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Subject: Opposition to ESA Provision for Private School Reimbursement

I am writing to express my strong opposition to the provision within the Education Savings Account (ESA) proposal that allows for reimbursement of private school tuition. While ESA programs can be beneficial for North Dakota families and students, the current structure of this legislation raises serious constitutional concerns and creates an inequitable allocation of public funds.

Our state's constitution is explicitly clear regarding the funding of education as outlined below.

Article VIII, Section 5 states that “no money raised for the support of public schools shall be appropriated or used for the support of any sectarian school.”

Additionally, Article X, Section 18 affirms that

“neither the state nor any political subdivision thereof shall make any direct or indirect appropriation or payment from any public fund ... in aid of any sectarian school, or for any other sectarian purpose.”

Providing public dollars—even in the form of reimbursements—to private schools conflicts directly with these constitutional provisions.

Public schools serve approximately 90% of North Dakota's students, regardless of ability, background, or health. These institutions ensure equal access to education for all children, a responsibility that no other educational entity fully assumes. It is imperative that the legislature prioritizes funding for public schools, which remain the foundation of our state's workforce and future economic stability.

I urge you to amend the ESA proposal by removing the provision for private school reimbursement while maintaining fair and equitable support for all students, regardless of where they attend school. A constitutionally sound ESA program that benefits all families would be a reasonable and just approach.

Thank you for your time and consideration of this important matter. I appreciate your commitment to upholding the integrity of North Dakota's constitution and ensuring fair educational funding for all students.

Sincerely,

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