



## HB 1179

House Education Committee

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Lisa A. Johnson, Vice Chancellor, NDUS  
701.340.5054 | [lisa.a.johnson@ndus.edu](mailto:lisa.a.johnson@ndus.edu)

Chair Heinert and members of the House Education Committee. My name is Lisa Johnson, and I serve as the Vice Chancellor for Academic and Student Affairs with the North Dakota University System (NDUS). I am here today on behalf of the NDUS to testify in opposition to HB 1179.

The North Dakota University System is a constitutionally created entity. Because of that, many of the traditional unified services that other State agencies share do not apply to the NDUS. Included in that, is the State Human Resource Management System, otherwise known as HRMS. Instead, the NDUS manages their own Human Resources- whether it is the System Office or the campuses individually.

The constitutional autonomy of the SBHE comes from the ND Constitution in Article VIII, Section 6.6.b. It states, “The state board of higher education shall have full authority over the institutions under its control.” In other words, the institutions of higher education should be managed and run through the State Board of Higher Education. This includes the management of over 6,500 personnel and the internal operations of the campuses. There is no other area in the Century Code that purports to manage the personnel or benefits of the NDUS employees, and that is because that authority has been exclusively given to the NDUS.

If the legislature were to enact HB 1179, stipulating specific paid leave benefits to one narrow subset of approximately 250-300 NDUS employees, it provides an avenue for individuals to circumvent Board analysis and deliberation entirely. Furthermore, it opens a plethora of problems with respect to employees on campuses being treated disparately due to legislating the benefits of one specific subset of employees.

The bill fails to address questions circulating regarding prescribed accrual of annual leave for faculty on 9, 10, and 11-month contracts. In consultation with the NDUS Council of College Faculty from across the state, I do not sense that faculty support HB 1179, including faculty on 12-month contracts. It further raises questions as to whether the legislature is prepared to navigate the peripheral implications of assuming human resource policy responsibilities for roughly 2,500 faculty and 4,000 staff.

You'll see that the NDUS calculated a fiscal note totaling approximately \$7.2 million if faculty on 12-month contracts were to receive 24 days of paid annual leave as proposed in HB 1179.

I wish to close by reiterating my introductory comments. The issue cited in HB 1179 is well within the purview of the State Board of Higher Education. The Board has strong leadership, the statutory authority, and the ability to convene with much greater frequency to consider this HR matter.

I respectfully ask for a "do not pass" on HB 1179.