



AMERICAN ATHEISTS

March 17, 2025

The Honorable Sen. Todd Beard
Chair, Senate Education Committee
600 East Boulevard Avenue
Bismark, North Dakota 58505

Re: OPPOSE HB 1540, Undermining Public Education to Fund Private Schools

Dear Chairperson Beard and Members of the Senate Education Committee:

American Atheists, on behalf of its constituents in North Dakota, a bill that would increase educational inequality by taking needed resources away from the public education system – a system that serves every child regardless of their beliefs, background, or necessary accommodations. Publicly funded, nonsectarian schools are the backbone of our democratic system. We strongly urge you to reject this bill and ensure North Dakota's public schools remain open to all students.

American Atheists is a national civil rights organization that works to achieve religious equality for all Americans by protecting what Thomas Jefferson called the “wall of separation” between government and religion created by the First Amendment. We strive to create an environment where atheists are accepted as members of our nation's communities and where bigotry against our community is seen as abhorrent and unacceptable. We promote understanding of atheists through education, outreach, and community-building, and work to end the stigma associated with being an atheist in America. American Atheists opposes the use of public dollars to fund private religious education.

The program proposed by HB 1540 most closely resembles other so-called “school choice” programs like vouchers and tax credits. The funding for these types of programs comes at the expense of public school districts and communities statewide, regardless of whether a few students benefit.¹ When a public school loses a student to the voucher program, it loses thousands of dollars that help pay for teachers and classroom costs. These schools

¹ Cofniff, Ruth, *Wisconsin's school voucher expansion costs district millions*. Wisconsin Examiner, Oct. 18, 2019, Available at <https://wisconsinexaminer.com/2019/10/18/wisconsins-school-voucher-expansion-costs-districts-millions/>.

AMERICAN ATHEISTS

225 Cristiani Street • Cranford, NJ 07016-3214
(908) 276-7300 • www.atheists.org

continue to have the same overhead with less revenue.² As stated in the Austin Chronicle: “State public school funding is based on enrollment and attendance, so students opting out would directly impact funding for the districts, whose costs may not decrease: Half-empty buses still use as much gas, janitors will be cleaning the same rooms at night, etc.”³

As students leave public schools, public schools lose valuable resources. This doesn't just send the quality of education plummeting — public schools are often the only institutions in poorer communities with the mandate, capacity, and commitment to reliably serve communal functions. For example, during the COVID-19 lockdowns, public schools ensured children from low-income families did not lose access to nutritious meals by keeping their kitchens operating despite the transition to distance learning. Public schools also provide necessary services for students and their families that would otherwise remain inaccessible, including health and wellness support, before and after school programs, and a variety of extracurricular opportunities that allow students to explore their interests without placing additional financial strain on low-income families.⁴

The marketing rhetoric espoused by private school profiteers often revolves around the idea that private schools teach kids better than public schools. However, studies from several states show that education outcomes for students using vouchers and scholarships are demonstrably worse than their public school counterparts.⁵ Voucher programs without proper oversight and accountability for the use of the funds are ripe for fraud and abuse. In states where these programs have already been implemented without strict accountability

² Strauss, Valerie. 2017. “A disturbing look at how charter schools are hurting a traditional school district.” *Washington Post*, January 9, 2017. Available at <https://www.washingtonpost.com/news/answer-sheet/wp/2017/01/09/a-disturbing-look-at-how-charter-schools-are-hurting-a-traditional-school-district/>; Turner, Corner. 2017. “The Promise and Peril of School Vouchers.” NPR, May 12, 2017. Available at <https://www.npr.org/sections/ed/2017/05/12/520111511/the-promise-and-peril-of-school-vouchers>.

³ Thompson, Maggie, *Bill of the Week: Bracing for a School Choice Battle*, *The Austin Chronicle*, Feb. 24, 2023, Available at: <https://www.austinchronicle.com/news/2023-02-24/bill-of-the-week-bracing-for-a-school-choice-battle>.

⁴ “What Are Community Schools?” National Education Association. Available at: <https://www.nea.org/student-success/great-public-schools/community-schools/what-are-they>.

⁵ O'Donnell, Patrick. 2016. “Tuition Vouchers Aren't Helping Ohio Kids Learn More, New Study Finds.” *Cleveland.com*, July 11, 2016. https://www.cleveland.com/metro/2016/07/tuition_vouchers_arent_helping.html; Stein, Perry. 2018. “Students In Only Federally Funded Voucher Program Perform Worse in Math.” *Washington Post*, May 30, 2018. https://www.washingtonpost.com/local/education/study-students-in-only-federally-funded-voucher-program-perform-worse-on-math/2018/05/30/4b6f00c8-6415-11e8-a768-ed043e33f1dc_story.html; Winsor, Morgan. 2016. “Louisiana's Controversial Voucher Program Harms Poor Students, Lowers Grades, New Study Finds.” *International Business Times*, Jan 10, 2016. <https://www.ibtimes.com/louisianas-controversial-voucher-program-harms-poor-students-lowers-grades-new-study-2258417>.

measures, parents have used the money to buy expensive electronics, beauty supplies, other non-education related expenses, and even an abortion.⁶

Finally, funding religious private schools at the expense of public schools endangers the separation of religion and government, an essential component of religious freedom. One of the most fundamental principles of religious liberty is that the government should not compel any citizen to pay for another's religious indoctrination. However, voucher programs overwhelmingly benefit religious schools, some of which teach extremist dogma in lieu of fact. Many such schools also discriminate against students whose identities and beliefs are not endorsed by a particular church, and based on recent U.S. Supreme Court guidance, they lack labor protections for educators. This type of entanglement of religious organizations with government also endangers the religious freedom of those institutions, threatening their autonomy and opening them up to government audits, control, and interference.

Taxpayer funding should support public education that benefits every North Dakota student rather than be funneled into the hands of private schools that pick and choose which students they serve. We strongly urge you to support North Dakota public schools by rejecting HB 1540.

Should you have any questions regarding American Atheists' opposition to HB 1540, please contact me at vanderson@atheists.org.

Sincerely,

A handwritten signature in black ink that reads "Victoria Anderson". The signature is fluid and cursive, with the first name "Victoria" and last name "Anderson" clearly legible.

Victoria Anderson
State Policy Specialist
American Atheists

⁶ See, e.g., Wingett-Sanchez, Y. and O'Dell, R. 2018. "Parents spent \$700K in school voucher money on beauty supplies, apparel; attempted cash withdrawals." *The Arizona Republic*, Oct. 29, 2018. Available at <https://www.azcentral.com/story/news/politics/arizona/2018/10/29/misspent-school-voucher-funds-exceed-700-k-little-recovered/1780495002/>.