



NDSA-17-2223

A Resolution in Opposition of SB 2247: Relating to Divisive Concepts in Higher Education

WHEREAS, the North Dakota Student Association (NDSA) represents the voice of North Dakota's 45,000 public college and university students; and,

WHEREAS, the purpose of NDSA is to represent all students enrolled in the North Dakota University System (NDUS) and advocate on issues of higher education in support of access, affordability, quality, and the student experience; and,

WHEREAS, section 15-10.6-01, which lists what can be considered a "divisive concept," contains vaguely written definitions, has logical fallacies that misrepresent founding tenets of theories and philosophies relative to higher education, and violates First Amendment academic freedom by restricting classroom discussions; and,

WHEREAS, items 1-3 within section 15-10.6-02, which prohibits discrimination or penalization of any student or employee under the control of the SBHE based on their beliefs, describes protections already afforded to such persons by the First Amendment and due process, making these items unnecessary to add into N.D.C.C.; and,

WHEREAS, item 1 within section 15-10.6-03, which prohibits "divisive concept training," would impede students in the classroom, the workplace, and during their college experience (e.g. education majors unable to complete mandatory diversity practicums, resident assistants unable to participate in necessary diversity awareness discussions, and freshman students unable to attend beneficial diversity orientation sessions); and,

WHEREAS, section 15-10.6-05, which clarifies that individuals providing training may respond to discussion of divisive concepts as long as they do not endorse or advocate any of them, both breaches the First Amendment rights the rest of the bill claims to defend and also assumes unprofessionalism and inappropriate bias within its own state employees; and,

WHEREAS, the stipulations outlined in SB 2247 diminishes a higher education student's ability to engage in productive discussion, critical thinking, respectful disagreements, the ability to learn, and the choice to pursue higher education free from academic mandates; so,

THEREFORE, BE IT RESOLVED, the NDSA supports the academic autonomy of faculty and professional capability of staff who teach and work within the NDUS, and trusts they possess the qualifications necessary to properly facilitate academic and professional discussions, as shown by their hiring; and,

THEREFORE, BE IT FURTHER RESOLVED, the NDSA supports allowing its students to pursue academic and professional opportunities that they deem fit to increase their understanding and knowledge; so,

THEREFORE, BE IT FINALLY RESOLVED, the NDSA General Assembly opposes SB 2247.



*Approved by the North Dakota Student Association General Assembly
Saturday, January 21st, 2023*