



**Testimony on SB 2343**  
**Presented to the House Education Committee**  
**Prepared by Bernie Dardis, West Fargo Commission President**  
**Monday, March 6, 2023**

1 Chairman Heinert and members of the House Education Committee: I would like  
2 to submit my testimony in support of SB 2343, which ensures open, transparent  
3 communication between members of the State Board of Higher Education (SBHE).

4 The SBHE's policy manual dictates that board members serve with a reasonable  
5 level of knowledge and advocate for quality, efficient and effective higher education  
6 in North Dakota. To provide this service, they must understand context and decisions  
7 from the past, so they may make thoughtful, strategic decisions for the future. This  
8 requires access to records they feel are necessary to understand North Dakota's higher  
9 education landscape.

10 Opponents to this bill testified that limiting access to records and executive  
11 sessions decreases the risk of information leaking out. This argument disregards the  
12 thorough vetting and selection process to select high-quality board members who  
13 agree to operate with the best interest of the SBHE at heart. Limiting access to this  
14 information also creates an imbalance of members who are knowledgeable and those  
15 who are not. How can a board have valuable, strategic conversations that lead to  
16 sound decisions when not everyone is privy to the same information?

17 When I became the City of West Fargo's Commission President, I requested a  
18 number of records from staff so that I could become knowledgeable about our  
19 policies, processes and decisions. I continue to make these requests so that I can serve  
20 the community in the best possible way. We do not select board members who can  
21 access certain information, because each vote holds the same weight. Therefore,  
22 each vote should have the same opportunity for information.

23 The same should be true for the SBHE. Board members wanting to understand  
24 the full context of a past or future decision should not experience roadblocks to

25 accessing that information. For these reasons, I ask that you support SB 2343 with a DO  
26 PASS recommendation.

27 Thank you,

28 

29 Bernie Dardis, Commission President  
30 City of West Fargo