

February 11, 2025

Senate Education Committee

North Dakota State Capitol
600 East Boulevard Avenue
Bismarck, ND 58505

Re: Opposition to Senate Bill 2355

Dear Chair Beard, Vice Chair Lemm, and Members of the Senate Education Committee,

Senate Bill 2355 is an unconstitutional, unscientific, and unnecessary attempt to inject religious ideology into North Dakota's science classrooms.

My name is Mickey Dollens, and I am the Regional Government Affairs Manager for the FFRF Action Fund (FFRF AF). FFRF AF is an affiliate of the Freedom From Religion Foundation, a national nonprofit with more than 40,000 members committed to preserving the separation of church and state.

SB 2355 mandates the inclusion of Intelligent Design (ID) in North Dakota's science education standards. Proponents claim it is a scientific theory, yet every major scientific organization in the world rejects this claim. Intelligent Design is not based on testable, falsifiable, or empirical evidence. It is not supported by peer-reviewed research, nor is it recognized by the National Academy of Sciences, the American Association for the Advancement of Science, or the National Science Teachers Association.

North Dakota State University biology professor Steve Travers called Intelligent Design "the latest flavor of creationism" and affirmed that "there is no evidence put forward for Intelligent Design, which is required for science." If ID were truly scientific, its supporters would cite peer-reviewed research and scientific consensus. Instead, they cite personal religious beliefs.

House Majority Leader Mike Lefor explicitly stated, "I believe that God created the universe and that there needs to be something in our instruction that relays that."

Senate Majority Leader David Hogue went even further, stating that ID should be included in all school subjects, not just science. This is not science. It is theology. And it does not belong in public school science classrooms.

Kitzmiller v. Dover (2005) settled this issue decisively. A federal judge ruled that Intelligent Design is religious doctrine, not science, and that requiring it to be taught in public schools violates the Establishment Clause of the First Amendment. The Dover School District was forced to pay over \$1 million in legal fees after losing the case. Even House Majority Leader Mike Lefor has acknowledged this risk, saying, "When we pass legislation here, there's always that threat (of litigation)." This bill guarantees that North Dakota will face similar lawsuits. Are lawmakers prepared to waste millions in taxpayer dollars defending an indefensible law?

Professor Travers has warned that SB 2355 could deter biomedical industries and tech companies from investing in North Dakota. High-paying STEM jobs depend on real science, not pseudoscience. Businesses want a well-educated workforce, not students misled by religious ideology. North Dakota's students deserve a science education that prepares them for the real world. North Dakota can be a leader in education and innovation, or it can sabotage its own students and repel businesses that rely on real science. Which path will this legislature choose?

If SB 2355 passes, science teachers will be forced to teach religious doctrine in science classrooms. Do they teach false information, violating their professional ethics? Or do they refuse to comply, risking professional consequences? No teacher should be compelled by law to mislead students. This bill will drive talented educators out of North Dakota and further worsen teacher shortages.

This bill is unconstitutional, unscientific, and financially reckless. It will harm students, drive away business investment, and force taxpayers to foot the bill for a guaranteed legal defeat. This committee has a duty to uphold the Constitution, protect North Dakota's students, and prevent taxpayer-funded litigation. I urge you to reject SB 2355 and keep public education grounded in real science.

Thank you for your time. I am happy to answer any questions.

Sincerely,

Mickey Dollens

Regional Government Affairs Manager

FFRF Action Fund