

February 1, 2023

Dear Chair Schauer and Member of the House Government and Veterans Affairs Committee:

I am writing to urge you to vote **Do Not Pass on HB 1446**.

This bill is based on the odd, and false, premise that “the urgent need to accelerate workforce development” can be addressed by “improving the tenure process” at Dickinson State University and Bismarck State College.

Representative LeFor seems to believe that a public university should be run like a business, but he clearly does not want to hold the university “CEO” (the president) accountable for any actual or potential failings of the university. Dickinson State University has been plagued by numerous problems over the past several years that have inhibited its ability to retain a positive reputation, attract students, and serve North Dakota. These problems (*some* of which are listed below) have resulted from **incompetent leadership** -- not the tenure process.

- a DSU president misrepresented enrollment numbers and pressured staff into engaging in unethical activities
- the Dickinson State University Foundation was placed into receivership and dissolved
- DSU leadership did not follow the policies in the Faculty and Adjunct Faculty Handbooks and evaluations of adjunct faculty were not being consistently completed
- DSU failed to properly review an eight-year contract for their bookstore services
- 8 out of 30 (26.7%) of university purchase card transactions tested by the ND State Auditor were made by someone other than the cardholder
- DSU lacks a policy for identifying, documenting, monitoring, and resolving conflicts of interest and nepotism issues
- procurement documentation has not been retained
- an NDUS investigation found that DSU was improper in its president-approved informal procurement process for instructional design with Wyoming-based Learning Corps
- hundreds of DSU students demanded the resignation of a DSU president and other top leadership alleging overreach of administrative authority, incompetence, and fraud.

These, and other, issues are not the result of problems with tenure, they are the result of **leadership incompetence**. HB 1446 is a smokescreen designed to blame faculty for the failings of university leadership.

Please uphold the integrity of higher education in North Dakota and recommend DO NOT PASS on HB 1446.

Amy Phillips, Fargo ND