures:** The North Dakota Colleges/Universities General Records Retention Schedule is attached.

9. **Contact person:**
   Lisa Feldner, Vice Chancellor for Information Technology & Institutional Research, lisa.feldner@ndus.edu, (701) 328-1510.

10. **Chancellor’s Recommendation:** Recommend approval.
4. **Financial implications:** None

5. **Academic implications:** None

6. **Legal/policy issues:** None

7. **Review Process:** The Chancellor's Cabinet recommended approval of this request on 30 January 2014.

8. **Enclosures:** The North Dakota Colleges/Universities General Records Retention Schedule is attached.

9. **Contact person:**
   Lisa Feldner, Vice Chancellor for Information Technology & Institutional Research, [lisa.feldner@ndus.edu](mailto:lisa.feldner@ndus.edu), (701) 328-1510.

10. **Chancellor’s Recommendation:** Recommend approval.
Summary of Proposed Action
SBHE Meeting – November 20, 2014

1. **Issue:** Adoption of [Human Resources Policy 23.2](#) regarding job abandonment.

2. **Proposed motion:** Motion to adopt a new section 23.2 to the NDUS Human Resources Manual, which would state:

   Job abandonment is considered a resignation. Job abandonment occurs when an employee has not contacted the institution and has not reported to their scheduled work shift for three consecutive days without approval. The institution shall notify the employee in writing by certified mail, that the employee’s failure to report to work or to contact the employer constitutes job abandonment and is effective the last day worked. Written notice shall include notice of the right to appeal and a copy of section 27 Appeal Procedures.

3. **Background:** The proposed addition to the Human Resources Policy Manual addresses the situation when an employee walks off the job without formally resigning.

4. **Financial implications:** The institution may terminate an employee’s salary and benefits as of the last day worked.

5. **Academic implications:** N/A

6. **Legal/policy issues:** The proposed policy clarifies the job abandonment issue.

7. **Review Process:**
   - Human Resources Council
   - Chancellor’s Senior Staff

8. **Enclosures:** Section 23, NDUS Human Resources Policy Manual

9. **Key contact person concerning issue:** Vice Chancellor Laura Glatt.

10. **Chancellor’s Recommendation:** Recommend approval.