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**Testimony Before the Senate Education Committee  
HB 1437  
Tuesday, March 11, 2025**

Chairman Beard and members of the Senate Education Committee, for the record my name is Nick Archuleta, and I am the president of North Dakota United. I rise today to urge a ***do not pass*** recommendation for HB 1437.

Though this bill has been amended to no longer eliminate tenure at two-year colleges, it remains problematic and unnecessary for our institutions of higher education and encroaches on the constitutional authority of the State Board of Higher Education.

In section 1, subsection b, the bill calls for all annual evaluations of nontenure, tenure-track, and tenured faculty be conducted by the president of the institution or a designee of the president. Faculty, tenured or otherwise, already undergo yearly evaluations conducted by their department chair, dean, or other supervisor. This allows for the evaluation to be completed by an administrator with the relevant knowledge and expertise to evaluate a faculty member within their academic field. Requiring the president or a designee of the president to lead the yearly evaluation not only puts more work on the plate of an institution president, but it also takes the responsibility of yearly evaluation out of the hands of the direct supervisor of a faculty member.

As currently written, section 1, subsection c would make for a less rigorous post-tenure review process that would include one ranking administrator, one supervisor, and only one faculty member. By setting parameters for the makeup of post-tenure review committees, this bill restricts the ability of institutions to include subject-matter experts and effectively evaluate faculty. The needs of each college and university vary, and we should allow each institution to tailor their policies and procedures to best fit their unique missions and eliminate duplicative and unnecessary administrative red tape.

Chairman Beard and members of the Senate Education Committee, I respectfully ask for a ***do not pass*** recommendation for HB 1437. This concludes my testimony, and I am happy to stand for questions.