



NDSBA
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SB 2288

**Testimony of Amy De Kok
Senate Finance & Taxation Committee
February 9, 2021**

Chair Bell and members of the committee, my name is Amy De Kok. I am in-house Legal Counsel for the North Dakota School Boards Association. NDSBA represents all 178 North Dakota public school districts and their boards. NDSBA stands in opposition to SB 2288.

Article VIII, Section 2 of our state constitution very specifically states that the Legislative Assembly shall provide for a uniform system of free public schools throughout the state. The ND Constitution does not include any provision for the financial support of nonpublic school education. In fact, it explicitly states that no money raised for the support of public schools of the state shall be appropriated to or used for the support of any sectarian school. While this bill does not directly and explicitly divert state fund towards non-public education, it does ensure the state collects less in order to support non-public education.

Our public schools are legally obligated to educate each and every student that walks through their doors, regardless of ability or socioeconomic status. This responsibility is unique to public schools and they accept it proudly. Nonpublic schools do not share this responsibility. They are not obligated to educate every student that wants to attend their institutions. Continuously, public school districts, their administrators and their staff are asked to do more with less. Costs associated with behavioral health, safety, staff benefits, social services, etc. continue to rise. So much so that we spent another interim studying our state's education funding formula – trying to understand how we could better provide for our public-school system with the same amount of money. These challenges have become even greater over the past year during the pandemic.

One way I am certain we cannot achieve that goal is to ensure there are less dollars available to input into the formula. While a parent certainly has the right to chose where and how they want their children educated and a taxpayer may choose to donate funds in support of nonpublic education, those choices do not and should not entitle them to the dollars raised in part for public education.

For these reasons, NDSBA urges a Do Not Pass recommendation on SB 2288, and I would be happy to stand for any questions. Thank you for your time.