

March 15, 2025

Chairman Beard, members of the Senate Education Committee, and all Senators,

My name is Collin Pigeon. I am an educator in North Dakota and live in District 9 in Rolla, ND. This is currently my 8th year as an educator in Rolla and 9th overall. I teach Junior High English and High School Social Studies. I greatly enjoy working in our state as it has been my home all of my life.

I am writing this letter to you today concerning HB 1540. HB 1540 would create an Education savings account program for students in our state. Like SB 2400, it has many problems that concern me. I urge you to vote against this bill as constructed and give it a DO NOT Pass recommendation. It benefits private school students at the expense of our public school students, who make up over 90% of all of our students in the state. In my view, It is also a threat to religious liberty in our state and goes against "separation of church and state." It is also not fiscally responsible and comes with a potentially high sticker price of 40 million dollars.

This is a bad bill for a wide variety of reasons. Homeschooling and private schools are important parts of the education system in the US, and I have great respect for them. At the same time, public school is the anchor of the American education system. It has been since our founding as a nation and was an integral part of developing our American Democracy. Public schools' importance is especially true in ND as many children live in rural areas where private schools are not an option. Funding going to other schools is money taken from those rural public schools most ND children rely on. I understand the argument made that this is new money being allocated. Still, though, the money comes from taxpayers and could be put toward public education.

The price tag of this bill(\$40 million) would better serve the people of our state if it was added to the general education bill spending being worked on. Making that amount of money only accessible to better the education of under 10% of ND students isn't fiscally sound.

There are many reasons why private schools should not get tax dollars at all. And in my view, if the money is given by the students and their parents from these accounts to the private schools, it is as good as just giving it to them directly. Private schools do not have to answer to the state for how they spend money like public schools do. They are not also held to the same standards in terms of accommodating students. As a class B school educator, I truly believe that the variety of students we educate makes our school community stronger. However, educating students on IEPs or students with other disabilities adds extra costs and time requirements for public schools. Private schools do not have to accept these students. If private schools are going to get this extra funding, they should be subject to the same requirements as public schools.

We live in a state and country where parents have choices about how to educate their children. HB 1540 would now ask others to help pay for parents' choices to have children attend private schools by establishing a savings account that could be used to make payments to those schools. As a general principle, I do not think private schools should get taxpayer funding. This is particularly true for religious schools. I favor a broad interpretation of the Establishment Clause in keeping with the vision of "separation of church and state" outlined by our founding fathers.

I am concerned about this bill's effect on religious liberty. In *Carson v. Makin* (2022), <https://www.oyez.org/cases/2021/20-1088>, the Supreme Court ruled that funding given by a state to private schools needs to go to religious private schools equally. In our state, we have a number of private religious schools. This means this bill will send taxpayer dollars to schools that

promote a certain religion. To reiterate, this violates our country's long-held separation of church and state ideals. North Dakotans' tax dollars would potentially fund religious institutions that conflict with one's own religion. Tax money collected from Lutheran North Dakotans should not have to fund private Catholic schools and vice-versa. Christians' tax money should not have to go to a potential private Hindu or Islamic school should either one someday be in our state. The government should not entangle itself with religion in this way by funding private religious schools, even in this indirect manner.

Again, I take no issue with accredited private schools, no matter their nature, but I do with them getting funds that should go to public secular education. Private schools should not get funds from the government in this manner. Religious liberty needs to be protected across our state, too. Giving funding to private religious schools harms religious freedom. While this bill is well-intentioned, I think it is not fiscally sound, bad for rural ND, and favors private school students in a morally and legally wrong way. Please vote NO on this bill or amend it to improve it to address some or all of the issues it possesses. The House vote on this bill was close and I hope the Senate does the right thing and rejects this bill. I appreciate your time and consideration. Please contact me with any questions or thoughts at Collin.Pigeon@gmail.com. Thanks for all you do to represent our state. Truly, as a Social Studies teacher, I know how thankless and important the job of a state legislature is.

Thank you,

Mr. Pigeon

Rolla, ND