

Dear Chair and Members of the Senate Education Committee:

My name is Ernst Pijning, I am employed as a faculty member at Minot State University, yet I am speaking for myself.

Thank you for considering this bill concerning tenure. In this testimony, I would like to explain why I oppose HB 1446.

As a former faculty advisor to the State Board of Education, I was involved in the current policy considering the termination of (tenured) faculty (601.5). I believe that this bill stems from misunderstanding of the current tenure policies, and it will be especially bad for students' education.

Tenure was and is never meant to preserve faculty positions. As has been the case at my institution last year, and currently at NDSU, when not enough students are enrolled in programs, tenured positions can be terminated. If tenured faculty are not functioning well, there is a process in place that will end the employment of this faculty member, as indeed happened last year at my institution. This process has been approved by the State Board of Higher education, it currently works well, and there is, in my opinion, no reason to change it.

The only protection that tenure offers is well-defined procedures and a one-year timeline. One of the main reasoning is that it takes long time it takes to become a tenured faculty member, and the financial consequences for the faculty are high. It takes about a decade to earn a PhD (in my case 12 years of university education) and an additional six years to earn tenure. During the years in graduate school, faculty cannot save for retirement, they are not gainfully employed, and they often accumulate debt. Indeed, while in graduate school I had to pay no taxes because I was officially below the poverty line. Our junior faculty members start their first academic employment in their late twenties or early thirties (I was 35). Tenure offers only a limited safety net. Faculty are offered one-year of employment if tenure is denied, one year to show they can improve if they are not functioning well, and a year if their position is eliminated (shorter in case of financial emergency). This reasoning stems from the academic job market: it goes in one-year cycles and faculty are unlikely to be hired mid-year.

During the house session, it was argued that HB 1446 will be good for students. My assessment is different. I anticipate that, if adopted, this will immediately lead to unrest and uncertainty on campus, and I therefore anticipate a higher-than-normal turn-over of junior faculty. This may lead to open faculty lines, and thus positions will have to be filled by less experienced faculty. Students' education will therefore suffer, and especially at an already vulnerable institution like Dickinson State University.

While being in the house when HB 1446 was voted on, I heard that several members voted in favor of the bill, just to send this to the Senate for further consideration. My hope is that you will look very closely at the consequences for students and faculty of unclear termination procedures and the chilling effect it will have on all NDUS institutions. Therefore, I hope you will give HB 1446 a "do not pass" recommendation.

Thank you for taking this testimony into consideration.

Sincerely,

Ernst Pijning

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