



Senate Resolution

To: The Student Senate of the University of North Dakota

Authors: Faith Wahl – Student Body President

Sponsors: Chloe Lord – Off-Campus Senator, Luca Beretta – College of Engineering and Mines Senator, Danny Lilya – Off-Campus Senator

CC: Faith Wahl – Student Body President, Morgan Mastrud - Student Body Vice President, Cassie Gerhardt - Student Government Advisor, Kari Holter - Student Organization Funding Agency Advisor;

Date: 02/08/2023

Re: Opposing HB 1446

Whereas, HB 1446 relates to a pilot program for tenured faculty review at institutions of higher education, and

2 Whereas, HB 1446 aims to “improve tenure process” [1] by requiring tenured faculty to do the following:

- Generate more tuition or grant revenue than the total cost of employing the individual
- 4 • Teach and advise a number of students that is equal to or greater than the average campus teaching and advising load
- 6 • Measurable recruit and retain students for the intuition

8 Whereas, HB 1446 alters the tenure review process and moves the full responsibility to the President of the University and away from a faculty committee review, and

10 Whereas, under HB 1446, a President of a University can choose not to renew a contract of a tenured faculty member at any time, and

12 Whereas, if a tenured faculty member’s contract is not renewed, there may not be a “complaint, lawsuit, or other allegation” [1] against the President or other administrators involved in the process, and

14 Whereas, the lack of an appeal process for tenured faculty members who do not have their contract renewed is concerning for cases around potential discrimination, unjust firing, or other similar cases, and

16 Whereas, the current bill includes only Bismarck State College (BSC) and Dickinson State University (DSU) in the pilot program, and

18 Whereas, while only BSC and DSU are included in the pilot program at this time, there is no guarantee that this bill will not apply to the University of North Dakota (UND) and applicable faculty in the future, and

Whereas, the UND University Senate passed a resolution opposing HB 1446 [2] on February 2nd, 2023, and

[1] <https://ndlegis.gov/assembly/68-2023/regular/documents/23-0083-04000.pdf>

[2] https://ndlegis.gov/assembly/68-2023/testimony/HGVA-1446-20230203-18920-A-NEWMAN_ROBERT.pdf

- 20 Whereas, if tenure is not protected at a University, potential candidates for faculty positions may be discouraged by the lack of protection for tenure in North Dakota and look for employment outside of the state, and
- 22 Whereas, if tenure is not protected at a University, current faculty members may choose to move and teach outside of North Dakota due to lack of protection for tenure and lack of an appeal process involved, and
- 24 Whereas, a decreased number of experienced and quality faculty members has an adverse impact on the educational experience of students at UND, and
- 26 Whereas, HB 1446 may discourage future students from attending public institutions in North Dakota, negatively impacting North Dakota's educational system and the workforce in the state;
- 28 Therefore, be it resolved UND Student Government opposes HB 1446 relating to a pilot program for tenured faculty review at institutions of higher education, and
- 30 Therefore, be it further resolved UND Student Government opposes any process that will undermine a fair and equitable review process for tenure;
- 32 Therefore, be it furthest resolved UND Student Government urges the North Dakota legislature to consider the detrimental impacts that HB 1446 may have on the state and not pass HB 1446.

DocuSigned by:

Faith Wahl

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Faith Wahl, Student Body President