



H. B. 1511

Joint Technical Corrections Committee

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Chairs Representative Weisz and Senator Lee and members of the Joint Technical Corrections Committee. My name is Lisa Johnson, and I serve as the Vice Chancellor of Academic and Student Affairs for the North Dakota University System. I am here today on behalf of the University System (but not the State Board of Higher Education, which has not taken a position on this proposed legislation).

To date, the North Dakota University System believes it has successfully navigated the COVID 19 pandemic—permitting campuses to adapt to the changing risk levels in their respective communities using evidence-based practices to mitigate the spread of the virus.

Among the roughly 50,000 members of our academic community are individuals who are immune compromised, individuals with close family members that cannot be vaccinated or have underlying health conditions that place them at severe risk, and now, at times, those who have suffered from break through cases of the Delta variant.

Our students have been very clear that they have appreciated the NDUS' efforts to quickly return to in-person instruction while providing online or hybrid accessibility to students who are unable to attend in person. That could not have been accomplished without your foresight from earlier this year and the current exemption provided by the legislature that permitted us to responsibly use self-reported student, faculty, and staff data that enabled us to return to in-person instruction as quickly as possible. This was largely accomplished using self-reported data in addition to basic safety protocols like masks, social distancing, smaller class sizes and improved air handling systems. Without these approaches, we would not have been able to stop the spread without closing campuses entirely or a modified virtual model of instruction. Because of the exemption provided by you to responsibly use available data that included self-reported vaccine status, test results, and recovery data, we have been able to maintain the safest possible instructional spaces, common areas, and residence halls.

Ultimately, the exemption you have provided to date has afforded students the ability to make an informed choice. Using data available to them, students can make the

choice to be vaccinated, the choice to remain unvaccinated and to take advantage of regular testing, or for those who live on campus, the ability to quarantine to prevent the spread of the virus should they contract the virus or come in close contact with someone with the virus.

Today the North Dakota University System respectfully requests that the committee recommend retaining Section 1, Subsection 4 of H.B. 1511 (lines 15-19 on page 2), which will permit the State Board of Higher Education and its institutions to continue to responsibly use such data to mitigate the negative effects of COVID 19 and any subsequent variations of the virus. Removing the current exemption reduces the campuses' ability to utilize self-reported data to mitigate the spread of COVID 19.

The NDUS is unlike other public entities affected by this legislation because one-fourth to one-third of the students at some NDUS institutions reside on campus, which adds up to between 10,000 and 11,000 students. In addition to being in close contact with others in classrooms, laboratories, and common areas during the day, these students live on the premises—using cafeterias, fitness centers, libraries, and other common spaces. The NDUS and its institution have a responsibility to attend to the health and safety of our students and the greater campus community through the course of this pandemic through the use of reasonable, evidence-based procedures.

The NDUS respectfully requests your continued support for its ability to mitigate the spread of COVID-19 on campus, including by endorsing the exemption in Section 1, Subsection 4 of H.B. 1511.

This concludes my testimony related to H.B. 1511, I stand for questions from Committee members.