

**HB 1205**March 12th, 2023

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Chair Larson and Members of the Committee: My name is Jason Fincel and I am the Chief Administrator of the North Dakota Student Association. I am writing to you on behalf of our organization in opposition to House Bill No. 1205.

The North Dakota Student Association is a student organization established in 1969 dedicated to ensuring that students have a voice at the table in policy that affects Higher Education. We consist of delegates from each of the 11 public institutions, meeting monthly to engage students in ND Higher Education policy. Our mission is to empower students, create collaboration between the student bodies of the North Dakota public universities, and to give a student perspective on higher education policy.

The North Dakota Student Association serves as a means for students to speak as a unified and collective body on matters that pertain to them. In pursuit of that objective, the NDSA passed a resolution on Saturday, January 29th, 2022, NDSA-09-2122: A Resolution to Oppose the Banning of Critical Race theory (CRT) in North Dakota Higher Education. This resolution was premised on the notion that banning certain topics, such as Critical Race Theory, from being discussed during class would violate free speech and academic freedom and that state policies that interfere in academic affairs set a dangerous precedent for censorship. The NDSA also passed NDSA-17-2223: A Resolution in Opposition of SB 2247: Relating to Divisive Concepts in Higher Education. This resolution was passed to further support academic freedom among staff, faculty, administration, and students and to oppose the state attempting to regulate what can and cannot be taught or discussed in higher education classrooms. The NDSA also passed

NDSA-18-2223: A Resolution in Opposition to HB 1446 to support the academic freedom of faculty to teach and conduct research and to oppose state interference in academic affairs in such a way that it undermines the authority of the State Board of Higher Education and the individual institutions.

As evidenced by these resolutions, the NDSA takes academic freedom and independence from the state incredibly seriously. As an organization, the NDSA is firmly opposed to any efforts by the state to encroach on academic freedom. The North Dakota University System, its eleven institutions and their respective staff, faculty, administration, and students know best what makes for a quality education experience and it is in their prerogative, not the state's, to determine what material is most conducive to achieving that end. House Bill No. 1205 is an overreach by the state and harms the independence and autonomy of the schools in the North Dakota University System. On behalf of the North Dakota Student Association, I urge the committee to provide a DO NOT PASS recommendation on HB 1205.