

2023 SENATE EDUCATION

SB 2247

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2247
1/23/2023

Relating to divisive concepts at institutions of higher education; provide an expiration date.
--

10:00 AM Chair Elkin opened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- First amendment
- Definitions
- State Board of Higher Ed
- Intimidation

Sen Bob Paulson, Dist 3 is bill sponsor and testified in support #15607

Nick Archulta, ND United testified against the bill #15475

Faith Wahl, UND Student Body Pres, testified against the bill #15395

Lisa Johnson, ND University System, testified neutral on bill #15379.

Additional written testimony:

Amber Vibeto, Minot, ND in support #14931

Andrianova Anastassiya , opposed #14927

Olivia Data, opposed #15300

Birgit Pruess, Fargo, ND opposed #14828

Robert Newman, UND professor, opposed #15329

Liz Legerski, UND professor, opposed #15337

Adelyn Emter, ND Student Assoc, opposed #15374, #15376, #15377

10:30 AM Chair Elkin closed the hearing.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2247
1/23/2023

Relating to divisive concepts at institutions of higher education; to provide a report; provide an expiration date.

2:33 PM. Chair Elkin reopened the hearing. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- First amendment

2:34 PM Seth Lumley, Political Science Program, NDSU, testified against the bill #15190.

2:39 PM Chair Elkin closed the hearing.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2247
1/25/2023

Relating to divisive concepts at institutions of higher education; provide a report; provide an expiration date.
--

9:00 AM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Bill review
- Foundation for Independent Right Education

9:13 AM Lisa Johnson, ND University System answered questions.

9:25 AM Chair Elkin closed meeting.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2247
1/30/2023

Relating to divisive concepts at institutions of higher education; provide a report; provide an expiration date.
--

3:00 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Bill review

Lisa Johnson, University System verbally answered questions.

3:15 PM Chair Elkin adjourned the meeting.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2247
2/6/2023

Relating to divisive concepts at institutions of higher education; provide a report; provide an expiration date.
--

10:41 AM Chair Elkin opened meeting. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics

- Committee action

Sen Wobbema moved Amendment 23.0417.02001 #19314, #19360,

Sen Axtman seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES – 6 NO – 0 Absent - 0 Motion PASSED.

10:58 AM Chair Elkin adjourned the meeting.

Pam Dever, Committee Clerk

February 2, 2023

PROPOSED AMENDMENTS TO SENATE BILL NO. 2247

AG
2-7-23
(1-3)

Page 1, line 2, replace "divisive" with "specified"

Page 1, line 9, remove "Divisive concept" means a concept that:

Page 1, remove lines 10 through 23

Page 2, remove lines 1 through 12

Page 2, line 13, remove "2."

Page 2, line 18, replace "3." with "2."

Page 2, after line 20, insert:

- "3. "Specified concept" means a concept that:
- a. One race or sex is inherently superior or inferior to another race or sex;
 - b. An individual, by virtue of the individual's race or sex, is inherently privileged, racist, sexist, or oppressive, whether consciously or subconsciously;
 - c. An individual should be discriminated against or receive adverse treatment because of the individual's race or sex;
 - d. An individual's moral character is determined by the individual's race or sex;
 - e. An individual, by virtue of the individual's race or sex, bears responsibility for an action committed in the past by other members of the same race or sex;
 - f. An individual should feel discomfort, guilt, anguish, or another form of psychological distress solely because of the individual's race or sex;
 - g. A meritocracy is inherently racist or sexist, or designed by a particular race or sex to oppress another race or sex;
 - h. This state or the United States is fundamentally or irredeemably racist or sexist;
 - i. Promotes or advocates the violent overthrow of the United States government;
 - j. Promotes division between, or resentment of, a race, sex, religion, creed, nonviolent political affiliation, social class, or class of people;
 - k. Ascribes a character trait, value, moral or ethical code, privilege, or belief to a race or sex, or to an individual because of the individual's race or sex;

Alx
2-7-23
(2-3)

- l. The rule of law does not exist, but instead is a series of power relationships and struggles among racial or other groups;
- m. All Americans are not created equal and are not endowed by their creator with certain unalienable rights, including life, liberty, and the pursuit of happiness;
- n. Governments should deny to any person within the government's jurisdiction the equal protection of the law;
- o. Includes race or sex stereotyping; or
- p. Includes race or sex scapegoating."

Page 2, line 21, replace "seminar, workshop, instruction, and orientation" with "noncredit earning:"

- a. Seminar;
- b. Workshop; or
- c. Orientation"

Page 2, line 22, replace "**Divisive**" with "**Specified**"

Page 2, line 27, after "to" insert "or oppose"

Page 2, line 27, replace "divisive" with "specified"

Page 2, line 28, after "endorse" insert "or oppose"

Page 3, line 5, after "a" insert "state or federal"

Page 3, line 7, replace "**divisive**" with "**specified**"

Page 3, line 9, after "mandatory" insert "noncredit earning"

Page 3, line 10, replace "divisive" with "specified"

Page 3, line 11, after the first "a" insert "noncredit earning"

Page 3, line 11, after "materials" insert "in a noncredit earning training"

Page 3, line 12, replace "divisive" with "specified"

Page 3, line 14, replace "divisive" with "specified"

Page 3, line 22, after "biennial" insert ", confidential, and statistically sound"

Page 4, after line 1 insert "1."

Page 4, line 2, replace "an" with ":

- a. An"

Page 4, line 3, replace "divisive" with "specified"

Page 4, line 4, replace "or" with an underscored comma

Page 4, line 4, after "advocate" insert ", or oppose"

Page 4, line 4, replace "divisive" with "specified"

Page 4, line 4, after "concept" insert ":

*Atc
2-7-23
(3-3)*

- b. An institution from considering the subject matter competency of a candidate for a faculty position or promotion if the subject matter is germane to the candidate's field of scholarship;
 - c. An institution from training students or employees on the nondiscrimination requirements of federal or state law, or from requiring a student, faculty member, or employee to comply with federal or state laws, including antidiscrimination laws, or from taking action against a student, professor, or employee for a violation of federal or state law; or
 - d. Limit or restrict the academic freedom of faculty or to prevent faculty members from teaching, researching, or writing publications about the specified concepts or related topics.
2. This chapter does not authorize an institution to infringe on the rights of freedom of speech protected by the First Amendment to the United States Constitution"

Renumber accordingly

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2247
2/6/2023

Relating to divisive concepts at institutions of higher education; provide a report; an expiration date.
--

3:00 PM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm.

Senator Wobbema Absent

Discussion Topics:

- Bill review

3:01 Chair Elkin distributed amendment 23.0417.2001 #19360

3:01 Chair Elkin closed the meeting.

Pam Dever, Committee Clerk

2023 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2247
2/7/2023

Relating to divisive concepts at institutions of higher education; provide a report; provide an expiration date.
--

9:15 AM Chair Elkin opened committee work. Present: Chair Elkin, Vice Chair Beard, Sen Axtman, Sen Conley, Sen Lemm, and Sen Wobbema.

Discussion Topics:

- Committee action

Sen Beard moved to DO PASS as Amended. 23.0417.02001

Sen Conley seconded the motion.

Senators	Vote
Senator Jay Elkin	Y
Senator Todd Beard	Y
Senator Michelle Axtman	Y
Senator Cole Conley	Y
Senator Randy D. Lemm	Y
Senator Michael A. Wobbema	Y

VOTE: YES – 6 NO – 0 Absent – 0 Motion PASSED

Sen Lemm will carry the bill.

9:20 AM Chair Elkin adjourned meeting.

Pam Dever, Committee Clerk

REPORT OF STANDING COMMITTEE

SB 2247: Education Committee (Sen. Elkin, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (6 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). SB 2247 was placed on the Sixth order on the calendar. This bill does not affect workforce development.

Page 1, line 2, replace "divisive" with "specified"

Page 1, line 9, remove ""Divisive concept" means a concept that:"

Page 1, remove lines 10 through 23

Page 2, remove lines 1 through 12

Page 2, line 13, remove "2."

Page 2, line 18, replace "3." with "2."

Page 2, after line 20, insert:

- "3. "Specified concept" means a concept that:
- a. One race or sex is inherently superior or inferior to another race or sex;
 - b. An individual, by virtue of the individual's race or sex, is inherently privileged, racist, sexist, or oppressive, whether consciously or subconsciously;
 - c. An individual should be discriminated against or receive adverse treatment because of the individual's race or sex;
 - d. An individual's moral character is determined by the individual's race or sex;
 - e. An individual, by virtue of the individual's race or sex, bears responsibility for an action committed in the past by other members of the same race or sex;
 - f. An individual should feel discomfort, guilt, anguish, or another form of psychological distress solely because of the individual's race or sex;
 - g. A meritocracy is inherently racist or sexist, or designed by a particular race or sex to oppress another race or sex;
 - h. This state or the United States is fundamentally or irredeemably racist or sexist;
 - i. Promotes or advocates the violent overthrow of the United States government;
 - j. Promotes division between, or resentment of, a race, sex, religion, creed, nonviolent political affiliation, social class, or class of people;
 - k. Ascribes a character trait, value, moral or ethical code, privilege, or belief to a race or sex, or to an individual because of the individual's race or sex;
 - l. The rule of law does not exist, but instead is a series of power relationships and struggles among racial or other groups;

- m. All Americans are not created equal and are not endowed by their creator with certain unalienable rights, including life, liberty, and the pursuit of happiness;
- n. Governments should deny to any person within the government's jurisdiction the equal protection of the law;
- o. Includes race or sex stereotyping; or
- p. Includes race or sex scapegoating."

Page 2, line 21, replace "seminar, workshop, instruction, and orientation" with "noncredit earning:"

- a. Seminar;
- b. Workshop; or
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Page 2, line 22, replace "**Divisive**" with "**Specified**"

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Page 3, line 22, after "biennial" insert ", confidential, and statistically sound"

Page 4, after line 1 insert "1."

Page 4, line 2, replace "an" with ":

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Page 4, line 4, replace "or" with an underscored comma

Page 4, line 4, after "advocate" insert ", or oppose"

Page 4, line 4, replace "divisive" with "specified"

Page 4, line 4, after "concept" insert ":

- b. An institution from considering the subject matter competency of a candidate for a faculty position or promotion if the subject matter is germane to the candidate's field of scholarship;
 - c. An institution from training students or employees on the nondiscrimination requirements of federal or state law, or from requiring a student, faculty member, or employee to comply with federal or state laws, including antidiscrimination laws, or from taking action against a student, professor, or employee for a violation of federal or state law; or
 - d. Limit or restrict the academic freedom of faculty or to prevent faculty members from teaching, researching, or writing publications about the specified concepts or related topics.
2. This chapter does not authorize an institution to infringe on the rights of freedom of speech protected by the First Amendment to the United States Constitution"

Renumber accordingly

2023 HOUSE EDUCATION

SB 2247

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

SB 2247
3/7/2023

Relating to specified concepts at institutions of higher education; to provide a report; and to provide an expiration date
--

10:30 AM

Chairman Heinert opened the hearing. Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Dyk, Hager, Hauck, Heilman, Jonas, Longmuir, Marschall, Murphy, and Timmons. Absent: Representatives Hoverson and Novak.

Discussion Topics:

- Critical race theory
- First Amendment rights
- Discrimination
- Intellectual diversity
- Academic freedom
- State Board of Higher Education
- Freedom of speech
- Student and Employee Survey
- Freedom of thought
- Diversity orientation sessions
- Professor exodus
- Required courses

In Favor:

Sen Bob Paulson, District 3, introduced SB 2247, Testimony 22583

In Opposition:

Dr Casey Ryan, Internist, Endocrinologist Specialist, Grand Forks, oral testimony
Lisa Johnson, Vice Chancellor Academic Student Affairs, oral testimony
Nick Archuleta, President, ND United, Testimony 22512
Carter Gill, ND Student Education, Testimony 22146
Andrew Varvel, UND alumnus, Testimony 22430

Additional written testimony:

Daniel Rice, Testimony 21900
Birgit Pruess, Testimony 21975
Anastassiya Andrianova, Testimony 22009, 22467
Amber Vibeto, Testimony 22024
Jynette Larshus, Testimony 22277
Robert Newman, Testimony 22301
Cynthia Prescott, Testimony 22455

House Education Committee

SB 2247

03/07/23

Page 2

Rosemary Ames, Testimony 22457

Kristin Rubbelke, Testimony 22468

Liz Legerski, Testimony 22481

Faith Wahl, Testimony 22490

Florin Salajan, Testimony 22613

Andrew Armacost, President, UND, Testimony 23497

Casey Ryan, Testimony 23496

Lisa Johnson, Testimony 23495

11:27 AM Chairman Heinert closed the hearing.

Kathleen Davis, Committee Clerk

2023 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau AB Room, State Capitol

SB 2247
3/21/2023

Relating to specified concepts at institutions of higher education; to provide a report; and to provide an expiration date
--

10:41 AM Chairman Heinert opened the meeting.

Members present: Chairman Heinert, Vice Chairman Schreiber-Beck, Representatives Conmy, Hager, Hauck, Heilman, Hoverson, Jonas, Longmuir, Marschall, Murphy, Novak, and Timmons. Absent: Representative Dyk

Discussion Topics:

- Committee action
- Third party survey
- Fiscal note

Representative Schreiber-Beck moved to adopt an amendment, Page 1 Line 2 for an appropriation, and Page 4 Line 21 the sum of \$1 million, seconded by Rep Conmy. Voice vote, motion carried.

Rep Murphy moved a Do Not Pass as Amended, seconded by Rep Hager.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative Scott Dyk	AB
Representative LaurieBeth Hager	Y
Representative Dori Hauck	N
Representative Matt Heilman	N
Representative Jeff A. Hoverson	N
Representative Jim Jonas	Y
Representative Donald W. Longmuir	Y
Representative Andrew Marschall	N
Representative Eric James Murphy	Y
Representative Anna S. Novak	N
Representative Kelby Timmons	N

7-6-1 Motion carried. Rep Murphy is carrier.

10:54 AM Meeting adjourned.

Kathleen Davis, Committee Clerk

March 21, 2023

off
3-21-23

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2247

Page 1, line 2, after the second semicolon insert "to provide an appropriation;"

Page 4, after line 21, insert:

"SECTION 2. APPROPRIATION - STATE BOARD OF HIGHER EDUCATION - STUDENT AND EMPLOYEE SURVEYS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the state board of higher education for the purpose of conducting student and employee surveys under section 15-10.6-04, as created by section 1 of this Act, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

REPORT OF STANDING COMMITTEE

SB 2247, as engrossed: Education Committee (Rep. Heinert, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO NOT PASS** (7 YEAS, 6 NAYS, 1 ABSENT AND NOT VOTING). Engrossed SB 2247 was placed on the Sixth order on the calendar.

Page 1, line 2, after the second semicolon insert "to provide an appropriation;"

Page 4, after line 21, insert:

"SECTION 2. APPROPRIATION - STATE BOARD OF HIGHER EDUCATION - STUDENT AND EMPLOYEE SURVEYS. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$1,000,000, or so much of the sum as may be necessary, to the state board of higher education for the purpose of conducting student and employee surveys under section 15-10.6-04, as created by section 1 of this Act, for the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

2023 HOUSE APPROPRIATIONS

SB 2247

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee
Brynhild Haugland Room, State Capitol

SB 2247
4/5/2023

Relating to specified concepts at institutions of higher education

10:15 AM Chairman Vigesaa Called the meeting to order and roll call was taken-

Members present- Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Members not Present- Representative J. Nelson, Representative O'Brien

Discussion Topics:

- Amendment

Representative Heinert Introduces the bill and its purpose.

Chairman Vigesaa Explains amendment 23.0417.03002

Representative Nathe Moved to adopt amendment 23.0417.03002 (Testimony #27290)

Representative Kempenich Seconds the motion.

Committee Discussion- Roll call vote-

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	N
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	Y
Representative Bob Martinson	Y
Representative Lisa Meier	Y
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	Y
Representative Mike Nathe	Y

Representative Jon O. Nelson	AB
Representative Emily O'Brien	AB
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	N
Representative Randy A. Schobinger	Y
Representative Greg Stemen	Y
Representative Michelle Strinden	Y
Representative Steve Swiontek	Y

Motion Carries 19-2-2

Representative Hanson Introduces amendment 23.0417.03003 (Testimony #27303)

Representative Hanson Moved to adopt amendment 23.0417.03003

Representative Martinson Seconds the motion

Committee Discussion, Roll call vote;

Representatives	Vote
Representative Don Vigesaa	N
Representative Keith Kempenich	N
Representative Bert Anderson	N
Representative Larry Bellew	N
Representative Mike Brandenburg	N
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	N
Representative Bob Martinson	Y
Representative Lisa Meier	N
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	N
Representative Mike Nathe	Y
Representative Jon O. Nelson	AB
Representative Emily O'Brien	AB
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	N
Representative Randy A. Schobinger	N
Representative Greg Stemen	Y
Representative Michelle Strinden	N
Representative Steve Swiontek	AB

Motion Fails 9-11-3

Representative Hanson Moved for a Do Not Pass As Amended

Representative Mitskog Seconds the motion

Roll call vote;

Representatives	Vote
Representative Don Vigesaa	N
Representative Keith Kempenich	N
Representative Bert Anderson	N
Representative Larry Bellew	N
Representative Mike Brandenburg	N
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	N
Representative Bob Martinson	Y
Representative Lisa Meier	N
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	N
Representative Mike Nathe	Y
Representative Jon O. Nelson	AB
Representative Emily O'Brien	AB
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	N
Representative Randy A. Schobinger	N
Representative Greg Stemen	N
Representative Michelle Strinden	N
Representative Steve Swiontek	AB

Motion Fails 8-12-3

Representative Schatz Moved for a Do Pass As Amended

Representative Meier Seconds the motion

Roll call vote;

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	N
Representative Gary Kreidt	Y
Representative Bob Martinson	N

Representative Lisa Meier	Y
Representative Alisa Mitskog	N
Representative Corey Mock	N
Representative David Monson	Y
Representative Mike Nathe	N
Representative Jon O. Nelson	AB
Representative Emily O'Brien	AB
Representative Brandy Pyle	N
Representative David Richter	N
Representative Mark Sanford	N
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	N
Representative Michelle Strinden	Y
Representative Steve Swiontek	AB

Motion Carries 11-9-3 Representative Schatz will carry the bill.

Representative Mock Makes a recommendation for a split recommendation for the floor

10:36 AM Chairman Vigesaa Closed the meeting for SB 2247

Risa Berube, Committee Clerk

Reconsidered 4/5/2023 at 11:50 AM.

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

SB 2247
4/5/2023

Relating to specified concepts at institutions of higher education

11:50 AM Chairman Vigesaa Called the meeting to order and roll call was taken-

Members present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative J. Nelson, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, Representative G. Stemen and Representative Swiontek.

Discussion Topics:

- Reconsideration
- Committee Action

Representative O'Brien Moved to reconsider the action on SB 2247

Representative Pyle seconded the motion

Committee discussion- Roll call vote

Representatives	Vote
Representative Don Vigesaa	N
Representative Keith Kempenich	N
Representative Bert Anderson	N
Representative Larry Bellew	N
Representative Mike Brandenburg	N
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	N
Representative Bob Martinson	Y
Representative Lisa Meier	N
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	AB
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y

Representative Mark Sanford	Y
Representative Mike Schatz	N
Representative Randy A. Schobinger	N
Representative Greg Stemen	Y
Representative Michelle Strinden	N
Representative Steve Swiontek	Y

Motion Carries 12-10-1

Representative Hanson Moved to adopt the amendment 23.0417.03003 (Testimony #27303)

Representative Martinson Seconds the motion

Committee Discussion Roll call vote-

Representatives	Vote
Representative Don Vigesaa	N
Representative Keith Kempenich	N
Representative Bert Anderson	N
Representative Larry Bellew	N
Representative Mike Brandenburg	N
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	N
Representative Bob Martinson	Y
Representative Lisa Meier	N
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	AB
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	N
Representative Randy A. Schobinger	N
Representative Greg Stemen	Y
Representative Michelle Strinden	N
Representative Steve Swiontek	Y

Motion Carries 12-10-1

Representative Hanson Moved a Do Pass as Amended

Representative Martinson Seconds the motion

Roll call vote-

Representatives	Vote
Representative Don Vigesaa	N
Representative Keith Kempenich	N
Representative Bert Anderson	N
Representative Larry Bellew	N
Representative Mike Brandenburg	N
Representative Karla Rose Hanson	Y
Representative Gary Kreidt	N
Representative Bob Martinson	Y
Representative Lisa Meier	N
Representative Alisa Mitskog	Y
Representative Corey Mock	Y
Representative David Monson	AB
Representative Mike Nathe	Y
Representative Jon O. Nelson	Y
Representative Emily O'Brien	Y
Representative Brandy Pyle	Y
Representative David Richter	Y
Representative Mark Sanford	Y
Representative Mike Schatz	N
Representative Randy A. Schobinger	N
Representative Greg Stemen	Y
Representative Michelle Strinden	N
Representative Steve Swiontek	Y

Motion Carries 12-10-1. Representative Hanson will carry the Majority Standing Divided Committee Report.

12:05 PM Chairman Vigesaa Closed the meeting for SB 2247

Risa Berube, Committee Clerk

Reconsidered on 4/11/23.

April 4, 2023

AG
4-5-23
(1-1)

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2247

In lieu of the amendments adopted by the House as printed on pages 1308 and 1309 of the House Journal, Engrossed Senate Bill No. 2247 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to provide for a legislative management study relating to the effects of required curriculum on accreditation and related constitutional issues.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - EFFECTS OF PROHIBITING SPECIFIED CONTENT IN ACADEMIC CURRICULUM OR TRAINING.

During the 2023-24 interim, the legislative management shall consider studying the effects of prohibiting specified content in academic curriculum or in the training of students or school employees. The study must include possible effects on the accreditation status of North Dakota's eleven institutions of higher education. The study also must examine potential conflicts between such prohibitions and the United States Constitution and article VIII of the Constitution of North Dakota, including the constitutional authority of the state board of higher education. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

REPORT OF STANDING COMMITTEE (MAJORITY)

SB 2247, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) A MAJORITY of your committee (Reps. Hanson, Martinson, Swiontek, Sanford, Stemen, Mock, Pyle, Mitskog, Nathe, Nelson, O'Brien, Richter) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

In lieu of the amendments adopted by the House as printed on pages 1308 and 1309 of the House Journal, Engrossed Senate Bill No. 2247 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to provide for a legislative management study relating to the effects of required curriculum on accreditation and related constitutional issues.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - EFFECTS OF PROHIBITING SPECIFIED CONTENT IN ACADEMIC CURRICULUM OR TRAINING. During the 2023-24 interim, the legislative management shall consider studying the effects of prohibiting specified content in academic curriculum or in the training of students or school employees. The study must include possible effects on the accreditation status of North Dakota's eleven institutions of higher education. The study also must examine potential conflicts between such prohibitions and the United States Constitution and article VIII of the Constitution of North Dakota, including the constitutional authority of the state board of higher education. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly

2023 HOUSE STANDING COMMITTEE MINUTES

Appropriations Committee Brynhild Haugland Room, State Capitol

SB 2247
4/11/2023

Relating to specified concepts at institutions of higher education

10:42 AM Chairman Vigesaa Called the meeting to order and roll call was taken-

Members present; Chairman Vigesaa, Representative Kempenich, Representative B. Anderson, Representative Bellew, Representative Brandenburg, Representative Hanson, Representative Kreidt, Representative Martinson, Representative Mitskog, Representative Meier, Representative Mock, Representative Monson, Representative Nathe, Representative O'Brien, Representative Pyle, Representative Richter, Representative Sanford, Representative Schatz, Representative Schobinger, Representative Strinden, and Representative G. Stemen

Members not Present- Representative J. Nelson and Representative Swiontek

Discussion Topics:

- Minority Report Action
- Committee Action

Chairman Vigesaa- Explains the procedure for the split report and the vote for the minority report.

Representative Kempenich- Explains his intentions and moves to adopt the minority report with a Do Pass with amendment 23.0417.03002 (#27290)

Representative Schatz Seconds the motion.

Roll call vote.

Representatives	Vote
Representative Don Vigesaa	Y
Representative Keith Kempenich	Y
Representative Bert Anderson	Y
Representative Larry Bellew	Y
Representative Mike Brandenburg	Y
Representative Karla Rose Hanson	N
Representative Gary Kreidt	Y
Representative Bob Martinson	N
Representative Lisa Meier	Y
Representative Alisa Mitskog	N
Representative Corey Mock	N
Representative David Monson	Y

Representative Mike Nathe	N
Representative Jon O. Nelson	A
Representative Emily O'Brien	N
Representative Brandy Pyle	N
Representative David Richter	N
Representative Mark Sanford	N
Representative Mike Schatz	Y
Representative Randy A. Schobinger	Y
Representative Greg Stemen	N
Representative Michelle Strinden	Y
Representative Steve Swiontek	A

Motion Carries 11-10-2 Representative Kempenich will carry the Minority Standing Committee Report.

10:58 AM Chairman Vigesaa Closed the meeting for SB 2247

Risa Berube, Committee Clerk

AG
4-5-23
(1-1)

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2247

In lieu of the amendments adopted by the House as printed on pages 1308 and 1309 of the House Journal, Engrossed Senate Bill No. 2247 is amended as follows:

Page 1, line 2, remove "; to provide a report; and to"

Page 1, line 3, remove "provide an expiration date"

Page 3, remove lines 23 through 29

Page 4, remove lines 1 through 3

Page 4, line 4, replace "15-10.6-05" with "15-10.6-04"

Page 4, remove lines 22 and 23

Renumber accordingly

REPORT OF STANDING COMMITTEE (MINORITY)

SB 2247, as engrossed and amended: Appropriations Committee (Rep. Vigesaa, Chairman) A MINORITY of your committee (Reps. Kempenich, Vigesaa, Meier, Monson, Strinden, Schobinger, Schatz, B. Anderson, Bellew, Brandenburg, Kreidt) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS**.

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Page 1, line 3, remove "provide an expiration date"

Page 3, remove lines 23 through 29

Page 4, remove lines 1 through 3

Page 4, line 4, replace "15-10.6-05" with "15-10.6-04"

Page 4, remove lines 22 and 23

Renumber accordingly

The reports of the majority and the minority were placed on the Seventh order of business on the calendar for the succeeding legislative day.

TESTIMONY

SB 2247

Birgit Pruess, Ph.D.
3696 Harrison St. S
Fargo, ND 58104

January 20, 2022

Re: SB2247

Dear Committee Chair Elkin and members of the Senate Education Committee,

I am a resident of North Dakota and like to provide this testimony as a private citizen and not in representation of a group. I am opposed to bill SB2247, 'relating to divisive concepts at institutions of higher education'.

Of course, I am fully aware that our society has become more divisive. I consider that a good thing. After all, the first amendment gives us the right to free speech. ALL of us. I also don't think that silencing people who represent about half of our population can be in anyways a solution. In part because it goes against the first amendment. But I can also say that after close to 30 years in American higher ed, our campuses are not nearly as divisive as some people might think. Most of us follow a common goal, and that is to provide a high quality education to our students. After all, "A high degree of intelligence, patriotism, integrity and morality on the part of every voter in a government by the people being necessary in order to insure the continuance of that government and the prosperity and happiness of the people". This was a citation from the North Dakota Constitution Article VIII Education, Section 1. Section 6.b states that "The said state board of higher education shall have full authority over the institutions under its control". If I understood North Dakota history correctly, the state board of higher education was invented to keep politics out of our institutions. I am now going into the individual sections of the proposed bill.

- 15-10.6-2.1.b "Required to endorse a specific ideology or political viewpoint to be eligible for hiring, tenure, promotion, or graduation". I have served on such committees many times and never even knew the political or religious orientation of the candidate. Careful here, this can be used in both directions and not just the intended one.
- 15-10.6-2.2 "An institution under the control of the state board of higher education may not ask the ideological or political viewpoint of a student, job applicant, job candidate, or candidate for promotion or tenure". At least the ideological part is not needed. We are already prohibited from doing that. I have below copied a statement from the NDSU website (https://www.ndsu.edu/equity/equal_employment_opportunity_and_affirmative_action/). "Affirmative Action Program for Minorities & Women - Executive Order 11246 of 1965 (as amended) - requires affirmative action programs for women and minorities and prohibits job discrimination on the basis of race, color, religion, sex or national origin". If ideological equals religion (which I think it does), at least that part of the item is already covered by federal law.
- 15-10.6-03, the entire paragraph on training. I just took Title IX training, which is mandated, but not by the institution. It is a federal law. Title IX is "An Act to amend the Higher Education Act of 1965, the Vocational Education Act of 1963, the General Education Provisions Act (creating a National Foundation for Postsecondary Education and a National Institute of Education), the Elementary and Secondary Education Act of 1965, Public Law 874, Eighty-first Congress, and related Acts, and for other purposes". The Act is effective since June 23, 1972. This is FEDERAL LAW, not an institution specific training. It applies to all institutions that receive federal funds. I highly recommend to

run this section or better the entire bill by a lawyer to make sure it is in compliance with federal law. We certainly don't want to end up in a situation, where our researchers can't be eligible for NIH, NSF, or USDA grants anymore because we are in violation of federal law.

- 15-10.6-04, the entire paragraph on survey. If our legislative assemble insists on it, I highly recommend to provide funding, as this is very personnel intensive. Also, similar surveys on campus climate are already done, though not every two years.

Altogether, I am testifying in opposition to SB2247 for the reasons given above.

I do have to say I appreciate the effort, work, and time that all of my legislators are putting into this session and I thank you for your service. I am sure there will be other bills or resolutions that I will be happy to support.

Sincerely and respectfully

Birgit Pruess, Ph.D.

Dear Chairman Elkin and Members of the Senate Education Committee:

I am an Associate Professor of English at North Dakota State University, and I am submitting this written testimony in opposition to Senate Bill 2247. I am writing on my own behalf and *not* on behalf of NDSU.

Based on my knowledge as a state employee and faculty member, I believe that this bill's prohibition may be in contradiction with federal law requirements for equal opportunity and ethics trainings; it is unnecessary as other university ethics trainings that may include "divisive concepts" are voluntary; it stipulates that "diversity" somehow does not include "intellectual diversity," which goes against the accepted understanding of what "diversity" means; and finally, the requirement of a biennial climate survey would be a financial burden to already understaffed and overextended offices of institutional research and analysis. Conducting biennial climate surveys will require a significant increase in funding from the state.

I believe that the prohibition against mandatory divisive concept training (15 - 10.6 - 03, Section 1.a and 1.b) is potentially in violation of federal law. All new and current employees are required to comply with Equal Opportunity/Title IX training based on Title IX of the Education Amendments of 1972. This training includes the "divisive concept" of sex.

This prohibition may also be in tension with ethics trainings required for researchers who receive grants through national organizations, such as the National Institute of Health (NIH). Responsible Conduct of Research (RCR) trainings deal with "civility issues in research environments" and may include "divisive concepts."

Trainings in community respect and gender equity are *not* required for employees at NDSU, so prohibiting them seems unnecessary as they are already voluntary.

Further, although in the current form the prohibition on divisive concepts is limited to trainings and not applicable to research or teaching (15 - 10.6 - 03, Section 1.c), this would still have a chilling effect on the curriculum. Colleges and universities are meant to be places where freedom of thought and expression is encouraged, not limited by external agents or agencies. When such external pressures are applied to the curriculum, the university risks losing its accreditation by bodies such as the Higher Learning Commission (HLC). Under Criterion 2, Integrity: Ethical and Responsible Conduct, the HLC requires that a university be "committed to academic freedom" and that its "governing board preserve its independence from undue influence on the part of donors, elected officials, ownership interests, or other external parties."

Section 1.c prohibits a faculty member from using "funds appropriated by the state [to] incorporate a divisive concept into academic curriculum." This sounds like an attempt by "external parties" to interfere with academic freedom, and therefore puts the university at risk of losing accreditation.

I find other problems, too. Specifically, under Section 2 of 15 - 10.6 - 03, this bill requires that an employee "whose primary duties include diversity" also include among their duties "efforts to

strengthen and increase intellectual diversity.” It is unclear why “intellectual” diversity is not already covered by the broader concept of “diversity.” This seems redundant.

Finally, the requirement of a biennial climate survey (15 - 10.6 - 04) is financially taxing and given the current budget situation at NDSU, which is already understaffed, this would be impossible without a significant increase in funding from the state. I suspect the same applies to other universities facing similar staffing and budgetary conditions.

For example, NDSU’s latest climate survey from 2021 can be found on the university website; the report is 146 pages long, it took a whole year to compile, and because there are so many data, it has yet to be presented to the full university community. The office which put this report together has only a handful of employees. If the legislature mandates that such climate surveys be designed, conducted, analyzed, and prepared every other year in a way that is comprehensible to others, such as “to an interim committee designated by the legislative management,” much more funding should be allocated to hire more staff. With the current staffing issues, this is simply impossible to undertake.

Besides, such surveys typically have no more than 20% response rates, so they are hardly indicative of the overall climate on campus and therefore would not accurately measure “the respondents’ comfort level in speaking freely on campus, regardless of political affiliation or ideology,” as per section 1.

Finally, House Bill 1503, “relating to free speech policies of institutions under the control of the state board of higher education,” already protects the right of faculty and students to speak freely on campus and to express diverse viewpoints, making the current bill redundant.

Members of the Senate Education Services Committee,

My name is Amber Vibeto and I reside in District 3. I am asking that you please render a DO PASS on Senate Bill 2247.

- The average American university has more than [45 individuals](#) with jobs devoted to promoting so-called [diversity, equity, and inclusion](#) programs that actively push divisive concepts.
- A 2021 [study](#) suggests that the increase in DEI programs appear to make little positive contribution to campus climate, and instead it's more likely that the surge in diversity, equity, and inclusion personnel "may be better understood as a signal of adherence to ideological, political, and activist goals."
- DEI programs push distorted narratives about American history as well as divisive identity [policies](#) that have led to the firings of professors and [discrimination](#) of college students.
- [North Dakota State University](#) and [University of North Dakota](#) claim to provide an inclusive environment, but it is imperative to understand exactly what is meant by 'diversity, equity, and inclusion' because these terms do not mean what they seem to mean. [DEI](#) must be understood in its correct context which is through the lens of Critical Social Justice ideology.

This is what divisive concepts have led to on our college campuses: Campus Argument Goes Viral As Evergreen State Is Caught In Racial Turmoil



Thank you for your consideration of this matter and for your service to the state of North Dakota.

**SB 2247**

January 23, 2023

Seth Lumley, NDSU Student Government

seth.lumley@ndus.edu – (507) 481-5510

Chairman Elkin and Members of the Committee: My name is Seth Lumley, and I am the Executive Commissioner of Legislative Affairs for North Dakota State University's Student Government. I would like to provide testimony in opposition to SB 2247 and to present the perspective of NDSU students on SB 2247.

NDSU Student Government is an organization of students at NDSU elected and appointed to represent the interests of the NDSU student body both externally at places like the capitol and internally through our student senate. We are comprised of members from all academic colleges at North Dakota State University, ensuring students from all majors and backgrounds have a voice. Our mission is to leave the university better than we arrived through ensuring that student voices are heard both on campus and at the legislature.

Being able to openly discuss topics that lie at the heart of many of the divisions in our country today is the only way to overcome our differences. As a political science student, some of these conversations happen in the classroom and serve as an invaluable learning opportunity. It is for these freedom of speech concerns that I provide testimony today.

This year, NDSU has had two speakers come to our campus espousing beliefs that many students either strongly agreed or disagreed with. However, both of these speakers proved that free speech on campus is pivotal to the success of our university. While many students were indignant toward these speakers, some even advocating their removal, it is our belief that taking away free speech for one is a threat to the free speech of all and is a fundamental encroachment on the rights of students and educators.

The inclusion of instruction as part of the definition of 'training' on page 2, line 21 combined with page 3, lines 11-12, would have negative consequences for the future of free speech on college campuses and in the classroom. Including materials from individuals who hold some of the egregious viewpoints defined as divisive concepts in this bill is an important aspect of understanding the mistakes of the past, especially in a program like political science or history. Allowing students to encounter ideas they disagree with is a fundamental part of the kind of growth and development our institutions of higher education are for, but they can't properly engage with these ideas if they are never exposed to them. While many will argue that these divisive topics will push our students in the wrong direction, the students are able to determine for themselves what is right or wrong. All they need is the freedom to do so. It is for these reasons that I urge you to oppose SB 2247. Thank you Chairman Elkin and Members of the Committee.

Olivia Data
Testimony on SB 2247
January 23, 2023

RE: Testimony in Opposition of SB 2247

Good morning, Chairman Elkin and members of the committee. My name is Olivia Data, I am the Youth Action Council Coordinator for the North Dakota Women's Network, and I am writing to you today to urge you to vote "Do Not Pass" on SB 2247.

The Youth Action Council is an organization that works to empower the youth of North Dakota and involve high school and college kids in civic engagement. One of our most important values as an organization has always been education. We believe that if we want a brighter future, younger generations must not only have access to education, but the encouragement to seek out answers to our questions and develop a love for learning.

We absolutely agree that everyone has a right to their own beliefs and their own values, and we do not support forcing anyone to change those beliefs or values in order to be accepted into the communities of higher education. However, SB 2247 does not protect our freedom of belief so much as it casts a shadow of doubt and discord over higher education.

While every student should have the right to safely and confidently express diverse beliefs, students should also have the right to assemble with other like minded students. SB 2247 poses a threat to this right. If, for example, a liberal student wanted to join a group for conservative students just to disagree with all their points at each meeting, SB 2247 would force the conservative students to accept this interruption or be liable for their adverse treatment of another student.

Olivia Data
Testimony on SB 2247
January 23, 2023

And while universities should absolutely encourage respectful dissent and diverse opinions within classrooms, they must also encourage a deference to facts. By forming such a broad and subjective definition of divisive concepts, SB 2247 protects radical opinions over facts and logic. If a professor were to teach about segregation in the 1960's, they could be punished for implying that White people had privilege over Black people. If a university offered a course on philosophy behind different economic structures, it would be nearly impossible to test students without being accused of promoting division between classes.

The dangers of SB 2247 are endless. This bill could complicate training employees about how to provide accommodations for disabled students. It could complicate forming curriculum about vital historical events or sanctioning student organizations.

I am a freshman at Harvard College. My ability to discuss and learn about difficult and divisive topics has been crucial to my college experience so far. I am able to take classes about political divisions and social movements without wondering if my professors are misrepresenting the topics. I am able to join organizations that promote equality on campus without having to cater to those who want to disrupt our advocacy. This is not to say that I want or expect homogeneity of thought on campus. In fact, I strongly believe that in order to preserve our democratic values and truly celebrate education, we have to be able to disagree with each other. But there is a difference between fostering diversity of thought and threatening anyone who would dare to discuss a controversial subject. Professors cannot teach if they are afraid of stepping out of line. Students cannot learn if we are not able to hear the truth.

Olivia Data
Testimony on SB 2247
January 23, 2023

If we want to create a world in which our citizens are well-informed and able to peacefully and respectfully disagree with one another, we cannot shut down education. Please, let us build a future in which professors can educate their students without fear and students are encouraged to think critically and respect the facts. I urge you to vote “Do Not Pass” on SB 2247.

Thank you, and I am happy to answer any questions you may have about my testimony.

Olivia Data
Youth Action Council Coordinator
District 35
Bismarck, ND

Chairman Elkin and members of the Committee,

My name is Dr. Robert Newman. The views I share here are my own; I speak only for myself in this note. I am a Professor at the University of North Dakota and I am the current Chair of the University Senate. I have been engaged in higher education since I began college in 1977 and I have enjoyed living and working in North Dakota for almost 30 years.

I oppose SB 2247 because it is not a remedy for any real problem that does not already have a solution, and because the bill creates problems by interfering with legitimate education and training.

1. None of the long list of “divisive” concepts are being promoted, endorsed, supported, or otherwise embraced by anyone I have encountered in my 40+ years in higher education. Neither has anyone I know of been asked to endorse any of these ideas as a condition for hiring, promotion, or graduation, or anything else. It does not even make sense that these are called “divisive” concepts. The only thing that would make them divisive is if people disagreed about their merit. I hope we all agree that these are all terrible ideas. We should not be divided on that point.
2. In the many searches I have been involved in over the years we have not only never asked a job candidate for their views on any of these concepts, we have always specifically and intentionally avoided questions or conversations about anything political, personal, or ideological. This is already policy.
3. Given points 1 and 2, there is no need for legislation to solve a non-problem.
4. The prohibition on training or education that includes divisive concepts is a serious problem in itself. It is a significant breach of academic freedom and impedes our ability to help students understand the impacts that all of these “divisive” concepts have had on our history and our present.

Sadly, the concepts listed here are real problems that have been a part of the fabric of this country from the beginning and are still with us today in some form. This is well-documented and undeniable. Recognizing a problem is essential to identifying solutions. There are troubling disparities among people of different racialized identities and between sexes in income, wealth, health, life span, educational and economic opportunity, and the pursuit of life, liberty, and happiness that persist to this day *because of* discriminatory policies and behaviors in the past. We cannot understand the present without understanding how we got where we are today, and we certainly cannot mitigate continuation of racist, sexist, or other discriminatory ideas, behaviors, and policies if we cannot teach students how to recognize them, about their consequences, and how to avoid them. We do not promote any ideology, but we absolutely promote the freedom to talk about difficult and sometimes uncomfortable topics. Making it illegal to include these in education violates the established and widely accepted principle of **academic freedom, which is a hallmark of democracy.**

The list of “divisive” concepts is long and broad and at least some of these will be encountered in academic programs. It is critical that students and employees understand the nature of the problem so we can all act to achieve a better future. The point of every diversity training program or educational curriculum I have seen is to learn about the problems, how to avoid them, and how to create a supportive and positive organization. How can that be a bad thing? It all begins with education. An education that is honest, based on evidence, that promotes critical thinking, and that sometimes makes participants uncomfortable. Learning about bad things such as these “divisive” concepts should make anyone uncomfortable. But discomfort is not divisive! Disagreement and how to work through it and find common ground and solutions that work for everyone is part of life. But I hope that everyone would agree that racism, sexism, gender identity discrimination, discrimination on the basis of religion, ethnicity, country of origin, disability, or anything else are real problems and we need to talk about them.

Dear Members of the Education Committee,

I am a resident of North Dakota, a parent of two children (one in high school, the other in junior high), and an Associate Professor at UND.

I am writing to you today as an individual citizen to ask that you DO NOT PASS SB 2247 relating to the discussion of divisive concepts in institutions of higher education.

One of the goals of higher education is to help students develop the skills necessary to consider a wide range of viewpoints when constructing their own position on matters. Understanding diverse viewpoints is critical for developing sound arguments and articulating one's views. As a professor I never tell my students what to think, but rather provide them with opportunities to grapple with the many sides of complex and difficult topics. In higher education we don't run away from concepts that are difficult because discussing topics that are controversial or challenging helps students learn to develop their own voice.

Beyond the walls of the classroom though, our Democracy requires free speech and an informed citizenry with the ability to tolerate ideas that we may not always agree with. As a parent, I often explain to my own children that even when we do not agree with an idea or someone, it is good to work to understand the idea/person as this helps us understand the world around us and work with others.

In addition, I believe that because SB 2247 would prohibit the discussion of certain complex and controversial topics, it would violate current laws and policies including [NDCC Chapter 15-10.4](#) (Campus Free Speech policy) and [SBHE Policy 401.1](#) (on Academic Freedom) which both affirm the importance of free speech and the consideration of diverse ideas for the proper functioning of universities. I am also concerned that this legislation poses a threat to continued institutional and program accreditation from the Higher Learning Commission and other accrediting bodies.

I also worry that this legislation will make it more difficult to recruit and retain faculty and instructors at our institutions of higher education, which are critical for meeting the workforce needs of the state of North Dakota.

I know that you value free speech. We must not trample on a core value of our Democracy simply because we do not agree with a particular idea. Doing so puts our Democracy at risk.

Please DO NOT PASS SB 2247.

Sincerely,

Liz Legerski



SB 2247

January 22nd, 2023

Adelyn Emter, North Dakota Student Association
(701) 260 - 6246 | adelyn.emter@ndus.edu

Chair Elkin and Members of the Committee: My name is Adelyn Emter, and I am the Chief of Staff for the North Dakota Student Association (NDSA). I am writing on behalf of the NDSA in opposition of SB 2247.

The North Dakota Student Association is a student organization established in 1969 dedicated to ensuring that students have a voice at the table in policy that affects Higher Education. We consist of delegates from each of the 11 public institutions meeting monthly to engage students in ND Higher Education policy. Our mission is to empower students, create collaboration between the student bodies of the North Dakota public universities, and to give a student perspective on higher education policy.

SB 2247 would severely harm higher education in North Dakota. The restrictions in this bill diminish higher education students' ability to engage in productive discussion, critical thinking, respectful disagreements, the ability to learn, and the choice to pursue higher education free from academic mandates and ideological echo chambers. On January 21st, the NDSA General Assembly voted to approve [NDSA-17-2223](#), relating to divisive concepts in higher education. In representing the students of the North Dakota University System, the NDSA General Assembly firmly opposes SB 2247.

Section 15-10.6-01 of SB 2247 lists what can be considered a "divisive concept," containing vaguely written definitions and logical fallacies that misrepresent founding tenets of theories and philosophies that are fundamental to a plethora of fields in higher education. Further, this proposed legislation violates First Amendment academic freedom. By restricting classroom discussions and students' individual right to the freedom of expression, this bill would be an egregious violation of the First Amendment and an abhorrent mechanism of governmental overreach. Additionally, section 15-10.6-02 prohibits discrimination or penalization of any student or employee under the control of the SBHE based on their beliefs. It is both unnecessary and redundant to add this portion of SB 2247 into N.D.C.C., as it describes protections already afforded to such persons by the First Amendment and due process.

Section 15-10.6-03 prohibits "divisive concept training," which would impede students in the classroom, the workplace, and during their college experience. There are countless examples of the detrimental effects this bill would cause. Education majors would be unable to complete mandatory diversity practicums, resident assistants would be unable to participate in necessary

diversity awareness discussions, and freshman students unable to attend beneficial diversity orientation sessions. Additionally, this clause would severely handicap the social science departments in North Dakota universities, rendering them unable to conduct countless diversity focused courses, restricting topics of student research with faculty advisors, and effectively extinguishing or unrecognizably altering degrees in areas such as Women and Gender Studies, Sociology, Philosophy, and many more.

Beyond the immediate impact to individual liberties, the vague language risks a chilling effect amongst academia and could further damage retention and the recruitment of educators in ND. Many faculty members would be rendered unable to teach content without the fear that students may view the information as a divisive topic, forcing these instructors to choose between providing students with a comprehensive education and maintaining their position as a state employee. Passing SB 2247 would also have a significant negative impact on both student and faculty retention. If the North Dakota University System institutions hope to maintain a status as reputable establishments for higher education, they must be able to meet a national standard of academic excellence, an expectation that cannot be achieved without critical thought and progressive discussion. The restrictions implemented through SB 2247 would critically disadvantage North Dakota students by failing to provide them with necessary skills and education in diverse concepts that are vital to their success in the American workforce.

If crucial content required for a litany of careers becomes prohibited, many professors in the field would flee North Dakota state institutions to instruct at institutions where they can instruct without vague and unnecessary restrictions. Further, there is a social science general education requirement at most NDUS institutions. If instructors begin to emigrate out of the state, this bill has the potential to cause the collapse of the entire Higher Education system because institutions would be left without faculty to teach these required courses. With students unable fulfill their graduation requirements, the NDUS would be rendered unable to prepare students for the workforce and provide them with a reputable degree. SB 2247 would shatter the NDUS's ability to retain students and faculty, effectively compelling them to move to states where their academic freedoms are safe from government overreach.

In addition to an exodus of faculty, many students would be compelled to transfer, and prospective students would be more likely to enroll at out of state institutions where they are guaranteed academic freedom and comprehensive courses. The devastating effects of this legislation would also include a significant loss of incoming funds to the NDUS due to an expected decrease in student enrollment. The Agribusiness and Applied Economics Report No. 817-S from 2021 reported on the Economic Contribution of the North Dakota University System. According to this report, with the current amount the NDUS currently contributes back to the state, any decrease in the capital value of higher education in the state will relinquish any economic benefit the universities currently provide.

Section 15-10.6-05 clarifies that individuals providing training may respond to discussion of divisive concepts as long as they do not endorse or advocate any of them, both breaches the First Amendment rights the rest of the bill claims to defend and also assumes unprofessionalism and inappropriate bias within its own state employees. The NDSA supports the academic autonomy of faculty and professional capability of staff who teach and work within the NDUS, and trusts they possess the qualifications necessary to properly facilitate academic and professional discussions, as shown by their hiring. Further, the NDSA believes students should be free to pursue academic and professional opportunities that they deem fit to increase their understanding and knowledge. This legislation would inflict devastating economic and social impact on higher education in the state of North Dakota; therefore, the North Dakota Student Association firmly opposes SB 2247.



Economic Contribution of the North Dakota University System in 2020 and 2021

Nancy M. Hodur and Dean A. Bangsund

Agribusiness and Applied Economics Report No. 817-S
January 2023

Acknowledgments

Special thanks are extended to several individuals from the North Dakota University System Office.

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Table of Contents

	Page
List of Tables	ii
List of Figures	iii
Executive Summary	iv
Introduction.....	1
Scope and Methods.....	1
North Dakota University System Expenditures	4
General and Non-general Fund Expenditures	4
Non-general Fund Expenditures.....	6
General Fund Expenditures	8
Comparison of General and Non-general Fund Expenditures	10
Direct and Secondary Effects.....	12
Employment.....	14
Tax Revenue	16
Student Assessment	17
Assumptions and Data Limitations: Student Effects	20
Total Economic Effects.....	21
Conclusions.....	22
References.....	24
Appendix A: College Summaries	25
Bismarck State College	26
Dakota College at Bottineau.....	31
Dickinson State University.....	36
Lake Region State College.....	41
Mayville State University.....	46
Minot State University	51
North Dakota State College of Science	56
North Dakota State University	61
University of North Dakota.....	66
Valley City State University.....	71
Williston State College.....	76

List of Tables

		Page
Table 1.	University System Expenditures, General and Non-general Fund, North Dakota University System, by Budget Category, Selected Fiscal Years 2011 to 2021 (Current Year Dollars).....	5
Table 2.	University System Expenditures, Non-General Funds, North Dakota University System, by Budget Category, Selected Fiscal Years 2011 to 2021 (Current Year Dollars).....	7
Table 3.	University System Operations Expenditures, General Funds, North Dakota University System, by Budget Category, Selected Fiscal Years 2011 to 2019 (Current Year Dollars).....	9
Table 4.	North Dakota University System, Direct and Secondary Effects, By Funding Source, FY2020 and FY2021	13
Table 5.	Direct and Secondary Employment, University System Expenditures and Student Expenditures, North Dakota University System Selected Years 1999 to 2022.....	15
Table 6.	Estimated State Tax Collections derived from Business Activity, North Dakota University System Expenditures and Student Spending, by Funding Source, FY2021	17
Table 7.	Full Time Equivalent, Student Enrollment, NDUS, 1999 - 2021	18
Table 8.	Student Expenditures, by Expenditure Category, North Dakota University System, FY2020 and FY2021	19
Table 9.	Total Economic Effects, North Dakota University System Expenditures and North Dakota University System Student Expenditures, FY2020 and FY2021	22

List of Figures

		Page
Figure 1.	Economic Impact and Contribution Assessment Flow Chart	3
Figure 2.	General and Non-general Fund Expenditures, by Major Expenditure Category, North Dakota University System, FY 2011 – 2021	6
Figure 3.	Non-General Fund Expenditures, by Major Expenditure Category, North Dakota University System, FY2011 – 2021	8
Figure 4.	General Fund Expenditures, by Major Expenditure Category, North Dakota University System, FY 2011 – 2021	10
Figure 5.	Major Expenditure Categories, by Fund Type, North Dakota University System, FY2021	11
Figure 6.	General and Non-general Funds as a Percentage of Total Expenditures, North Dakota University System, FY2011 – 2021	12
Figure 7.	Total Expenditures, by Fund Type, North Dakota University System, FY2011 – 2022	12
Figure 8.	Total Economic Effects (Direct and Secondary), by Fund Type, North Dakota University System, FY2021	14
Figure 9.	Direct and Secondary Employment, North Dakota University System, FY 2011 – 2021	16
Figure 10.	Payroll Expenditures and Direct Employment, North Dakota University System, FY2011-2021	16
Figure 11.	Full-time Equivalent Student Enrollment, North Dakota University System, 2011-2021	18
Figure 12.	Direct Student Expenditures, North Dakota University System, 2011 – 2021.....	20
Figure 13.	Direct Student Expenditures, North Dakota University System, FY2011 – 2022	20
Figure 14.	Total Economic Effects (Direct and Secondary), University System Operations and Student Expenditures, North Dakota University System FY2020 -2021	22

Executive Summary

The North Dakota University System (NDUS) consists of the NDUS Office and 11 college campuses located throughout the state. In addition to the 11 main campuses, numerous other university facilities, centers, and offices are located throughout the state. Institutions of higher education have an economic effect across the state as those institutions acquire inputs, purchase services, and provide for payroll and employment at both the local and state level. NDUS expenditures include General Funds which are North Dakota state appropriated monies and Non-general Fund sources such as grants, contracts, sponsored programs, donations, etc. NDUS in-state expenditures from General and Non-general Funds comprise the direct economic impact or ‘first round effects.’ NDUS expenditure data were available for selected fiscal years from 1999 to 2021, with the FY2021 data the most recent available for this study. All dollar values in this analysis are expressed in terms of current year dollars (i.e., the effects of inflation have not been removed).

The IMPLAN modeling platform was used to estimate the secondary economic effects as those direct effects (i.e., expenditures) are circulated and re-spent in the economy. The model is a representation of the production and consumption of goods and services in the North Dakota economy. The consumption of goods and services by the University System was modeled to examine how those acquisitions generated secondary business volume. The model also examines secondary employment effects and selected tax revenues. Payroll expenditures also were modeled to examine consumption of goods and services by households.

Salient observations include:

- North Dakota University System had expenditures of \$1.58 billion for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expense for the NDUS, accounting for 49 percent of total expenditures.
- Spending patterns vary between General and Non-general Funds. Payroll as a percentage of total expenditures was 64 percent for General Funds compared to 44 percent for Non-general Funds. General operating expenditures, as a percentage of total expenditures for Non-general Funds, was 37 percent for Non-general Funds compared to 17 percent for general funds.
- Non-general Funds accounted for 74 percent of total NDUS expenditures in FY2021. Non-general Funds, as a percentage of total NDUS expenditures, have been steadily increasing. Since 2015, Non-general Funds, as a percentage of total expenditures, have increased from 66 percent to 74 percent. General Fund expenditures have declined as a percentage of total expenditures since 2015 decreasing from 33 to 26 percent.
- The state’s colleges and universities leveraged \$2.88 from external sources for every dollar of state appropriated funds in FY2021.

- Total NDUS economic effects (direct and secondary) were \$2.68 billion in FY2021.
- A substantial portion of total (direct and secondary) economic effects was a result of Non-general Fund expenditures. Of the total economic effects (direct plus secondary) of \$2.68 billion from both General and Non-general Funds, the majority was associated with Non-general Funds, \$2.0 billion or 75 percent of total economic effects.
- University System in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$31.3 million in state and local tax collections. Of that total, \$13.8 million were sales taxes, \$10.0 million were from property taxes, \$3.9 million were from personal income taxes.
- Direct employment by the NDUS was 10,579 in FY2021. Business activity from NDUS expenditures and spending by students supported secondary employment of 10,966 jobs. Total direct and secondary employment supported by NDUS was 21,545 jobs in FY2021.
- Enrollment at the NDUS's 11 colleges and universities was 33,497 FTE students for Fall Semester 2021. Enrollment has declined by 14.3 percent from an all-time high of 39,089 FTE student in 2011.
- NDUS student expenditures in 2021 were estimated to be approximately \$13,139 per student. Total student expenditures system wide were estimated to be \$440.1 million in FY2021.
- In FY2021, economic effects of student living expenses resulted in \$440.1 million in direct effects and \$467.4 million in secondary effects, for total direct and secondary effects of \$907.5 million.
- Combined, NDUS operations and student expenditures (direct effects) in FY2021 was \$1.9 billion. Total economic contribution (direct plus secondary) from NDUS operations and student expenditures was \$3.6 billion.

Economic Contribution of the North Dakota University System in 2020 and 2021

Nancy M. Hodur and Dean A. Bangsund*

Introduction

The North Dakota University System (NDUS) is comprised of the NDUS Office, 11 college campuses, the NDUS system office, and Core Technology Service (CTS), which provides secure information management and technology services to North Dakota University System students, faculty, staff, and state residents. These institutions contribute to the state and local economies through expenditures for goods and services and through personal spending by employees and students. Previous studies have estimated the economic contribution of the NDUS back to fiscal year (FY) 1999. This study represents a biennial update to those assessments with a 10-year lookback to 2011. Refer to Bangsund and Hodur (2020) for findings prior to 2011.

Scope and Methods

The NDUS Office provided expenditure data for FY2020 and FY2021 for each of the 11 institutions and the NDUS Office. Expenditure data were obtained from the ConnectND system. The following colleges and universities, along with their respective centers and stations, were included in the ConnectND data system:

- NDUS Office (including Core Technology Services)
- Bismarck State College
- Dakota College at Bottineau
- Dickinson State University
- Lake Region State College
- Mayville State University
- Minot State University
- North Dakota State College of Science
- North Dakota State University
 - Agricultural Experiment Station
 - NDSU Main Research Center
 - Dickinson Research Extension Center
 - Central Grasslands Research Extension Center
 - Hettinger Research Extension Center
 - Langdon Research Extension Center
 - North Central Research Extension Center
 - Williston Research Extension Center
 - Carrington Research Extension Center
 - Agronomy Seed Farm
- Northern Crops Institute

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Upper Great Plains Transportation Institute
NDSU Cooperative Extension Service
North Dakota Forest Service
University of North Dakota
School of Medicine and Health Sciences
Energy and Environmental Research Center
Valley City State University
Williston State College

Data for development foundations and university/private partnerships (e.g., NDSU Research & Technology Park) are not included in the ConnectND database. Therefore, the financial activity of those entities is not reflected in this analysis. The absence of those expenditure data, in some cases, understates the economic effects of the NDUS.

The expenditure data were reported in the same budget categories as used in previous studies and represent actual expenditures made in North Dakota; not budgeted expenses. Expenditures were reported for Total General and Non-general Funds, Non-General Funds and General Funds. General Funds are North Dakota state appropriated monies. Non-general Fund are from all other sources such as grants, contracts, sponsored programs, donations, etc. Total General and Non-general Funds are the sum of General and Non-General Funds.

The main body of the report focuses on the NDUS and the economic effects of General and Non-general Fund expenditures by colleges and universities. An abbreviated economic contribution analysis for each of the 11 campuses are contained in Appendix A.

All expenditure data are reported in current year dollar values (nominal dollars), meaning dollar values have not been adjusted for inflation. Some of the growth reported in nominal expenditures would be removed if the data were corrected for inflation. Some growth in expenditures would be required to keep spending steady on a real basis (i.e., account for inflationary changes in the purchasing power of the dollar).

The NDUS office also provided fall semester 2020 and 2021 student enrollment. The North Dakota Career Resource Network estimated costs for room and board, books, and supplies for students at each of the 11 institutions in the NDUS.

Data provided by the NDUS system office were used to estimate the economic contribution of the North Dakota University System and its 11 colleges. Economic contribution assessments measure the economic output (effects) from the production and consumption of goods and services. Economic outputs typically include jobs or employment, labor and proprietor income, and the sales and purchases of inputs (business volume). This study examines the economic contribution from the sale and purchase of inputs (NDUS system expenditures and student expenditures), employment, and state and local tax revenue.

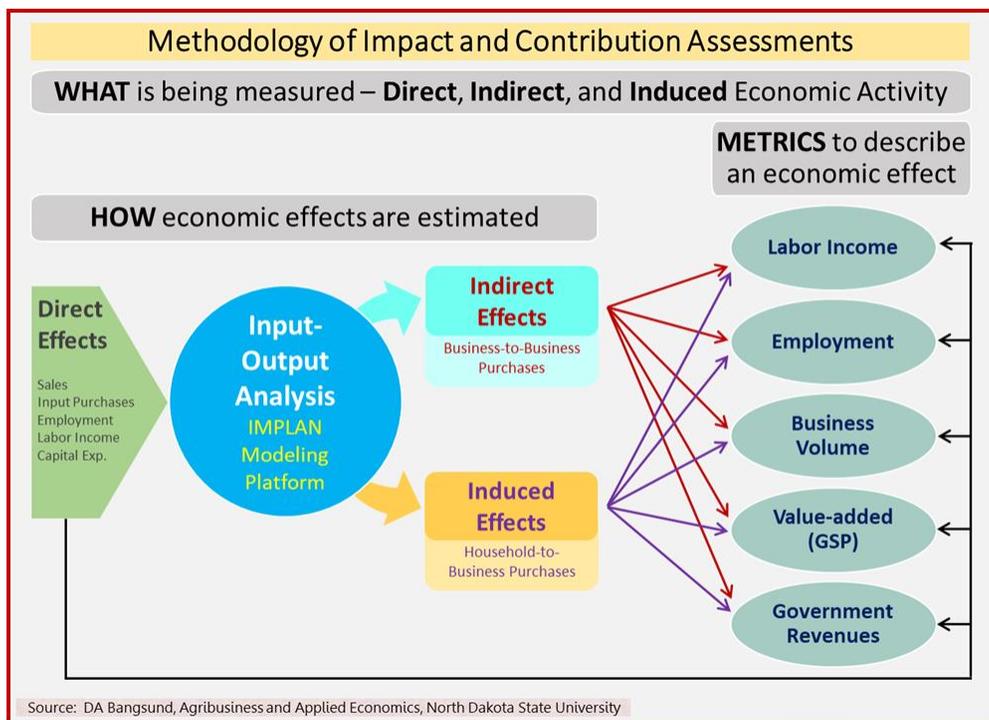
One the most commonly accepted methods for measuring the magnitude and causality of economic effects is Input-Output (I-O) Analysis. Input-output models are mathematical representations of both consuming and producing components of an economy, and trace the flow of dollars originating from transactions involving businesses, households, and governments.

The IMPLAN modeling platform was used to estimate the secondary economic effects as those direct effects (i.e., expenditures) are circulated and re-spent in the economy. The model is a representation of the production and consumption of goods and services in the North Dakota economy. The consumption of goods and services by the University System was modeled to examine how those acquisitions generated secondary business volume. The model also examines secondary employment effects and selected tax revenues. Payroll expenditures also were modeled to examine consumption of goods and services by households (IMPLAN, 2021).

Economic output is categorized into direct and secondary effects. Direct effects are those changes in output, employment, or income that represent the initial or first-round effects. The NDUS operating expenditures represent direct economic effects for this assessment. Secondary effects are measured by the turnover and flow of dollars originating from a direct effect. Secondary effects are composed of *indirect* effects which represent business-to-business transactions, and *induced* effects which represent households-to-business transactions.

Labor income, employment, business volume, value-added, and fiscal revenues are common economic measures used frequently to show *magnitude*, or overall size of an economic effect. This study will examine economic effects in terms of employment, business volume, and government revenues. The terms *direct*, *indirect*, and *induced* describe the *causality* of an economic effect (see illustration below).

Figure 1. Economic Impact and Contribution Assessment Flow Chart



North Dakota University System Expenditures

General and Non-general Fund expenditures are reported for FY2021 and compared to previous years' expenditures in the following section.

General and Non-general Fund Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$1.40 billion and \$1.58 billion, respectively (Table 1). General and Non-general Fund expenditures increased by 6.9 percent from FY2019 to FY2021. Total General and Non-general Fund expenditures peaked at \$1.61 billion in FY2015. Since the peak in FY2015, total General and Non-general Fund expenditures have ranged from \$1.40 billion in FY2013 to \$1.58 billion in FY2021.

Wages and salaries and benefits were the two largest expenditure categories in FY2021, \$552.7 million and \$227.0 million, respectively (Table 1, Figure 1). Combined, wages and salaries and benefits totaled \$779.7 million in FY2021, 49 percent of total expenditures. Historically (2011-2020), wages and salaries and benefits averaged approximately 52 percent of total General and Non-general expenditures with year-to-year variability of 47 to 55 percent (data not shown).

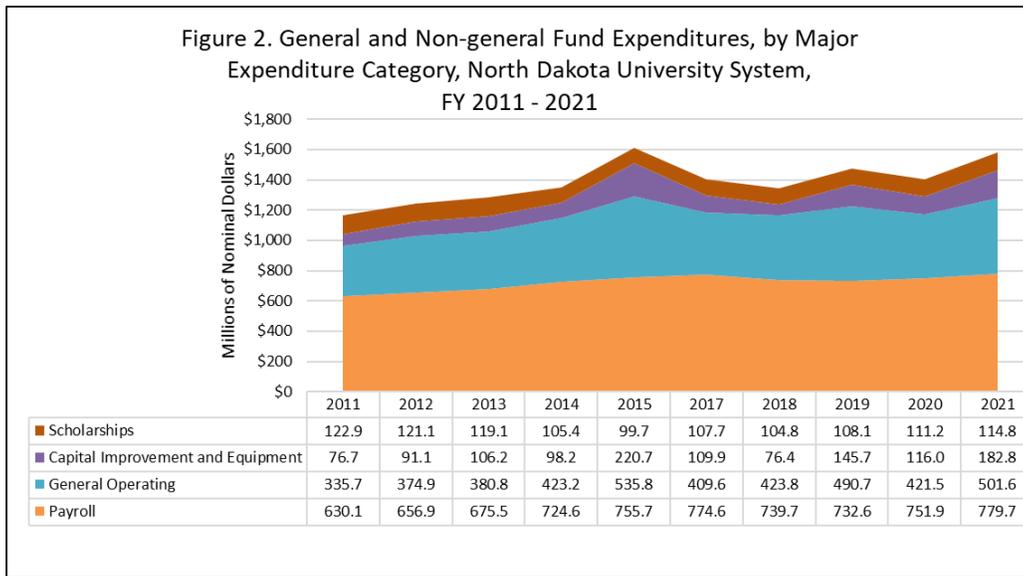
General operating expenditures, which are the sum of all expenditure categories except wages and salaries, benefits, capital equipment and capital expenditures were the next largest expenditure category, totaling \$501.6 million in FY2021, 32 percent of total expenditures (Table 1, Figure 1). Historically (2011-2020), operating expenditures averaged approximately 31 percent of total General and Non-general Fund expenditures (data not shown).

Capital Improvement and Equipment totaled \$182.8 million in FY2021, 12 percent of total General and Non-general Fund expenditures (Table 1, Figure 1). Historical averages (2011-2021) for expenditures for Capital Improvements and Equipment averaged 8 percent, but ranged from 6 to 14 percent over the past 10 years (data not shown).

Scholarships totaled \$114.8 million in FY2021, 7 percent of total General and Non-general Fund expenditures (Table 1, Figure 1). FY2021 expenditures for scholarships, as a percentage of total spending, is consistent with the historical (2011-2021) average of 8 percent of total General and Non-general Fund expenditures (data not shown).

Table 1. University System Expenditures, General and Non-general Fund, North Dakota University System, by Budget Category, Selected Fiscal Years 2011 to 2021 (Current Year Dollars).

Operating Expenditures	Fiscal Years							Percentage Change	
	2011	2013	2015	2017	2019	2020	2021	2011-2021	2019-2021
	----- millions \$ -----							----- % -----	
Wages and Salaries	483.3	511.6	553.4	562.5	523.7	532.0	552.7	14.4	5.5
Payroll Benefits	146.8	163.8	202.3	212.1	208.9	219.9	227.0	54.6	8.7
Travel	29.0	32.6	34.9	28.0	31.3	24.0	15.3	-47.3	-51.2
Data Processing	15.7	19.2	19.9	18.0	18.3	19.1	33.4	112.7	83.0
Fees	37.7	42.5	47.3	39.5	49.5	45.6	77.3	105.2	56.2
Utilities	25.1	27.6	29.1	29.2	30.8	28.0	29.2	16.4	-5.4
Communications	8.7	7.6	9.1	8.7	8.8	8.7	8.6	-1.1	-1.5
Insurance	3.3	4.4	3.3	3.7	3.8	3.9	5.0	50.4	31.4
Rents and Fees	14.0	14.5	16.4	13.5	15.5	12.7	11.9	-14.6	-22.9
Office	9.9	9.4	9.3	7.6	6.8	6.3	5.5	-44.7	-20.0
Supplies	21.7	25.6	26.1	19.5	46.5	21.0	29.4	35.5	-36.7
Instructional	25.7	23.8	26.1	25.6	25.1	25.0	26.3	2.4	4.9
Noncapital Equipment	7.1	11.2	10.0	9.8	6.0	6.0	13.0	82.8	115.5
Merchandise for Resale	45.1	56.3	189.8	95.3	108.9	81.9	96.5	114.0	-11.5
Repairs	27.0	29.3	32.3	28.5	30.1	32.5	35.6	32.0	18.2
Scholarships	122.9	119.1	99.7	107.7	108.1	111.2	114.8	-6.6	6.2
General	65.8	76.8	82.2	82.7	109.2	106.7	114.5	74.1	4.9
Capital Equipment	5.6	22.4	21.8	18.6	13.9	15.0	30.1	439.5	116.3
Capital Improvements	71.1	83.8	198.9	91.3	131.8	101.0	152.7	114.8	15.8
Total	1,165.3	1,281.6	1,611.8	1,401.8	1,477.1	1,400.5	1,578.9	35.5	6.9



Non-general Fund Expenditures

Total Non-general Fund expenditures in FY2020 and FY2021 were \$1.02 billion and \$1.17 billion, respectively (Table 2). Total expenditures increased steadily from 2011 to 2015, but declined in 2017. Since 2017, Non-general Fund expenditures have increased steadily increasing from \$941.6 million to \$1.17 billion in FY2021. Since FY2019, Non-general Funds increased from \$1.09 billion to \$1.17 billion in FY2021, a 7.5 percent increase.

Wages and salaries and benefits were the largest expenditure categories in FY2021, \$371.1 million and \$146.3 million, respectively (Table 2, Figure 2). Wages and salaries and benefits for Non-general Funds totaled \$517.4 million in FY2021, 44 percent of total expenditures, which is slightly lower than the historical average (2011-2020) of 48 percent of total Non-general Funds (data not shown).

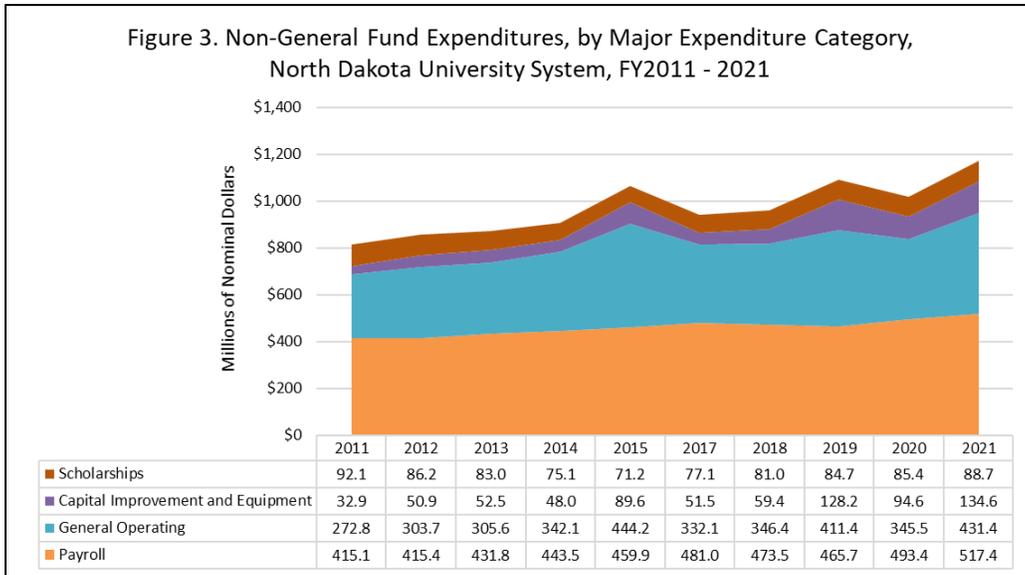
General operating expenditures which are the sum of all expenditure categories except wages and salaries, benefits, capital equipment and capital expenditures were the next largest expenditure category, totaling \$431.4 million or 37 percent of total Non-general Funds (Table 2, Figure 2). Non-general operating expenditures as a percentage of total Non-general Funds in FY2021, is consistent with the ten-year historical average of 36 percent (data not shown).

Capital Improvement and Capital Equipment expenditures for FY2021 were \$134.6 million, 11 percent of total Non-general operating expenditures (Table 2, Figure 2). Capital Improvements and Equipment expenditures have varied considerably, ranging from \$32.9 million in FY2011 to \$134.6 million in FY2021. Capital Improvement expenditures as a percentage of total Non-general operating expenditures have ranged from 4 to 12 percent (2011-2021, data not shown).

Scholarships totaled \$88.7 million in FY2021, 8 percent of total Non-general operating expenditures (Table 2, Figure 2). Scholarships as a percentage of total Non-general Fund expenditures have historically averaged about 9 percent (2011-2020, data not shown).

Table 2. University System Expenditures, Non-General Funds, North Dakota University System, by Budget Category, Selected Fiscal Years 2011 to 2021 (Current Year Dollars).

Operating Expenditures	Fiscal Years							Percentage Change	
	2011	2013	2015	2017	2019	2020	2021	2011-2021	2019-2021
	----- millions \$ -----							----- % -----	
Wages and Salaries	320.0	328.8	339.8	352.5	335.7	351.3	371.1	16.0	10.5
Payroll Benefits	95.1	103.0	120.1	128.5	129.9	142.1	146.3	53.8	12.6
Travel	24.3	26.6	27.2	23.7	27.0	20.6	13.8	-43.1	-48.9
Data Processing	10.7	12.0	12.5	12.1	13.1	13.6	27.7	159.2	111.1
Fees	31.5	36.1	38.1	33.1	42.1	37.4	69.7	121.1	65.6
Utilities	14.4	16.1	15.9	17.3	19.3	18.5	19.5	35.6	1.0
Communications	5.4	4.7	5.2	5.0	5.0	4.7	4.7	-13.7	-7.4
Insurance	2.5	3.3	2.5	2.3	2.5	2.6	3.6	47.0	45.9
Rents and Fees	12.2	12.3	14.3	11.3	12.0	10.4	10.0	-17.5	-16.5
Office	7.4	6.9	6.7	5.6	5.1	4.7	4.1	-44.1	-19.2
Supplies	17.8	20.7	20.8	15.6	42.5	17.1	25.8	45.1	-39.3
Instructional	20.2	18.7	20.2	20.5	19.7	19.7	20.9	3.3	6.1
Noncapital Equipment	5.7	9.3	7.3	7.7	4.8	4.8	12.0	111.1	151.2
Merchandise for Resale	45.1	56.3	189.8	95.3	108.9	81.6	96.5	114.0	-11.4
Repairs	20.6	22.4	23.7	20.8	23.7	25.4	29.5	43.2	24.6
Scholarships	92.8	83.0	71.2	77.1	84.7	85.4	88.7	-4.4	4.7
General	53.9	60.1	60.1	61.7	85.7	84.2	93.6	73.6	9.3
Capital Equipment	3.6	17.0	17.6	16.2	11.6	12.5	26.9	658.2	131.5
Capital Improvements	33.9	35.5	72.0	35.3	116.6	82.2	107.7	217.8	-7.6
Total	816.9	872.9	1,064.9	941.6	1,090.0	1,018.9	1,172.1	43.5	7.5



General Fund Expenditures

General Fund expenditures in FY2020 and FY2021 were \$381.6 million and \$406.8 million, respectively (Table 3). General Fund expenditures peaked in FY2015 at \$547.0 million, steadily declining to \$381.6 million in FY2020 before increasing to \$406.8 million in FY2021.

Wages and salaries and benefits were the two largest expenditure categories in FY2021, \$181.6 million and \$80.7 million, respectively (Table 3, Figure 3). Combined wages and salaries and benefits General Fund expenditures totaled \$262.3 million in FY2021, 64 percent of total expenditures which is consistent with the 10-year average of 63 percent. Since 2011, wages and salaries and benefits as a percentage of total General Fund expenditures, typically ranged from 61 to 69 percent. The exception was FY2015 where General Fund expenditures for wages and salaries was 54 percent (data not shown).

General operating expenditures, which are the sum of all expenditure categories except wages and salaries, benefits, capital equipment and capital expenditures were the next largest General Fund expenditure category, totaling \$70.2 million or 17 percent of total General Fund expenditures (Table 3, Figure 3). Operating expenditures, as a percentage of total General Fund expenditures in FY2021 is consistent with the 10-year historical average of 18 percent (data not shown).

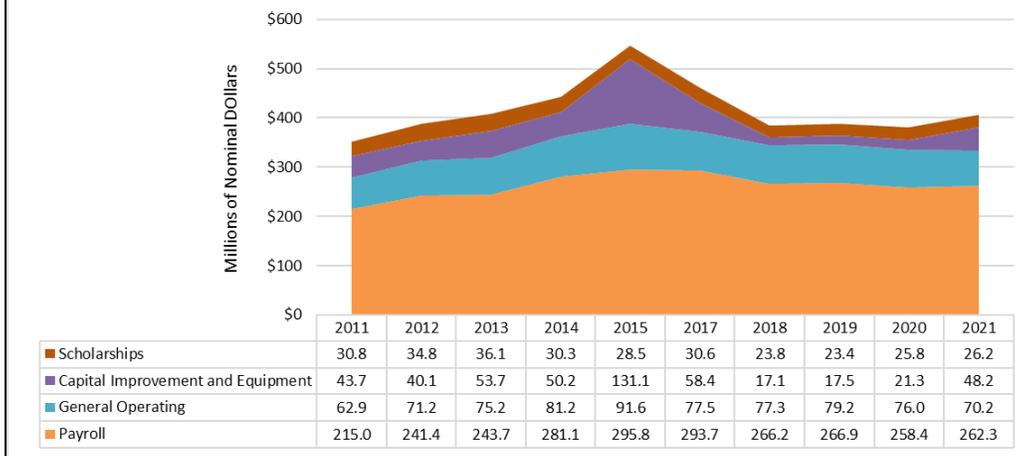
General Fund expenditures for Capital Improvement and Capital Equipment for FY2021 were \$48.2 million, 12 percent of total expenditures (Table 3, Figure 3). Since FY2011, General Fund Capital Improvement and Equipment Expenditures have ranged from \$17.1 million in FY2018 to \$131.2 million in FY2015. Capital Improvement and Equipment expenditures as a percentage of total General operating expenditures have historically averaged 11 percent and ranged from 4 to 24 percent since 2011 (2011-2021) data not shown).

Scholarships totaled \$26.2 million in FY2021, 6 percent of total General Fund operating expenditures (Table 3, Figure 3). Scholarships as a percentage of total General Fund expenditures have historically averaged about 7 percent, with little year to year variability (2011-2021, data not shown).

Table 3. University System Operations Expenditures, General Funds, North Dakota University System, by Budget Category, Selected Fiscal Years 2011 to 2019 (Current Year Dollars).

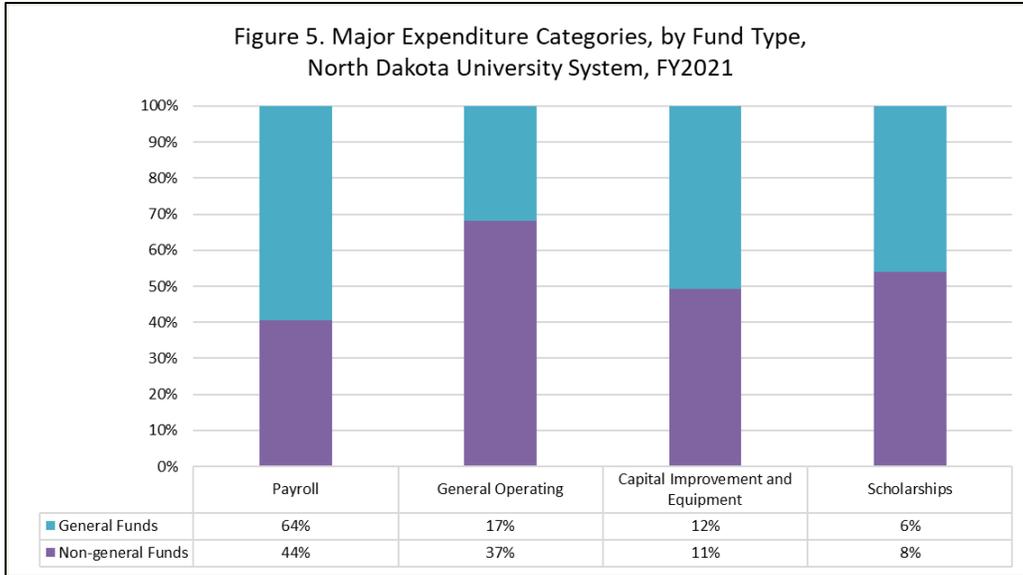
Operating Expenditures	Fiscal Years							Percentage Change	
	2011	2013	2015	2017	2019	2020	2021	2011-2021	2019-2021
	----- millions \$ -----							----- % -----	
Wages and Salaries	163.3	182.8	213.6	210.1	188.0	180.7	181.6	11.2	-3.4
Payroll Benefits	51.7	60.8	82.2	83.6	79.0	77.8	80.7	56.0	2.2
Travel	4.7	6.0	7.7	4.3	4.3	3.4	1.5	-68.9	-66.1
Data Processing	5.0	7.2	7.5	6.0	5.2	5.5	5.8	14.2	11.5
Fees	6.2	6.3	9.2	6.3	7.4	8.2	7.6	23.8	2.8
Utilities	10.7	11.4	13.2	11.8	11.6	9.6	9.7	-9.4	-15.9
Communications	3.3	2.9	3.9	3.7	3.7	4.0	4.0	19.3	6.3
Insurance	0.9	1.1	0.8	1.4	1.3	1.3	1.4	60.4	4.3
Rents and Fees	1.8	2.2	2.1	2.1	3.5	2.3	1.9	4.7	-45.2
Office	2.5	2.4	2.6	2.0	1.7	1.6	1.3	-46.4	-22.6
Supplies	4.0	4.9	5.3	4.0	4.0	3.9	3.7	-7.5	-8.5
Instructional	5.4	5.1	5.8	5.2	5.4	5.3	5.4	-0.7	0.3
Noncapital Equipment	1.4	1.9	2.7	2.1	1.3	1.2	1.0	-30.4	-20.9
Merchandise for Resale	0.0	0.0	0.0	0.0	0.0	0.2	0.0		-72.7
Repairs	6.4	6.9	8.7	7.8	6.4	7.1	6.1	-4.4	-5.2
Scholarships	30.1	36.1	28.5	30.6	23.4	25.8	26.2	-13.1	11.6
General	11.8	16.7	22.1	20.9	23.5	22.4	20.9	76.7	-11.1
Capital Equipment	2.0	5.4	4.2	2.4	2.3	2.5	3.2	57.0	39.0
Capital Improvements	37.2	48.3	127.0	56.0	15.2	18.8	45.0	21.0	195.5
Total	348.4	408.8	547.0	460.2	387.1	381.6	406.8	16.8	5.1

Figure 4. General Fund Expenditures, by Major Expenditure Category, North Dakota University System, FY 2011 - 2021



Comparison of General and Non-general Fund Expenditures

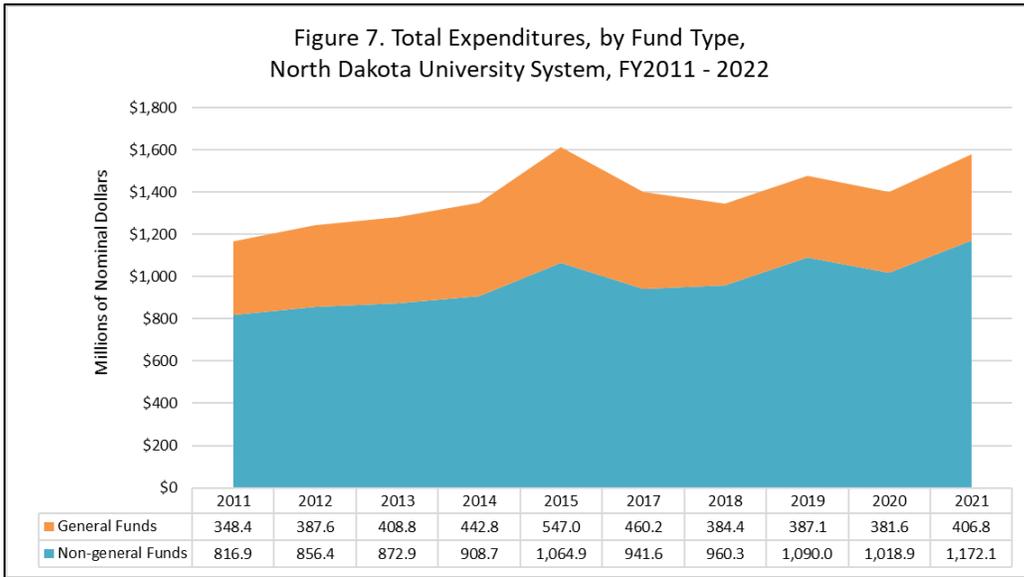
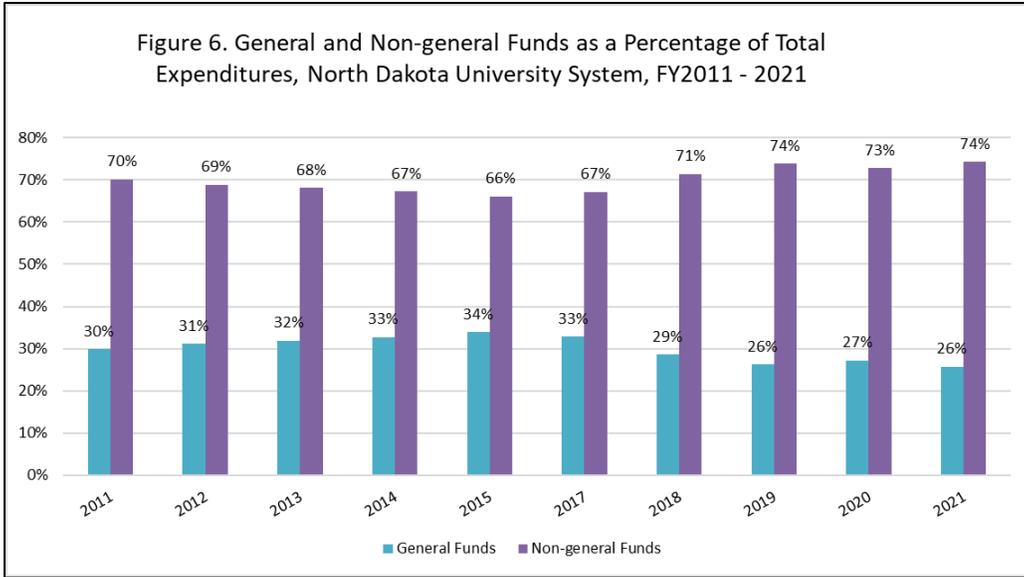
Spending in major expenditure categories as a percentage of total spending varies between General and Non-general Funds. Wages and Salaries and Benefits were 64 percent of total General Fund expenditures compared to 44 percent of Non-general Fund expenditures (Figure 4). Non-general Fund Expenditures for Operations made up a larger percentage of total spending than General Fund Expenditures for Operations, 37 percent compared to 17 percent, respectively. Expenditures for Capital Improvements and Equipment were similar for General and Non-general Funds, 12 percent and 11 percent, respectively. Scholarships, as a percentage of total spending, were slightly higher for Non-general Funds compared to General Funds, 8 percent compared to 6 percent, respectively.



In FY2021, Non-general Funds made up 74 percent of total North Dakota University System expenditures for operations while General Fund expenditures made up 26 percent of total North Dakota University System expenditures for operations (Figure 5). From 2011 to 2015, Non-general Funds as a percentage of total expenditures declined slightly from 70 percent to 66 percent, while General Funds as a percentage of total funds increased slightly from 30 to 34 percent. Since FY2017 Non-general Funds as a percentage of total expenditures has trended slightly higher, increasing from 67 percent in FY2017 to 74 percent in FY2021 and General Funds as a percentage of total funds had declined from 33 percent in FY 2017 to 26 percent in FY2021.

Total Non-general Fund expenditures in FY2021 were \$1.17 billion and total General Fund expenditures were \$406.8 million (Figure 6). Total General and Non-general Funds increased steadily from FY2011 to FY2015 before declining to \$460.2 million and \$941.6 million, respectively in FY2017. From FY2017 to FY2020 General Fund expenditures generally trended lower while Non-general Fund Expenditures trended slightly higher. Both General and Non-general Fund expenditures increased slightly from FY2020 to FY2021.

For every dollar of General Funds, the North Dakota University System generated an additional \$2.88 in Non-general Funds in FY2021. In FY2019 and FY2020, the North Dakota University System leverage \$2.67 and \$2.82 from external sources for every dollar of appropriated funds, respectively. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Effects

Direct or first round economic effects are from North Dakota University System expenditures for wages and salaries, operations, and capital expenditures. While the University System also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Accordingly, economic effects from scholarships are captured in the analysis of the economic effects associated with student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than University System total expenditures.

Total direct effects from General and Non-general Fund expenditures were \$1.46 billion in FY2021 (Table 4). Secondary effects equal the sum of indirect and induced effects, \$563.4 million and \$650.4 million, respectively, for total secondary effects in FY2021 of \$1.21 billion. Total direct and secondary effects from NDUS expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$2.68 billion in FY2021.

Total direct effects from Non-general expenditures were \$1.08 billion in FY2021 (Table 4). Secondary effects equal the sum of indirect and induced effects, \$461.0 million and \$453.3 million, respectively for total secondary effects in FY2021 of \$914.3 million. Total direct and secondary effects from NDUS expenditures for wages and salaries, operations, and capital expenditures from Non-general Fund expenditures were \$2.0 billion in FY2021.

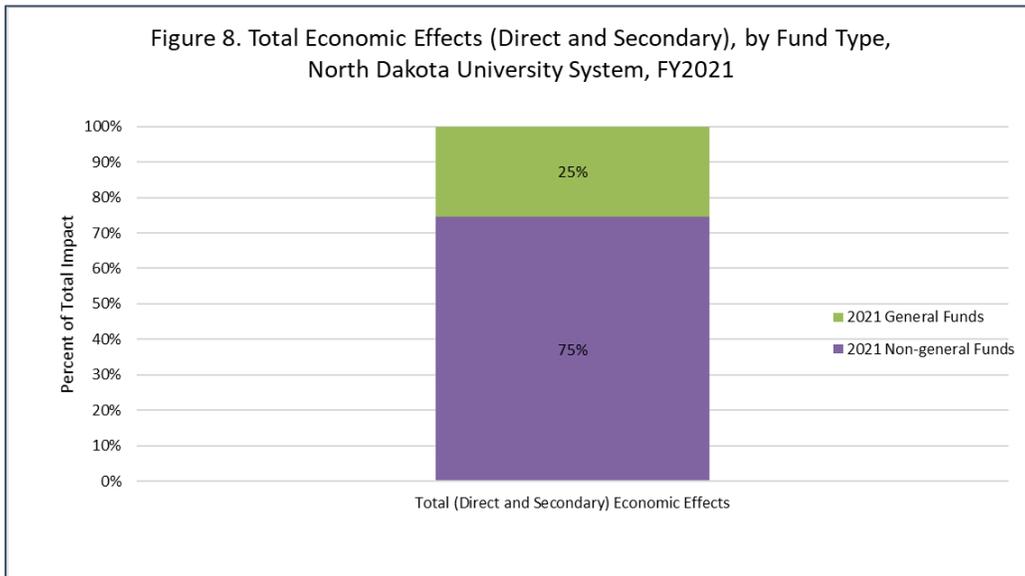
A substantial portion of total (direct and secondary) economic effects was a result of Non-general Fund expenditures. Of the \$1.46 billion in direct economic effects in FY2021, \$1.08 billion, were from Non-general expenditures. Of the total economic effects (direct plus secondary) of \$2.68 billion from both General and Non-general Funds, \$2.0 billion was associated with Non-general Funds. Economic effects from Non-general expenditures in FY2021 comprised 75 percent of North Dakota University System total (direct plus secondary) economic effects.

Table 4. North Dakota University System, Direct and Secondary Effects, By Funding Source, FY2020 and FY2021.		
	FY2020	FY2021
	----- million \$ -----	
General and Non-general Funds		
<i>Expenditure Category¹</i>		
Wages, Salaries, and Benefits	751.9	779.7
Operation Expenditures	436.5	531.7
Capital Expenditures	101.0	152.7
Total Direct Effects	1,289.4	1,464.1
<i>Direct and Secondary Economic Effects</i>		
Direct Effects	1,289.4	1,464.1
Indirect Effects	442.3	563.4
Induced Effects	592.4	650.4
Total Direct and Secondary Effects	2,324.0	2,677.8
Non-General Funds (only)		
<i>Expenditure Category¹</i>		
Wages, Salaries, and Benefits	493.4	517.3
Operation Expenditures	358.0	485.4
Capital Expenditures	82.2	107.7
Total Direct Effects	933.6	1,083.4
<i>Direct and Secondary Effects</i>		
Direct Effects	933.6	1,083.4
Indirect Effects	368.9	461.0
Induced Effects	408.2	453.3
Total Direct and Secondary Effects	1,710.7	1,997.7

Table 4 (cont.). North Dakota University System, Direct and Secondary Effects, By Funding Source, FY2020 and FY2021

General Funds (only)		
<i>Expenditure Category¹</i>		
Wages, Salaries, and Benefits	258.4	262.3
Operation Expenditures	78.5	73.4
Capital Expenditures	18.8	45.0
Total Direct Effects	355.8	380.7
<i>Direct and Secondary Effects</i>		
Direct Effects	355.8	380.7
Indirect Effects	73.4	102.4
Induced Effects	184.2	197.2
Total Direct and Secondary Effects	613.4	680.3

¹Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.

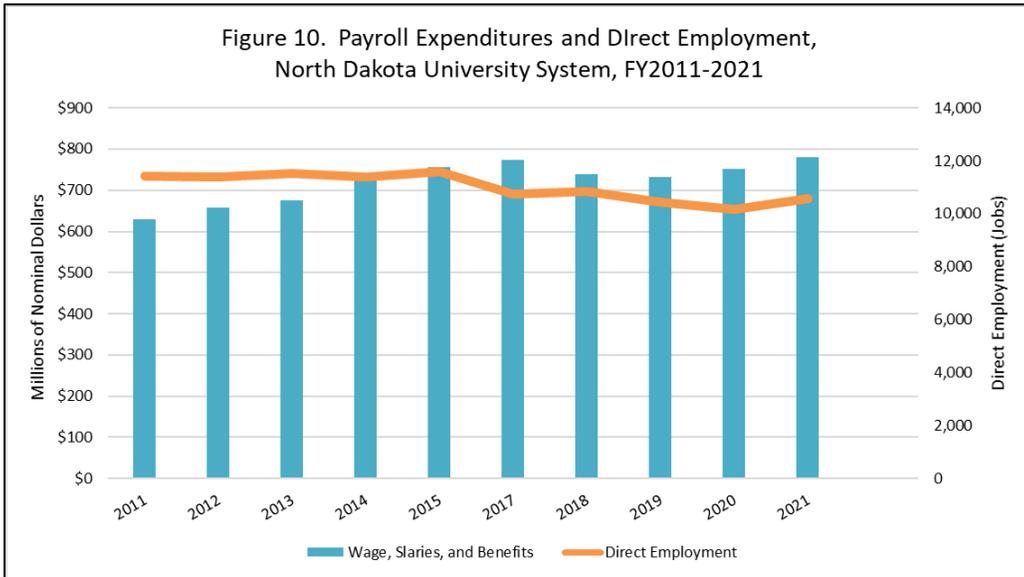
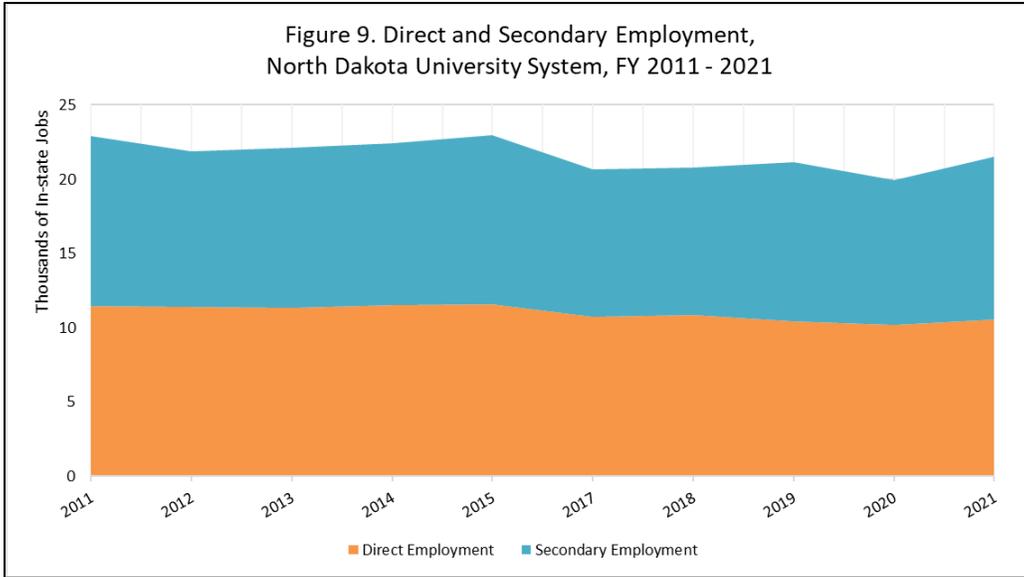


Employment

Total direct employment in the NDUS system in FY2021 was 10,579 (Table 5, Figure 8). Since FY2015 direct employment has steadily declined from 11,592 in FY2015 to 10,164 in FY2020, before increasing slightly to 10,579 in FY2021 and 10,845 in FY2022. Business activity associated with North Dakota University System expenditures supported secondary employment of 9,785 jobs in FY2020 and 10,966 jobs in FY2021. Total direct and secondary employment associated with NDUS expenditures in FY2021 supported 19,949 jobs in FY2020 and 21,545 jobs in FY2021. Direct employment has declined by 7.5 percent since 2011. (Secondary employment and other expenditure data were not available for FY2022.) Expenditures for Wages, salaries and benefits have trended in a manner consistent with the change in employment (Figure 9).

Table 5. Direct and Secondary Employment, University System Expenditures and Student Expenditures, North Dakota University System Selected Years 1999 to 2022

Year	Direct Employment¹	Indirect (secondary)	Induced (secondary)	Total (secondary)²	Direct and Secondary	
1999	8,120			12,138	20,258	
2004	9,608			12,749	22,357	
2006	10,280			12,483	22,743	
2008	10,651			10,799	21,450	
2009	11,079			10,279	21,358	
2011	11,438			11,459	22,897	
2012	11,393			10,478	21,871	
2013	11,369			10,760	22,294	
2014	11,534			10,901	22,294	
2015	11,592			11,393	22,985	
2016	11,479			N/A	N/A	
2017	10,741			9,917	20,658	
2018	10,857			9,948	20,805	
2019	10,426			10,712	21,138	
2020	10,164	2,735	7,050	9,785	19,949	
2021	10,579	3,592	7,375	10,966	21,545	
2022	10,845			N/A	N/A	
Period	Direct Employment		Secondary Employment		All Employment	
	Numeric Change	Percentage Change	Numeric Change	Percentage Change	Numeric Change	Percentage Change
2011 - 2021	-859	-7.5	-493	-4.3	-1,352	-5.9
2019 - 2021	153	1.5	255	2.4	407	1.9
¹ NDUS direct employment is a June 30 th employee head count consisting of faculty, classified, other non-classified and temporary positions. Student workers were not included in this total. Prior to 2019, there was some duplication in the employee head count. Beginning in 2019 the employee head count is unduplicated.						
² Estimates include both indirect and induced employment, and are based on business activity from university expenditures for salaries, wages and benefits, operations and capital expenditures, and student living expenses.						



Tax Revenue

In FY2021, business activity from General and Non-general Fund expenditures was estimated to result in about \$19.6 million in revenue to state and local government jurisdictions (Table 6). The greatest revenues were from sales taxes (\$8.4 million), property taxes (\$6.0 million), and personal income taxes (\$2.8 million). Student expenditures supported an additional \$11.6 million in induced (secondary) state and local tax revenue. Combined, North Dakota University System operations and student expenditures generated \$31.3 million dollars in state and local tax revenue.

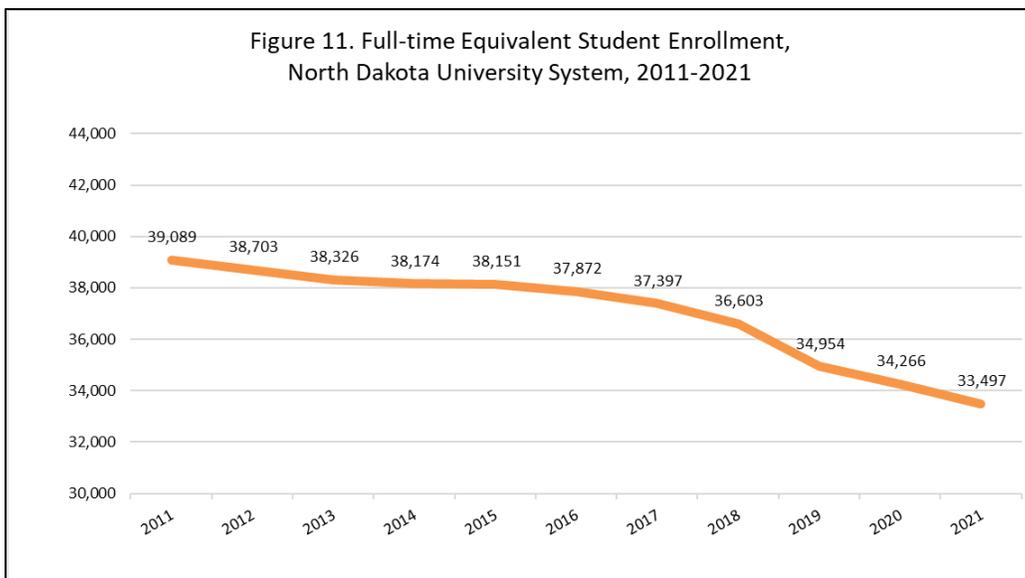
Table 6. Estimated State Tax Collections derived from Business Activity, North Dakota University System Expenditures and Student Spending, by Funding Source, FY2021

Government Revenue	North Dakota University System	Student Spending	Total Tax Collections
----- millions \$ -----			
General and Non-general Funds			
Sales Tax	8.4	5.4	13.8
Property Tax	6.0	3.9	10.0
Personal Income Tax	2.8	1.1	3.9
Corporate Tax	1.3	0.7	2.0
Other Revenues	1.1	0.5	1.6
Total	19.6	11.6	31.3
Non-general Funds (only)			
Sales Tax	6.3	n/a	6.3
Property Tax	4.5	n/a	4.5
Personal Income Tax	2.1	n/a	2.1
Corporate Tax	1.0	n/a	1.0
Other Revenues	0.9	n/a	0.9
Total	14.8	n/a	14.8
¹ For tax revenue from NDUS, due to exemptions on property taxes and for sales and use taxes, only indirect and induced economic activity was used for tax estimates.			
² Includes miscellaneous revenues from motor vehicle registrations, licenses, fees, permits, fines, and other revenues.			

Student Assessment

Enrollment for the North Dakota University System was 33,497 FTE students during the 2020-2021 school year, down slightly from 34,266 in from the 2019-2020 school year (Table 7, Figure 10). Student enrollment has been steadily declining since 2011 when enrollment peaked at 39,089. From 2011 to 2021 enrollment declined by 5,592 students, a 14.3 percent reduction in FTE student enrollment. Since 2019 enrollment declined by 1,457 students, a 4.2 percent reduction in FTE student enrollment.

Table 7. Full Time Equivalent, Student Enrollment, NDUS, 1999 - 2021			
	Student Enrollment	Number Change	Percentage Change
1999	30,720		
2004	36,245	5,525	18.0
2006	35,373	-872	-2.4
2007	35,075	-298	-0.8
2008	36,095	1,020	2.9
2009	37,564	1,469	4.1
2010	38,899	1,335	3.6
2011	39,089	190	0.5
2012	38,703	-386	-1.0
2013	38,326	-377	-1.0
2014	38,174	-152	-0.4
2015	38,151	-23	-0.1
2016	37,872	-279	-0.7
2017	37,397	-475	-1.3
2018	36,603	-794	-2.1
2019	34,954	-1,649	-4.5
2020	34,266	-688	-2.0
2021	33,497	-769	-2.2
Change 2011-2021		-5,592	-14.3
Change 2019-2021		-1,457	-4.2



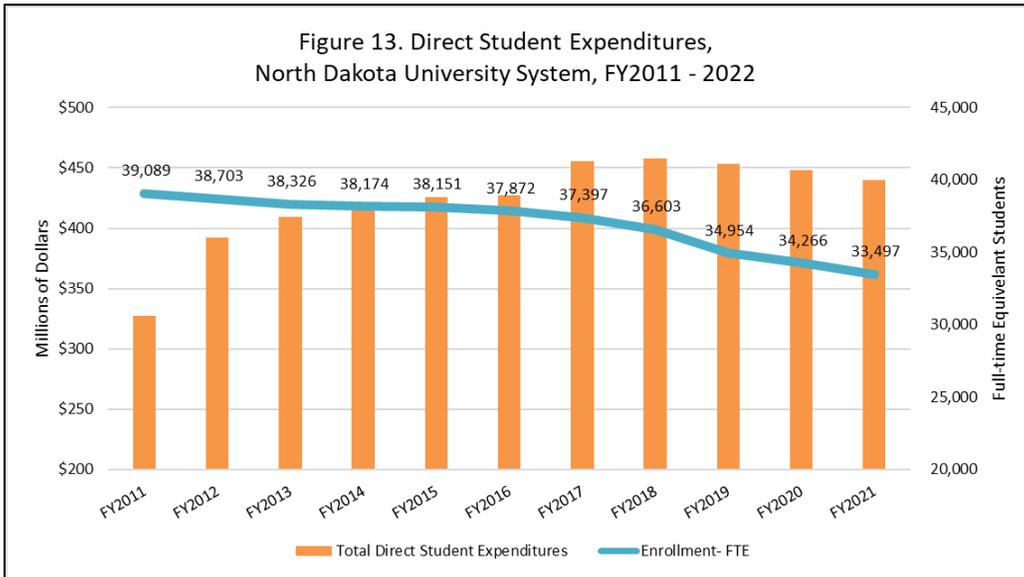
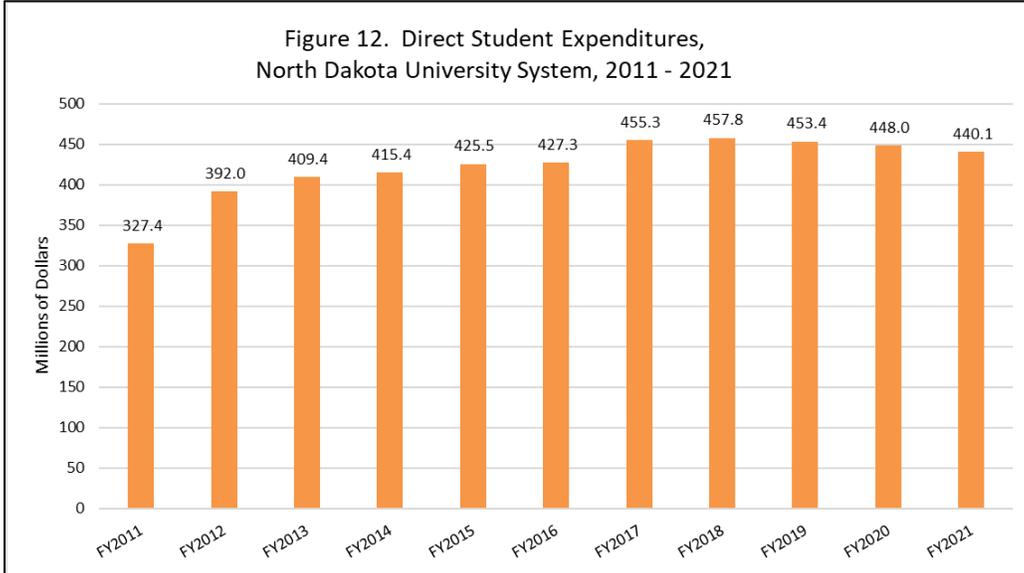
Student spending also adds to the economic contribution of the NDUS. Student spending included outlays for personal items, recreation, books, supplies, and room and board. Students also incur expenses for fees, tuition, and other items not covered in this analysis. Expenditures for fees and tuition are not included in the assessment of economic effects associated with student expenditures, rather those expenditures were captured by the analysis of university expenditures.

Multiplying the Fall Semester FTE student enrollment for each school by their respective per-student living expenditures provided an estimate of direct effects or first-round effects associated with student spending.

In Fall Semester 2021, 33,497 FTE students were enrolled and attended the state’s 11 universities and colleges. Per-student living expenses averaged \$13,076 for the 2019-2020 school year and \$13,139 for the 2020-2021 school year (Table 8, Figure 11). Based on expenditures per FTE student, students were estimated to have spent \$440.1 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year (see Table 8, Figure 11). Business activity associated with student expenditures supported additional induced (secondary) effect of \$467.4 million, for total effects (direct and secondary) of \$907.5 million in FY2021.

From 2011 to 2018, student expenditures trended slightly and consistently higher. Since 2018, student expenditures have dropped from \$453.4 million in FY2019 to \$440 million in FY2021. Declines in student expenditures parallel declining enrollment (Figure 12).

Table 8. Student Expenditures, by Expenditure Category, North Dakota University System, FY2020 and FY2021		
Item	FY2020	FY2021
Students (FTE)	34,266	33,497
Spending per Student	\$13,076	\$13,139
Spending by Category (all students) ----- millions \$ -----		
Room and Board	298.6	293.9
Books	30.5	29.8
Personal Expenses	118.9	116.8
Total Student Spending	448.1	440.1
Direct and Secondary Effects		
Direct Effects	448.1	440.1
Indirect Effects	n/a	n/a
Induced Effects	475.7	467.4
Total	923.8	907.5



Assumptions and Data Limitations: Student Effects

A large share of student spending will likely occur in the communities where the institutions are located, due to the nature of their purchases (i.e., books, supplies, and room and board). Some of the student expenditures for recreation and personal items will occur in cities and trade areas other than those where the university or college is located. However, for this analysis, all student spending will be assumed to remain in close proximity to the community where the college or university is located.

The use of ND Career Resource Network estimates of room and board expenses may overstate the economic effects of student expenditures. Although a large number of students live on-campus or live independently off-campus, some students live at home. Students living at home would likely incur less expense for room and board compared to those living on-campus or independently off-campus. Another factor that complicates the estimate of the effects of student spending is that some of the revenues for room and board for students living in university dormitories could be considered double counting with expenditures by the universities. The revenues received by universities and colleges for on-campus room and board would likely be dispersed by the universities for inputs and services associated with student housing. As such, expenditures for providing student housing are probably partially captured by the analyses of university spending. Therefore, including room and board expenses for all students might result in some double counting of University System expenditures. Data were unavailable to adjust the economic contribution of student spending to account for those students living at home or to adjust for the percentage of room and board expenses already captured by University System expenditures.

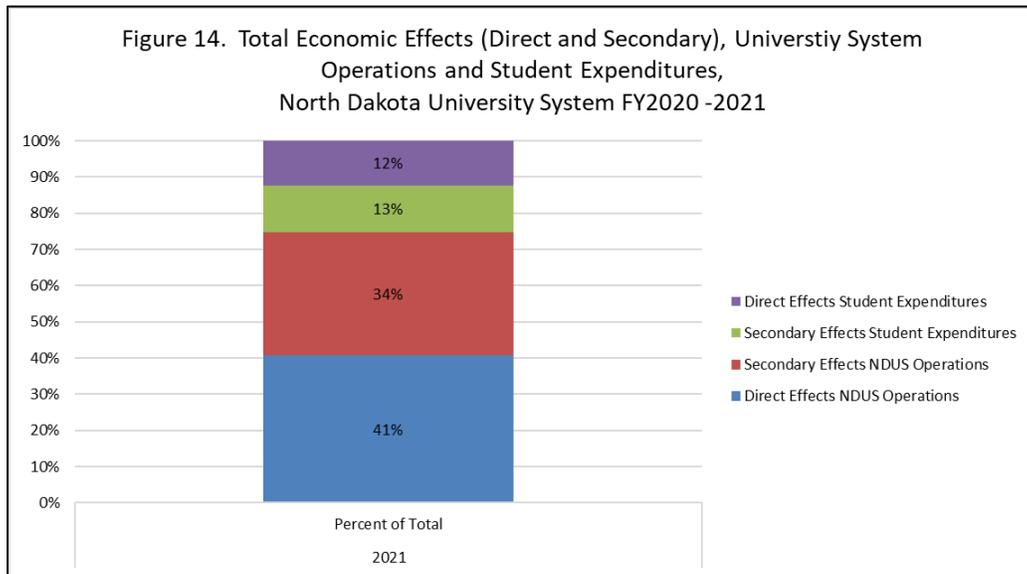
Another area of potential double counting could occur in how expenses are handled for books and other educational materials. Books and educational materials purchased by students through campus-sponsored bookstores or at on-campus varsity marts also are likely to be fully or partially captured by university expenditures. Since those facilities are part of the university or college, expenses for staff, facilities, and materials/inventory would necessarily be included in the university analysis. Further, it is highly likely that a large percentage of college textbooks would be acquired from entities outside of North Dakota and would not represent in-state expenditures by universities and colleges. However, to the extent that educational materials are purchased by students from off-campus sources, those expenditures would not represent double counting. The degree of overlap between student spending for books and educational supplies and university expenditures associated with bookstores and varsity marts is unknown, as is the degree of those supplies purchased by universities from out-of-state entities. Despite data limitations, the cost of books was included in the student spending analysis for consistency with previous analyses.

Total Economic Effects

In FY2021, combined direct effects from North Dakota University System expenditures and North Dakota University System students totaled \$1.90 billion with an additional \$1.68 billion in secondary economic effects. Total economic effects (direct plus secondary) totaled \$3.59 billion in FY2021 (Table 9). North Dakota University System direct expenditures made up 41 percent of total economic effects. Direct and secondary effects from North Dakota University System operations accounted for 75 percent of total (NDUS operations and student expenditures) effects (Figure 13).

Table 9. Total Economic Effects, North Dakota University System Expenditures and North Dakota University System Student Expenditures, FY2020 and FY2021.

FY2020			
	NDUS Operations	Student Expenditures	Total
	---millions of dollars---		
Direct Effects	1,289.4	448.1	1,737.5
Secondary Effects (Indirect and Induced)	1,034.7	475.8	1,510.5
Total Effects (Direct and Secondary)	2,324.1	923.9	3,248.0
FY2021			
	NDUS Operations	Student Expenditures	Total
	---millions of dollars---		
Direct Effects	1,464.1	440.1	1,904.2
Secondary Effects (Indirect and Induced)	1,213.9	467.3	1,681.2
Total Effects (Direct and Secondary)	2,678.0	907.4	3,585.4



Conclusions

The NDUS consists of 11 colleges and universities located throughout the state. Those universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. North Dakota’s universities and colleges have positive

effects on the state economy and local economies as those revenues are used to purchase inputs and services and pay wages and salaries.

The state's 11 University System colleges, universities, and supporting centers and facilities act as centers for local and regional economic development. In FY2021, the North Dakota University System had direct economic effects of \$1.46 billion and total economic (direct and secondary effects) of \$2.68 billion. A substantial portion of total (direct and secondary) economic effects was a result of Non-general Fund expenditures. Of the total economic effects (direct plus secondary) of \$2.68 billion from both General and Non-general Funds, \$2.0 billion was associated with Non-general Funds. Economic effects from Non-general expenditures in FY2021 comprised 75 percent of North Dakota University System total (direct plus secondary) economic effects. The relative share of NDUS spending that comes from Non-general Fund sources highlights the importance that outside financial support plays in the economic effects of the NDUS on the North Dakota economy.

Student expenditures also contribute to the University System's economic effects. In 2021, the university system's 34,497 FTE students spent on average, approximately \$13,000 each totaling \$440 million in direct expenditures and \$907 million in total economic effects (direct plus secondary).

The North Dakota University System also supports employment throughout the state. In FY2021, the North Dakota University System directly employed 10,579 individuals. Business activity associated with University System expenditures supported an additional 10,966 secondary jobs in FY2021.

Institutions of higher education in North Dakota provide the state with an educated workforce ready to meet the challenges of an ever-changing work environment. They provide outreach and continuing education programs for the state's residents and businesses. In addition to providing education, the state's universities and colleges create and support jobs and employment opportunities through research, extension, and teaching activities. The activities and services of the North Dakota University system provide economic benefits which enhance local and state economies.

References

Bangsund, Dean A. and Nancy M. Hodur. 2020. *Economic Contribution of the North Dakota University System in 2019*. AAE Report No. 806. Fargo: North Dakota State University, Department of Agribusiness and Applied Economics. Available at <https://ageconsearch.umn.edu/record/308735>

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APPENDIX A
College Summaries

Bismarck State College, North Dakota Poly Tech

Each of the state’s college campuses is an important component of that area’s local economy. This summary highlights the economic contribution of Bismarck State College using key economic indicators; gross business volume, selected tax revenues, and employment.

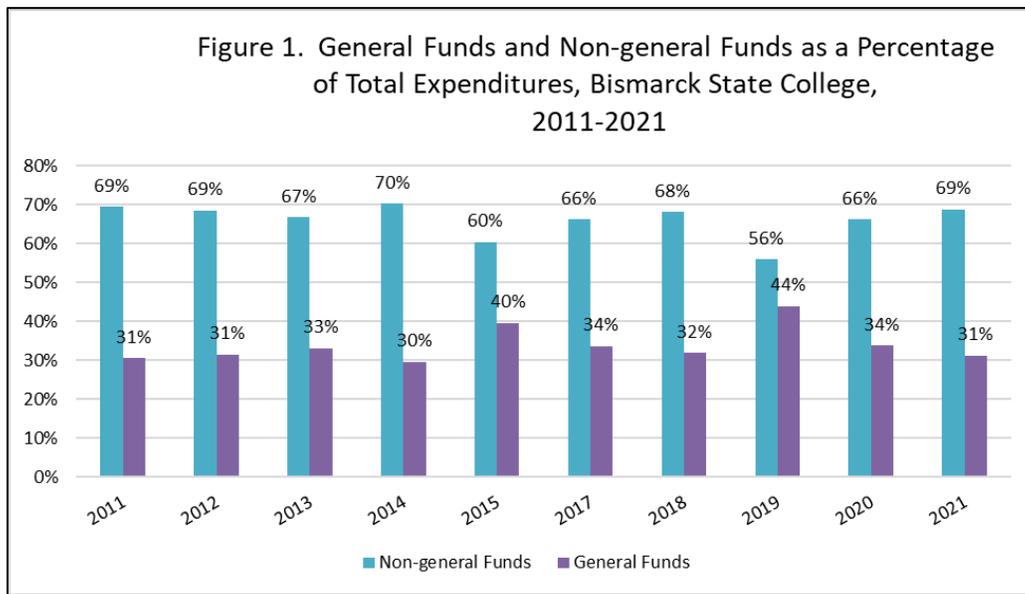
General and Non-general Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$48.2 and \$54.1 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$30.1 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$15.5 million in FY2021. Scholarships totaled \$6.3 million and Capital Improvements and Equipment totaled \$2.2 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, Bismarck State College, FY2020 and FY2021		
	FY2020	FY2021
	----- million \$ -----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	29.3	30.1
Operations	12.9	15.5
Scholarships	4.5	6.3
Capital Expenditures	1.4	2.2
Total	48.2	54.1
Non-General Fund Expenditures		
Wages and Salaries and Benefits	16.9	17.2
Operations	9.7	12.4
Scholarships	4.4	6.2
Capital Expenditures	0.9	1.5
Total	31.9	37.2
General Fund Expenditures		
Wages and Salaries and Benefits	12.4	12.9
Operations	3.2	3.2
Scholarships	0.1	0.1
Capital Expenditures	0.5	0.7
Total	16.3	16.9

In FY2021 Non-general Funds made up 69 percent of total Bismarck State College expenditures for operations while General Fund expenditures made up 31 percent. Since 2011, the share of Non-general and General Funds measured as a percentage of total expenditures have been fairly consistent with approximately a 70 percent/30 percent split, respectively with the exception of FY2015 and FY2019 where General Fund Expenditures made up 40 and 44 percent, respectively of total expenditures (Figure 1).

In FY2021, for every dollar of General Funds, Bismarck State College obtained an additional \$2.20 in Non-general Funds. In FY2020, leveraged \$1.96 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from Bismarck State College expenditures for wages and salaries, operations, and capital expenditures. While Bismarck State College also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than Bismarck State College total expenditures.

Direct effects from General and Non-general Fund expenditures were \$47.8 million in FY2021. Secondary effects (indirect and induced) totaled \$33.4 million. Total direct and secondary effects from Bismarck State College expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$81.2 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$28.7 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported additional induced (secondary) effects of \$30.5 million, for total economic effects (direct and secondary) of \$59.2 million (Table 2). Average per student expenditures were \$12,022 (data not shown).

Direct employment at Bismarck State College in FY2021 was 635 jobs. Business activity associated with Bismarck State College expenditures supported secondary employment of 208 jobs in FY2021. Student expenditures supported secondary employment of 203 jobs. Total direct and secondary employment associated with Bismarck State College supported 1,046 jobs in FY2021 (Table 2).

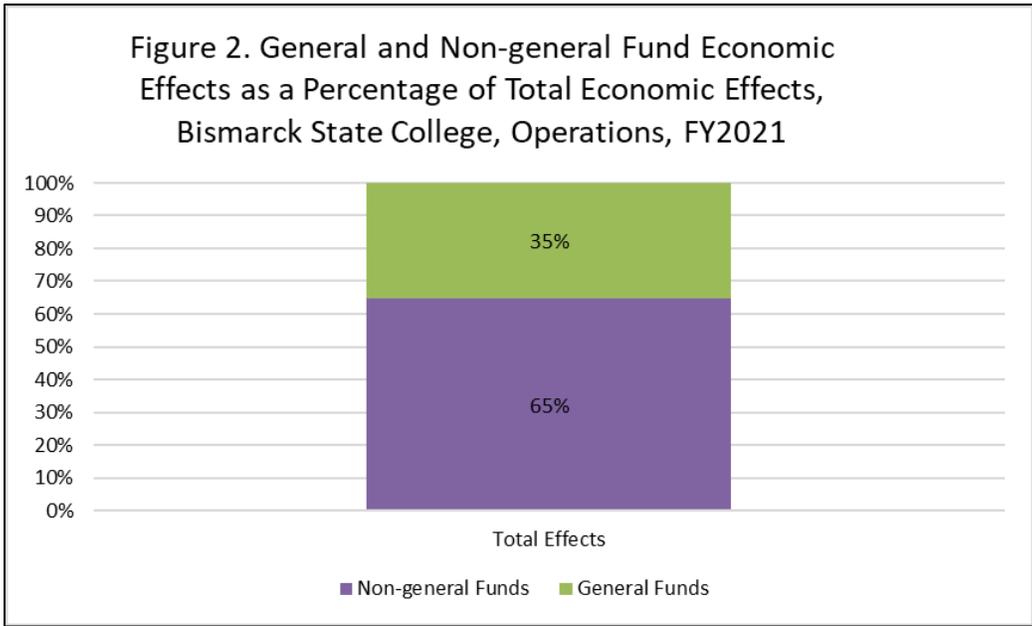
In FY2021, business activity from Bismarck State College General and Non-general Fund expenditures was estimated to generate about \$651,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$758,000 in state and local tax revenue. Combined, Bismarck State College operations and student expenditures generated \$1.4 million in state and local tax revenue (Table 2).

A substantial portion of total (direct and secondary) economic effects from Bismarck State College operations in FY2021 was a result of Non-general Fund expenditures. Economic effects from Non-general expenditures in FY2021 comprised 65 percent of Bismarck State College (direct plus secondary) economic effects (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, Bismarck State College, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	43.6	29.6	73.2
Secondary Effects	31.5	31.4	62.9
Total (direct and secondary) Effects	75.1	61.0	136.1
Employment	----- jobs -----		
Direct Effect (college employees)	618	n/a	618
Secondary Effects	194	209	403
Total Employment Supported	812	209	1,021
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	646.9	770.0	1,416.9

Table 2 (cont.) Economic Effects, Bismarck State College, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2021		
Business Volume (output)	----- million \$ -----		
Direct Effect	47.8	28.7	76.5
Secondary Effects	33.4	30.5	63.9
Total (direct and secondary) Effects	81.2	59.2	140.4
Employment	----- jobs -----		
Direct Effect (college employees)	635	n/a	635
Secondary Effects	208	203	411
Total Employment Supported	843	203	1,046
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	651	758	1,409
¹ Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.			



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- Bismarck State College had expenditures of \$54.1 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$30.1 million, 56 percent of total expenditures.
- Non-general Funds accounted for 69 percent of Bismarck State College expenditures in FY2021.
- Bismarck State College leveraged \$2.20 from external sources for every dollar of state appropriated funds in FY2021.
- FY2021 direct economic effects from Bismarck State College operations were \$47.8 million. Total (direct and secondary) economic effects were 81.2 million.
- In FY2021, economic effects of student living expenses resulted in \$28.7 million in direct effects and \$30.5 million in secondary effects, for total direct and secondary effects of \$59.2 million.
- Bismarck State College student expenditures in FY2021 were estimated to be approximately \$12,022 per student.
- Combined, Bismarck State College operations and student expenditures (direct effects) in FY2021 was \$76.5 million. Total economic contribution (direct plus secondary) from Bismarck State College operations and student expenditures was \$140.4 million.
- A substantial portion of total (direct and secondary) economic effects from Bismarck State College operations was a result of Non-general Fund expenditures. Sixty-five percent of total economic effects were attributable to Non-general Funds.
- Bismarck State College in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$1.4 million in state tax collections in FY2021.
- Direct employment at Bismarck State College was 635 jobs in FY2021. Business activity from Bismarck State College expenditures and spending by students supported secondary employment of 411 jobs. Total direct and secondary employment was 1,046 in FY2021.

Dakota College at Bottineau

Each of the state’s college campuses is an important component of that area’s local economy. This summary highlights the economic contribution of Dakota College at Bottineau using key economic indicators; gross business volume, selected tax revenues, and employment.

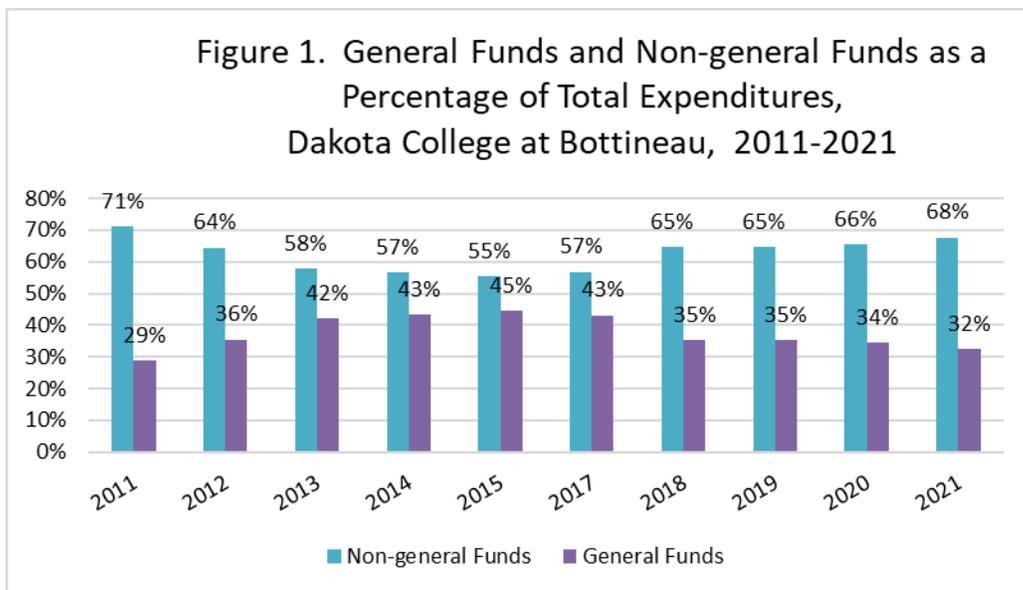
General and Non-general Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$13.4 million and \$14.4 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$6.8 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$4.4 million in FY2021. Scholarships totaled \$1.7 million and Capital Improvements and Equipment totaled \$1.5 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, Dakota College at Bottineau, FY2020 and FY2021.		
	FY2020	FY2021
	----- million \$ -----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	6.5	6.8
Operations	4.7	4.4
Scholarships	1.8	1.7
Capital Expenditures	0.4	1.5
Total	13.4	14.4
Non-General Fund Expenditures		
Wages and Salaries and Benefits	3.2	3.5
Operations	3.8	3.7
Scholarships	1.8	1.6
Capital Expenditures	0.1	0.9
Total	8.8	9.7
General Fund Expenditures		
Wages and Salaries and Benefits	3.3	3.2
Operations	1.0	0.7
Scholarships	0.1	0.1
Capital Expenditures	0.3	0.6
Total	4.6	4.6

In FY2021, Non-general Funds made up 68 percent of total Dakota College at Bottineau expenditures for operations while General Fund expenditures made up 32 percent. From 2011 to 2015, the share of Non-general Funds as a percentage of total expenditures declined before increasing in 2018. Since 2018, the share of Non-general and General Funds as a percentage of total expenditures has been fairly consistent with approximately a two-thirds and one-third split, respectively (Figure 1).

In FY2021, for every dollar of General Funds, Dakota College at Bottineau obtained an additional \$2.09 in Non-general Funds. In FY2020, Dakota College at Bottineau leveraged \$1.91 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from Dakota College at Bottineau expenditures for wages and salaries, operations, and capital expenditures. While the Dakota College at Bottineau also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than Dakota College at Bottineau total expenditures.

Direct effects from General and Non-general Fund expenditures were \$12.7 million in FY2021. Secondary effects (indirect and induced) totaled \$9.7 million. Total direct and secondary effects from Dakota College at Bottineau expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$22.4 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$7.4 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported additional induced (secondary) effects of \$7.9 million, for total economic effects (direct and secondary) of \$15.2 million (Table 2). Average per student expenditures were \$12,022 (data not shown).

Direct employment at Dakota College at Bottineau in FY2021 was 175 jobs. Business activity associated with Dakota College at Bottineau expenditures supported secondary employment of 65 jobs in FY2021. Student expenditures supported secondary employment of 52 jobs. Total direct and secondary employment associated with Dakota College at Bottineau supported 292 jobs in FY2021 (Table 2).

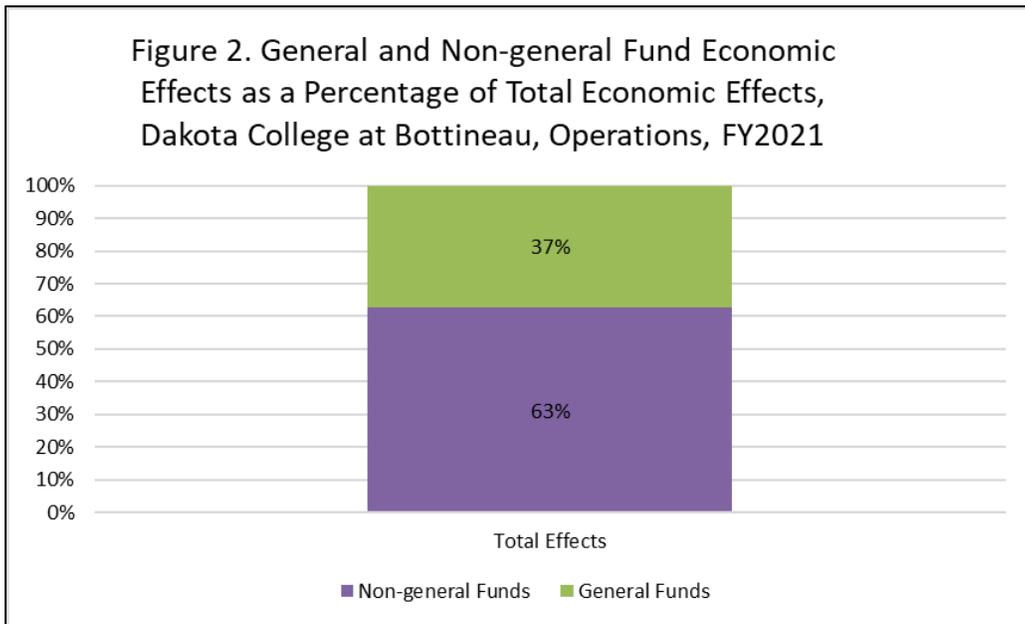
In FY2021, business activity from Dakota College at Bottineau General and Non-general Fund expenditures was estimated to generate about \$146,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$195,000 in state and local tax revenue. Combined, Dakota College at Bottineau operations and student expenditures generated \$341,000 in state and local tax revenue (Table 2).

A substantial portion of total (direct and secondary) economic effects from Dakota College at Bottineau operations in FY2021 was a result of Non-general Fund expenditures. Economic effects from Non-general expenditures in FY2021 comprised 63 percent of Dakota College at Bottineau (direct plus secondary) economic effects (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, Dakota College at Bottineau, FY2020 and FY2021			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	11.6	6.4	18.0
Secondary Effects	7.9	6.8	14.7
Total (direct and secondary) Effects	19.4	13.3	32.7
Employment	----- jobs -----		
Direct Effect (college employees)	167	n/a	167
Secondary Effects	51	45	96
Total Employment Supported	218	45	263
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	149.7	167.6	317.3

Table 2 (cont.) Economic Effects, Dakota College at Bottineau, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
FY2021			
Business Volume (output)	----- million \$ -----		
Direct Effect	12.7	7.4	20.1
Secondary Effects	9.7	7.9	17.5
Total (direct and secondary) Effects	22.4	15.2	37.6
----- jobs -----			
Employment	----- jobs -----		
Direct Effect (college employees)	175	n/a	175
Secondary Effects	65	52	117
Total Employment Supported	240	52	292
----- thousand \$ -----			
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	146.3	195.1	341.4
¹ Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.			



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- Dakota College at Bottineau had expenditures of \$14.4 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$6.8 million, 47 percent of total expenditures.
- Non-general Funds accounted for 68 percent of Dakota College at Bottineau expenditures in FY2021.
- Dakota College at Bottineau leveraged \$2.09 from external sources for every dollar of state appropriated funds in FY2021.
- FY2021 direct economic effects from Dakota College at Bottineau operations were \$12.7 million. Total (direct and secondary) economic effects were \$22.4 million.
- In FY2021, student living expenses resulted in \$7.4 million in direct effects and \$7.9 million in secondary effects, for total direct and secondary effects of \$15.2 million.
- Dakota College at Bottineau student expenditures in FY2021 were estimated to be approximately \$12,022 per student in FY2021.
- Combined Dakota College at Bottineau operations and student expenditures (direct effects) in FY2021 were \$20.1 million. Total economic contribution (direct plus secondary) was \$37.6 million.
- A substantial portion of total (direct and secondary) economic effects from Dakota College at Bottineau operations was a result of Non-general Fund expenditures. Of the total economic effects (direct plus secondary), 63 percent were attributable to Non-general Funds in FY2021.
- Dakota College at Bottineau in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$341,000 in state tax collections.
- Direct employment at Dakota College at Bottineau was 175 jobs in FY2021. Business activity from Dakota College at Bottineau expenditures and spending by students supported secondary employment of 117 jobs. Total direct and secondary employment was 292 jobs in FY2021.

Dickinson State University

Each of the state’s college campuses is an important component of that area’s local economy. This summary highlights the economic contribution of Dickinson State University using key economic indicators; gross business volume, selected tax revenues, and employment.

General and Non-general Expenditures

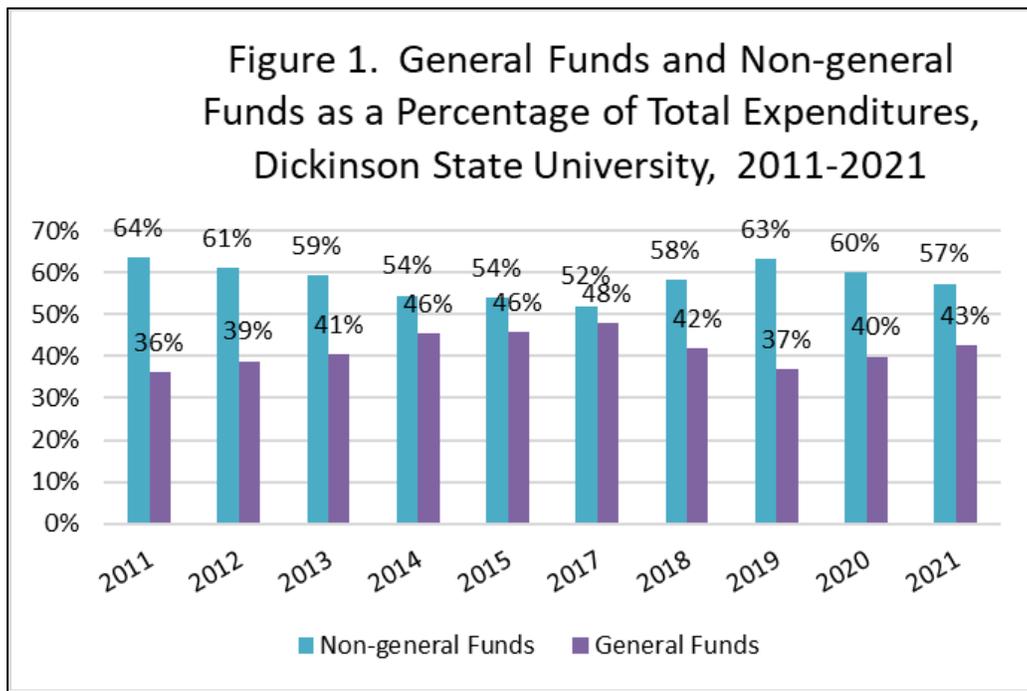
Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$27.4 million and \$32.6 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$16.1 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$8.1 million in FY2021. Scholarships totaled \$3.7 million and Capital Improvements and Equipment totaled \$4.7 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, Dickinson State University, FY2020 and FY2021.

	FY2020	FY2021
	----- million \$ -----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	17.6	16.1
Operations	6.0	8.1
Scholarships	3.0	3.7
Capital Expenditures	0.7	4.7
Total	27.4	32.6
Non-General Fund Expenditures		
Wages and Salaries and Benefits	8.7	7.8
Operations	4.5	6.6
Scholarships	2.8	3.2
Capital Expenditures	0.4	1.1
Total	16.5	18.7
General Fund Expenditures		
Wages and Salaries and Benefits	8.9	8.3
Operations	1.5	1.6
Scholarships	0.2	0.5
Capital Expenditures	0.3	3.5
Total	10.9	13.9

In FY2021, Non-general Funds made up 57 percent of total Dickinson State University expenditures for operations while General Fund expenditures made up 43 percent. Since 2017 the percentage of Non-general Funds as a percentage of total expenditures has increased from 10-year low of 52 percent (Figure 1).

In FY2021, for every dollar of General Funds, Dickinson State University obtained an additional \$1.34 in Non-general Funds. In FY2020, Dickinson State University leveraged \$1.50 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from Dickinson State University expenditures for wages and salaries, operations, and capital expenditures. While Dickinson State University also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than Dickinson State University total expenditures.

Direct effects from General and Non-general Fund expenditures were \$28.9 million in FY2021. Secondary effects (indirect and induced) totaled \$22.2 million. Total direct and secondary effects from Dickinson State University expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$51.1 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$14.5 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported additional induced (secondary) effects of \$15.4 million, for total economic effects (direct and secondary) of \$29.8 million (Table 2). Average per student expenditures were \$12,535 (data not shown).

Direct employment at Dickinson State University in FY2021 was 297 jobs. Business activity associated with Dickinson State University expenditures supported secondary employment of 148 jobs in FY2021. Student expenditures supported secondary employment of 102 jobs. Total direct and secondary employment associated with Dickinson State University supported 547 jobs in FY2021 (Table 2).

In FY2021, business activity from Dickinson State University General and Non-general Fund expenditures was estimated to generate about \$414,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$382,000 in state and local tax revenue. Combined, Dickinson State University operations and student expenditures generated \$796,000 in state and local tax revenue (Table 2).

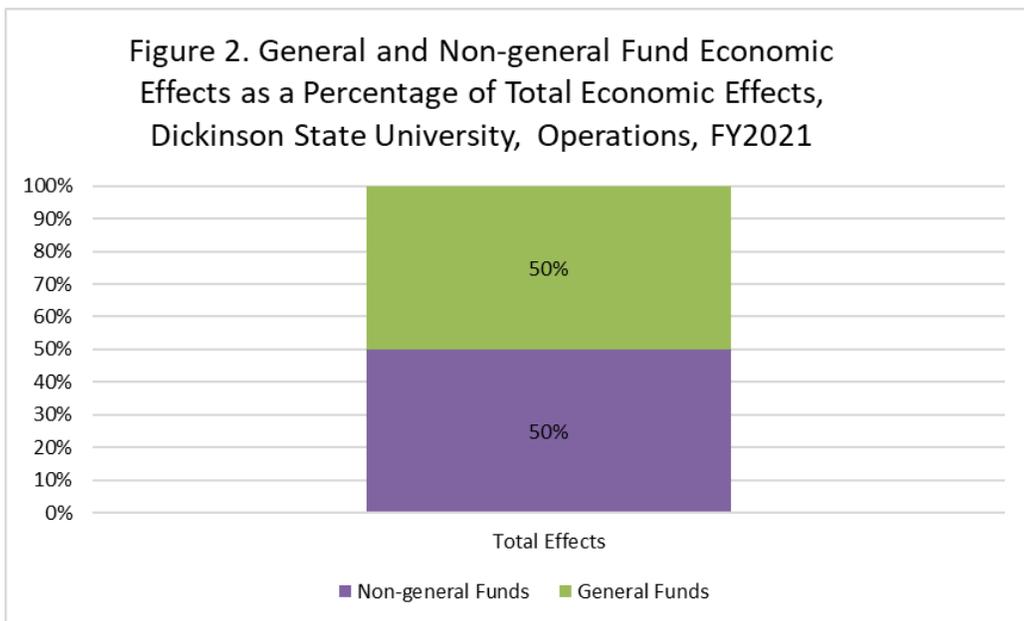
Total (direct and secondary) economic effects from Dickinson State University operations in FY2021 were split evenly between General and Non-General Fund expenditures, 50 percent each. (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, Dickinson State University, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	24.4	13.9	38.2
Secondary Effects	19.7	14.7	34.5
Total (direct and secondary) Effects	44.1	28.6	72.7
Employment	----- jobs -----		
Direct Effect (college employees)	208	n/a	208
Secondary Effects	51	98	149
Total Employment Supported	259	98	357
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	386.8	366.1	752.9

Table 2 (cont.) Economic Effects, Dickinson State University, FY2020 and FY2021

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
FY2021			
Business Volume (output)	----- million \$ -----		
Direct Effect	28.9	14.5	43.4
Secondary Effects	22.2	15.4	42.4
Total (direct and secondary) Effects	51.1	29.8	85.8
Employment	----- jobs -----		
Direct Effect (college employees)	297	n/a	297
Secondary Effects	148	102	250
Total Employment Supported	445	250	547
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	414.3	381.7	796.0

¹Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- Dickinson State University had expenditures of \$32.6 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$16.1 million, 49 percent of total expenditures.
- Non-general Funds accounted for 57 percent of Dickinson State University expenditures in FY2021.
- Dickinson State University leveraged \$1.34 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from Dickinson State University operations were \$28.9 million. Total (direct and secondary) economic effects were \$56.0 million.
- In FY2021, student living expenses resulted in \$14.5 million in direct effects and \$15.4 million in secondary effects, for total direct and secondary effects of \$29.8 million.
- Dickinson State University student expenditures in FY2021 were estimated to be approximately \$12,535 per student.
- Combined, Dickinson State University operations and student expenditures (direct effects) in FY2021 was \$43.4 million. Total economic contribution (direct plus secondary) from Dickinson State University operations and student expenditures was \$85.8 million.
- Fifty percent of total (direct and secondary) economic effects from Dickinson State University operations were a result of General Fund expenditures in FY2021.
- Dickinson State University in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$796,000 in state and local tax collections in FY2021.
- Direct employment at Dickinson State University was 297 jobs in FY2021. Business activity from Dickinson State University expenditures and spending by students supported secondary employment of 250 jobs. Total direct and secondary employment was 547 jobs in FY2021.

Lake Region State College

Each of the state’s college campuses is an important component of that area’s local economy. This summary highlights the economic contribution of Lake Region State College using key economic indicators; gross business volume, selected tax revenues, and employment.

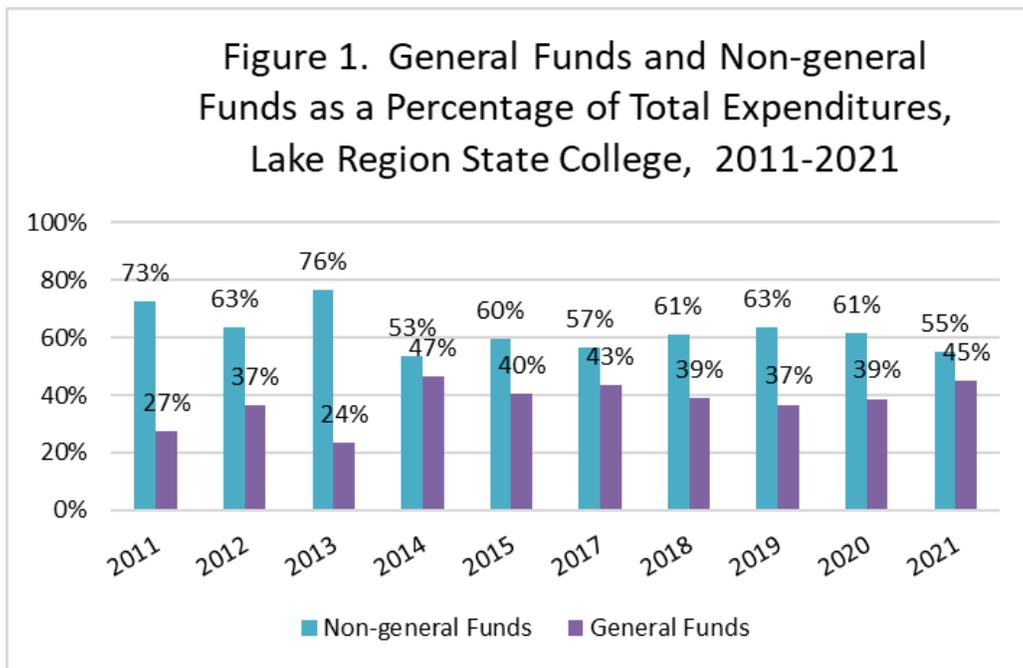
General and Non-general Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$18.1 million and \$20.1 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$11.3 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$4.2 million in FY2021. Scholarships totaled \$1.9 million and Capital Improvements and Equipment totaled \$2.7 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, Lake Region State College, FY2020 and FY2021.		
	FY2020	FY2021
	----- million \$-----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	11.4	11.3
Operations	4.0	4.2
Scholarships	2.1	1.9
Capital Expenditures	0.6	2.7
Total	18.1	20.1
Non-General Fund Expenditures		
Wages and Salaries and Benefits	6.2	5.9
Operations	3.0	3.2
Scholarships	1.9	1.7
Capital Expenditures	0.1	0.2
Total	11.1	11.0
General Fund Expenditures		
Wages and Salaries and Benefits	5.2	5.4
Operations	1.0	1.0
Scholarships	0.2	0.2
Capital Expenditures	0.6	2.5
Total	7.0	9.1

In FY2021, Non-general Funds made up 55 percent of total Lake Region State College expenditures for operations while General Fund expenditures made up 45 percent. From FY2011 to FY2015, the share of Non-general Funds as a percentage of total expenditures declined before increasing in 2018. From 2018 to 2020, the share of Non-general and General Funds as a percentage of total expenditures was fairly consistent with approximately a two-thirds and one-third split, respectively (Figure 1).

In FY2021, for every dollar of General Funds, Lake Region State College obtained an additional \$1.22 in Non-general Funds. In FY2020, Lake Region State College leveraged \$1.59 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from Lake Region State College expenditures for wages and salaries, operations, and capital expenditures. While Lake Region State College also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than Lake Region State College total expenditures.

Direct effects from General and Non-general Fund expenditures were \$18.2 million in FY2021. Secondary effects (indirect and induced) totaled \$14.8 million. Total direct and secondary effects from Lake Region State College expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$33.0 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$9.5 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported additional induced (secondary) effects of \$10.1 million, for total economic effects (direct and secondary) of \$19.6 million (Table 2). Average per student expenditures were \$12,022 (data not shown).

Direct employment at Lake Region State College in FY2021 was 316 jobs. Business activity associated with Lake Region State College expenditures supported secondary employment of 96 jobs in FY2021. Student expenditures supported secondary employment of 67 jobs. Total direct and secondary employment associated with Lake Region State College supported 479 jobs in FY2021 (Table 2).

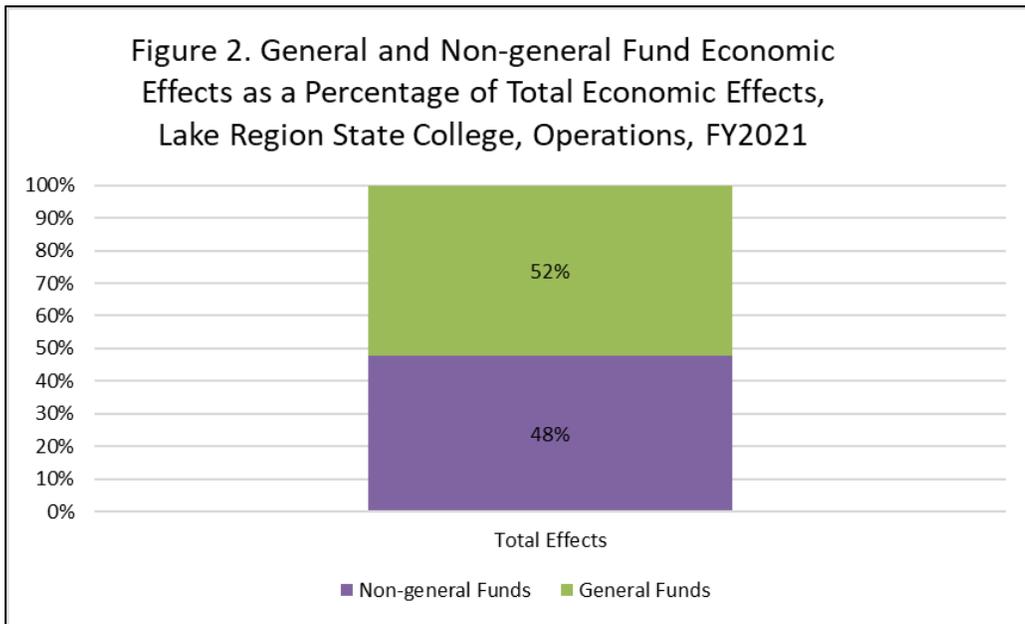
In FY2021, business activity from Lake Region State College General and Non-general Fund expenditures was estimated to generate about \$279,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$251,000 in state and local tax revenue. Combined, Lake Region State College operations and student expenditures generated \$530,000 in state and local tax revenue (Table 2).

Total (direct and secondary) economic effects from Lake Region State College operations in FY2021 were fairly evenly split between Non-general and General Fund expenditures. Economic effects from Non-general expenditures in FY2021 comprised 48 percent of Lake Region State College (direct plus secondary) economic effects compared to 52 percent from General Funds (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, Lake Region State College, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	16.0	10.1	26.1
Secondary Effects	11.6	10.6	22.3
Total (direct and secondary) Effects	27.6	20.7	48.3
Employment	----- jobs -----		
Direct Effect (college employees)	329	n/a	380
Secondary Effects	51	71	122
Total Employment Supported	380	71	451
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	238.3	264.4	502.7

Table 2 (cont.) Economic Effects, Lake Region State College, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
FY2021			
Business Volume (output)	----- million \$ -----		
Direct Effect	18.2	9.5	27.7
Secondary Effects	14.8	10.1	24.9
Total (direct and secondary) Effects	33.0	19.6	52.6
Employment			
	----- jobs -----		
Direct Effect (college employees)	316	n/a	316
Secondary Effects	96	67	163
Total Employment Supported	412	67	479
Tax Revenues			
	----- thousand \$ -----		
Sales, Property, Personal Income, Other	278.9	250.9	529.8
¹ Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.			



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- Lake Region State College had total expenditures of \$20.1 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$11.3 million, 56 percent of total expenditures.
- Non-general Funds accounted for 55 percent of Lake Region State College expenditures in FY2021.
- Lake Region State College leveraged \$1.22 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from Lake Region State College operations were \$18.2 million. Total (direct and secondary) economic effects were \$33.0 million.
- In FY2021, student living expenses resulted in \$9.5 million in direct effects and \$10.1 million in secondary effects, for total direct and secondary effects of \$19.6 million.
- Lake Region State College student expenditures in FY2021 were estimated to be approximately \$12,022 per student.
- Combined, Lake Region State College operations and student expenditures (direct effects) in FY2021 were \$27.7 million. Total economic contribution (direct plus secondary) from Lake Region State College operations and student expenditures was \$52.6 million.
- Of the total economic effects (direct plus secondary) 48 percent of total economic effects were attributable to Non-general Funds.
- Lake Region State College in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$530,000 in state and local tax collections.
- Direct employment at Lake Region State College was 316 jobs in FY2021. Business activity from Lake Region State College expenditures and spending by students supported secondary employment of 163 jobs. Total direct and secondary employment was 479 jobs in FY2021.

Mayville State University

Each of the state's college campuses is an important component of that area's local economy. This summary highlights the economic contribution of Mayville State University using key economic indicators; gross business volume, selected tax revenues, and employment.

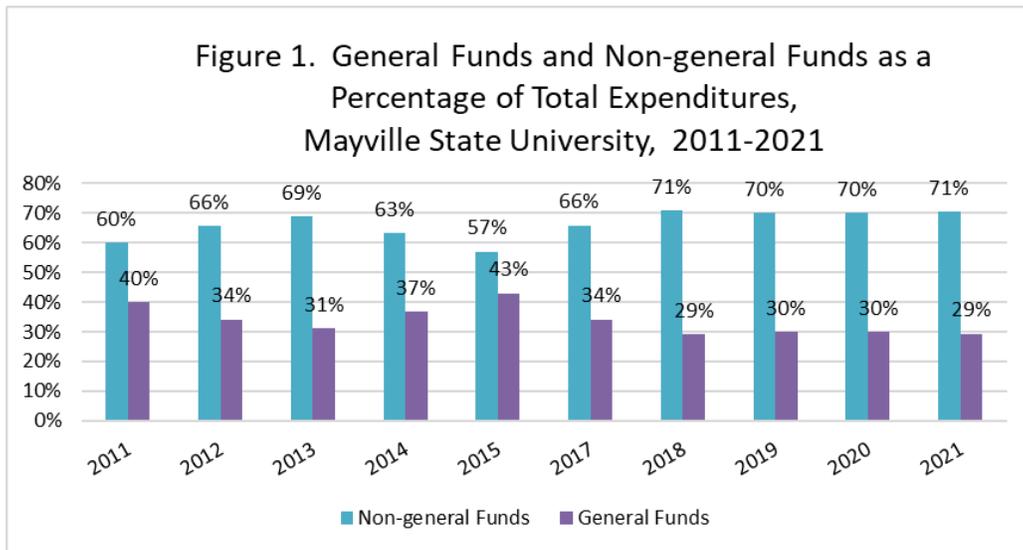
General and Non-general Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$25.7 million and \$27.1 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$17.2 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$7.0 million in FY2021. Scholarships totaled \$2.4 million and Capital Improvements and Equipment totaled \$0.6 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, Mayville State University, FY2020 and FY2021.		
	FY2020	FY2021
	----- million \$-----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	16.6	17.2
Operations	6.4	7.0
Scholarships	2.5	2.4
Capital Expenditures	0.2	0.6
Total	25.7	27.1
Non-General Fund Expenditures		
Wages and Salaries and Benefits	10.7	10.9
Operations	4.9	5.5
Scholarships	2.3	2.2
Capital Expenditures	0.1	0.6
Total	18.0	19.2
General Fund Expenditures		
Wages and Salaries and Benefits	5.9	6.3
Operations	1.5	1.5
Scholarships	0.2	0.2
Capital Expenditures	0.1	> 0.1
Total	7.7	8.0

In FY2021, Non-general Funds made up 71 percent of total Mayville State University expenditures for operations while General Fund expenditures made up 29 percent. Since FY2018, the share of Non-general Funds as a percentage of total expenditures has been relatively consistent. (Figure 1).

In FY2021, for every dollar of General Funds, Mayville State University obtained an additional \$2.41 in Non-general Funds. In FY2020, Mayville State University leveraged \$2.34 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from Mayville State University expenditures for wages and salaries, operations, and capital expenditures. While Mayville State University also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than Mayville State University total expenditures.

Direct effects from General and Non-general Fund expenditures were \$24.7 million in FY2021. Secondary effects (indirect and induced) totaled \$16.9 million. Total direct and secondary effects from Mayville State University expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$41.7 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$10.0 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported

additional induced (secondary) effects of \$10.7 million, for total economic effects (direct and secondary) of \$20.7 million (Table 2). Average per student expenditures were \$12,335 (data not shown).

Direct employment at Mayville State University in FY2021 was 356 jobs. Business activity associated with Mayville State University expenditures supported secondary employment of 110 jobs in FY2021. Student expenditures supported secondary employment of 71 jobs. Total direct and secondary employment associated with Mayville State University supported 537 jobs in FY2021 (Table 2).

In FY2021, business activity from Mayville State University General and Non-general Fund expenditures was estimated to generate about \$316,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$265,000 in state and local tax revenue. Combined, Mayville State University operations and student expenditures generated \$582,000 in state and local tax revenue in FY2021 (Table 2).

Total (direct and secondary) economic effects from Mayville State University operations in FY2021 were fairly evenly split between Non-general and General Fund expenditures. Economic effects from Non-general expenditures in FY2021 comprised 69 percent of Mayville State University (direct plus secondary) economic effects compared to 31 percent from General Funds (Figure 2).

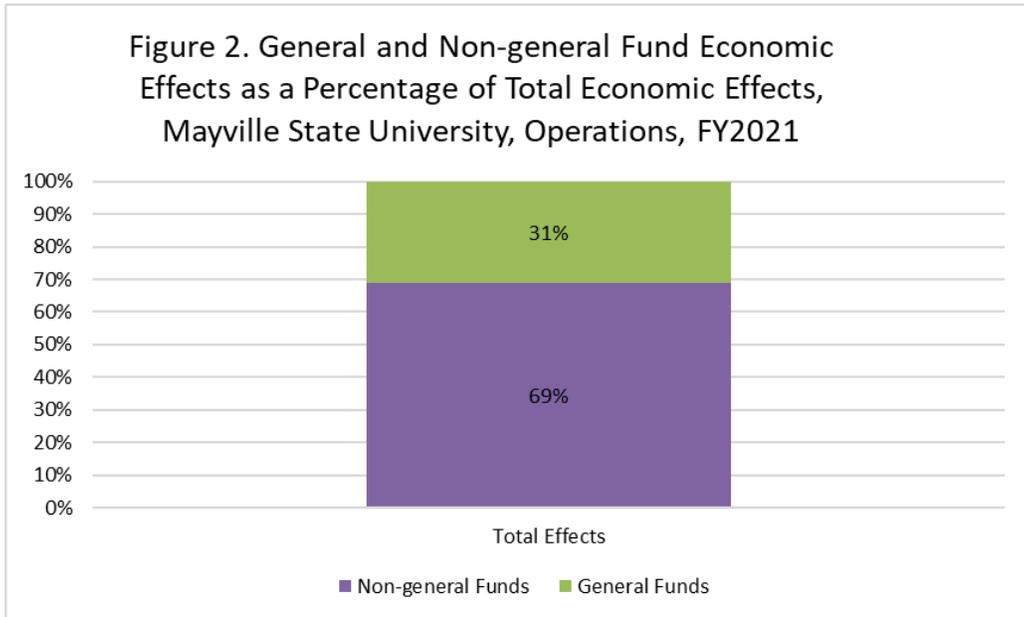
Table 2. Economic Effects, Operations and Student Expenditures, Mayville State University, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	23.2	9.5	32.8
Secondary Effects	15.7	10.1	25.8
Total (direct and secondary) Effects	38.9	19.6	58.6
Employment	----- jobs -----		
Direct Effect (college employees)	395	n/a	395
Secondary Effects	101	67	168
Total Employment Supported	466	67	563
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	319.0	248.3	567.3

Table 2 (cont.) Economic Effects, Mayville State University, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
FY2021			
Business Volume (output)	----- million \$ -----		
Direct Effect	24.7	10.0	34.8
Secondary Effects	16.9	10.7	27.6
Total (direct and secondary) Effects	41.7	20.7	62.4
Employment	----- jobs -----		
Direct Effect (college employees)	356	n/a	356
Secondary Effects	110	71	181
Total Employment Supported	466	71	537
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	316.3	265.3	581.6

¹Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.

Figure 2. General and Non-general Fund Economic Effects as a Percentage of Total Economic Effects, Mayville State University, Operations, FY2021



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- Mayville State University had expenditures of \$27.1 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$17.2 million, 63 percent of total expenditures.
- Non-general Funds accounted for 71 percent of Mayville State University expenditures in FY2021.
- Mayville State University leveraged \$2.41 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from Mayville State University operations were \$24.7 million. Total (direct and secondary) economic effects were \$41.7 million.
- In FY2021, economic effects of student living expenses resulted in \$10.0 million in direct effects and \$10.7 million in secondary effects, for total direct and secondary effects of \$20.7 million.
- Mayville State University student expenditures in FY2021 were estimated to be approximately \$12,335 per student.
- Combined, Mayville State University operations and student expenditures (direct effects) in FY2021 were \$34.8 million. Total economic contribution (direct plus secondary) was \$62.4 million.
- Of the total economic effects (direct plus secondary), 51 percent of total economic effects were attributable to Non-general Funds.
- Mayville State University in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$582,000 in state and local tax collections.
- Direct employment at Mayville State University was 356 jobs in FY2021. Business activity from Mayville State University expenditures and spending by students supported secondary employment of 181 jobs. Total direct and secondary employment was 537 jobs in FY2021.

Minot State University

Each of the state’s college campuses is an important component of that area’s local economy. This summary highlights the economic contribution of Minot State University using key economic indicators; gross business volume, selected tax revenues, and employment.

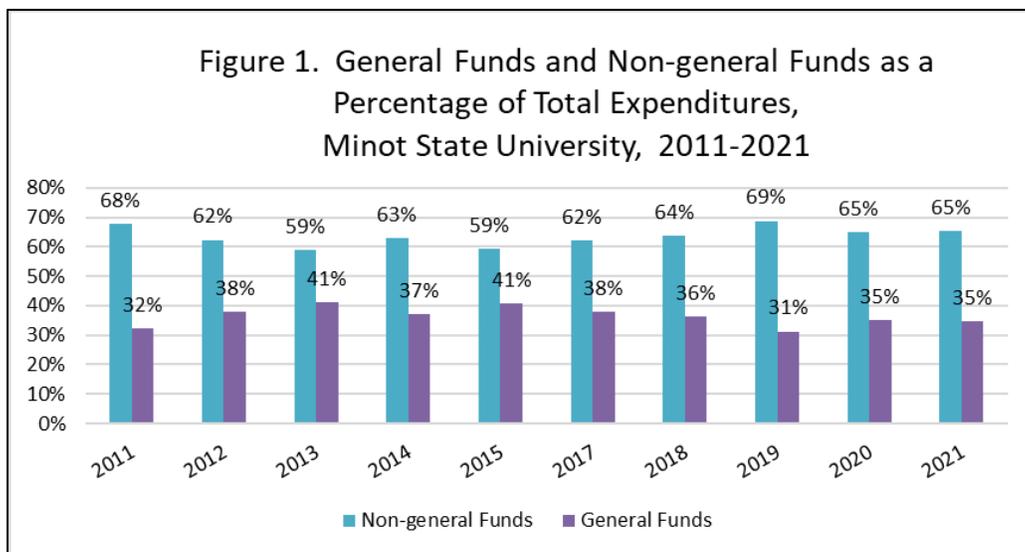
General and Non-general Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$57.0 million and \$58.0 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$36.1 million. Operating expenditures were the next largest expenditure category, totaling \$14.3 million in FY2021. Scholarships totaled \$6.8 million and Capital Improvements and Equipment totaled \$0.7 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, Minot State University, FY2020 and FY2021.		
	FY2020	FY2021
	----- million \$-----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	36.0	36.1
Operations	12.9	14.3
Scholarships	6.6	6.8
Capital Expenditures	1.5	0.7
Total	57.0	58.0
Non-General Fund Expenditures		
Wages and Salaries and Benefits	20.7	20.1
Operations	9.8	11.3
Scholarships	5.7	5.8
Capital Expenditures	0.8	0.6
Total	36.9	37.8
General Fund Expenditures		
Wages and Salaries and Benefits	15.3	16.0
Operations	3.1	3.0
Scholarships	0.9	1.1
Capital Expenditures	0.7	0.1
Total	20.0	20.2

In FY2021, Non-general Funds made up 65 percent of total Minot State University expenditures while General Fund expenditures made up 35 percent. Since 2011, the share of Non-general Funds as a percentage of total expenditures has been relatively consistent (Figure 1).

In FY2021, for every dollar of General Funds, Minot State University obtained an additional \$1.88 in Non-general Funds. In FY2020, Minot State University leveraged \$1.84 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from Minot State University expenditures for wages and salaries, operations, and capital expenditures. While Minot State University also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than Minot State University total expenditures.

Direct effects from General and Non-general Fund expenditures were \$51.1 million in FY2021. Secondary effects (indirect and induced) totaled \$31.9 million. Total direct and secondary effects from Minot State University expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$83.1 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$26.1 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported

additional induced (secondary) effects of \$27.7 million, for total economic effects (direct and secondary) of \$53.8 million (Table 2). Average per student expenditures were \$11,642 (data not shown).

Direct employment at Minot State University in FY2021 was 914 jobs. Business activity associated with Minot State University expenditures supported secondary employment of 202 jobs in FY2021. Student expenditures supported secondary employment of 184 jobs. Total direct and secondary employment associated with Minot State University supported 1,301 jobs in FY2021 (Table 2).

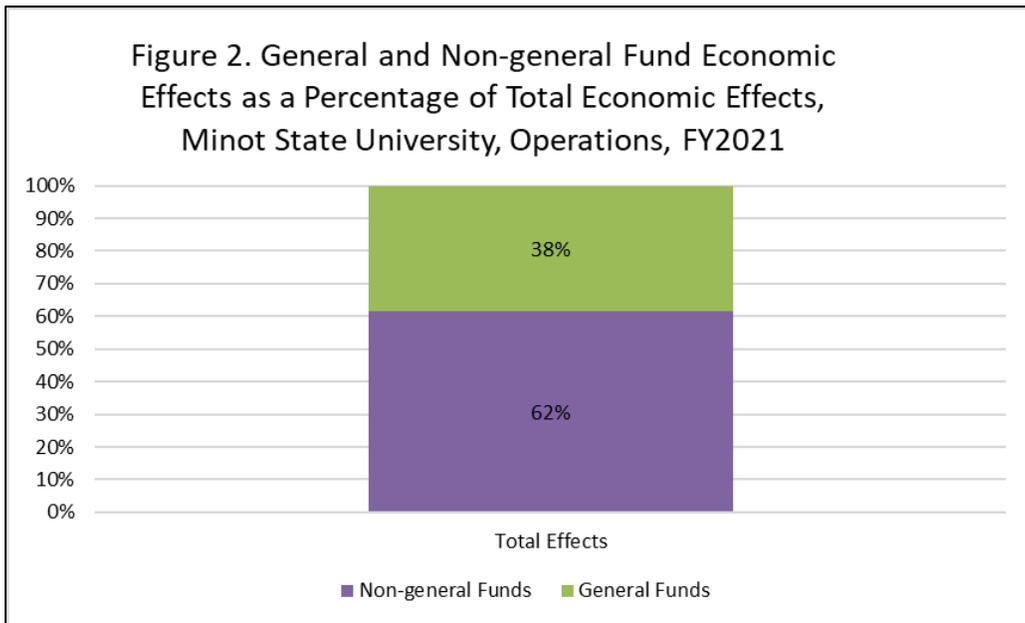
In FY2021, business activity from Minot State University General and Non-general Fund expenditures was estimated to generate about \$666,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$689,000 in state and local tax revenue. Combined, Minot State University operations and student expenditures generated \$1.4 million in state and local tax revenue (Table 2).

A substantial portion of total (direct and secondary) economic effects from Minot State University operations in FY2021 was a result of Non-general Fund expenditures. Economic effects from Non-general expenditures in FY2021 comprised 62 percent of Minot State University (direct plus secondary) economic effects (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, Minot State University, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	50.4	27.5	77.9
Secondary Effects	33.3	29.2	62.4
Total (direct and secondary) Effects	83.7	56.6	140.3
Employment	----- jobs -----		
Direct Effect (college employees)	773	n/a	773
Secondary Effects	216	194	410
Total Employment Supported	989	194	1,183
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	671.8	715.7	1,387.5

Table 2 (cont.) Economic Effects, Minot State University, FY2020 and FY2021

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2021		
Business Volume (output)	----- million \$ -----		
Direct Effect	51.1	26.1	77.2
Secondary Effects	31.9	27.7	59.7
Total (direct and secondary) Effects	83.1	53.8	136.9
Employment	----- jobs -----		
Direct Effect (college employees)	914	n/a	914
Secondary Effects	202	184	387
Total Employment Supported	1,116	184	1,301
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	666.0	688.8	1,354.8
¹ Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.			



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- Minot State University had expenditures of \$58.0 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$36.1 million, 62 percent of total expenditures.
- Non-general Funds accounted for 65 percent of Minot State University expenditures in FY2021.
- Minot State University leveraged \$1.88 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from Minot State University operations were \$51.1 million. Total (direct and secondary) economic effects were \$83.1 million.
- In FY2021, economic effects of student living expenses resulted in \$26.1 million in direct effects and \$27.7 million in secondary effects, for total direct and secondary effects of \$53.8 million.
- Minot State University student expenditures in FY2021 were estimated to be approximately \$11,642 per student.
- Combined, Minot State University operations and student expenditures (direct effects) in FY2021 were \$77.2 million. Total economic contributions (direct plus secondary) from Minot State operations and student expenditures was \$136.9 million.
- Sixty-two percent of total (direct and secondary) economic effects from Minot State University Operations were a result of Non-general Fund expenditures in FY2021.
- Minot State University in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$1.4 million in state and local tax collections in FY2021.
- Direct employment at Minot State University was 914 jobs in FY2021. Business activity from Minot State University expenditures and spending by students supported secondary employment of 387 jobs. Total direct and secondary employment was 1,301 jobs in FY2021.

North Dakota State College of Science

Each of the state’s college campuses is an important component of that area’s local economy. This summary highlights the economic contribution of North Dakota State College of Science using key economic indicators; gross business volume, selected tax revenues, and employment.

General and Non-general Expenditures

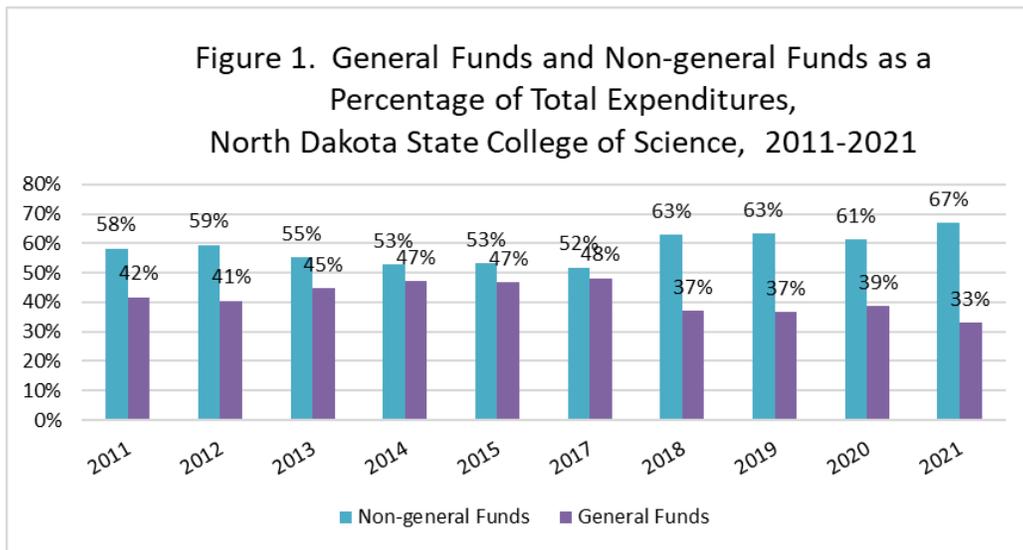
Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$44.9 million and \$53.6 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$27.7 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$19.2 million in FY2021. Scholarships totaled \$4.4 million and Capital Improvements and Equipment totaled \$2.4 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, North Dakota State College of Science, FY2020 and FY2021.

	FY2020	FY2021
	----- million \$-----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	27.4	27.7
Operations	12.0	19.2
Scholarships	4.6	4.4
Capital Expenditures	0.9	2.4
Total	44.9	53.6
Non-General Fund Expenditures		
Wages and Salaries and Benefits	13.2	13.0
Operations	9.3	16.5
Scholarships	4.3	4.1
Capital Expenditures	0.8	2.3
Total	27.6	35.9
General Fund Expenditures		
Wages and Salaries and Benefits	14.3	14.7
Operations	2.7	2.7
Scholarships	0.3	0.2
Capital Expenditures	0.1	0.1
Total	17.3	17.7

In FY2021, Non-general Funds made up 67 percent of total North Dakota State College of Science expenditures for operations while General Fund expenditures made up 33 percent. Since FY2018, the share of Non-general Funds as a percentage of total expenditures has been relatively consistent. Prior to 2018, the share of Non-general Funds was lower, ranging from 52 to 59 percent (Figure 1).

In FY2021, for every dollar of General Funds, North Dakota State College of Science obtained an additional \$2.03 in Non-general Funds. In FY2020, North Dakota State College of Science leveraged \$1.59 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from North Dakota State College of Science expenditures for wages and salaries, operations, and capital expenditures. While North Dakota State College of Science also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than North Dakota State College of Science total expenditures.

Direct effects from General and Non-general Fund expenditures were \$49.3 million in FY2021. Secondary effects (indirect and induced) totaled \$35.6 million. Total direct and secondary effects from North Dakota State College of Science expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$84.9 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$24.4 million in

North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported additional induced (secondary) effects of \$25.9 million, for total economic effects (direct and secondary) of \$50.3 million (Table 2). Average per student expenditures were \$12,022 (data not shown).

Direct employment at North Dakota State College of Science in FY2021 was 619 jobs. Business activity associated with North Dakota State College of Science expenditures supported secondary employment of 226 jobs in FY2021. Student expenditures supported secondary employment of 172 jobs. Total direct and secondary employment associated with North Dakota State College of Science supported 1,017 jobs in FY2021 (Table 2).

In FY2021, business activity from North Dakota State College of Science General and Non-general Fund expenditures was estimated to generate about \$651,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$644,000 in state and local tax revenue. Combined North Dakota State College of Science operations and student expenditures generated \$1.3 million in state and local tax revenue (Table 2).

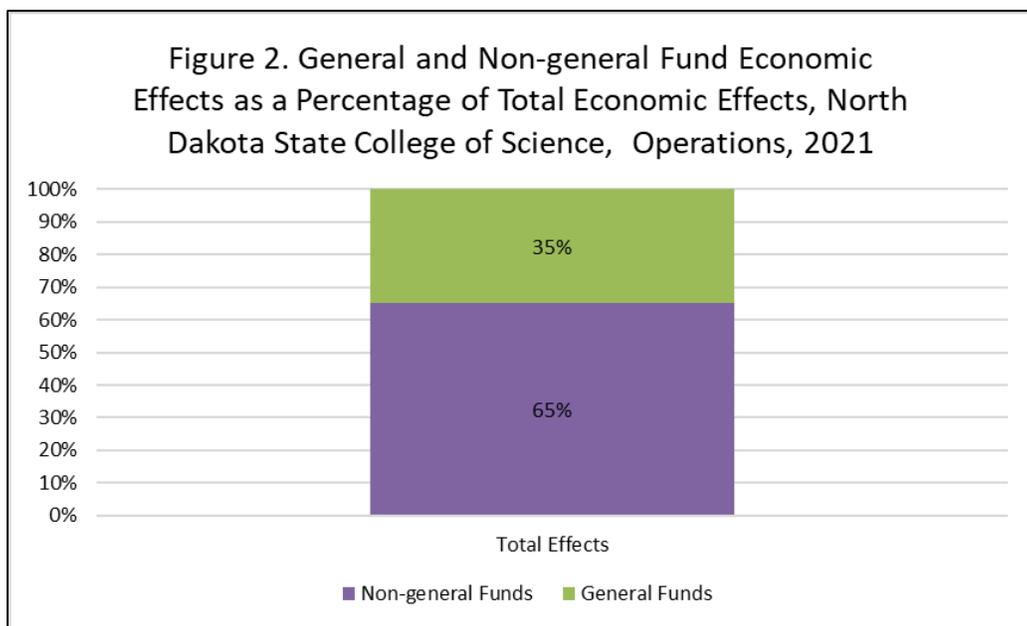
A substantial portion of total (direct and secondary) economic effects from North Dakota State College of Science operations in FY2021 was from Non-general Fund expenditures. Economic effects from Non-general expenditures in FY2021 were 65 percent of North Dakota State College of Science (direct plus secondary) economic effects and 35 percent were from General Funds (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, North Dakota State College of Science, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	40.3	23.3	63.7
Secondary Effects	30.3	24.8	55.0
Total (direct and secondary) Effects	70.6	48.1	118.7
Employment	----- jobs -----		
Direct Effect (college employees)	612	n/a	612
Secondary Effects	190	165	354
Total Employment Supported	802	165	966
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	598.7	608.2	1,206.9

Table 2 (cont.) Economic Effects, North Dakota State College of Science, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2021		
Business Volume (output)	----- million \$ -----		
Direct Effect	49.3	24.4	73.7
Secondary Effects	35.6	25.9	61.5
Total (direct and secondary) Effects	84.9	50.3	135.2
Employment	----- jobs -----		
Direct Effect (college employees)	619	n/a	619
Secondary Effects	226	172	398
Total Employment Supported	845	172	1,017
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	651.1	643.7	1,294.8

¹Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- North Dakota State College of Science had expenditures of \$53.6 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$27.7 million, 52 percent of total expenditures.
- Non-general Funds accounted for 67 percent of North Dakota State College of Science expenditures in FY2021.
- North Dakota State College of Science leveraged \$2.03 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from North Dakota State College of Science operations were \$49.3 million. Total (direct and secondary) economic effects were \$84.9 million.
- In FY2021, student living expenses resulted in \$24.4 million in direct effects and \$25.9 million in secondary effects, for total direct and secondary effects of \$50.3 million.
- North Dakota State College of Science student expenditures in FY2021 were estimated to be \$12,022 per student.
- Combined, North Dakota State College of Science operations and student expenditures (direct effects) in FY2021 were \$73.7 million. Total economic contribution (direct plus secondary) from operations and student expenditures was \$135.2 million.
- Sixty-five percent of total (direct and secondary) economic effects from North Dakota State College of Science operations were a result of Non-general Fund expenditures in FY2021.
- North Dakota State College of Science in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$1.3 million in state and local tax collections in FY2021.
- Direct employment at North Dakota State College of Science was 619 jobs in FY2021. Business activity from operations and spending by students supported secondary employment of 398 jobs. Total direct and secondary employment was 1,017 in FY2021.

North Dakota State University

Each of the state's college campuses is an important component of that area's local economy. This summary highlights the economic contribution of North Dakota State University using key economic indicators; gross business volume, selected tax revenues, and employment.

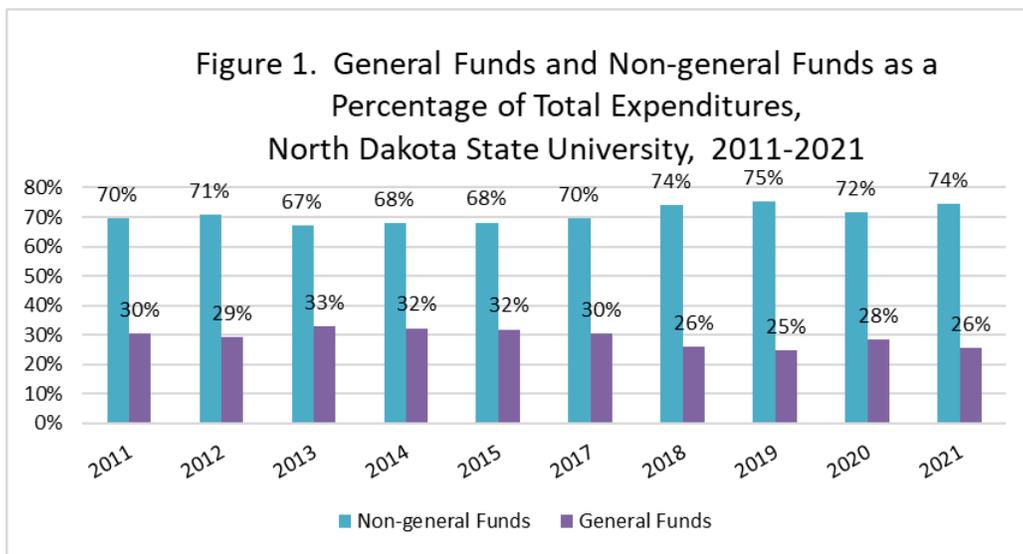
General and Non-general Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$470.6 million and \$538.4 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$284.7 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$170.9 million in FY2021. Scholarships totaled \$29.2 million and Capital Improvements and Equipment totaled \$53.5 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, North Dakota State University, FY2020 and FY2021.		
	FY2020	FY2021
	----- million \$ -----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	275.8	284.7
Operations	142.0	170.9
Scholarships	30.7	29.2
Capital Expenditures	22.2	53.5
Total	470.6	538.4
Non-General Fund Expenditures		
Wages and Salaries and Benefits	174.4	181.1
Operations	119.5	148.1
Scholarships	26.8	25.7
Capital Expenditures	16.5	46.0
Total	337.3	400.8
General Fund Expenditures		
Wages and Salaries and Benefits	101.4	103.7
Operations	22.4	22.9
Scholarships	3.8	3.5
Capital Expenditures	5.6	7.6
Total	133.3	137.6

In FY2021, Non-general Funds made up 74 percent of total North Dakota State University expenditures for operations while General Fund expenditures made up 26 percent. Since FY2018, the share of Non-general Funds as a percentage of total expenditures has been relatively consistent (Figure 1). Prior to 2018, General Fund expenditures made up a slightly higher percentage of total expenditures ranging from 29 to 33 percent.

In FY2021, for every dollar of General Funds, North Dakota State University obtained an additional \$2.91 in Non-general Funds. In FY2020, North Dakota State University leveraged \$2.53 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from North Dakota State University expenditures for wages and salaries, operations, and capital expenditures. While North Dakota State University also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than North Dakota State University total expenditures.

Direct effects from General and Non-general Fund expenditures were \$509.2 million in FY2021. Secondary effects (indirect and induced) totaled \$426 million. Total direct and secondary effects from North Dakota State University expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$935.2 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$149.0 million in

North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported additional induced (secondary) effects of \$158.3 million, for total economic effects (direct and secondary) of \$307.3 million (Table 2). Average per student expenditures were \$13,723 (data not shown).

Direct employment at North Dakota State University in FY2021 was 4,819 jobs. Business activity associated with North Dakota State University expenditures supported secondary employment of 2,649 jobs in FY2021. Student expenditures supported secondary employment of 1,053 jobs. Total direct and secondary employment associated with North Dakota State University supported 8,521 jobs in FY2021 (Table 2).

In FY2021, business activity from North Dakota State University General and Non-general Fund expenditures was estimated to generate about \$7.1 million in revenue to state and local government jurisdictions. Student spending generated an additional \$3.9 million in state and local tax revenue. Combined, North Dakota State University operations and student expenditures generated \$11.0 million in state and local tax revenue (Table 2).

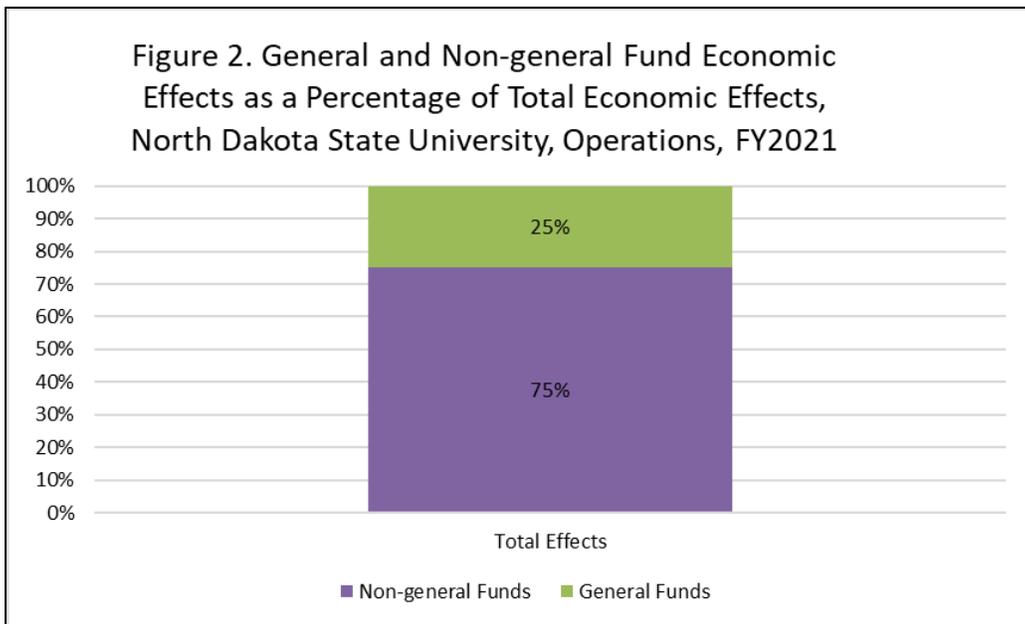
A substantial portion of total (direct and secondary) economic effects from North Dakota State University operations in FY2021 was from Non-general Fund expenditures. Economic effects from Non-general expenditures in FY2021 were 75 percent of North Dakota State University (direct plus secondary) economic effects and 25 percent were from General Funds (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, North Dakota State University, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	440.0	155.1	595.0
Secondary Effects	344.3	164.7	509.0
Total (direct and secondary) Effects	784.3	319.7	1,104.0
Employment	----- jobs -----		
Direct Effect (college employees)	4,495	n/a	4,495
Secondary Effects	2,160	1,095	3,255
Total Employment Supported	7,155	1,095	8,250
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	6,700.5	4,040.5	10,741.0

Table 2 (cont.) Economic Effects, North Dakota State University, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
FY2021			
Business Volume (output)	----- million \$ -----		
Direct Effect	509.2	149.0	658.2
Secondary Effects	426.0	158.3	584.3
Total (direct and secondary) Effects	935.2	307.3	1,242.5
Employment	----- jobs -----		
Direct Effect (college employees)	4,819	n/a	4,819
Secondary Effects	2,649	1,053	3,702
Total Employment Supported	7,468	1,053	8,521
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	7,107.5	3,933.0	11,040.5

¹Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- North Dakota State University had expenditures of \$538.4 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$284.7 million, 53 percent of total expenditures.
- Non-general Funds accounted for 74 percent of North Dakota State University expenditures in FY2021.
- North Dakota State University leveraged \$2.91 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from North Dakota State University operations were \$509.2 million. Total (direct and secondary) economic effects were \$935.2 million.
- In FY2021, economic effects of student living expenses resulted in \$149.0 million in direct effects and \$158.3 million in secondary effects, for total direct and secondary effects of \$307.3 million.
- North Dakota State University student expenditures in FY2021 were estimated to be approximately \$13,723 per student.
- Combined, North Dakota State University operations and student expenditures (direct effects) in FY2021 was \$658.2 million. Total economic contribution (direct plus secondary) from NDSU operations and student expenditures was \$1.24 billion.
- Seventy-five percent of total (direct and secondary) economic effects from North Dakota State University operations were a result of Non-general Fund expenditures.
- North Dakota State University in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$11.0 million in state and local tax collections.
- Direct employment at North Dakota State University was 4,819 jobs in FY2021. Business activity from North Dakota State University expenditures and spending by students supported secondary employment of 3,702 jobs. Total direct and secondary employment was 8,521 jobs in FY2021.

University of North Dakota

Each of the state’s college campuses is an important component of that area’s local economy. This summary highlights the economic contribution of University of North Dakota using key economic indicators; gross business volume, selected tax revenues, and employment.

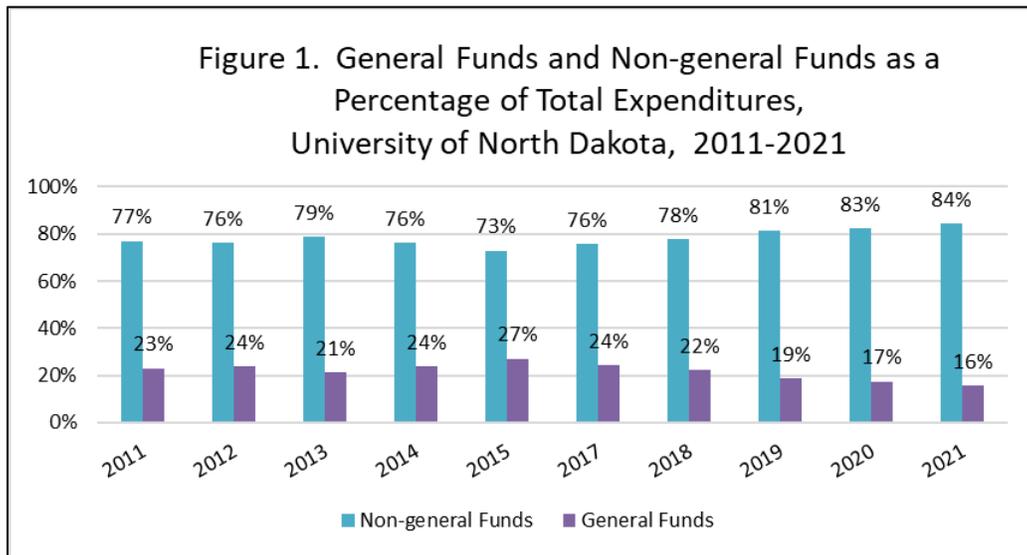
General and Non-general Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$595.8 million and \$659.6 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$306.6 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$227.2 million in FY2021. Scholarships totaled \$33.9 million and Capital Improvements and Equipment totaled \$91.9 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, University of North Dakota, FY2020 and FY2021.		
	FY2020	FY2021
	----- million \$ -----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	293.4	306.6
Operations	188.6	227.2
Scholarships	33.1	33.9
Capital Expenditures	80.7	91.9
Total	595.8	659.6
Non-General Fund Expenditures		
Wages and Salaries and Benefits	224.3	239.9
Operations	165.8	209.2
Scholarships	30.6	31.0
Capital Expenditures	71.1	76.5
Total	491.7	556.7
General Fund Expenditures		
Wages and Salaries and Benefits	69.1	66.7
Operations	22.8	18.0
Scholarships	2.5	2.9
Capital Expenditures	9.6	15.4
Total	104.1	102.9

In FY2021, Non-general Funds made up 84 percent of total University of North Dakota expenditures for operations while General Fund expenditures made up 16 percent. Since FY2015, the share of Non-general Funds as a percentage of total expenditures has increased from 73 to 84 percent in FY2021 (Figure 1).

In FY2021, for every dollar of General Funds, University of North Dakota obtained an additional \$5.41 in Non-general Funds. In FY2020, University of North Dakota leveraged \$4.73 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from University of North Dakota expenditures for wages and salaries, operations, and capital expenditures. While the University of North Dakota also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than University of North Dakota total expenditures.

Direct effects from General and Non-general Fund expenditures were \$625.8 million in FY2021. Secondary effects (indirect and induced) totaled \$542.8 million. Total direct and secondary effects from University of North Dakota expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$1.17 billion in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$148.8 million in

North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported additional induced (secondary) effects of \$158.0 million, for total economic effects (direct and secondary) of \$306.8 million (Table 2). Average per student expenditures were \$13,723 (data not shown).

Direct employment at University of North Dakota in FY2021 was 4,993 jobs. Business activity associated with University of North Dakota expenditures supported secondary employment of 3,612 jobs in FY2021. Student expenditures supported secondary employment of 1,051 jobs. Total direct and secondary employment associated with University of North Dakota supported 9,656 jobs in FY2021 (Table 2).

In FY2021, business activity from University of North Dakota General and Non-general Fund expenditures was estimated to generate about \$9.1 million in revenue to state and local government jurisdictions. Student spending generated an additional \$3.9 million in state and local tax revenue. Combined, University of North Dakota operations and student expenditures generated \$13.0 million in state and local tax revenue (Table 2).

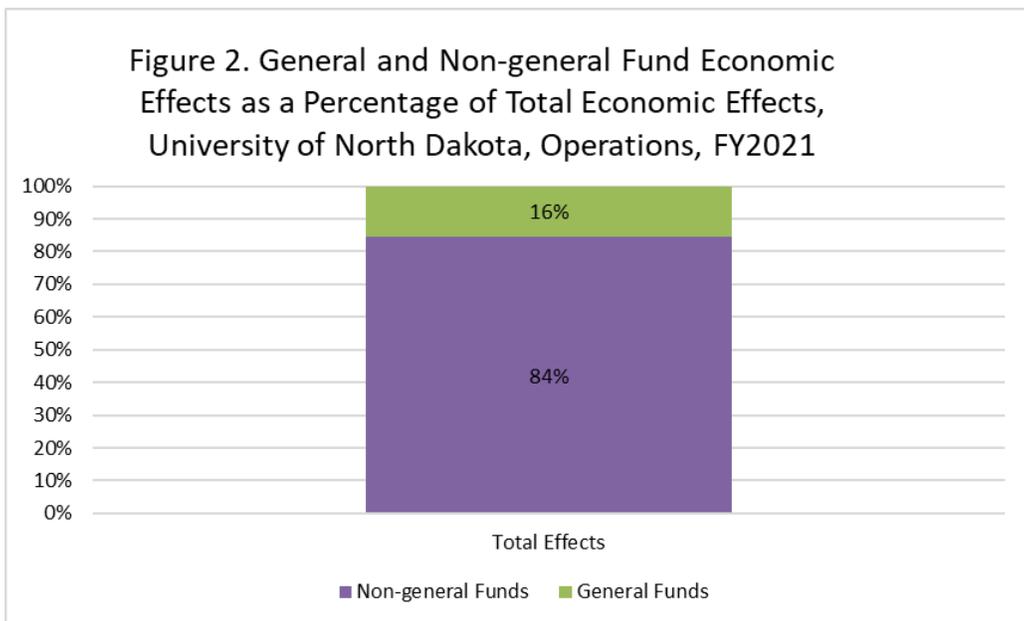
A substantial portion of total (direct and secondary) economic effects from University of North Dakota operations in FY2021 was from Non-general Fund expenditures. Economic effects from Non-general expenditures in FY2021 were 84 percent of University of North Dakota (direct plus secondary) economic effects and 16 percent were from General Funds (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, University of North Dakota, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	562.7	150.7	713.4
Secondary Effects	485.7	160.0	645.7
Total (direct and secondary) Effects	1,048.4	310.7	1,359.0
Employment	----- jobs -----		
Direct Effect (college employees)	4,947	n/a	4,947
Secondary Effects	3,155	1,064	4,219
Total Employment Supported	8,102	1,064	9,166
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	8,831.5	3,926.0	12,757.5

Table 2 (cont.) Economic Effects, University of North Dakota, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
FY2021			
Business Volume (output)	----- million \$ -----		
Direct Effect	625.8	148.8	774.5
Secondary Effects	542.8	158.0	700.8
Total (direct and secondary) Effects	1,168.6	306.8	1,475.4
Employment			
----- jobs -----			
Direct Effect (college employees)	4,993	n/a	4,993
Secondary Effects	3,612	1,051	4,663
Total Employment Supported	8,605	1,051	9,656
Tax Revenues			
----- thousand \$ -----			
Sales, Property, Personal Income, Other	9,093.1	3,926.1	13,019.2

¹Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- University of North Dakota had expenditures of \$659.6 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$306.6 million, 46 percent of total expenditures.
- Non-general Funds accounted for 84 percent of University of North Dakota expenditures in FY2021.
- University of North Dakota leveraged \$5.41 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from University of North Dakota operations were \$625.8 million. Total (direct and secondary) economic effects were \$1.17 billion.
- In FY2021, economic effects of student living expenses resulted in \$148.8 million in direct effects and \$158.0 million in secondary effects, for total direct and secondary effects of \$306.8 million.
- University of North Dakota student expenditures in FY2021 were estimated to be approximately \$13,723 per student.
- Combined, University of North Dakota operations and student expenditures (direct effects) in FY2021 was \$774.5 million. Total economic contribution (direct plus secondary) from UND operations and student expenditures was \$1.48 billion.
- Eight-four percent total (direct and secondary) economic effects from University of North Dakota Operations were a result of Non-general Fund expenditures.
- University of North Dakota in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$13.0 million in state and local tax collections.
- Direct employment at University of North Dakota was 4,993 jobs in FY2021. Business activity from University of North Dakota expenditures and spending by students supported secondary employment of 4,663 jobs. Total direct and secondary employment was 9,656 jobs in FY2021.

Valley City State University

Each of the state’s college campuses is an important component of that area’s local economy. This summary highlights the economic contribution of Valley City State University using key economic indicators; gross business volume, selected tax revenues, and employment.

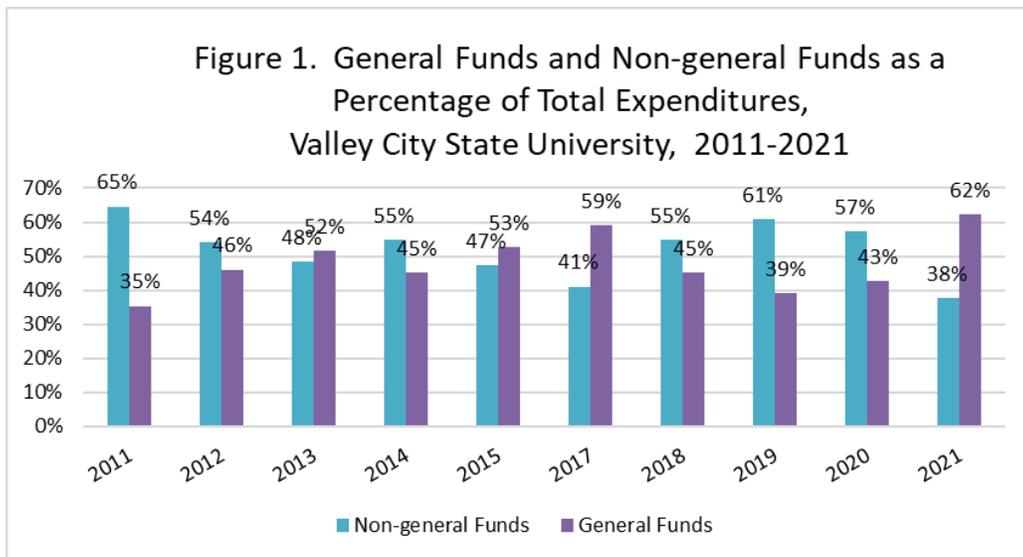
General and Non-general Expenditures

Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$31.5 million and \$44.8 million, respectively (Table 1). Capital Improvements and Equipment expenditures were the largest expenditure category in FY2021, totaling \$17.5 million in FY2021. Wages, salaries, and benefits were the next largest expenditure category, totaling \$17.2 million in FY2021. Operating expenditures totaled \$6.8 million and Scholarships totaled \$3.2 million in FY2021 (Table 1).

Table 1. General and Non-general Expenditures, Valley City State University, FY2020 and FY2021.		
	FY2020	FY2021
	----- million \$ -----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	16.8	17.2
Operations	9.1	6.8
Scholarships	3.3	3.2
Capital Expenditures	2.3	17.5
Total	31.5	44.8
Non-General Fund Expenditures		
Wages and Salaries and Benefits	8.3	8.6
Operations	5.9	4.9
Scholarships	3.2	3.1
Capital Expenditures	0.7	0.3
Total	18.0	16.9
General Fund Expenditures		
Wages and Salaries and Benefits	8.5	8.7
Operations	3.2	1.9
Scholarships	0.1	0.1
Capital Expenditures	1.6	17.2
Total	13.5	27.8

In FY2021, General Funds made up 62 percent of total Valley City State University expenditures for operations while Non-general Fund expenditures made up 38 percent. Historically, Non-general Funds as a percentage of total expenditures are generally greater than General Funds expenditures. This shift in distribution was a result of substantial General Fund Expenditures for capital improvements. Occasional appropriated expenditures for capital improvements can influence that distribution from year to year (Figure 1).

In FY2021, for every dollar of General Funds, Valley City State University obtained an additional \$0.61 in Non-general Funds. In FY2020, Valley City State University leveraged \$1.34 from external sources for every dollar of appropriated funds. In FY2021, Valley City State University had substantial General Fund dollars for Capital Improvement reducing the ratio. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund Expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from Valley City State University expenditures for wages and salaries, operations, and capital expenditures. While Valley City State University also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than Valley City State University total expenditures.

Direct effects from General and Non-general Fund expenditures were \$41.5 million in FY2021. Secondary effects (indirect and induced) totaled \$44.5 million. Total direct and secondary effects from Valley City State University expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$86.1 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$13.6 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported additional induced (secondary) effects of \$14.4 million, for total economic effects (direct and secondary) of \$28.0 million (Table 2). Average per student expenditures were \$12,435 (data not shown).

Direct employment at Valley City State University in FY2021 was 364 jobs. Business activity associated with Valley City State University expenditures supported secondary employment of 311 jobs in FY2021. Student expenditures supported secondary employment of 96 jobs. Total direct and secondary employment associated with Valley City State University supported 770 jobs in FY2021 (Table 2).

In FY2021, business activity from Valley City State University General and Non-general Fund expenditures was estimated to generate about \$756,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$358,000 in state and local tax revenue. Combined, Valley City State University operations and student expenditures generated \$1.11 million in state and local tax revenue (Table 2).

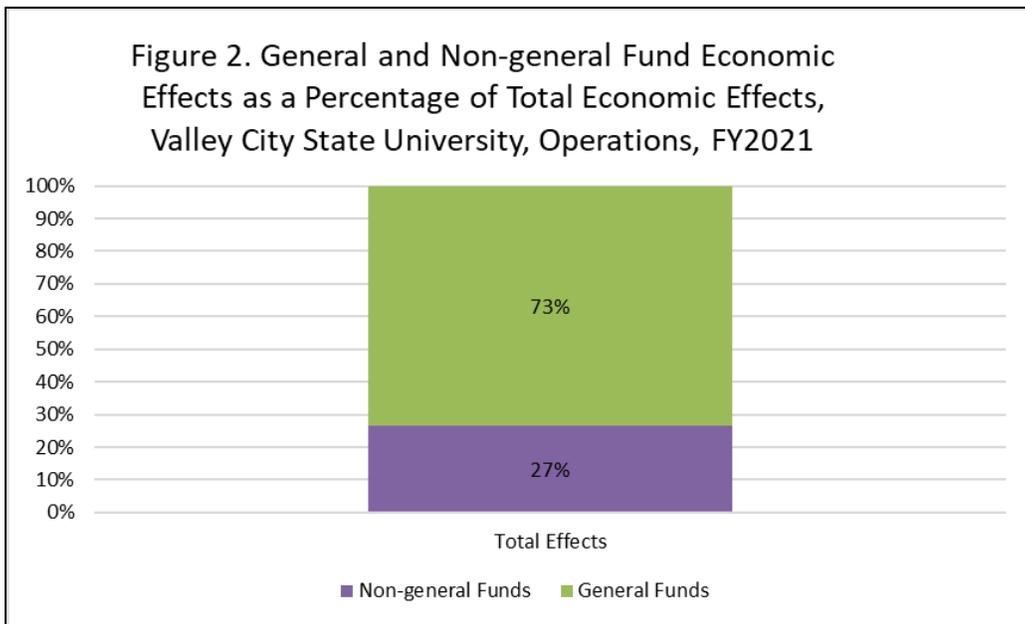
A substantial portion of total (direct and secondary) economic effects from Valley City State University operations in FY2021 was from General Fund expenditures. Economic effects from General expenditures in FY2021 were 73 percent of Valley City State University (direct plus secondary) economic effects and 27 percent were from Non-general Funds (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, Valley City State University, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	28.2	13.9	42.0
Secondary Effects	21.9	14.8	36.7
Total (direct and secondary) Effects	50.1	28.7	78.7
Employment	----- jobs -----		
Direct Effect (college employees)	254	n/a	254
Secondary Effects	147	98	245
Total Employment Supported	401	98	499
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	428.2	367.2	795.4

Table 2 (cont.) Economic Effects, Valley City State University, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
FY2021			
Business Volume (output)	----- million \$ -----		
Direct Effect	41.5	13.6	55.1
Secondary Effects	44.5	14.4	58.9
Total (direct and secondary) Effects	86.1	28.0	114.0
Employment	----- jobs -----		
Direct Effect (college employees)	364	n/a	364
Secondary Effects	311	96	406
Total Employment Supported	675	96	770
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	756.2	357.7	1,113.9

¹Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wage and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- Valley City State University had expenditures of \$44.8 million for operational goods and services in North Dakota in FY2021.
- Capital Expenditures represent the largest itemized expenditure in FY2021, \$17.5 million, 39 percent of total expenditures.
- General Funds accounted for 62 percent of Valley City State University expenditures in FY2021.
- Valley City State University leveraged \$0.61 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from Valley City State University operations were \$41.5 million. Total (direct and secondary) economic effects were \$86.1 million.
- In FY2021, student living expenses resulted in \$13.6 million in direct effects and \$14.4 million in secondary effects, for total direct and secondary effects of \$28.0 million.
- Valley City State University student expenditures in FY2021 were estimated to be approximately \$12,435 per student.
- Combined, Valley City State University operations and student expenditures (direct effects) in FY2021 was \$55.1 million. Total economic contribution (direct plus secondary) from Valley City University operations and student expenditures was \$114.0 million.
- Seventy-three percent total (direct and secondary) economic effects from Valley City State University operations were a result of General Fund expenditures in FY2021.
- Valley City State University in-state expenditures, student expenditures, and subsequent secondary business activity was estimated to generate \$1.1 million in state tax collections.
- Direct employment at Valley City State University was 364 jobs in FY2021. Business activity from Valley City State University expenditures and spending by students supported secondary employment of 406 jobs. Total direct and secondary employment was 770 jobs in FY2021.

Williston State College

Each of the state's college campuses is an important component of that area's local economy. This summary highlights the economic contribution of Williston State College using key economic indicators; gross business volume, selected tax revenues, and employment.

General and Non-general Operations Expenditures

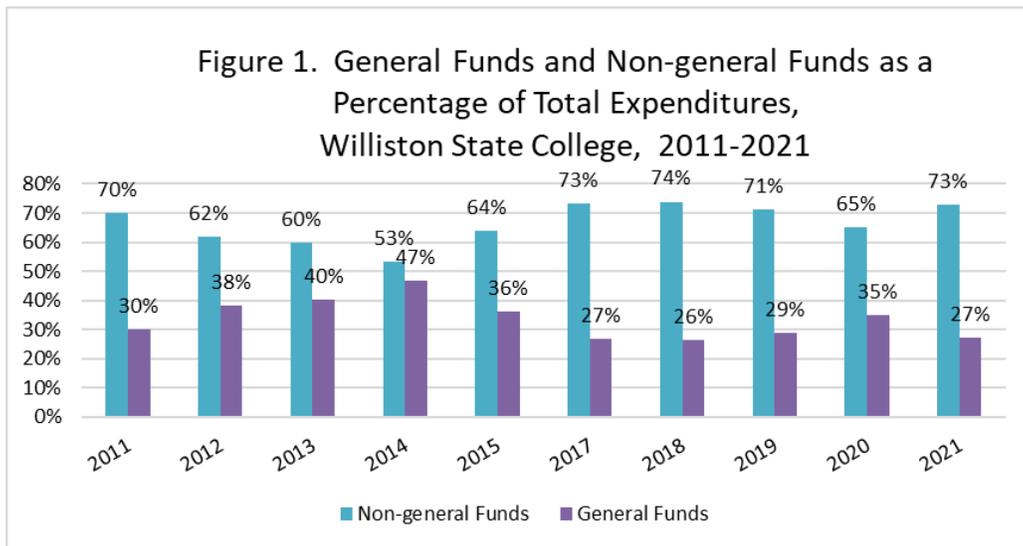
Combined expenditures for General and Non-general Funds in FY2020 and FY2021 were \$24.9 million and \$23.8 million, respectively (Table 1). Wages, salaries, and benefits were the largest expenditure category in FY2021, totaling \$9.4 million in FY2021. Operating expenditures were the next largest expenditure category, totaling \$6.0 million in FY2021. Scholarships totaled \$3.8 million and Capital Improvements and Equipment totaled \$4.6 million in FY2021 (Table 1).

Table 1. General and Non-General Expenditures, Williston State College, FY2020 and FY2021.

	FY2020	FY2021
	----- million \$-----	
General and Non-general Fund Expenditures		
Wages and Salaries and Benefits	9.9	9.4
Operations	5.6	6.0
Scholarships	4.1	3.8
Capital Expenditures	5.3	4.6
Total	24.9	23.8
Non-General Fund Expenditures		
Wages and Salaries and Benefits	4.3	4.2
Operations	4.4	4.9
Scholarships	4.0	3.7
Capital Expenditures	3.6	4.5
Total	16.2	17.3
General Fund Expenditures		
Wages and Salaries and Benefits	5.6	5.2
Operations	1.3	1.1
Scholarships	0.1	0.1
Capital Expenditures	1.7	0.1
Total	8.7	6.5

In FY2021, Non-general Funds made up 73 percent of total Williston State College expenditures for operations while General Fund expenditures made up 27 percent. Since 2011, the share of Non-general Funds as a percentage of total expenditures has varied from 53 to 74 percent (Figure 1).

In FY2021, for every dollar of General Funds, Williston State College obtained an additional \$2.67 in Non-general Funds. In FY2020 Williston State College leveraged \$1.85 from external sources for every dollar of appropriated funds. (The ratio of Non-general Funds generated for every dollar of General Funds is calculated by dividing total Non-general Fund expenditures by total General Fund expenditures).



Direct and Secondary Economic Effects

Direct or first round economic effects are from Williston State College expenditures for wages and salaries, operations, and capital expenditures. While Williston State College also had expenditures for scholarships, scholarships are excluded from the assessment of NDUS economic effects in order to avoid double counting. Scholarships are included as part of the estimate of student expenditures. Because of the exclusion of scholarships, direct or first round economic effects are slightly less than Williston State College total expenditures.

Direct effects from General and Non-general Fund expenditures were \$19.9 million in FY2021. Secondary effects (indirect and induced) totaled \$16.3 million. Total direct and secondary effects from Williston State College expenditures for wages and salaries, operations, and capital expenditures from General and Non-general Fund expenditures were \$36.2 million in FY2021 (Table 2).

Based on expenditures per FTE student, students were estimated to have spent \$8.1 million in North Dakota on books, room and board, personal items, and recreation during the 2020-2021 school year. Business activity associated with student expenditures in FY2021 supported

additional induced (secondary) effects of \$8.6 million, for total economic effects (direct and secondary) of \$16.7 million (Table 2). Average per student expenditures were \$12,122 (data not shown).

Direct employment at Williston State College in FY2021 was 148 jobs. Business activity associated with Williston State College expenditures supported secondary employment of 109 jobs in FY2021. Student expenditures supported secondary employment of 57 jobs. Total direct and secondary employment associated with Williston State College supported 314 jobs in FY2021 (Table 2).

In FY2021, business activity from Williston State College General and Non-general Fund expenditures was estimated to generate about \$307,000 in revenue to state and local government jurisdictions. Student spending generated an additional \$214,000 in state and local tax revenue. Combined, Williston State College operations and student expenditures generated \$520,000 in state and local tax revenue (Table 2).

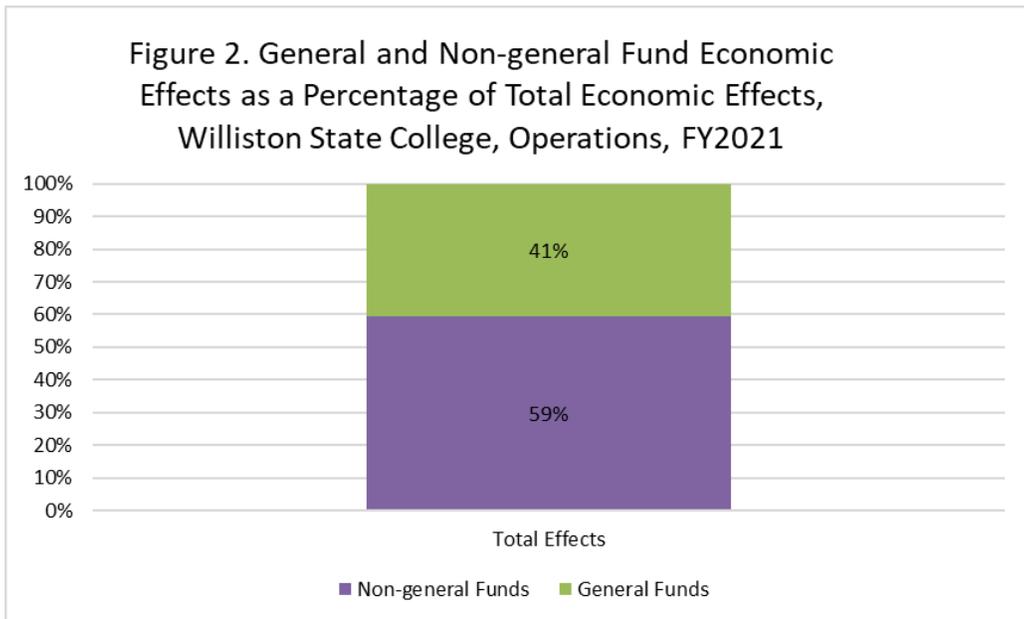
A substantial portion of total (direct and secondary) economic effects from Williston State College operations in FY2021 was from Non-general Fund expenditures. Economic effects from Non-general Fund expenditures in FY2021 were 59 percent of Williston State College (direct plus secondary) economic effects and 41 percent were from General Funds (Figure 2).

Table 2. Economic Effects, Operations and Student Expenditures, Williston State College, FY2020 and FY2021.			
Economic Metric and Type of Effect	Operations	Student Expenditures	Total
	FY2020		
Business Volume (output)	----- million \$ -----		
Direct Effect	20.8	8.2	29.0
Secondary Effects	18.5	8.7	27.2
Total (direct and secondary) Effects	39.3	16.9	56.2
Employment	----- jobs -----		
Direct Effect (college employees)	158	n/a	158
Secondary Effects	125	58	183
Total Employment Supported	283	58	341
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	314.8	213.5	528.3

Table 2 (cont.) Economic Effects, Williston State College, FY2020 and FY2021.

Economic Metric and Type of Effect	Operations	Student Expenditures	Total
FY2021			
Business Volume (output)	----- million \$ -----		
Direct Effect	19.9	8.1	28.0
Secondary Effects	16.3	8.6	24.9
Total (direct and secondary) Effects	36.2	16.7	52.9
Employment	----- jobs -----		
Direct Effect (college employees)	148	n/a	148
Secondary Effects	109	57	166
Total Employment Supported	257	57	314
Tax Revenues	----- thousand \$ -----		
Sales, Property, Personal Income, Other	306.7	213.7	520.4

¹Total expenditures reported in Table 1 do not sum to direct economic effects. Expenditures for scholarships are excluded from direct effects from operations and expenditures for capital equipment are included in operations expenditures. Effects for scholarships are captured in the assessment of student expenditures. Most capital equipment expenditures are for computers and other equipment needed for operations.



Summary Findings

The NDUS colleges and universities receive revenues from state appropriated funds, state grants, federal grants, and from private grants, contracts, and donations. These revenues support expenditures for wages and salaries, operating expenditures, scholarships, and capital improvements. University expenditures and student spending support economic activity that enhance local and state economies. North Dakota's universities and colleges and their students have positive effects on the state economy and local economies.

- Williston State College had expenditures of \$23.8 million for operational goods and services in North Dakota in FY2021.
- Wages, salaries, and benefits represent the largest itemized expenditure in FY2021, \$9.4 million, 39 percent of total expenditures.
- Non-general Funds accounted for 73 percent of Williston State College expenditures in FY2021.
- Williston State College leveraged \$2.67 from external sources for every dollar of state appropriated funds in FY2021.
- In FY2021, direct economic effects from Williston State College operations were \$19.9 million. Total (direct and secondary) economic effects were \$36.2 million.
- In FY2021, economic effects of student living expenses resulted in \$8.1 million in direct effects and \$8.6 million in secondary effects, for total direct and secondary effects of \$16.7 million.
- Williston State College student expenditures in FY2021 were estimated to be approximately \$12,122 per student.
- Combined, Williston State College operations and student expenditures (direct effects) in FY2021 were \$28.0 million. Total economic contribution (direct plus secondary) from Williston State College operations and student expenditures was \$52.9 million.
- Fifty-nine percent total (direct and secondary) economic effects from Williston State College operations were a result of Non-general Fund expenditures in FY2021.
- Williston State College in-state expenditures, student expenditures, and secondary business activity was estimated to generate \$520,000 in state and local tax collections in FY2021.
- Direct employment at Williston State College was 148 jobs in FY2021. Business activity from Williston State College expenditures and spending by students supported secondary employment of 166 jobs. Total direct and secondary employment was 314 jobs in FY2021.⁷



NDSA-17-2223

A Resolution in Opposition of SB 2247: Relating to Divisive Concepts in Higher Education

WHEREAS, the North Dakota Student Association (NDSA) represents the voice of North Dakota's 45,000 public college and university students; and,

WHEREAS, the purpose of NDSA is to represent all students enrolled in the North Dakota University System (NDUS) and advocate on issues of higher education in support of access, affordability, quality, and the student experience; and,

WHEREAS, section 15-10.6-01, which lists what can be considered a "divisive concept," contains vaguely written definitions, has logical fallacies that misrepresent founding tenets of theories and philosophies relative to higher education, and violates First Amendment academic freedom by restricting classroom discussions; and,

WHEREAS, items 1-3 within section 15-10.6-02, which prohibits discrimination or penalization of any student or employee under the control of the SBHE based on their beliefs, describes protections already afforded to such persons by the First Amendment and due process, making these items unnecessary to add into N.D.C.C.; and,

WHEREAS, item 1 within section 15-10.6-03, which prohibits "divisive concept training," would impede students in the classroom, the workplace, and during their college experience (e.g. education majors unable to complete mandatory diversity practicums, resident assistants unable to participate in necessary diversity awareness discussions, and freshman students unable to attend beneficial diversity orientation sessions); and,

WHEREAS, section 15-10.6-05, which clarifies that individuals providing training may respond to discussion of divisive concepts as long as they do not endorse or advocate any of them, both breaches the First Amendment rights the rest of the bill claims to defend and also assumes unprofessionalism and inappropriate bias within its own state employees; and,

WHEREAS, the stipulations outlined in SB 2247 diminishes a higher education student's ability to engage in productive discussion, critical thinking, respectful disagreements, the ability to learn, and the choice to pursue higher education free from academic mandates; so,

THEREFORE, BE IT RESOLVED, the NDSA supports the academic autonomy of faculty and professional capability of staff who teach and work within the NDUS, and trusts they possess the qualifications necessary to properly facilitate academic and professional discussions, as shown by their hiring; and,

THEREFORE, BE IT FURTHER RESOLVED, the NDSA supports allowing its students to pursue academic and professional opportunities that they deem fit to increase their understanding and knowledge; so,

THEREFORE, BE IT FINALLY RESOLVED, the NDSA General Assembly opposes SB 2247.



*Approved by the North Dakota Student Association General Assembly
Saturday, January 21st, 2023*

**SB2247**

Senate Education Committee

January 23, 2023

Lisa A. Johnson, Vice Chancellor of Academic & Student Affairs, NDUS
701.328.4143 | lisa.a.johnson@ndus.edu

Chair Elkin and members of the Senate Education Committee, my name is Lisa Johnson, and I serve as the Vice Chancellor of Academic and Student Affairs for the North Dakota University System. I am here today on behalf of the North Dakota University System and its eleven institutions to provide neutral testimony related to SB2247 as the State Board of Higher Education has not met nor articulated a position related to SB2247.

Some of you have heard the Chancellor's comments to members of the Appropriations Committee, the Senate Workforce Development Committee, and other committees and events where he cited CA author, John Ellis, reflecting largely upon the educational and political state of the country as a whole and observed that the colleges and universities in the Midwest are some of the last places in the U.S. that welcome the open exchange of ideas and debate and in Ellis' words questioned, "is the Athens of the next generation somewhere on the Great Plains"? If you think that vastly differing viewpoints and debate around divisive topics are new, they are not. The colleges and universities of the North Dakota University System have successfully navigated this precarious arena without shouting down invited guests or disinviting controversial speakers while supporting both academic freedom and the protected rights of free speech for students, staff, and faculty. Colleges and universities have been long-serving facilitators of open dialogue in nearly every subject since their inception.

I can understand legislative interest in what I would describe as stakeholder "guardrails" in this matter—if nothing else, a proactive measure against something which is not necessarily widespread among NDUS colleges and universities. In fact, much of the bill's proposed language is already enshrined in state statute and/or federal law that prohibits discrimination on the basis of sex, race, religion, creed, political affiliation, and social class.

The proposed language in SB2247 is nearly identical to a bill enacted by the state of Tennessee in 2022. Their intent was likely the same. I would, however, point out one section contained within Tennessee's bill that is noticeably absent in SB2247. If the Committee is inclined to support SB2247, I respectfully request the Committee's consideration for the inclusion of the following amendment to Section 15-10.6-05. Construction and Purpose:

This chapter shall not be interpreted to: (1) Prohibit public institutions of higher education from training students or employees on the non-discrimination requirements of federal or state law; (2) Infringe on the rights of freedom of speech protected by the First Amendment to the United States Constitution; (3) Infringe on the rights of academic freedom of faculty in public institutions of higher education; (4) Require an employee of a public institution of higher education to: (A) Violate any federal or state law, rule, or regulation; or (B) Fail to comply with any applicable

academic accreditation requirement; (5) Prohibit an individual who provides training from responding to questions regarding one (1) or more divisive concepts, so long as the response does not endorse or advocate for divisive concepts; or (6) Prohibit public institutions of higher education from promoting diversity, equity, and inclusion; provided, that such efforts are consistent with the provisions of this statute.

SB2247 is problematic for many reasons, but is amplified by the absence of any statement in support of free speech or academic freedom, which was removed from the ND version. These are important distinctions that clarify an important difference between what is allowed in academic settings versus in training programs. As a consequence, this bill runs counter to the free speech bill (HB 1503) passed in the last legislative session.

The requirement of a “biennial survey of students and employees to assess the campus climate regarding diversity of thought and the respondents’ comfort level in speaking freely on campus, regardless of political affiliation or ideology” presents conflicting language with that on Page 3, lines 1-3 that explicitly prohibits colleges and universities under the control of the State Board of Higher Education to even inquire about an ideological or political viewpoint of a student, job applicant, employee, or candidate for promotion or tenure. Yet the required biennial survey would somehow necessitate that respondents disclose elements related to their specific ideology or political affiliation.

Again, I appreciate what the sponsors of SB2247 are attempting to solidify. My testimony remains neutral as the State Board of Higher Education has not taken a position on the bill. However, the proposed amendments, mirroring those of the Tennessee bill, are worthy of consideration. This concludes my testimony related to SB2247. I remain available to members of the Committee for additional questions.



Chairman Elkin and members of the Committee,

My name is Faith Wahl, and I currently serve as the Student Body President at the University of North Dakota. The University of North Dakota currently educates over 13,000 students throughout the state and country. UND Student Government has representatives from all nine academic colleges and is a group that is elected by students to represent their voices at the campus, local, and state level. I am here this morning to represent those voices and testify in opposition of SB 2247 relating to divisive concepts at institutions of higher education. I want to ensure that the student perspective is considered and share the negative implications that this bill may have on higher education students in North Dakota.

At this time, when a student attends college in North Dakota, they are protected in their free speech rights and have the opportunity to listen to the perspectives of others, engage in critical dialogue around difficult concepts, and disagree with each other. At UND, having critical conversations and expressing disagreement is not only accepted, but encouraged. By limiting what concepts are taught, it creates barriers toward free thinking. When a student has the opportunity to learn differing viewpoints, worldviews, and discuss it with others, they then can ask questions and debate with each other, and engage in learning and discovery. Additionally, this further prepares students for the workforce in which they will encounter countless individuals who do not always agree with their viewpoints. If students are not equipped with the ability to have respectful conversations, challenge their current viewpoints, and take time to listen to others, the state is educating individuals who are unable to engage in original thinking.

Beyond what implications this bill has about the ability to engage with others and present evidence-based opinions, it infringes upon academic freedom, which is one of the core tenants of

higher education throughout North Dakota and the United States. According to an *Inside Higher Ed* article titled “Defining Academic Freedom” published in 2010, academic freedom is when “both faculty members and students can engage in an intellectual debate without fear of censorship or retaliation.” The sixteen divisive concepts outlined in SB 2247 have strong connections to several academic disciplines, including biology, history, anthropology, sociology, philosophy, healthcare, and others. If faculty and students are not able to engage in critical discussion, research, and debate around these topics; the educational quality in these classes and programs will suffer greatly as a result. Mandating what an institution can and cannot teach begins to infringe on one’s first amendment rights, particularly freedom of speech and freedom of expression. This bill would set a dangerous precedent not only for our state but for our country as well.

Another concern related to this bill is the unclear definition of “training” in section 15-10.6.03. In order to educate and prepare students and employees to work with diverse groups of people, these teaching materials are crucial to their education and jobs and the expectations that follow. Without the ability to complete the necessary onboarding processes and give students opportunities to learn something outside of their own culture and beliefs, a student’s opportunity for a comprehensive education is limited.

Lastly, I want to share a couple of personal experiences about my time in higher education thus far. I am currently in the second semester of my senior year at UND and took college classes for credit through Bismarck State College while in high school. Throughout my seven years in the North Dakota University System, I have never felt unable to express my opinions, ask questions, and challenge what is being taught in the classroom. I fear that if this bill receives a Do Pass recommendation and is passed on the Senate floor, this will no longer be the

case. As students, we want to live and work in a state where our individual freedoms are not only protected but also respected. Furthermore, I have heard numerous faculty members express their concerns on the passing of this bill and their desire to move and teach elsewhere if it is passed. In order to recruit and retain students to be a part of North Dakota's workforce, economy, and livelihood, this bill should not be passed. I urge you all to consider a Do Not Pass recommendation on SB 2247. I am happy to answer any questions you may have and thank you for your time and consideration.

Respectfully Submitted,

Faith Wahl

Student Body President
University of North Dakota

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Testimony Before the Senate Education Committee
SB 2247
January 24, 2022

Chairman Elkin and members of the Committee, for the record my name is Nick Archuleta, and I am the president of North Dakota United. Respectfully, I rise today to urge a ***do not pass*** recommendation for SB 2247.

Mr. Chairman, SB 2247 represents just the latest volley in the culture wars surrounding education in our country. These culture wars did not originate in North Dakota but have, nevertheless, engulfed our state in often rancorous debate from kindergarten through university. The collateral damage, sadly, has included teaching professionals and the free exchange of ideas in higher education.

Chairman Elkin and members of the Committee, I want to point out just a few concerns we have with this bill. The first is that, to my knowledge anyway, there is no great hue and cry regarding “divisive concepts” on higher education campuses across North Dakota. If our campus communities were at risk of being hurt by divisive concepts, surely there would be an unmistakable alarm that such a threat existed. The fact is that our campuses are vibrant, safe environments for learning, and we should remain proud of that fact.

Second, Mr. Chairman, college classrooms historically have been places that foster creativity, encourage inquiry of the human condition, and afford safe places to discuss and ponder the solutions to vexing problems that we have grappled with throughout our history. SB 2247 has the potential to change all that. We fear that this legislation will have a chilling effect on faculty and students as they delve deeply into social and other problems whose solutions remain elusive.

Finally, Chairman Elkin and members of the Committee, we question why this bill is even necessary in a university setting. All parties that would be affected by SB 2247 are adults, fully capable of discerning the information they receive. If students feel that they are



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receiving untruthful educational materials or are being mistreated by faculty for any reason, there are already policies in place that the student may utilize to get relief.

For these reasons, Chairman Elkin, and Members of the Senate Education Committee, I respectfully ask for a ***do not pass*** recommendation for SB 2247. Thank you for the opportunity to appear before you today. I am happy to attempt to answer any questions you may have.

Good morning Chairman Elkin and members of the Senate Education Committee. For the record, my name is Bob Paulson and I am a State Senator from District 3 in Minot.

SB 2247 is a bill that addresses divisive concepts in higher education.

According to an ABC News article from March of 2022, "Since 2020, legislation on race education has popped up across the country. A total of 35 states so far have signed into law or proposed legislation banning or restricting the teaching of critical race theory, the academic discipline at the center of the debate." That number is likely higher today as many state's legislatures are in session.

In doing research prior to introducing this bill, I read bills and laws from many states concerning this topic, looking for language that I thought would be best for North Dakota. The bill that I felt was most effective was passed into law in Tennessee. If you have the time and inclination, I highly recommend watching the floor debate in the Tennessee Senate when this bill was passed. The clerk alone is highly entertaining, and the debate was substantive.

I would like to talk a little bit about what the bill does not do. This bill does not restrict the right of a professor or a student to discuss these topics in class. I am a strong proponent of our First Amendment right to freedom of speech. Several of the bills and laws that I reviewed from across the country I rejected based upon my view that they had First Amendment concerns. I felt that the Tennessee law was the best possible from a First Amendment perspective.

Referring to the bill, I struggled with whether or not to read through every definition, as there are a lot of them. However, being confident that everyone on the Education Committee would be able to read, I chose to just highlight a few of them.

The divisive concepts include things like:

- a. One race or sex is inherently superior or inferior to another race or sex;

- b. An individual, by virtue of the individual's race or sex, is inherently privileged, racist, sexist, or oppressive, whether consciously or subconsciously
- e. An individual, by virtue of the individual's race or sex, bears responsibility for an action committed in the past by other members of the same race or sex;
- h. This state or the United States is fundamentally or irredeemably racist or sexist;
- m. All Americans are not created equal and are not endowed by their creator with certain unalienable rights, including life, liberty, and the pursuit of happiness;

This is a sampling of the definitions.

The meat of the bill begins on page 2 line 22, where it states:

15 - 10.6 - 02. Divisive concept - Prohibition on discrimination. 1. A student or employee of an institution under the control of the state board of higher education may not be: a. Penalized, discriminated against, or receive adverse treatment due to the individual's refusal to support, believe, endorse, embrace, confess, act upon, or otherwise assent to a divisive concept. b. Required to endorse a specific ideology or political viewpoint to be eligible for hiring, tenure, promotion, or graduation.

It goes on to say that 2. An institution under the control of the state board of higher education may not ask the ideological or political viewpoint of a student, job applicant, job candidate, or candidate for promotion or tenure. And 3. An individual who believes a violation of this section has occurred may pursue all equitable or legal remedies that may be available to the individual in a court of competent jurisdiction.

In the following section, there is a Prohibition on divisive concept training. 1. An institution under the control of the state board of higher education may not: a. Conduct mandatory training of a student or employee if the training includes a divisive concept. b. Use a training program or training materials for a student or employee if the program or material includes a divisive concept. c. Use funds appropriated by the state to incentivize, beyond payment of regular salary or

other regular compensation, a faculty member to incorporate a divisive concept into academic curriculum. 2. If an institution under the control of the state board of higher education employs an individual whose primary duties include diversity, the duties of that employee also must include efforts to strengthen and increase intellectual diversity among students and faculty of the institution at which the individual is employed.

Next there is a requirement for a survey and a report to an interim committee.

Finally, the bill states that This chapter may not be interpreted to prohibit an individual who provides training from responding to a question regarding a divisive concept so long as the response does not endorse or advocate a divisive concept.

Section 2 is an expiration date that has caused some confusion among cosponsors and those interested in the bill. The expiration date only applies to the requirement for the survey and report, which sunsets on July 1, 2028.

I would like to mention that embedded in testimony in favor by Amber Vibeto is a video on this topic that is very enlightening. I read that testimony and watched the video last night in preparation for this hearing, and I highly recommend watching it. It is eye opening!

Chairman Elkin and members of the committee, that is the bill and I would ask for a Do Pass recommendation, and would be happy to stand for any questions.

23.0417.02000

Sixty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2247

Introduced by

Senators Paulson, Lemm, Wobbema

Representatives Dyk, Satrom, Toman

1 A BILL for an Act to create and enact chapter 15-10.6 of the North Dakota Century Code,
2 relating to divisive concepts at institutions of higher education; to provide a report; and to
3 provide an expiration date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** Chapter 15-10.6 of the North Dakota Century Code is created and enacted as
6 follows:

7 **15-10.6-01. Definitions.**

8 As used in this chapter:

- 9 1. "Divisive Specified concept" means a concept that:
 - 10 a. One race or sex is inherently superior or inferior to another race or sex;
 - 11 b. An individual, by virtue of the individual's race or sex, is inherently privileged,
 - 12 racist, sexist, or oppressive, whether consciously or subconsciously;
 - 13 c. An individual should be discriminated against or receive adverse treatment
 - 14 because of the individual's race or sex;
 - 15 d. An individual's moral character is determined by the individual's race or sex;
 - 16 e. An individual, by virtue of the individual's race or sex, bears responsibility for an
 - 17 action committed in the past by other members of the same race or sex;
 - 18 f. An individual should feel discomfort, guilt, anguish, or another form of
 - 19 psychological distress solely because of the individual's race or sex;
 - 20 g. A meritocracy is inherently racist or sexist, or designed by a particular race or sex
 - 21 to oppress another race or sex;
 - 22 h. This state or the United States is fundamentally or irredeemably racist or sexist;
 - 23 i. Promotes or advocates the violent overthrow of the United States government;

- 1 j. Promotes division between, or resentment of, a race, sex, religion, creed,
2 nonviolent political affiliation, social class, or class of people;
- 3 k. Ascribes a character trait, value, moral or ethical code, privilege, or belief to a
4 race or sex, or to an individual because of the individual's race or sex;
- 5 l. The rule of law does not exist, but instead is a series of power relationships and
6 struggles among racial or other groups;
- 7 m. All Americans are not created equal and are not endowed by their creator with
8 certain unalienable rights, including life, liberty, and the pursuit of happiness;
- 9 n. Governments should deny to any person within the government's jurisdiction the
10 equal protection of the law;
- 11 o. Includes race or sex stereotyping; or
- 12 p. Includes race or sex scapegoating.
- 13 2. "Race or sex scapegoating" means assigning fault, blame, or bias to a race or sex, or
14 to a member of a race or sex, because of their race or sex, and includes a claim that,
15 consciously or subconsciously, and by virtue of a individual's race or sex, a member of
16 a race is inherently racist or inclined to oppress others, or a member of a sex is
17 inherently sexist or inclined to oppress others.
- 18 3. "Race or sex stereotyping" means ascribing a character trait, value, moral and ethical
19 code, privilege, status, or belief to a race or sex, or to an individual because of the
20 individual's race or sex.
- 21 4. "Training" includes a non-credit earning (a) seminar, (b) workshop, instruction, and (c)
22 orientation.
- 22 **15-10.6-02. Divisive Specified concept - Prohibition on discrimination.**
- 23 1. A student or employee of an institution under the control of the state board of higher
24 education may not be:
- 25 a. Penalized, discriminated against, or receive adverse treatment due to the
26 individual's refusal to support, believe, endorse, embrace, confess, act upon,
27 oppose, or
28 otherwise assent to a divisive specific concept.
- b. Required to endorse or oppose a specific ideology or political viewpoint to be
 eligible for hiring, tenure, promotion, or graduation.

1 2. An institution under the control of the state board of higher education may not ask the
2 ideological or political viewpoint of a student, job applicant, job candidate, or candidate
3 for promotion or tenure.

4 3. An individual who believes a violation of this section has occurred may pursue all
5 equitable or legal remedies that may be available to the individual in a state or federal
6 court of competent jurisdiction.

6 **15-10.6-03. Prohibition on divisive specified concept training.**

7 1. An institution under the control of the state board of higher education may not:

8 a. Conduct mandatory non-credit earning training of a student or employee if the
9 training includes a divisive specified concept.

9 b. Use a non-credit earning training program or training materials in a non-credit
10 earning training, for a student or employee if the program or material includes a divisive
11 specified concept.

10 c. Use funds appropriated by the state to incentivize, beyond payment of regular
11 salary or other regular compensation, a faculty member to incorporate any divisive
12 concept into academic curriculum.

12 2. If an institution under the control of the state board of higher education employs an
13 individual whose primary duties include diversity, the duties of that employee also
14 must include efforts to strengthen and increase intellectual diversity among students
15 and faculty of the institution at which the individual is employed.

16 **15-10.6-04. Student and employee survey - Report to legislative management.**

17 Each institution under the control of the state board of higher education shall:

18 1. Conduct a biennial, confidential, and statistically sound survey of the institution's
19 students and employees to assess the

19 campus climate regarding diversity of thought and the respondents' comfort level in
20 speaking freely on campus, regardless of political affiliation or ideology.

21 2. Publish the biennial survey's results on the institution's website.

22 3. Report the biennial survey's results to an interim committee designated by the
23 legislative management to receive the report during the interim following the survey's
24 completion.

1 **15-10.6-05. Construction and purpose.**

2 1. This chapter may not be interpreted to prohibit an individual who provides training from
3 responding to a question regarding a divisive specified concept so long as the response does not
endorse, or advocate or oppose a divisive specified concept.

2. Nothing in this chapter prohibits an institution from considering the subject-matter competency of any candidate for a faculty position or faculty member considered for promotion when the subject matter is germane to their given field of scholarship.

3. Nothing in this chapter prohibits an institution from training students or employees on the non-discrimination requirements of federal or state law, or from requiring a student, faculty member, or employee to comply with federal or state laws, including anti-discrimination laws, or from taking action against a student, professor, or employee for violations of federal or state laws.

4. Nothing in this chapter shall be construed to limit or restrict the academic freedom of faculty or to prevent faculty members from teaching, researching, or writing publications about the specified concepts, or other related topics.

5. Nothing in this chapter shall authorize an institution to infringe on the rights of freedom of speech protected by the First Amendment to the United States Constitution.

4

5 **SECTION 2. EXPIRATION DATE.** Section 15-10.6-04, as created by Section 1 of this Act,

6 is effective through July 1, 2028, and after that date is ineffective.

23.0417.02001

Sixty-eighth
Legislative Assembly
of North Dakota

SENATE BILL NO. 2247

Introduced by

Senators Paulson, Lemm, Wobbema

Representatives Dyk, Satrom, Toman

1 A BILL for an Act to create and enact chapter 15-10.6 of the North Dakota Century Code,
2 relating to ~~divisive~~ specified concepts at institutions of higher education; to provide a report; and
3 to provide an expiration date.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** Chapter 15-10.6 of the North Dakota Century Code is created and enacted as
6 follows:

7 **15-10.6-01. Definitions.**

8 As used in this chapter:

9 1. ~~"Divisive concept" means a concept that:~~

10 ~~a. One race or sex is inherently superior or inferior to another race or sex;~~

11 ~~b. An individual, by virtue of the individual's race or sex, is inherently privileged,~~
12 ~~racist, sexist, or oppressive, whether consciously or subconsciously;~~

13 ~~c. An individual should be discriminated against or receive adverse treatment~~
14 ~~because of the individual's race or sex;~~

15 ~~d. An individual's moral character is determined by the individual's race or sex;~~

16 ~~e. An individual, by virtue of the individual's race or sex, bears responsibility for an~~
17 ~~action committed in the past by other members of the same race or sex;~~

18 ~~f. An individual should feel discomfort, guilt, anguish, or another form of~~
19 ~~psychological distress solely because of the individual's race or sex;~~

20 ~~g. A meritocracy is inherently racist or sexist, or designed by a particular race or sex~~
21 ~~to oppress another race or sex;~~

22 ~~h. This state or the United States is fundamentally or irredeemably racist or sexist;~~

23 ~~i. Promotes or advocates the violent overthrow of the United States government;~~

- 1 ~~j. Promotes division between, or resentment of, a race, sex, religion, creed,~~
2 ~~nonviolent political affiliation, social class, or class of people;~~
- 3 ~~k. Ascribes a character trait, value, moral or ethical code, privilege, or belief to a~~
4 ~~race or sex, or to an individual because of the individual's race or sex;~~
- 5 ~~l. The rule of law does not exist, but instead is a series of power relationships and~~
6 ~~struggles among racial or other groups;~~
- 7 ~~m. All Americans are not created equal and are not endowed by their creator with~~
8 ~~certain unalienable rights, including life, liberty, and the pursuit of happiness;~~
- 9 ~~n. Governments should deny to any person within the government's jurisdiction the~~
10 ~~equal protection of the law;~~
- 11 ~~o. Includes race or sex stereotyping; or~~
- 12 ~~p. Includes race or sex scapegoating;~~
- 13 ~~2. "Race or sex scapegoating" means assigning fault, blame, or bias to a race or sex, or~~
14 ~~to a member of a race or sex, because of their race or sex, and includes a claim that,~~
15 ~~consciously or subconsciously, and by virtue of a individual's race or sex, a member of~~
16 ~~a race is inherently racist or inclined to oppress others, or a member of a sex is~~
17 ~~inherently sexist or inclined to oppress others.~~
- 18 ~~3.2. "Race or sex stereotyping" means ascribing a character trait, value, moral and ethical~~
19 ~~code, privilege, status, or belief to a race or sex, or to an individual because of the~~
20 ~~individual's race or sex.~~
- 21 3. "Specified concept" means a concept that:
- 22 a. One race or sex is inherently superior or inferior to another race or sex;
- 23 b. An individual, by virtue of the individual's race or sex, is inherently privileged,
24 racist, sexist, or oppressive, whether consciously or subconsciously;
- 25 c. An individual should be discriminated against or receive adverse treatment
26 because of the individual's race or sex;
- 27 d. An individual's moral character is determined by the individual's race or sex;
- 28 e. An individual, by virtue of the individual's race or sex, bears responsibility for an
29 action committed in the past by other members of the same race or sex;
- 30 f. An individual should feel discomfort, guilt, anguish, or another form of
31 psychological distress solely because of the individual's race or sex;

- 1 g. A meritocracy is inherently racist or sexist, or designed by a particular race or sex
- 2 to oppress another race or sex;
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- 5 j. Promotes division between, or resentment of, a race, sex, religion, creed,
- 6 nonviolent political affiliation, social class, or class of people;
- 7 k. Ascribes a character trait, value, moral or ethical code, privilege, or belief to a
- 8 race or sex, or to an individual because of the individual's race or sex;
- 9 l. The rule of law does not exist, but instead is a series of power relationships and
- 10 struggles among racial or other groups;
- 11 m. All Americans are not created equal and are not endowed by their creator with
- 12 certain unalienable rights, including life, liberty, and the pursuit of happiness;
- 13 n. Governments should deny to any person within the government's jurisdiction the
- 14 equal protection of the law;
- 15 o. Includes race or sex stereotyping; or
- 16 p. Includes race or sex scapegoating.
- 17 4. "Training" includes a seminar, workshop, instruction, and orientation noncredit earning:
- 18 a. Seminar;
- 19 b. Workshop; or
- 20 c. Orientation.
- 21 **15-10.6-02. ~~Divisive~~Specified concept - Prohibition on discrimination.**
- 22 1. A student or employee of an institution under the control of the state board of higher
- 23 education may not be:
- 24 a. Penalized, discriminated against, or receive adverse treatment due to the
- 25 individual's refusal to support, believe, endorse, embrace, confess, act upon, or
- 26 otherwise assent to or oppose a ~~divisive~~specified concept.
- 27 b. Required to endorse or oppose a specific ideology or political viewpoint to be
- 28 eligible for hiring, tenure, promotion, or graduation.
- 29 2. An institution under the control of the state board of higher education may not ask the
- 30 ideological or political viewpoint of a student, job applicant, job candidate, or candidate
- 31 for promotion or tenure.

- 1 3. An individual who believes a violation of this section has occurred may pursue all
2 equitable or legal remedies that may be available to the individual in a **state or federal**
3 court of competent jurisdiction.

4 **15-10.6-03. Prohibition on **divisivespecified** concept training.**

- 5 1. An institution under the control of the state board of higher education may not:
6 a. Conduct mandatory **noncredit earning** training of a student or employee if the
7 training includes a **divisivespecified** concept.
8 b. Use a **noncredit earning** training program or training materials **in a noncredit**
9 **earning training** for a student or employee if the program or material includes a
10 **divisivespecified** concept.
11 c. Use funds appropriated by the state to incentivize, beyond payment of regular
12 salary or other regular compensation, a faculty member to incorporate a
13 **divisivespecified** concept into academic curriculum.
14 2. If an institution under the control of the state board of higher education employs an
15 individual whose primary duties include diversity, the duties of that employee also
16 must include efforts to strengthen and increase intellectual diversity among students
17 and faculty of the institution at which the individual is employed.

18 **15-10.6-04. Student and employee survey - Report to legislative management.**

19 Each institution under the control of the state board of higher education shall:

- 20 1. Conduct a biennial, **confidential, and statistically sound** survey of the institution's
21 students and employees to assess the campus climate regarding diversity of thought
22 and the respondents' comfort level in speaking freely on campus, regardless of
23 political affiliation or ideology.
24 2. Publish the biennial survey's results on the institution's website.
25 3. Report the biennial survey's results to an interim committee designated by the
26 legislative management to receive the report during the interim following the survey's
27 completion.

28 **15-10.6-05. Construction and purpose.**

- 29 1. This chapter may not be interpreted to prohibit an:

- 1 a. An individual who provides training from responding to a question regarding a
2 divisive specified concept so long as the response does not endorse or advocate,
3 or oppose a divisive specified concept;
- 4 b. An institution from considering the subject matter competency of a candidate for
5 a faculty position or promotion if the subject matter is germane to the candidate's
6 field of scholarship;
- 7 c. An institution from training students or employees on the nondiscrimination
8 requirements of federal or state law, or from requiring a student, faculty member,
9 or employee to comply with federal or state laws, including antidiscrimination
10 laws, or from taking action against a student, professor, or employee for a
11 violation of federal or state law; or
- 12 d. Limit or restrict the academic freedom of faculty or to prevent faculty members
13 from teaching, researching, or writing publications about the specified concepts
14 or related topics.
- 15 2. This chapter does not authorize an institution to infringe on the rights of freedom of
16 speech protected by the First Amendment to the United States Constitution.

17 **SECTION 2. EXPIRATION DATE.** Section 15-10.6-04, as created by Section 1 of this Act,
18 is effective through July 1, 2028, and after that date is ineffective.

Testimony in Opposition to SB 2247

By Dr. Daniel Rice, Former Dean of the College of Education and Human Development and Professor Emeritus of Educational Leadership at UND. My testimony reflects my own views and does not represent a position by UND.

Chair Heinert and Members of the House Education Committee **I respectfully oppose HB 2247** for the following reasons:

1. The bill on its face is clearly **unconstitutional**. The [North Dakota State Constitution states in Article VIII, Section 6.6.b](#), “The state board of higher education shall have **full authority** over the institutions under its control...” (emphasis added). This bill usurps the legal authority granted to the State Board of Higher Education (SBHE) by the citizens of the state in the ND Constitution. Neither the Governor nor the Legislative Assembly have the legal authority to intrude into the management and administration of the institutions of higher education in the State of North Dakota. The Board was created by an initiated measure of the citizens in 1938 in order to protect higher education from exactly this kind of political intrusion.
2. The bill is obviously an aspect of the “culture wars” and, as such, is an effort to intrude politics into the management, administration, and curriculum of higher education institutions – an effort which is prohibited by the State Constitution.
3. If individual members of the Legislative Assembly have concerns about the management and administration of higher education, the appropriate and constitutional way to address those concerns is in writing to or by appearing before an official meeting of the Board. **Attempting to embody those concerns in the Century Code is a clear violation of the plain language and intent of the State Constitution.**
4. I agree with other opposition testimony which speaks to the **redundancy of much of this bill with other state and federal laws.**
5. **Definitions and prohibitions in the bill are vague and open to confusing interpretation** and would be impossible to implement in actual classrooms, open and free discussions on campus, and the research by faculty and students without violating academic freedom and freedom of speech.
6. Importantly, at its February 23, 2023 meeting, the **Board voted to oppose SB 2247** along with other misguided bills that attempt to violate the Board’s Constitutional authority.

For these reasons I strongly urge the House Education Committee to give SB 2247 a **DO NOT PASS** recommendation.

Birgit Pruess, Ph.D.
3696 Harrison St. S
Fargo, ND 58104

March 3, 2023

Re: SB2247

Dear Committee Chair members of the House Education Committee,

I am a resident of North Dakota and like to provide this testimony as a private citizen and not in representation of a group. I have testified in opposition to SB2247 as presented to the Senate and am still opposed to the changed bill, now 'relating to specified concepts at institutions of higher education'.

First of all and most importantly, the North Dakota Constitution Article VIII Education, Section 6.b states that "The said state board of higher education shall have full authority over the institutions under its control". If I understood North Dakota history correctly, the state board of higher education (SBHE) was founded to keep politics out of our institutions. If the problem this bill aims to fix really existed, it would be up to the SBHE to address it. I am now going into the individual sections of the proposed bill. Note that I will limit myself to those of the sections that I have personal and professional experience with.

- 15-10.6-2.1.b "Required to endorse or oppose a specific ideology or political viewpoint to be eligible for hiring, tenure, promotion, or graduation". I have served on hiring, tenure, promotion, and graduation committees a combined total of 70 or 80 times over the course of 19 years. I never even knew the political or religious orientation of the candidate. Our policies for each of these career steps are very well spelled out and the expectations are shared with the candidates early in the process. We follow the process in a step by step manner. Also, there is a large number of people involved in each of these decision making processes. That leaves very little room for personal bias of an individual. As an example, this is the link to the Promotion, tenure, and evaluation policy at NDSU (<https://www.ndsu.edu/fileadmin/policy/352.pdf>).
- 15-10.6-2.2 "An institution under the control of the state board of higher education may not ask the ideological or political viewpoint of a student, job applicant, job candidate, or candidate for promotion or tenure". At least the ideological part is not needed. We are already prohibited from doing that. I have below copied a statement from the NDSU website (https://www.ndsu.edu/equity/equal_employment_opportunity_and_affirmative_action/). "Affirmative Action Program for Minorities & Women - Executive Order 11246 of 1965 (as amended) - requires affirmative action programs for women and minorities and prohibits job discrimination on the basis of race, color, RELIGION, sex or national origin". If 'ideological' equals 'religion' (which I think it does), at least that part of the item is already covered by federal law.
- 15 - 10.6 – 05.1.c "An institution from training students or employees on the nondiscrimination requirements of federal or state law, or from requiring a student, faculty member, or employee to comply with federal or state laws, including antidiscrimination laws, or from taking action against a student, professor, or employee for a violation of federal or state law". This is somewhat of a no brainer and my whole problem with this bill. We are all very obviously under federal and state law. This includes anti discrimination laws. Much of what is written under 15 - 10.6 – 02 is already covered by existing laws. Much of what is written under 15-10.6-03 is in contradiction to

federal law, such as Title IX. I am below detailing my concerns with the training paragraph.

- 15-10.6-03, the entire paragraph on training. I just took Title IX training, which is mandated by federal law. Title IX is “An Act to amend the Higher Education Act of 1965, the Vocational Education Act of 1963, the General Education Provisions Act (creating a National Foundation for Postsecondary Education and a National Institute of Education), the Elementary and Secondary Education Act of 1965, Public Law 874, Eighty-first Congress, and related Acts, and for other purposes”. The Act is effective since June 23, 1972. This is FEDERAL LAW, not an institution specific training. It applies to all institutions that receive federal funds. I highly recommend to have this section or better the entire bill checked by a lawyer to make sure it is in compliance with federal law. We certainly don’t want to end up in a situation, where our researchers can’t be eligible for NIH, NSF, or USDA grants anymore because our institution is in violation of federal law.
- 15-10.6-04, the entire paragraph on survey. If our legislative assemble insists on it, I highly recommend to provide funding, as this is very personnel intensive. Also, similar surveys on campus climate are already done, though not every two years.

Altogether, I feel like this bill tries to solve a problem that does not even exist under current federal and state laws, as well as institutional policies. I am testifying in opposition to SB2247 for the reasons given above. Please, give this bill a ‘DO NOT PASS’ vote.

I do have to say I appreciate the effort, work, and time that all of my legislators are putting into this session and I thank you for your service. I am sure there will be other bills or resolutions that I will be happy to support.

Sincerely and respectfully

Birgit Pruess, Ph.D.

Individual Testimony in Opposition to Senate Bill 2247

Dear Chair Heinert, Vice Chair Schreiber-Beck, Members of the House Education Committee:

My name is Anastassiya Andrianova. I am a tenured faculty member in English at North Dakota State University (NDSU) and also the President of the NDSU Faculty Senate. I write to you today in opposition to Senate Bill 2247 (specified concepts, diversity trainings) and request a **DO NOT PASS on SB 2247**. I write on my own behalf and *not* on behalf of my employer, NDSU.

Earlier in this session, I wrote to the Senate Education Committee to oppose the original version of Senate Bill 2247. That testimony is available [online](#) on the legislative website. You are now considering a heavily amended and very confusing version of this bill. I am in favor of the specific amendments meant to uphold free speech and academic freedom on college campuses, as provided by the First Amendment; however, some of these amendments not only qualify but even contradict the original language of the bill, making it impossible to figure out what its intention is, what it means, or how it can possibly be implemented.

Honorable Legislators, the bottom line: this bill is a mess. It is a political rather than a legal bill, and if it passes, it will most definitely head to the Attorney General's Office for clarification. I don't think even lawyers can understand what it means or what its implications are.

One undesirable implication is that Section 15-10.6-02. 1.b. **Required to endorse or oppose a specific ideology or political viewpoint to be eligible for hiring, tenure, promotion, or graduation** contradicts an existing tenet of the ND Century Code, which requires employees at universities under the SBHE to sign [the loyalty pledge](#) to the state of North Dakota upon appointment (15-10-13.2-3). The loyalty pledge is a specific ideology.

There are, moreover, contradictions. The same Section 15-10.6-02. 2, which prohibits “[a]n institution under the control of the state board of higher education [from] ask[ing] the ideological or political viewpoint of a student, job applicant, job candidate, or candidate for promotion to tenure” is contradicted by Section 15-10.6-04. 1, which mandates that each institution under the SBHE “conduct a biennial [...] survey of the institution’s students and employees to assess the campus climate.” This means that institutions under the SBHE both cannot and must ask students and employees about their ideological or political viewpoints.

Or, another example: under Section 15-10.6-03. 1, an institution under the SBHE is prohibited from “conduct[ing] mandatory noncredit earning training of a student or employee if the training includes a specified concept.” However, Section 15-10.6-05. 1.c exempts mandatory nondiscrimination trainings if they are “requirements of federal or state law.”

But the protections for free speech also do not address all possible scenarios where academic freedom is involved. The aforementioned Section 15-10.6-02. 2.a. **An institution under the control of the state board of higher education may not ask the ideological or political viewpoint of a student, job applicant, job candidate, or candidate for promotion or tenure** would prohibit a search committee from asking any questions that include “specified concepts”

during an interview, such as how a job candidate's teaching philosophy informs their research if the teaching philosophy or research includes a "specified concept." If a job candidate is interviewing for a position in Women's and Gender Studies, wouldn't the search committee be prohibited from asking anything about their research or teaching because it mentions gender? But teaching and research should be protected under academic freedom and the First Amendment!

Finally, SB 2247 would effectively prohibit any nondiscrimination or antidiscrimination trainings that are not federally or state mandated, as per Section 15-10.6-03. 1.b. **Use a noncredit earning training program or training materials in a noncredit earning training for a student or employee if the program or material includes a specified concept.** Unlike in 1.a., there is no mention of "mandatory," so this would presumably apply to all noncredit trainings. For example, trainings for members of search committees provide guidance on how to eliminate bias and provide an objective evaluation so that the best qualified candidate is selected for the job. Surely, you would *not* want such trainings to be outlawed?

This is a very confusing bill, full of self-contradictions, and it raises more questions than it means to address. We already have academic freedom policies that protect faculty and students. We have another bill, [House Bill 1503](#) (enacted into law in 2021), that already protects speech on campuses. So why do we need another bill to reiterate more of the same but in a completely incomprehensible way?

Therefore, I strongly urge you to vote **DO NOT PASS on SB 2247**.

Sincerely,
Anastasiya Andrianova
Fargo, ND

Chairman Heinert and members of the House Education Committee,

As a parent of a college-age child, I want to offer my strong support for SB 2247. My husband and I both graduated from NDSU, and yet we both actively discouraged our daughter from applying there to study psychology because we are well-aware of what most universities have become: indoctrination centers that actively proselytize students into a Marxist worldview. While our daughter attended Minot State University, one of her professors gifted her a book entitled, [Why Marx Was Right](#). Our daughter has decided to pursue alternatives for her future other than college, and we are honestly relieved which comes as a surprise to us because we always hoped our kids would follow in our footsteps and pursue a college degree.

There is no need to rely on anecdotes to prove that this indoctrination is happening. The proof is the existence and ubiquitousness of Diversity, Equity, and Inclusion programs in higher education. [DEI](#) pushes divisive and illiberal concepts and is directly leading to America's downfall. It is poisoning the minds of our youth and creating professionals whose postmodern ideology undermines their competence and their ability to discern objective truth. This will have disastrous implications for our society. A few examples include:

- Medical student graduates from both [Minnesota](#) and [Columbia](#) Universities recently recited an altered version of the Hippocratic oath that injected elements of Critical Race Theory. This new allegiance to Marxist ideology has real-world implications for medical ethics and excellence. An example: the state of NY gave [preferential treatment](#) for covid based on race, stating “ [race] should be considered a risk factor, as longstanding *systemic health and social inequities* have contributed to an increased risk of severe illness and death from COVID-19.”
- [Association to Advance Collegiate Schools of Business](#), an accreditor for 900 university business schools, is [advocating](#) to “decolonize the business school curriculum”.
- [United Airlines](#), presumably run by woke, college-educated professionals, is choosing [superficial demographics](#) over merit, while the FAA lowers standards for [airline traffic controllers](#) to favor diversity. Neither bode well for the future of airline safety.

I recently saw a sign on a door at Minot State University that said, “This is a safe-space. Hateful speech, racism, transphobia, xenophobia, and misogyny will not be tolerated.” DEI defines those concepts through the lens of [Critical Social Justice Ideology](#) which is a specific worldview that is incompatible with many other worldviews. DEI is not about fostering a kind and inclusive environment. Actually, it’s just the opposite. It produces racism and hatred as outlined in this [short clip](#).



DEI statements function as a [political litmus test](#) that can be used to reward and to punish. DEI’s underlying Marxist worldview has a chilling effect on the free exchange of ideas that is not only contributing to the dumbing down of every area of study, but is leading to the discrimination and intimidation of professors and students. [Watch](#) what happened to a [professor](#) after he shared his opinion on his university’s DEI-influenced discriminatory practices.



As American universities like the University of ND take the time and money to [promote gender ideology](#), our Chinese academic counterparts are [surpassing](#) our research output and knowledge. This is happening because, unlike in the United States, Chinese universities still prioritize meritocracy. Let's join [Florida](#) in leading the effort to weaken the political and ideological capture of our universities. Let's return to favoring excellence over racial and gender quotas within academic and professional settings. And let's ensure that North Dakota's universities encourage a marketplace of diverse ideas, freedom of speech, and rigorous intellectual pursuits. I respectfully urge a 'do pass' recommendation on the incredibly important Senate Bill 2247.

Thank you so much for your consideration of my testimony.

Resources

[Bad Medicine: How DEI Is Dismantling UNC's Medical School And Endangering Patients](#)

[National Library of Medicine: The Postmodern Assault on Science](#)

[UND makes it as easy as possible for students to fall prey to the destructive social contagion of transgenderism by providing a Gender Expression Closet.](#)

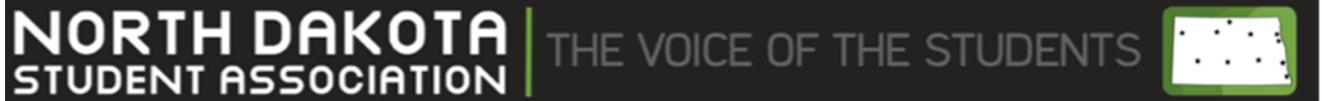
[DEI Doesn't Work – Taxpayers Shouldn't Pay for It](#)

[DEI University: DEI Bloat in the Academy](#)

[Abolish DEI Bureaucracies and Restore Colorblind Equality in Public Universities](#)

[The New Loyalty Oaths](#)

[When the Left Turns On Its Own](#)

**SB 2247**March 7th, 2023

Carter Gill, North Dakota Student Association

(701) 388-7589 | carter.gill@ndus.edu

Chair Heinert and Members of the Committee: My name is Carter Gill and I am writing as a delegate on behalf of the North Dakota Student Association. I am here today in opposition of SB 2247.

The North Dakota Student Association is dedicated to ensuring that students have a voice at the table in policy that affects higher education. We consist of delegates from each of the 11 public North Dakota University System (NDUS) institutions, meeting monthly to engage students in discussions about North Dakota higher education policy. Since 1969, our mission has been to empower students, create collaboration between the student bodies of the North Dakota public universities, and to provide a student perspective on higher education policy.

In January of 2023, the NDSA approved a resolution in opposition of this bill. In this resolution, the NDSA reiterates its support for academic autonomy of university faculty and that the NDUS trusts that they possess the necessary qualifications to facilitate academic and professional discussions, along with supporting students pursuing academic opportunities that would increase their understanding and knowledge. SB 2247 would directly conflict with this resolution from the NDSA in favor of academic freedom.

Should SB 2247 become law, it would be extremely detrimental to the quality of higher education in North Dakota. The definitions created by this bill are incredibly vague and are built from logical fallacies that mischaracterize and misrepresent founding tenets of theories and philosophies, without which would render many fields of academia in higher education impossible to learn about. This restriction of what can be taught in college classes and limit classroom discussion is a violation of academic freedom and freedom of expression provided by

the First Amendment. Any student in the NDUS should have the right to pursue higher education and be free from academic mandates and echo chambers.

Section 15-10.6-3, which prohibits discrimination in relation to specified concepts, is already a practice in place. In *Keyishian v. Board of Regents* (1967), the US Supreme Court deemed a New York state law that was meant to prevent the employment of “subversives” in teaching and other public employee jobs unconstitutional. While this ruling referred to the term “subversives” as a means of preventing the employment of communists, the Court’s ruling still applies to SB 2247. Item 1, line A of this section prohibits an employee of an institution under control of the SBHE from being discriminated against for an individual’s refusal to “support, believe, endorse, embrace, confess, act upon, or otherwise assent to or oppose a specified concept,” and the same would apply to those who do subscribe to those specified concepts being discriminated against, which *Keyishian v. Board of Regents* deemed unconstitutional. Harry Keyishian was an English professor at the State University of New York at Buffalo when he refused to sign an oath stating he wasn’t a communist. So, I would ask for clarification as to how this section provides any different protections than those already provided from precedent in federal law.

Section 15-10.6-03, which prohibits “specific concept training,” would impede students in the classroom, the workplace, and during their college experience. For example, education majors in the state would be unable to complete mandatory diversity practicums, resident assistants could not participate in necessary diversity awareness discussions, and freshman students would be unable to attend beneficial diversity orientation sessions. These discussions are not meant to “indoctrinate” students under some kind of “woke ideology” like some may believe. Diversity training in these sessions are meant to prepare students for situations in their professional lives that without those trainings, they would be unable to respond in an appropriate manner. Under this clause, social science departments across the state would be unrecognizable, as many of the definitions and ‘specific concepts’ in this bill directly target fields of study in social sciences like Women and Gender Studies, Sociology, Philosophy, History, and Political Science.

The passage of SB 2247 would surely lead to an exodus of professors and other faculty from North Dakota in response, so they can instruct their classes without unnecessary and vague restrictions. While this is entirely speculation, this bill has the potential to cause a collapse of the NDUS system as state universities and colleges would be without faculty to teach required

courses. An inability for students for complete their degrees would leave them no other choice but to transfer to institutions outside of the NDUS, moving to neighboring states and removing any economic benefit that the universities and colleges brought to this state, whether that be from an incoming workforce as students complete their degrees and, after they graduate, and choose to stay in the state, or from students' general economic activity that would not exist without attendance at their institution, or from the fine arts and sporting events that students participate in that brings spectators and viewers from within and outside of North Dakota.

This bill, should it pass, would violate the academic freedom and freedom of expression of the students and faculty of the NDUS. The NDSA supports the academic autonomy of the NDUS and trusts that faculty possess the qualifications to properly facilitate academic discussion, and that students should be free to pursue whatever academic opportunities they deem fit to better their knowledge and understanding of their field. This legislation would without a doubt handicap the ability of faculty to properly and adequately teach their classes and the ability of students to learn content material thoroughly and accurately.



Faculty Senate

Date: March 6, 2023

Legislation SB 2247: Related to specified concepts at institutions of higher education; to provide a report; and to provide an expiration date.

Constituents: District 40, North Minot, including Minot State University (MiSU); District 03, SE Minot; District 05, SW Minot; and District 38, West Minot.

Our information source: On February 16, 2023, the Minot State University (MiSU) Faculty Senate approved a resolution supporting CCF, SBHE, submissions from individual institutions, and the public in Opposition to SB 2247.

Our specific concerns: The positions and rationale in the above statements are consistent with the MiSU's Faculties' concerns about the proposed legislation. The NDUS (North Dakota University System) and all campuses have in place procedures for addressing faculty accountability, student rights, and freedom of expression; this legislation ignores those existing policies. SB 2247 also targets academic freedom, a stated mission in NDUS, standards, and practices. If enacted, SB 2247 will negatively impact faculty recruitment and retention and thus hurt the quality of teaching and students' learning in the NDUS.

SB 2247 is inconsistent with, and at worst, a direct threat to, multiple programs' accreditation processes and the HLC (Higher Learning Commission) process requirements. An example of these issues can be seen in the accreditation requirements for Teacher Education (CAEP), Addiction Studies (NASA), Speech-Language Pathology (ASHA), and Nursing (CCNE), all of which must demonstrate that students have standards related to diversity, equity, and inclusion by exposing students "diverse populations, life experiences, perspectives, and background" (CCNE). To meet the criteria laid out by these accrediting bodies and programs, courses and faculty must demonstrate consideration for "the impact of adverse social, environmental, and political factors" (NASAC) and "advocate for social justice" (NASP). Roughly 33% of the students at MiSU are enrolled in programs directly affected by these accreditation standards. These and other programs frequently meet their degree criteria by having students take courses in social science, history, and cultural studies that are part of the general education of all students, as well as requiring them to take courses that address specific concerns in their fields. SB 2247 would make providing those courses and adhering to the standards required more difficult.

The negative impact is not only confined to students at NDUS institutions but also the North Dakota workforce and economic development. Problems with accreditation arising from restrictions on what is taught would make it much harder for students to work in their chosen fields and provide services to the public they are trained to serve. If SB 2247 becomes law, it will make obtaining a license for students coming from the NDUS significantly more difficult – in



Faculty Senate

some cases, even impossible. As the legislature is keenly aware, areas like education, addiction treatment, speech-language pathology, and nursing face critical shortages in the ND workforce. Putting in place, SB 2247 would make recruiting students into the NDUS programs and enabling them to join the ND workforce more difficult.

Finally, SB 2247 takes that control from the State Board of Higher Education, campuses, and faculty. Doing that would seem to conflict with Article VIII, Section 6, Item 6b of the ND Constitution, which states, "The said state board of higher education shall have full authority over the institutions under its control with the right, among its other powers, to prescribe, limit, or modify the courses offered at the several institutions."

Our position: Therefore, the MiSU Faculty Senate urges a vote for "do not pass" on SB 2247.

Approved by: Voting Members of the Faculty Senate (Motion approved at 2/16/2023 Faculty Senate Meeting)

Thank you for taking the time to consider this request.

Minot State Faculty Senate

University Senate

Twamley Hall, Room 201
 264 Centennial Dr Stop 8382
 Grand Forks, ND 58202-8382
[UND.edu/university-senate](https://und.edu/university-senate)

SB 2247

Mar. 5, 2023

Robert Newman, Chair, University Senate, University of North Dakota

Chairman Heinert and members of the House Education Committee:

My name is Robert Newman, I am a professor at the University of North Dakota and the Chair of UND's University Senate. On behalf of the UND University Senate I respectfully submit this **testimony in OPPOSITION to SB 2247.**

We oppose SB 2247 because it is not a remedy for any real problem, and because it creates problems by interfering with legitimate education and training. We appreciate that the House committee made some changes that reduced our concern about interference with academic freedom and free speech, but fundamental problems remain.

1. Section 1, 15-10.6-01 - 3 (lines 17 – 20) defines a series of “Specified concepts” (formerly labeled “Divisive concepts”) that are all clearly repugnant or contrary to the values of our state and country. NONE of these ideas are being promoted in education or training in higher education (or K-12 for that matter). Some of the concepts (a – d) are racist or sexist, others (e – p) are intended to elicit fear, anger or concern in citizens and state legislatures about the intended purpose of diversity training or classroom education (<https://www.mtsu.edu/first-amendment/article/2178/divisive-concepts>). The whole thing is a fabrication: *“the controversy is a manufactured one, a masterful disinformation campaign to silence advocates of anti-racism.”* <https://academeblog.org/2021/09/10/the-teachable-moment-of-divisive-concepts-legislation/>

In short, there is NO problem. There is certainly no need for legislation that would intentionally or unintentionally, directly or indirectly interfere with education either in K-12 or higher ed, or in training within institutions.

To be clear, we do have a history of racism, sexism, and other forms of discrimination in this country that have caused great harm, and which continue to impact people to this day. This is extremely well-documented and undeniable. Accordingly, it is important that students (all of us) learn the truth, the full

Today, the University of North Dakota rests on the ancestral lands of the Pembina and Red Lake Bands of Ojibwe and the Dakota Oyate — presently existing as composite parts of the Red Lake, Turtle Mountain, White Earth Bands, and the Dakota Tribes of Minnesota and North Dakota. We acknowledge the people who resided here for generations and recognize that the spirit of the Ojibwe and Oyate people permeates this land. As a university community, we will continue to build upon our relations with the First Nations of the State of North Dakota — the Mandan, Hidatsa, and Arikara Nation, Sisseton-Wahpeton Oyate Nation, Spirit Lake Nation, Standing Rock Sioux Tribe, and Turtle Mountain Band of Chippewa Indians.

story, so that we can learn from it and work towards a better future, one that matches the ideals of our founders.

2. 15-10.6-02 states that students, employees, and prospective employees may not be penalized or discriminated against for their support or opposition to any of the specified/divisive concepts, nor can anyone be asked to endorse or oppose them, or even be asked about their beliefs.

This is already policy and it is under the purview of the State Board of Higher Education. There is no need for legislation, nor would any be appropriate for issues under the jurisdiction of the SBHE.

3. 15-10.6-03 prohibits Specified Concepts training. This is the most egregious problem remaining in this bill. We appreciate that the Senate committee attempted to carve out an exemption for classroom, for-credit education that is protected by academic freedom policy. However, there are legitimate training needs that may include discussion or presentation of “Specified/divisive” concepts. As noted previously, these are repugnant concepts, but they are also things that have actually happened in our nation’s history and that continue to reverberate into the present. Racism, sexism, and other forms of discrimination are regrettably still with us. Sometimes that is overt, sometimes it is more subtle. Overt discrimination violates federal law and SBHE policy already addresses this. Microaggressions that flow from implicit bias are one example of more subtle behavior and are still a problem. Training is required to mitigate all forms of discrimination, so that people are aware of such problems, how to detect them, and how to avoid them. Even training of educators on how to mitigate problems that may arise in the classroom or on best practices to facilitate discussion of contentious topics such as these “Specified/divisive” concepts is essential. That may include viewing course material related to these concepts through an appropriate lens. But nobody is promoting or endorsing the “Specified/divisive” concepts.

With regard to point 2 under 15-10.6-03 (line 19-22), many institutions hire diversity officers to oversee efforts to make campuses more inclusive and welcoming. Intellectual diversity is already protected under State Board policy and is not the reason we need diversity offices and directors.

In short, training may be necessary to improve our ability to be aware of and remedy problems related to “Specified/divisive concepts”. Restricting our ability to provide that training would make matters worse by limiting our ability to address real problems and also projects state and institutional indifference. Moreover, this falls within the purview of the SBHE.

4. 15-10.6-04 is a matter that should be left to the SBHE.
5. 15-10.6-05 protections for academic freedom are a welcome addition to the original bill, but also falls under the purview of the SBHE.

We urge the committee to oppose SB 2247 and vote Do Not Pass.

Respectfully,

Robert Newman, PhD. / Chair, University Senate, UND

House Education Committee
Senate Bill 2247

Andrew Alexis Varvel

North Dakota State Capitol
March 7, 2023

Couteau Room
10:30AM

Chairman Heinert, Madame Vice Chairman Schreiber-Beck, and
Members of the House Education Committee:

My name is Andrew Alexis Varvel. I am an alumnus of UND who lives in Bismarck.

Other speakers are focused on whether or not Critical Race Theory will continue to get taught in our public colleges and universities. My objection to SB 2247 is much more narrow – against subsection 4 (to Chapter 15 Section 10.6). This subsection would mandate a “student and employee survey”. This survey would be a waste of time. More likely than not, it would be ignored by most students, faculty, and staff.

This “student and employee survey” appears to be based on a similar law in Florida. According to a 29 August 2022 article in the *Chronicle of Higher Education*, “Only 2.4 percent of the more than 364,000 students who were sent the survey completed it, a response rate so small it casts doubt on the findings themselves. The response rate for employees was slightly better: 9.4 percent of the over 98,000 employees who received the survey participated, most of them staff members, not instructors.”

<https://www.chronicle.com/article/florida-lawmakers-enacted-an-intellectual-diversity-survey-students-werent-interested>

If the results from Florida's experiment are any indicator of what is likely to happen in North Dakota, results from these surveys should be expected to be unreliable. If fewer than ten percent of students, faculty, and staff participate, these surveys become notoriously vulnerable to manipulation – or mischief – from organized political factions. North Dakota ought to be reducing administrative costs at universities, not creating new layers of administration for generating more red tape.

Regardless of what you think of Governor DeSantis, his survey has been a fiasco. Subsection 4 would waste time. It would waste money. It would waste paper. It would waste ink. This would only create more bureaucracy to administer useless surveys.

So, please delete subsection 4.

I think there would be an excellent chance for Senate Bill 2247, were it to become law, to precipitate a major lawsuit to delineate where the authority of the Legislature starts and the authority of the Board of Higher Education ends. This may or may not be the intention of SB 2247, but I do think it would be its likely effect.

Senate Bill 2247 is merely the latest avatar of a bill that has been circulating through several state legislatures. It typically gets promoted as an attempt to inhibit instruction in Critical Race Theory, but it would also inhibit instruction in old fashioned racism. So, this legislation would have been revolutionary had it been proposed at the North Dakota Legislature one century ago. Now, not so much.

In 1923, Eugenics and Scientific Racism were integral parts of the curriculum at the University of North Dakota. Preaching about the racial superiority of white people over other racial groups was also an integral part of campus culture. This included UND's very own version of the fight song "Cannibal King". Included here is a copy of a Dakota Student cartoon which celebrated the dispossession of American Indians – including taking the "Fighting Sioux" nickname as a trophy.

Cartoon in *The Dakota Student*
October 16, 1934, page 2



I think it would be safe to say that the above cartoon from the Dakota Student may have been banned if Senate Bill 2247 had been effect in 1934. The ideas expressed in this cartoon were indeed divisive, yet it is important for people in modern times to understand just how hostile student culture at UND had become toward Indians.

**1930 Homecoming Parade, October 18, 1930.
The caption "SIOUX-ICIDE for SD STATE"
referred to the visiting South Dakota State "Jackrabbits".
From the 1932 Dacotah Yearbook, page 232.**



I think it would be safe to say that this float during the first Homecoming Parade at UND with the "Fighting Sioux" nickname may have also been banned in 1930 if this proposed legislation had been in effect. This shows how North Dakota's universities have a long history of promoting racial stereotyping, now considered divisive.

I am far from convinced that Critical Race Theory is best combated through the use of legislative mandates. I think that humor* would be a more effective antidote to Critical Race Theory and its associated doctrines which consist of finger wagging abuse.

Please delete subsection 4. Thank you.

I welcome questions from the committee.

Andrew Alexis Varvel
2630 Commons Avenue
Bismarck, ND 58503
701-255-6639
mr.a.alexis.varvel@gmail.com

* APPENDIX: *A tongue-in-cheek vision of how an academic witch hunt could work*

If you regard Critical Witchcraft Theory to be a glorified witch hunt, this just means that you don't understand Critical Witchcraft Theory. So, you will need to attend a CWT seminar. CWT should be understood to be a tool for understanding the role of systemic sorcery in our society and how systemic sorcery controls our lives.

Witchcraft is a social construct which exists to enforce social domination by Witches over Muggles. Witches will often practice witchcraft without knowing it, subjecting Muggles to subconscious microaggressions in the process. The only legitimate source of knowledge is the lived experience of Muggles, who are solely capable of understanding, analyzing, and teaching about their magical subordination to Witch Privilege. And if Witches refuse to acknowledge their power and refuse to check their Witch Privilege, that is evidence of their Witch Fragility. And if you don't practice anti-witchcraft, and spend all of your waking hours opposing witchcraft, this means that you are in fact a Witch – there is only witchcraft and anti-witchcraft.

The apotheosis of Critical Witchcraft Theory would be a constitutional amendment to create a self-appointed branch of the federal government called the Department of Defense Against Witchcraft. It would have the power to override any piece of legislation at any level of government, and to countermand any executive decision, on the basis of whether that legislation or executive decision is a form of witchcraft.

The Department of Defense Against Witchcraft would be under the jurisdiction of a Witchfinder General, who would in turn be appointed by eminent professors.

So no, Critical Witchcraft Theory is not a glorified witch hunt, but rather a serious academic discipline which seeks to eradicate the scourge of systemic sorcery.

March 6, 2023

Dear House Education Committee:

I am a North Dakota resident, a parent of two North Dakota public schools students (one in middle school; the other in elementary school), a published historian, and a Professor at the University of North Dakota. My teaching duties preclude my live testimony, so I offer instead this written testimony.

I am writing you today as an individual citizen **to urge that you DO NOT PASS Senate Bill 2247 relating to so-called “specified concepts.”**

I am glad that the House committee made some changes to this bill that reduce its interference with academic freedom. However, the revised bill still seeks to limit needed training that can better prepare higher education faculty and staff to address the needs of North Dakotans.

As a historian, I study the impact of gender and racial bias in American culture. I teach my students about the impact of sexist and racist ideas and policies on diverse Americans. The revised SB 2247’s Section 15-10.6-05 clarifies that this bill cannot limit my ability to teach, research, or write in my areas of specialization. While this clarification is welcome, it simply reinforces my academic freedoms that fall under the purview of the State Board of Higher Education.

However, SB 2247 DOES limit my ability to train and mentor my colleagues and students in methods to prevent intended or unintended discriminatory actions or policies.

To be clear, I do not hold, nor do I promote in my teaching nor in my scholarship any of the racist or sexist views included as “specified concepts” listed in Section 15-10.6-01 – 3. I study—and I teach my students about—the past so that we can learn from it, and work toward a more just society. I would never practice nor promote race or sex stereotyping nor scapegoating. Indeed, my motivation for studying and teaching history is precisely to help us move beyond stereotypes to greater understanding of individuals and communities both past and present. While SB 2247 apparently aims to prevent discrimination and stereotyping, it in fact restricts my ability and that of other trained professionals from working to end discrimination and stereotyping.

I fear that SB 2247 also will limit valuable training for future educators, including K-12 education. In their public-school classrooms and extracurricular programming, my children are rightly learning to be leaders who stand up to bullying and hateful speech and behavior. My children need teachers who have learned to think critically about, and learn from, racism and sexism in the past. They need teachers who know how to meet the needs of every student in their classrooms, regardless of their racial, ethnic, religious, or gender identity, and regardless of their (and their parents’) political and religious beliefs.

As Robert Newman testified on behalf of the UND University Senate, SB 2247 “is not a remedy for any real problem,” but it “creates problems by interfering with legitimate education and training.” I urge you not to support SB 2247 and to vote Do Not Pass.

Sincerely,

Cynthia C. Prescott, Ph.D.

Dear Members of the House and Education Committee,

I urge you to pass SB2247, Political Indoctrination on College Campuses.

Regards,
Rosemary Ames
District 9



FACULTY SENATE
EXECUTIVE COMMITTEE

Statement Against Proposed Senate Bill 2247 Relating to Specified Concepts at Institutions of Higher Education

[Senate Bill 2247](#) intends to prohibit any nondiscrimination training (seminar, workshop, or orientation) of students and faculty if it mentions a so-called “divisive concept” (in the amended version of the bill, “a specified concept”) of race, religion, sex, ethnicity, or gender.

Any restrictions placed on nondiscrimination training, credit or noncredit, may still have a chilling effect on the curriculum. Although Section 15-10.6-05 of the amended bill includes protections for free speech and academic freedom, and excludes “nondiscrimination requirements of federal or state law” from the ban, Section 15-10.6-03.1.b of SB 2247 prohibiting “a noncredit earning training for a student or employee if the program or material includes a specified concept” would apply to any nondiscrimination training that is not federally or state mandated. It would, moreover, counter the requirement for diversity officers “to strengthen and increase intellectual diversity” stipulated in Section 15-10.6-03.2.

The State Board of Higher Education (SBHE) officially opposes SB 2247. According to Article VIII. Education, [Section 6.6.b](#) of the North Dakota Constitution, the “state board of higher education shall have full authority over the institutions under its control [...]”

The Faculty Senate Executive Committee (FSEC) of North Dakota State University upholds the subsidiary power of the SBHE. Further, the FSEC opposes this bill and strongly urges Chairman Heinert and Members of the House Education Committee to vote **DO NOT PASS on SB 2247**.

Approved by the Voting Members of the Faculty Senate Executive Committee on March 6, 2023.

Dr. Anastasiya Andrianova, *Faculty Senate President*

Dr. Florin Salajan, *Faculty Senate Past President*

Dr. Warren Christensen, *Faculty Senate President-Elect*

Dr. Eric Berg, *College of Agriculture, Food Systems, and Natural Resources*

Dr. Pamela Emanuelson, *College of Arts, Humanities, and Social Sciences*

Dr. David Hong, *College of Business*

Dr. Jerry Gao, *College of Engineering*

Dr. Karla Haug, *College of Health Professions*

Dr. Ryan McGrath, *College of Human Sciences and Education*

Dr. Mila Kryjevskaja, *College of Science and Mathematics*

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](#)

March 6, 2023

Dear Chairman Heinert and members of the House Education Committee,

I write to you as a ND constituent with children I hope will attend ND colleges in the near future, and also as an Associate Professor in the Department of Sociology at UND. I am writing today as an individual citizen and ask that you give SB 2247 – originally the “divisive” concepts bill but now amended to be a “specified” concepts bill (although the concepts listed did not change) – a DO NOT PASS recommendation in your committee and also ask that you vote against this bill.

The language of the bill suggests that students, faculty, and staff are required to assent to or endorse the specified concepts listed, are required to submit to training that includes the specified concepts, and/or incentivized to include the specified concepts in our curriculum. But no evidence is provided of this because it simply doesn't exist – as a professor I have never required my students to assent to any particular belief (let alone the concepts listed in the bill), and as an employee I have never been required to participate in a training that includes a requirement that I assent to the specified concepts listed in the legislation.

Beyond this, I'd like to address some of the concerns that the only person who has submitted testimony in support of this bill (to date, besides the bill's sponsor) has raised. In her testimony, Mrs. Vibeto points to examples of politically liberal professors, books, and programs and argues that institutions of higher education are indoctrinating students. She believes legislation like this is somehow a solution to that.

Knowing that we have students who may not fall on the same side of the political spectrum as ourselves, my colleagues and I generally go out of our way not to share our own political viewpoints and we most certainly never require our students to disclose their own political preferences, although they sometimes do (in class and in their work). Because we live in such a highly politicized society and era, I actually take time in many of my classes to talk about and look at data on how people's perspectives on whatever it is we are talking about that week vary along the political spectrum. I also ask students to consider *why* people's ideas might differ by their politics. I do this because it helps students to understand why political differences exist and it also helps to build understanding of others.

As a professor, my colleagues and I work very hard to provide students with a wide range of perspectives. When we talk about complex and controversial issues, we often go out of our way to talk about the arguments of both proponents and critics. This is intentional because it is important to us, as educators, to help students develop the skills necessary to articulate nuanced and well-reasoned arguments, which isn't possible if we avoid delving into complicated topics and opposing viewpoints.

Let me provide an example. I teach a class on social change and movements. Knowing that social movements are often very politicized, we spend time talking about that politicization. As we consider specific movements, we also take time to talk about any counter-movements operating in opposition to them. Understanding a counter-movement can actually help students understand the original movement (and vice-versa). Students are given the chance to select a social movement they will focus on over the course of the semester to write about. This semester I have a student writing about a very active contemporary social movement that has wide-spread support among political conservatives. I also have another student writing about the counter-movement, which tends to be endorsed by political liberals. On the last assignment

the student who is writing about the politically conservative movement got a better grade than the student writing about the politically liberal counter-movement. Why? Because they did a better job of following the assignment instructions and making a compelling argument. Their personal political preferences – and mine – did not factor into how their assignment was graded. My colleagues and I actually work very hard to be self-reflective in acknowledging our biases (both political and otherwise) and actively utilize grading criteria that limit the influence of our biases. A college education seeks to help students develop these skills as well.

Beyond the walls of my own classroom, research shows that getting a college education doesn't actually lead significant numbers of students to change their political perspectives, and in fact, many students' existing political beliefs are generally strengthened over the course of their education. I believe this is because in college students learn the skills to better articulate and support their beliefs. Rather than indoctrinating students, access to higher education helps students to develop a greater understanding of and sympathy for those who they may not agree with (see [here](#)).

Mrs. Vibeto also provides an example of a contentious interaction at a university elsewhere and believes legislation like this is a solution to that. But such examples of public confrontations on college campuses are not happening in North Dakota and this legislation wouldn't do anything to prevent such conflicts should they arise. Why? Because of the First Amendment and the right to freedom of speech.

In short, this legislation is simply unnecessary as the North Dakota University System (NDUS), and each institution, currently have in place policies that prohibit discrimination based on a person's political beliefs or other traits, and procedures for addressing any incidents of suspected discrimination. In addition to being unnecessary, this legislation would create a significant financial burden for the NDUS and its campuses, with little benefit or effect. This funding could be better spent on student activities and programming that support student learning, understanding of others, and growth.

If we want a society, and state, where our citizens are able to engage in thoughtful, respectful, and nuanced discussions of complicated issues, then we must not fall into the trap of passing legislation like SB 2247 which attempts to restrict certain concepts or ideas – no matter how well intentioned those restrictions are.

I appreciate your willingness to serve in our state legislature and ask, respectfully, that you give SB 2247 a "do NOT pass" recommendation and vote NO on it.

Sincerely,

Liz Legerski



Faith Wahl | UND Student Body President
Faith.wahl@und.edu | 701.426.9123

Chairman Heinert and members of the House Education Committee,

My name is Faith Wahl, and I serve as the Student Body President at the University of North Dakota (UND). I am providing testimony opposing SB 2247, relating to specified concepts at institutions of higher education.

While SB 2247 is intended to be a preventative measure to protect free speech at institutions of higher education, the bill creates redundancy and lacks evidence-based data on the issue in the state. Section 15-10.6-02 prohibits “a student or employee of an institution under the control of the state board of higher education” from being discriminated against, penalized, or receiving adverse treatment due to the individuals refusal to assent to a specified concept, as outlined in 15-10.6-01. The right for an individual to engage in critical discussion and learn about new ideas is one that is not only protected by the First Amendment, but was already ratified by the 67th Legislative Assembly of North Dakota when passing HB 1503. From this perspective, SB 2247 is redundant as the protections that it is trying to offer, are already protected.

Beyond being redundant, SB 2247 lacks any evidence-based data to indicate that any seminars, workshops, or orientations related to “specified concepts” are taking place at any of the eleven public institutions under the control of the State Board of Higher Education (SBHE). In previous hearings for this bill, when committee members asked for quantitative data to support the need for the bill, only anecdotal information was presented. If an individual had concerns about trainings that would force them to comply with a certain ideology or viewpoint, each institution itself and the North Dakota University System (NDUS) both offer appeal processes that allow individuals to pursue appropriate remedies. Furthermore, the State Board of Higher Education voted to oppose SB 2247 on the basis of infringing on SBHE authority outlined in 15-10-11 of the North Dakota Century Code. Overall, SB 2247 would not serve as a beneficial piece of legislation for students at UND and throughout the state of North Dakota.

Finally, I would like to address the survey requirement outlined in 15-10.6-04 of SB 2247. In 15-10.6-02 on page 3 of the bill, it states that “An institution under the control of the state board of higher education may not ask the ideological or political viewpoint of a student, job applicant, job candidate, or candidate for promotion or tenure.” This section is in direct conflict with conducting a campus climate survey as required by this bill. Furthermore, students throughout the NDUS system typically have low response rates to surveys, therefore providing inaccurate results on these issues.

Chairman Heinert and members of the House Education committee, I respectfully request a **DO NOT PASS on SB 2247**. Thank you for your time, and I am available to answer any questions that you might have.

Respectfully submitted,

Faith Wahl

UND Student Body President



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**Testimony Before the House Education Committee
SB 2247
February 7, 2022**

Chairman Heinert and members of the Committee, for the record my name is Nick Archuleta, and I am the president of North Dakota United. Respectfully, I rise today to urge a ***do not pass*** recommendation for SB 2247.

Mr. Chairman, SB 2247 represents just the latest volley in the culture wars surrounding education in our country. These culture wars did not originate in North Dakota but have, nevertheless and unfortunately, engulfed our state in often rancorous debate from kindergarten through university. The collateral damage, sadly, has included teaching professionals and the free exchange of ideas in higher education.

Chairman Heinert and members of the Committee, I want to point out just a few concerns we have with this bill. The first is that, to my knowledge anyway, there is no great hue and cry regarding “specified concepts” on higher education campuses across North Dakota. If our campus communities were at risk of being hurt by specified concepts, surely there would be an unmistakable alarm that such a threat existed. The fact is that our campuses are vibrant, safe environments for learning and we should remain proud of that fact.

Second, Mr. Chairman, college classrooms historically have been places that foster creativity, encourage inquiry of the human condition, and afford safe places to discuss and ponder the solutions to vexing problems that we have grappled with throughout our history. SB 2247 has the potential to change all that. We fear that this legislation will have a chilling effect on faculty and students as they delve deeply into social and other problems whose solutions remain elusive.

Finally, Chairman Heinert and members of the Committee, we question why this bill is even necessary in a university setting. All parties that would be affected by SB 2247 are adults, fully capable of discerning the information they receive. If students feel that they are receiving untruthful educational materials or are being mistreated by faculty for any



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reason and in any way, there are already policies in place that the student may utilize to get relief.

For these reasons, Chairman Heinert, and Members of the Senate Education Committee, I respectfully ask for a ***do not pass*** recommendation for SB 2247. Thank you for the opportunity to appear before you today. I am happy to attempt to answer any questions you may have.

Good morning Chairman Heinert and members of the House Education Committee. For the record, my name is Bob Paulson and I am a State Senator from District 3 in Minot.

SB 2247 is a bill that addresses specified concepts in higher education.

According to an ABC News article from March of 2022, "Since 2020, legislation on race education has popped up across the country. A total of 35 states so far have signed into law or proposed legislation banning or restricting the teaching of critical race theory, the academic discipline at the center of the debate." That number is likely higher today as many state's legislatures are in session.

In doing research prior to introducing this bill, I read bills and laws from many states concerning this topic, looking for language that I thought would be best for North Dakota. The bill that I felt was most effective was passed into law in Tennessee. If you have the time and inclination, I highly recommend watching the floor debate in the Tennessee Senate when this bill was passed. The clerk alone is highly entertaining, and the debate was substantive.

I would like to talk a little bit about what the bill does not do. This bill does not restrict the right of a professor or a student to discuss these topics in class. I am a strong proponent of our First Amendment right to freedom of speech. Several of the bills and laws that I reviewed from across the country I rejected based upon my view that they had First Amendment concerns. I felt that the Tennessee law was the best possible from a First Amendment perspective. You may have seen headlines when this bill was being considered in the Senate, stating Senate Bill bans specified instruction. That is exactly the opposite of what the bill does. When I challenged them on the headline, they did print a retraction...it's right down here... So I would simply ask the committee to read the language of the bill rather than listening to what others may say about it.

Referring to the bill, I struggled with whether or not to read through every definition, as there are a lot of them. However, being confident that everyone on the Education Committee would be able to read, I chose to just highlight a few of them.

The specified concepts include things like:

- a. One race or sex is inherently superior or inferior to another race or sex;
- b. An individual, by virtue of the individual's race or sex, is inherently privileged, racist, sexist, or oppressive, whether consciously or subconsciously
- e. An individual, by virtue of the individual's race or sex, bears responsibility for an action committed in the past by other members of the same race or sex;
- h. This state or the United States is fundamentally or irredeemably racist or sexist;
- m. All Americans are not created equal and are not endowed by their creator with certain unalienable rights, including life, liberty, and the pursuit of happiness;

This is a sampling of the definitions.

The meat of the bill begins on page 2 line 25, where it states:

15 - 10.6 - 02. Specified concept - Prohibition on discrimination. 1. A student or employee of an institution under the control of the state board of higher education may not be: a. Penalized, discriminated against, or receive adverse treatment due to the individual's refusal to support, believe, endorse, embrace, confess, act upon, or otherwise assent to or oppose a specified concept. b. Required to endorse or oppose a specific ideology or political viewpoint to be eligible for hiring, tenure, promotion, or graduation.

It goes on to say that 2. An institution under the control of the state board of higher education may not ask the ideological or political viewpoint of a student, job applicant, job candidate, or candidate for promotion or tenure. And 3. An individual who believes a violation of this section has occurred may pursue all equitable or legal remedies that may be available to the individual in a state or federal court of competent jurisdiction.

In the following section, there is a Prohibition on specified concept training. An institution under the control of the state board of higher education may not: a. Conduct mandatory noncredit earning training of a student or employee if the

training includes a specified concept. b. Use a noncredit earning training program or training materials in a noncredit earning training for a student or employee if the program or material includes a specified concept. c. Use funds appropriated by the state to incentivize, beyond payment of regular salary or other regular compensation, a faculty member to incorporate a specified concept into academic curriculum. 2. If an institution under the control of the state board of higher education employs an individual whose primary duties include diversity, the duties of that employee also must include efforts to strengthen and increase intellectual diversity among students and faculty of the institution at which the individual is employed.

Next there is a requirement for a survey and a report to an interim committee.

The Construction and Purpose section was heavily amended by the Senate Education Committee with input from Dr. Lisa Johnson, the Vice-Chancellor for Academic and Student Affairs for the North Dakota University System and I think it really strengthens the First Amendment protections in the bill.

Section 2 is an expiration date that has caused some confusion among cosponsors and those interested in the bill. The expiration date only applies to the requirement for the survey and report, which sunsets on July 1, 2028.

If you have questions regarding whether or not a bill like this is necessary, I'd like to draw your attention to testimony in favor by Amber Vibeto which is well-researched and provides solid resources and concrete examples of the negative impact of these concepts being pushed on our college campuses. There are a couple of embedded videos on this topic that are very enlightening. I read that testimony and watched the videos in preparation for this hearing, and I highly recommend watching them. They were eye opening!

Chairman Heinert and members of the committee, that is the bill and I would respectfully ask for a Do Pass recommendation, and would be happy to stand for any questions.

March 7, 2023

Honorable Members of the House Education Committee,

I am submitting this testimony **in opposition** to Senate Bill (SB) No. 2247 on my own behalf, as a citizen and resident of North Dakota, not as a representative of any institution or interest group. I will not rehash here, but I fully support, the eloquent arguments made by other individuals who submitted testimonies in opposition to this bill. SB 2247 was deeply flawed and full of self-contradictions when its first iteration was introduced in the Senate on January 13, 2023. Notwithstanding the revisions it has gone through, it remains poorly written, full of incomprehensible jargon, conflicting and convoluted language and, worst of all, offers solutions to non-existent problems in the North Dakota University System.

I will only point to two major contradictions in this ill-conceived bill that render it pointless:

1. Proposed section 15-10.6-02. Specified concept-Prohibition on discrimination is simply not reflected in the current reality of ND higher education and, arguably, other state higher education institutions around the country. In my experience as a faculty member, I have not been or have no knowledge of faculty colleagues being pressured by their universities to disclose their political or ideological views, express positions contradicting their systems of values or beliefs, much less endorse or oppose a “specified concept” at any time during their hiring or promotion and tenure process. There are already stringent institutional policies and practices in place, emanating from federal and state statutes, that prohibit state employers, especially higher education institutions, from demanding such information or compliance from prospective and current employees.
2. Proposed section 15-10.6-05. Construction and purpose, in its entirety, defeats the very purpose for this bill’s existence. I note that, as it rightly should, this section upholds the fundamental principles enshrined in the U.S. Constitution’s First Amendment and, by extension, protects academic freedom. In fact, this section implicitly acknowledges that the “specified concepts” this bill so tortuously tries to depict as harmful or threatening to faculty, students and staff are in fact protected under the U.S. Constitution. This, again, begs the question: what is the issue this bill is trying to address?

The logic embedded in SB 2247 simply does not stand up to scrutiny and, in fact, is designed to stifle healthy conversations about racism, social justice and equity on NDUS campuses, all of which are complex and pressing issues our multifaceted, diverse and open society. If enacted, SB 2247 will serve as a template for a type of censorship representative of autocracies against which our country has fought devastating wars in the past to prevent them from spreading their pernicious ideologies to our shores. Such attempts at censorship are manifestly un-American and unconstitutional.

Consequently, I strongly urge you to vote **DO NOT PASS** on SB 2247. Thank you for your consideration.

Sincerely,

Florin D. Salajan, Ed.D.

**SB2247**

House Education Committee

March 7, 2023

Lisa A. Johnson, Vice Chancellor of Academic & Student Affairs, NDUS
701.328.4143 | 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 of Academic and Student Affairs for the North Dakota University System. I am here today on behalf of the North Dakota University System and its eleven institutions to provide testimony in opposition to SB2247.

Some of you have heard the Chancellor's comments to members of the Appropriations Committee, the Senate Workforce Development Committee, and other committees and events where he cited CA author, John Ellis, reflecting largely upon the educational and political state of the country as a whole and observed that the colleges and universities in the Midwest are some of the last places in the U.S. that welcome the open exchange of ideas and debate and in Ellis' words questioned, "is the Athens of the next generation somewhere on the Great Plains"? If you think that vastly differing viewpoints and debate around specified topics are new, they are not. The colleges and universities of the North Dakota University System have successfully navigated this precarious arena without shouting down invited guests or disinviting controversial speakers while supporting both academic freedom and the protected rights of free speech for students, faculty, and staff. Colleges and universities have been long-serving facilitators of open dialogue in nearly every subject since their inception.

The requirement of a "biennial survey of students and employees to assess the campus climate regarding diversity of thought and the respondents' comfort level in speaking freely on campus, regardless of political affiliation or ideology" presents conflicting language with that on Page 3, lines 3-5 that explicitly prohibits colleges and universities under the control of the State Board of Higher Education to even inquire about an ideological or political viewpoint of a student, job applicant, employee, or candidate for promotion or tenure. Yet the required biennial survey (Page 3, lines 25-28) would somehow necessitate that respondents disclose elements related to their specific ideology or political affiliation that are strictly forbidden in Section 15-10.6-02 Section 2. (Page 3, lines 3-5)

If SB2247 were to pass as presented to the House Education Committee, the North Dakota University System does not have the estimated \$1.5 million to administer the survey in 2024, 2026, and 2028. Further, the NDUS would need an appropriation to procure, compile and publicly report the findings both on the institutions' websites and to the committee designated by legislative management.



Estimated costs are derived from a recent campus inquiry regarding costs associated with implementing a campus climate survey that ranged from \$30,000 to \$100,000.

- \$70,000 x 2 (UND & NDSU)
- \$50,000 x 4 (DSU, MaSU, MiSU, & VCSU)
- \$30,000 x 5 (BSC, DCB, LRSC, NDSCS, & WSC)

The North Dakota University System supports the position of the State Board of Higher Education and recommends a “Do Not Pass” on SB2247. I remain available to members of the Committee for additional questions.

**SB2247**

House Education Committee

March 7, 2023

Dr. Casey Ryan, Chair, State Board of Higher Education
701.610.8184 | casey.ryan.2@ndus.edu

Chair Heinert and members of the House Education Committee, my name is Dr. Casey Ryan, and I serve as the Chair of the North Dakota State Board of Higher Education. I am here today on behalf of the State Board of Higher Education to provide testimony in opposition to SB2247.

On behalf of the SBHE, I wish to convey my appreciation to the members of the ND Legislature and the House Education Committee member for their support of higher education. The Board understands the concerns of the bill sponsor and those of this Committee. It is important for this Committee to know that the NDUS does not offer courses in any of the “specified topics” listed in SB2247. Personally, I believe the goal of our colleges and universities is to teach students “how” to learn—not “what” to learn.”

At its meeting last month, the State Board of Higher Education, took a formal position to oppose SB2247 citing Article VIII, Section 6.b of the North Dakota Constitution that directed the newly formed Board on July 6, 1939, to “have full authority over the institutions under its control with the right, among its other powers, to prescribe, limit, or modify the courses offered at the several institutions.” SB2247 certainly falls within the prescribed powers of the State Board as outlined in the Constitution.

Again, I appreciate the concerns of the bill sponsors of SB2247 but respectfully request a “Do Not Pass” on SB2247. This concludes my testimony related to SB2247. I remain available to members of the Committee for additional questions.

Testimony on Bill 2247**Andrew P. Armacost, President, University of North Dakota**

My name is Andy Armacost, and I serve as the President of the University of North Dakota. I offer neutral testimony on engrossed bill 2247 but with suggestions for several additional modifications.

Thank you to the bill's authors for the thoughtful modifications that preserve the two bedrock principles of free speech and academic freedom, ideas that this legislature clearly holds dear.

I urge the committee to continue to recognize academic freedom and free speech as vital and to ensure those protections remain. Policy groups like the Foundation for Individual Rights in Education, or FIRE, the American Association of University Professors, and the ACLU continue to work with states to ensure these freedoms are sustained. UND currently has a green speech code rating from FIRE, meaning it's recognized by FIRE as a university with policies that protect free speech.

These are not new ideals. In the 1957 case, *Sweezy versus New Hampshire*, the Supreme Court reminded us that:

The essentiality of freedom in the community of American universities is almost self-evident. No one should underestimate the vital role in a democracy that is played by those who guide and train our youth. To impose any strait jacket upon the intellectual leaders in our colleges and universities would imperil the future of our Nation. No field of education is so thoroughly comprehended by man that new discoveries cannot yet be made. Particularly is that true in the social sciences, where few, if any, principles are accepted as absolutes. Scholarship cannot flourish in an atmosphere of suspicion and distrust. Teachers and students must always remain free to inquire, to study and to evaluate, to gain new maturity and understanding; otherwise our civilization will stagnate and die.

The goal of a university is not to indoctrinate its students or employees into a particular way of thinking, but to expose them to many ways of thinking. In its original form, the bill prevented one viewpoint from being presented, which, in effect, created an opposing orthodoxy for universities to adopt. This undermines those two bedrock principles. Is it best for students to determine for themselves to what they think and believe, or should it be mandated by legislative action?

If this legislation continues to move forward, I urge the committee to consider additional modifications.

First, consider removing the prohibition on using state funds to incorporate specified concepts into curriculum. This is problematic in that it implies that state funds may be used to support other viewpoints. FIRE stresses that this type of viewpoint-based denial of state funds for a specific purpose is contrary to long-standing protections for academic freedom. Thus, this provision contradicts the assurance of academic freedom stated in the bill.

Second, consider revising the definition of training, which currently includes seminars and other non-credit-bearing events. Often, the richest discussion about challenging issues happens outside of the classroom in seminars and other forums. We have non-credit seminars that are fundamental to the academic mission of the university. Preserving freedom of speech in seminars is critical to the principles of academic freedom and freedom of speech. Moreover, any prohibition should apply only to mandatory training, where we would not want to create a situation where it appears there is a compelled viewpoint whose acceptance is a condition of employment.

Finally, the scope of this bill applies only to higher education and not to other state agencies. This seems to place this issue squarely under the purview of the State Board of Higher Education.

As a society, we continue to wrestle with current-day issues related to well-documented racial and gender disparities, including unequal treatment in healthcare systems or pay inequity in the workforce. We must not limit a university's ability to speak about these contemporary issues, as well as the path through our nation's history and the promise of liberty and justice for all. We should be encouraged to talk about these perspectives at our institutions of higher learning.

In closing, I remain deeply concerned about the message this bill sends to prospective students and employees -- that there is only one way of thinking about our nation's history and how its citizens have been impacted. Exposure to other viewpoints is a fundamental component of a university's function in society and essential to examining, validating, or modifying our own views of the world. This is what members of a free society must do.

Thank you.

23.0417.03002
Title.

Prepared by the Legislative Council staff for
Representative Vigesaa
March 27, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2247

In lieu of the amendments adopted by the House as printed on pages 1308 and 1309 of the House Journal, Engrossed Senate Bill No. 2247 is amended as follows:

Page 1, line 2, remove "; to provide a report; and to"

Page 1, line 3, remove "provide an expiration date"

Page 3, remove lines 23 through 29

Page 4, remove lines 1 through 3

Page 4, line 4, replace "15-10.6-05" with "15-10.6-04"

Page 4, remove lines 22 and 23

Renumber accordingly

23.0417.03003
Title.

Prepared by the Legislative Council staff for
Representative Hanson
April 4, 2023

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2247

In lieu of the amendments adopted by the House as printed on pages 1308 and 1309 of the House Journal, Engrossed Senate Bill No. 2247 is amended as follows:

Page 1, line 1, after "A BILL" replace the remainder of the bill with "to provide for a legislative management study relating to the effects of required curriculum on accreditation and related constitutional issues.

BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - EFFECTS OF PROHIBITING SPECIFIED CONTENT IN ACADEMIC CURRICULUM OR TRAINING.
During the 2023-24 interim, the legislative management shall consider studying the effects of prohibiting specified content in academic curriculum or in the training of students or school employees. The study must include possible effects on the accreditation status of North Dakota's eleven institutions of higher education. The study also must examine potential conflicts between such prohibitions and the United States Constitution and article VIII of the Constitution of North Dakota, including the constitutional authority of the state board of higher education. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-ninth legislative assembly."

Renumber accordingly