

Testimony of Erin Price  
against  
HOUSE BILL NO. 1446  
House Government and Veterans Affairs Committee  
February 3, 2023

Chairman Schauer and members of the committee, thank you for taking my testimony into consideration today.

My name is Erin Price, and I am a tenured Associate Professor of English at Bismarck State College. I earned tenure in 2013, and since then I have served several terms on BSC's Tenure Committee, including 3 terms as Chair. **I strongly oppose House Bill 1446** for the following reasons:

1. This bill gives college administration, only at BSC and at DSU, the ability to review and dismiss tenured faculty at-will and review tenure based upon current course enrollments and program costs. It does not consider experimental classes (which we are encouraged to teach yet often have lower enrollments). Faculty do not set the school's tuition costs; we are hired to educate, not to turn a profit.
2. Many think tenure means an instructor is immune from removal. This is incorrect. Tenure is not a guarantee of lifetime employment. We tenured faculty are subject to performance reviews and may be terminated for "cause" and for other valid reasons as outlined in policy approved by the State Board of Higher Education. This bill will not enhance the tenure process; it will eliminate it. Further, the purpose of tenure is to protect academic freedom and this bill directly attacks it.
3. HB 1446 will eliminate faculty rights and our due process which undermines SBHE policy.
4. The bill would strip tenured faculty of the right to appeal administrative decisions and the right to seek legal recourse for wrongful termination. It eliminates our right to "due process."
5. HB 1446 will surely hinder recruitment efforts for ND colleges and universities when searching for quality instructors.

I strongly urge the Government and Veterans Affairs Committee to give HB 1446 a **Do Not Pass** recommendation. Thank you for considering my testimony today.

Erin Price  
*Associate Professor*  
*Bismarck State College*