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The University of North Dakota: Constitution and Regulations Governing the University

University of North Dakota

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BULLETIN

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THE UNIVERSITY OF NORTH DAKOTA

CONSTITUTION AND REGULATIONS



GOVERNING THE UNIVERSITY

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Constitution
Reprinted 1934

By Authority of the President of the University

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I. THE STATE BOARD OF REGENTS

The government of the University of North Dakota and the laboratories and stations associated with it by legislative act is vested by law in the State Board of Regents. The Board is final authority in all matters affecting the institutions, and exercises jurisdiction over its financial, educational and other policies, and its relation with the state and federal governments. In accordance with the experience and practice of this and other institutions of similar character, the Board entrusts the execution of all its plans and policies, together with the internal government and administration of the institution, to the President and the faculty, and such other officers as it may select. The President submits monthly for the information and approval of the Board a report showing what matters already approved by the Board have been put into execution, and all new matters which, in his judgment, demand attention, or for which he wishes the approval of the Board. Since the Board is responsible to the legislature for the management of the institution, it desires full information upon all matters, financial and educational, from proper officials.

II. THE PRESIDENT

The President is the executive head of the University and the laboratories and stations associated with it, and ex-officio a member of all faculties and of all committees. He is the official medium of communication between the Board of Regents, on the one hand, and the council, faculties, administrative officers, student organizations, and students, on the other. He is responsible to the Board for the educational and business policy of the institution and accordingly has supervision over all of its officers and all of its interests, subject to the state laws and the rules and regulations of the Board of Regents.

It is the duty of the President to call meetings of the council and faculties and to preside over them. It is his duty, in consultation with the University Council to make recommendations covering the general policy of the institution and for securing and coordinating its parts. While it is the duty of the President to make such recommendations, no recommendations covering any general policy may be made to the Board of Regents without first consulting the council, except in emergencies requiring immediate action. Nor shall any recommendations be made affecting the policy of any school or college or department without first consulting the dean or head of that department.

It is the duty of the President to see that the rules and regulations of the Board of Regents and of the Council are enforced. It is, moreover, the duty of the President to consult the advisory committee and also the deans of the faculties concerned, on the appointment, promotion or dismissal of any member of the faculty, on the reorganization of schools and departments, on disputes arising between schools, and on matters of budget apportionment. The right of final decision in these matters is reserved to the President, but in case of difference between the President and a dean or the majority of his faculty, or the council and a majority of its members, the President shall present in writing to the Board of Regents their views and the reasons therefor, and also his own.

Among the duties of the President are the preparation, in cooperation with the deans, of the budgets and reports to the Board of Regents, recommendations to the Board of Regents in regard to all appointments, changes of rank, removals and salaries of officers, instructors and other employees, the conduct of Commencement and other public exercises, and the calling of special meetings, except as provided for otherwise. Before submitting the biennial budget to the state legislature, through the Board of Regents, the President shall submit it to the council for its information, after first submitting to the deans or directors or heads of departments the part of the report affecting their departments.

III. THE ADVISORY COMMITTEE

The Advisory Committee consists of the deans of the various schools and colleges and directors of departments. The committee meets at the call of the President to consider with him the budget, appointments, promotions, dismissals, salaries, and such other matters as may be thought worthy of attention. The committee may make such recommendations to the Board as it deems best, but the decision of the President is not bound by a majority vote of the committee. The President, however, in presenting his decision to the Board or to the Council, shall present in writing, if requested to do so, the recommendations of the committee and the reasons therefor. In the event of a disagreement between the President and a dean or director or a majority of the committee, both parties may have a hearing before the Board. Before taking up with the President the annual budget, the dean shall first consult his own faculty concerning the needs of the department or school.

IV. THE FACULTY

The University faculty consists of all officers of instruction of the rank of instructor and above, the directors of divisions, laboratories, and stations, those engaged in state service work under the direction of the President, the registrar, and such other administrative officers as shall be designated by the President or faculty or Regents. It meets near the beginning of each semester, at the call of the President or at any time upon the written request of ten members. The faculty may formulate its attitude upon any matter affecting the institution and may make recommendations to the council or to the Board of Regents or to the President or Advisory Committee.

V. THE COUNCIL

The Council is the legislative body of the University. It consists of the President, the Deans of the various schools and colleges, Professors, Associate Professors, acting heads of departments, the Director of Athletics, the Dean of Women, the Secretary of the University, the Librarian, and Assistant Professors whose appointment has been renewed after three years of service. The presiding officer of the Council is the President, or in his absence the Dean of one of the colleges, appointed by the President. The registrar is ex officio secretary of the Council. The Council holds regular meetings on the third Thursday of the month of the college year and special meetings at the call of the President or at the call of the Secretary of the Council, on the written request of ten members. One half of the members shall constitute a quorum.

The Council has jurisdiction over all matters involving the general University policy, so far as these are not reserved to the Board of Regents or to the President. It determines what constitute questions of educational policy, exercises legislative functions touching the same, and makes such rules and regulations as it may deem advisable to promote the educational interests of the University.

Among other matters, the Council has jurisdiction over the following:

- (a) Requirements and methods for admission to the institution and questions relating to advanced standing.
- (b) Requirements for degrees and certificates.
- (c) Determination of the curricula, authorization of new courses of study and changes in courses of study.
- (d) Questions of scholarship and attendance, coordination of outside activities, methods of recording class standing and credits, examination and recitation schedules, vacations, and the institution catalog and calendar.
- (e) Institution prizes, honors, and honorary degrees.
- (f) General relations and interests of students, including health, conditions of living, regulation of social life, athletics, student organiza-

tions and publications, musical and dramatic clubs, debate and oratory.

(g) The Library and Extension Division.

The Council recommends candidates for diplomas, degrees and certificates which are conferred by the President, under the authority of the Board of Regents. It appoints or authorizes the appointment by the President, of standing and special committees whose duty it shall be to consider the work referred to them and to make reports to the Council. It appoints an executive committee, called the Administrative Committee, which consists of the deans of the various schools and colleges, together with four members to be elected by the Council. This committee cooperates with the deans in enrolling students, exercises the functions of the Council as outlined under (d) above, and passes upon all student petitions and administrative detail, except in cases involving general University policies.

The Council may address the President or the Board of Regents upon any University matter.

VI. THE DEANS

The deans of the various schools and colleges, the directors of stations, and all executive officers are appointed by the Board of Regents upon the recommendation of the President. Before making such recommendation, however, the President is expected to confer with the Advisory Committee, and in making his recommendations to the Board he is expected to present the qualifications of all candidates, together with such testimonials as they may submit. When the Board is not satisfied with the recommendation made by the President, it reserves the right either to select from the names presented some other than the one recommended by the President or to present some other than the one recommended by the President or to ask the President to make another recommendation.

The dean of each school recommends to the President all appointments, promotion or removal of professors or teachers in his department, but the President may reserve the right to recommend some other than the name recommended by the dean in case of a vacancy or of a new appointment, or to ask the dean to make a new recommendation. When the President does not endorse the recommendation of the dean for the promotion, removal or appointment of a member of the faculty, he shall state in writing, when requested to do so, to the Board of Regents the recommendations of the dean and the reasons therefor. Heads of departments shall have the same rights granted deans in recommendations for the promotion, removal, or appointment of their teaching staff. In general, for the purposes of securing harmony and cooperation, all officers and professors shall have a hearing concerning the appointment of their subordinates, and as a general rule such appointment should not be made without their approval.

The deans have charge of the enrolling of students and general oversight of their work. They recommend, from time to time, to the faculty of their college, or to the University Council, changes in the curriculum or methods of procedure, and they make an annual report to the President of the condition of their schools or colleges. They are ex officio members of the Administrative Committee of the Council and of the Advisory Committee. They are charged with the oversight of the educational work of their colleges and their efficient conduct, and together with the President, with the responsibility for the well-being of the institution as a whole.

VII. THE FACULTIES OF SCHOOLS AND COLLEGES

Any instructor giving instruction in any of the schools or colleges of the institution is considered a member of the faculty of that school or college in which such instruction is given. Only the deans, professors, associate professors, assistant professors and such other officers as may be selected by the dean and faculty with the approval of the President, shall have the right to vote in matters affecting the general policy of any school or college. Each administrative head may call a meeting of the faculty of his school or college or division whenever it seems advisable to him, or

whenever requested to do so by one-fourth of the faculty. The President should be informed of such meetings, especially when matters of importance are under consideration. The faculty of each school or college or division meets from time to time to consider the welfare of the group and to make such recommendations to the President and Council as may be deemed advantageous; but no special faculty has the power to nullify legislation that touches in any way the general policies of the institution.

VIII. DEPARTMENTAL FACULTIES

Each departmental faculty consists of such professors, associate professors, assistant professors and instructors as may be appointed by the Board of Regents to give instruction in one of the recognized fields of study. The head of the department has general direction of the work of the department. In this capacity he makes departmental reports and is finally responsible for the work and progress of his department.

The departmental faculty has jurisdiction over all matters concerning its own internal policies, in so far as these do not conflict with other departments or with the rules and regulations of the Council. It determines the organization of the work of the department, recommends new courses when deemed advisable and consults in regard to matters of departmental policy and budget. The head of the department recommends to the President the appointment, promotion or removal of professors and instructors, but when the President is not satisfied with the recommendation of the head of the Department he may select from names presented some other than the one recommended by the head of the department, or he may ask him to make another recommendation. Full professors may make recommendations to the head of the department under conditions similar to those governing the head of the department in making recommendations to the President. In the event of disagreement, the President shall present to the Board of Regents not only his own, but also the views of the faculty or dean.

IX. OTHER ADMINISTRATIVE OFFICERS

1. The Dean of Women

The Dean of Women is charged with the general oversight of all the women students of the institution. It is her duty to aid and advise them in their institutional life.

2. The Registrar

The Registrar has charge of the registration and the permanent records of students. He conducts correspondence with prospective students, examines and passes upon entrance credentials, and, subject to the rules of the Council, examines and passes upon credentials for advanced standing. He edits the institution directory and compiles institution statistics, and under the direction of a committee of the Council, has charge of the editing and the distribution of the University catalog and announcements. He is ex officio secretary of the Council and of the Administrative Committee.

3. The Secretary.

The Secretary of the University is the accounting and purchasing officer of the institution. He shall cooperate with departments in the purchase of supplies, he shall keep all accounts, assist the President in the formulation of the budget, and act upon such committees as he may be appointed to. He shall prepare an annual report for the Board of Regents and cooperate with the Secretary of the Board in the conduct of financial and business matters relating to the University. He may employ such assistants, subject to the approval of the President, as the Board of Regents may authorize.

4. The Librarian.

The Librarian has the custody of all library equipment and of all books, magazines, pamphlets, etc. belonging to the University. It is his duty to make all books as easy of access as possible to all patrons of the library. He consults with departments regarding the purchase and manage-

ment of books of a technical nature, but selects alone, or in cooperation with the library committee, reference and miscellaneous books not clearly within the field of any established department. With the library committee, he formulates rules carrying out the policy of the council for the government of the library and its various parts.

5. The Superintendent of the Model High School

The Superintendent of the Model High School is responsible, under the direction of the Dean and faculty of the College of Education, and in cooperation with the faculty of the Model High School, for the supervision and administration of that school. In cooperation with his faculty, he has charge of the enrollment, the discipline, the investigation of secondary school problems, the work of observation and practice teaching, and the formulation of rules and regulations for the internal working of the school. After consulting his faculty, he may make recommendations to the President and faculty of the Department of Education for the engagement, retention or retirement of teachers.

6. The Superintendent of Buildings and Grounds

The Superintendent of Buildings and Grounds is responsible for the preservation and the efficient working of the physical plant of the University, including the campus and buildings. He is charged with the execution of all routine work done in connection with the physical plant, except such as may be otherwise assigned by the Board of Regents, and of such special work as may be delegated to him. He employs, subject to the approval of the President, such assistants, janitors, watchmen, mechanics and other laborers as may be authorized by the Board of Regents. He has the immediate supervision of all laborers mentioned above, keeps and reports a record of their time, and discharges any for cause or when their services are no longer needed, but only upon the approval of the President.

X. APPOINTMENTS

All members of the instructional staff and all administrative officers are appointed as elsewhere indicated, by the Board of Regents upon the recommendation of the President, who confers with the Advisory Committee, the deans of the school or college involved, and in the case of associate and assistant professors and instructors, with the head of the department concerned. Other assistants and employes in departments and officers are appointed by the head of the department or office concerned, with the approval of the President and the Board of Regents. All appointments shall be made solely with respect to the special fitness of the individual for the work demanded in the position. Political, fraternal, social or church influences shall in no case affect or prejudice the appointment of any individual.

XI. TERMS OF EMPLOYMENT

In the absence of some special arrangement, the employment of members of the faculty is for a period of ten months. Those continuously employed must hold themselves in readiness for service at any time during the year and receive their salaries in twelve monthly installments. The others receive their salaries in ten monthly installments. It is assumed that all persons worthy of employment in the instructional staff will be interested above all else in developing the work of their departments, will have no interests incompatible therewith, and will give the utmost of their powers at all times to the promotion of that end.

The importance of rest and recreation to teachers is recognized, and it is desired that all shall have reasonable vacations and shall use their vacations rationally to promote the ends for which they are intended. All members of the faculty shall be in actual attendance at least until after Commencement and until all reports have been made, and for at least three days prior to the first day of registration in September, unless for special reasons leave is extended by the President. All above the rank of instructor shall keep the President informed as to their whereabouts in periods of absence, and

be in readiness to respond quickly to any call of service.

In the case of those whose term of service is continuous, and in the case of assistants in departments and offices and of other employes of the institution, the President, or the President and the head of the department, director, or superintendent concerned, may determine upon such terms of vacation as seem reasonable and just, and shall report the same to the Board of Regents.

XII. TENURE

The President may be appointed permanently, at the discretion of the Board. Deans of schools and colleges, professors and associate professors are placed on permanent appointment upon the recommendation of the President, and with the approval of the Board. Assistant professors and the Dean of Women may be appointed for three years, upon the recommendation of the President and with the approval of the Board. Instructors are appointed for one year.

Before dismissal or demotion, particularly when there is an alleged breach of academic freedom or individual liberty, any member of the faculty is entitled to have the charges against him stated in writing, to have a fair trial before a special committee of the Council and to have the recommendations of such committee presented to the Board of Regents, upon whom rests final authority for the promotion, appointment or removal of the teaching staff.

XIII. LEAVE OF ABSENCE

A professor, associate professor, or assistant professor who has served four consecutive years, and requests it, is entitled to a leave of absence for the purpose of travel and study, for one semester on one-half pay. If the service has been for seven consecutive years, a leave of absence may be granted upon request for one year on one-half pay. These permits, however, shall be given only on the advice of the President, and are open only to persons permanently appointed to positions. They shall not be given so as to conflict with each other in any way, or to hamper the work of the institution. Service in the summer session without pay, for three summers, entitles a professor to leave of absence on full pay for one semester.

No member of the instructional staff or other employe shall absent himself from his proper duties at the University for any other cause than sickness, except by the permission of the President. The President shall report to the Board all absences whether from illness or other cause.

XIV. REPRESENTATION AND ATTENDANCE AT MEETINGS

In order that the institution may be properly represented at the various academic gatherings or functions in which it is requested or invited from time to time to participate, the President, or at his request the Council, selects such members of the faculty as he or the Council deem appropriate or worthy to represent the institution. A sum is set aside in the annual budget to defray the expenses of such representation in whole or in part.

In addition to the above, members of the faculty are urged to become members of and attend meetings of the national and state teachers' associations and of associations of teachers of their own class. Members are also expected to attend meetings held for the promotion of the particular field in which they are engaged or interested. In order to encourage teaching efficiency and promote original and creative work among the members of the faculty, a sum is set aside also to defray the expenses in whole or in part of those who are delegated to attend such meetings by the President. Assignments from the fund are made by the President irrespective of the rank of the applicant. Members of the faculty to whom such assignments are made are expected to make a brief report to the President on their return or at some University gathering, if requested.

XV. ORDER OF COMMUNICATIONS AND REPORTS

Communications or reports pertaining to matters of business or appointments to be presented to the Board of Regents shall be first presented to the President for his examination and recommendation; but the Council or the Advisory Committee may, if they deem it advisable, address the Board directly.

In the same way communications and reports to superior authorities shall in general be transmitted through all the intermediary officers, but the right of the President to call for immediate reports from any member of the instructional or the administrative staff, or the right of any member of the faculty or of any employe of the University to address the President directly shall not be denied.

XVI. REGULATING THE USE OF UNIVERSITY PROPERTY

No one connected with the University shall use, for his own personal pleasure, or for other personal purposes, or remove from the buildings or grounds, any property of whatever description belonging to the institution, even though it may seem to be of no value, unless it be temporarily and pursuant to some well established regulation or usage, or with the distinct approval of the President.

XVII. THE SPIRIT OF COOPERATION

It shall be the duty of all persons connected with the institution to cooperate with the Board of Regents in carrying out the purpose and policies of the Board, and it shall also be the duty of all such persons to cooperate with the President, who is the representative of the Board. Deans, heads of departments and full professors may reasonably expect the loyal support of professors and employes who work with them in carrying out the policies approved by the President and faculty. At the same time all superior officers are reasonably expected to give an open mind to criticism or suggestions made to them by teachers and other persons working under their direction. The Board of Regents desires all persons connected with the University to deal with each other frankly and kindly and to work harmoniously together for the advancement of the institution. In the opinion of the Board, it is only under such conditions that a noble spirit of cooperation and helpfulness may be created at the institution. Such a spirit cannot be created by legislation or constitutional amendments.

XVIII. AMENDMENTS

Subject to the approval of the Board of Regents, this constitution may be amended by the Council by a majority vote of the members present at two regular meetings, written notice having been given to each member at least two weeks prior to any meeting when an amendment is to be considered.

This constitution may be amended by the Board of Regents by a majority vote of the Board at two regular meetings, written notice having been given to each member of the Board at least a month prior to any meeting at which an amendment is to be considered. Notice should also be given to the President and Council of the University when such amendments are under consideration by the Board of Regents.

Adopted as the University Constitution and agreed to as the method of governing the University under its provisions, October 11, 1916.

Two copies are deposited, one with the Secretary of the State Board of Regents, and one with the Secretary of the University.

Signed,

LEWIS F. CRAWFORD
President of the State Board of Regents.

CHARLES BREWER
Secretary of the State Board of Regents.

Bismarck, N. D., October 11, 1916.