



NORTH DAKOTA

Family Alliance LEGISLATIVE ACTION

Testimony in Support of Senate Bill 2104

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Good morning Chairman Heinert and honorable members of the House Education Committee,

My name is Mark Jorritsma and I am the Executive Director of North Dakota Family Alliance Legislative Action. I am testifying on behalf of our organization in support of Senate Bill 2104 and respectfully request that you render a “DO PASS” on this bill.

There is a problem with our Century Code. Actually, more specifically, there is a problem with schools complying with our Century Code. Over the past few years, it has become quite apparent that schools, either through ignorance, lack of motivation, or willful defiance, do not follow portions of the Century Code that apply to them. This is particularly true for new laws enacted after each legislative session.

Examples of this can be easily found. The most obvious are cases that garner media attention, such as the willful defiance of the Fargo Public School District to follow the provisions of HB 1522, now enacted in §14-02.4-15.2 and §15.1-06-21 of our Century Code. Their Superintendent spoke about their intent to openly defy a law of the State of North Dakota.¹

Other examples of educational noncompliance with the Century Code are less about defiance, but simply ignorance of new laws. Through contacts with sex education teachers in various schools over the past couple years, it has become apparent that they are completely unaware that their human growth and development curriculum now needs to contain a high-definition ultrasound video and computer-generated rendering/animation showing fetal development, as specified in HB 1265 from last legislative session (§15.1-21-28 NDCC). These teachers had no idea they were breaking the law.

¹ <https://katv.com/news/nation-world/north-dakota-school-district-will-conceal-students-gender-identity-from-parents-despite-new-law-fargo-public-schools-transgender-lgbt-governor-doug-burgum>

So, why does this happen? It could be that school district administration or boards genuinely believe that certain laws don't pertain to them. It could be general ignorance of a new law that was passed. Or perhaps, as mentioned, active defiance of the new law.

The fact that our school districts ignore or defy these laws undermines the legislative process as well as the legislature as a body. Those responsible for educating our children need to understand that laws are not merely suggestions, they are requirements.

For the aforementioned reasons, North Dakota Family Alliance Legislative Action requests that you render a "DO PASS" on Senate Bill 2104. Thank you for the opportunity to provide this testimony, and I'd be happy to stand for any questions.