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SB 2355

**Testimony of Amy De Kok
Senate Education Committee
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Chairman Beard and members of the Senate Education Committee, thank you for the opportunity to provide testimony today. My name is Amy De Kok, and I serve as the executive director for the North Dakota School Boards Association. NDSBA represents all 168 public school districts and their governing boards. I write to express strong opposition to HB 2355, which mandates the inclusion of “intelligent design” in North Dakota’s public school science curriculum. This bill is unconstitutional, undermines the integrity of science education, and exposes our school districts to costly and unnecessary litigation.

Teaching Creationism in Public Schools is Unconstitutional

The Supreme Court and multiple federal courts have repeatedly ruled that teaching creationism, including intelligent design, in public schools violates the Establishment Clause of the First Amendment. The most striking example is *Kitzmiller v. Dover Area School District* (2005), where a Pennsylvania school board attempted to present intelligent design as a scientific alternative to evolution. After a six-week trial, Judge John E. Jones III—an appointee of President George W. Bush—determined that intelligent design is “creationism re-labeled” and “is not science” because it “fails to meet the essential ground rules that limit science to testable, natural explanations.”

The Dover school district’s policy resulted in a legal defeat that cost the district \$2 million in attorneys’ fees, though plaintiffs agreed to accept half that amount due to the district’s financial limitations. If North Dakota proceeds with SB 2355, school districts could face similar lawsuits, diverting taxpayer money away from education and into legal battles that have already been decisively settled by the courts.

Intelligent Design Undermines Science Education and Hurts Students

Modern science education is based on rigorous empirical research and peer-reviewed evidence. Evolution is a foundational principle of biology, supported by overwhelming scientific consensus. Teaching intelligent design alongside evolution sends a false message that scientific legitimacy is determined by ideology rather than evidence.

If North Dakota weakens its science curriculum by injecting religiously motivated ideologies, our students will be at a severe disadvantage. Colleges and employers in STEM fields expect students to have a strong background in established scientific theories. By undermining evolution education, SB 2355 will leave our students unprepared for higher education and competitive careers in medicine, engineering, technology, and scientific research.

The Economic and Legal Consequences of Passing SB 2355

States that have attempted to inject creationism into public school curricula have suffered not just legal losses, but also economic setbacks. If North Dakota gains a reputation for disregarding scientific principles in education, businesses in science and technology sectors may be deterred from investing in the state. Employers seeking a scientifically literate workforce may choose to relocate to states where public education values rigorous scientific instruction.

Additionally, our school districts—many of which are already under financial strain—cannot afford the legal battles that will inevitably arise from passing SB 2355. State lawmakers have been fully aware for decades that requiring the teaching of creationism in public schools is unconstitutional. If this bill passes, taxpayers will be forced to pay the price for a fight that has already been lost in court.

Public Schools Should Not Promote Religious Doctrine

Religious instruction is the responsibility of families and faith communities, not public schools. By attempting to impose a religious viewpoint in science classrooms, SB 2355 infringes on the rights of parents to determine how and when their children are introduced to religious beliefs. This bill would not only alienate students from different religious backgrounds but also entangle public schools in unnecessary religious controversy.

For these reasons, I strongly urge you to issue a DO NOT PASS recommendation on SB 2355. Thank you for your time and consideration.