

February 4, 2021

North Dakota Legislature
H.B. 1349
House Political Subdivisions Committee

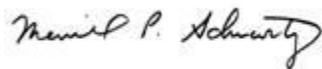
Chair Docker and Committee Members:

I write in opposition to H.B. 1349, as currently proposed, specifically in opposition to Section 2, which amends North Dakota Century Code Section 44-04-18.27 and would require making public non-finalist application materials when finalists are named in searches for chief executives of a college, university, or system.

In 2017, the president of the Association of Governing Boards of Universities and Colleges (AGB) wrote in support of the legislation that established the current practice of maintaining confidentiality of application materials in presidential searches. Please see attached letter from Richard D. Legon. The arguments in favor of confidentiality are the same now as then. The proposed change in H.B. 1349 would be a step backwards, reversing the best practice of confidentiality of candidates who do not become finalists. This practice contributes to a robust candidate pool. Confidentiality attracts leading candidates who would not otherwise risk their current positions and relationships if subject to revealing their candidacy along with a large pool of applicants, rather than only if selected as a finalist.

AGB joins in support of the State Board of Higher Education and urges the Committee to adopt NDUS's proposed amendment.

Sincerely,



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Attachment: Letter from Rick Legon ND

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