



**NDSA-18-2223**

## **A Resolution in Opposition to HB 1446**

**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**, all state employees, including faculty at NDUS institutions, must have the right to due process when facing a change in contract or employment termination; and,

**WHEREAS**, the purpose of academic tenure is to protect the academic freedom of faculty to teach and conduct research for the benefit of society, not to generate profit for an institution; and,

**WHEREAS**, HB 1446 may place the accreditation status of both Bismarck State College and Dickinson State University at risk under Higher Learning Commission regulation and North Dakota Century Code 15-18.1-05, which requires institutional governance to engage its internal constituencies and ensure faculty are involved in setting academic requirements, policy, and processes through effective collaborative structures; and,

**WHEREAS**, HB 1446 encroaches on the authority constitutionally granted to the SBHE, setting a dangerous precedent for the legislature to have unchecked control over higher education; and,

**WHEREAS**, HB 1446 would have a negative impact on faculty retention, which would critically disadvantage North Dakota institutions by failing to provide faculty with competitive career opportunities in the American workforce; and,

**WHEREAS**, students in the NDUS should have the right to higher education without questions of institutional accreditation status or whether esteemed faculty will be present to teach classes; so,

**THEREFORE, BE IT RESOLVED**, the NDSA believes that students, faculty, staff, and administration should be engaged in institutional decision-making; and,

**THEREFORE, BE IT FURTHER RESOLVED**, the NDSA opposes any legislative change to the tenure process at any of the eleven public institutions in North Dakota that would undermine the authority of the SBHE, and,

**BE IT FURTHER RESOLVED**, the NDSA opposes the passage of HB 1446.

*Approved by the North Dakota Student Association General Assembly  
Saturday, February 25<sup>th</sup>, 2023*