



TESTIMONY on SB 2247
from the
NATIONAL ASSOCIATION OF SOCIAL WORKERS—NORTH DAKOTA CHAPTER
to the
ND House Education Committee
March 7, 2023

Chair Heinert and members of the House Education Committee:

The Advocacy Committee of the North Dakota Chapter of the National Association of Social Workers submits this testimony **in opposition to SB 2247 for the following reasons:**

1. The bill will severely limit social work students' ability to develop the knowledge, skills, and values for effective and non-discriminatory social work practice.

The Council on Social Work Education (social work education's accrediting body) requires that “social work programs integrate anti-racism, diversity, equity, and inclusion (A DEI) approaches across the curriculum. Programs provide the context through which students learn about their positionality, power, privilege, and difference and develop a commitment to dismantling systems of oppression, such as racism, that affect diverse populations.”¹

In addition, the National Association of Social Workers *Code of Ethics* asserts that “Social workers should not practice, condone, facilitate, or collaborate with any form of discrimination on the basis of race, ethnicity, national origin, color, sex, sexual orientation, gender identity or expression, age, marital status, political belief, religion, immigration status, or mental or physical ability.”²

Taken together, these two national organizations provide a strong mandate that social work programs prepare social workers to a) work in a non-discriminatory fashion, b) be aware of their own social status, power, and privilege in relation to service recipients, and c) engage in dismantling social barriers to service recipients' growth and development. SB 2247 will make this mandate nearly impossible.

For example, the bill states that students may not be “penalized” due to the student’s “refusal to...oppose a specified content” (15-10.6-02.1.a). One of the “specified concepts” in the bill is that “One race or sex is inherently superior or inferior to another race or sex” (15-10.6-01.3.a). If a social work student working as an intern in a social service agency provides differential treatment to women, Native Americans, and/or immigrants due to that intern’s belief in the inferiority of those groups, neither the student’s agency supervisor nor program faculty will be able to hold this student accountable for their prejudicial beliefs and behaviors. SB 2247 essentially endorses and encourages racist, sexist, and xenophobic beliefs and behaviors.

2. SB 2247 endorses educational censorship and will promote confusion about how to interpret and implement directives in the bill.

The bill states that it does not “limit or restrict the academic freedom of faculty” or “infringe on the rights of freedom of speech,” but the entire bill is a detailed list of prohibited concepts and the contexts in which they may

¹ [CSWE Educational Policy and Accreditation Standards](#) (p. 16)

² [NASW Code of Ethics](#) (section 4.02)

or may not be discussed. Regardless of the bill's stated "Construction and purpose," it will be almost impossible for faculty or institutions to understand whether classroom discussions violate a section of the bill, whether they are engaging in "adverse treatment" of a student or employee, whether they are promoting "division" between people, or whether the ideas of authors in classroom required readings will be viewed as promotion of a "specified concept."

The bill will have a chilling effect on the educational, research, and service functions of North Dakota's state colleges and universities, thereby limiting the educational accomplishments of North Dakota's students.

3. SB 2247 violates the Constitution of North Dakota by ignoring the constitutional role of the ND State Board of Higher Education.

The state Constitution asserts that the "state board of higher education shall have full authority to organize or reorganize within constitutional and statutory limitations, the work of each institution under its control..."³ In other words, it is the job of the SBHE, not the legislature, to oversee curricular content, whether for institutional courses, seminars, trainings, workshops, or orientations.

Social work students have the right to receive an education that adheres to the standards of the Council on Social Work Education's *Educational Policy and Accreditation Standards* and the NASW *Code of Ethics*. SB 2247 stands in the way of that right. The NASW-ND Advocacy Committee requests the House Education Committee vote Do Not Pass on this bill.

Submitted by Kristin Rubbelke, NASW-ND Executive Director

³ [ND Constitution, Article VIII, Section 6](#)