

Chairmen Elkin and Senators of the Education Committee,

As you hear about HB 1532, and from those who support it and from those, like me, who oppose it, I would like you to consider this;

What is best for North Dakotans? On March 10th, 2022, an article was shared on ND.gov website that the ESPB declared that all content areas were at a critical shortage. Contributions to this shortage are vastly due to low teacher pay and respect for the work they do. I'm currently in my final class of pursuing my Ed Leadership Credentials where our text is American Public School Law. This text has given me so much knowledge and insight to how education became what it is today. Below is a discussion response I submitted to the posed question,

Both Vouchers and home schooling can be seen as a challenge to traditional public education. Are vouchers and home schools good or bad? Why?

For the sake of this bill, I have only included my response regarding Vouchers, which relates to the "Education Reimbursement Program" proposed in HB 1532.

["...vouchers are most closely understood in the public's mind as devices to **funnel money** from general taxation to church schools." I think that taking tax dollars from the public to create vouchers to help families pay for their tuition is **violation of the First Amendment** and the separating of church and state. Families have the choice to choose what schooling their children receive, but I believe if you choose to go somewhere that is not publicly funding, you shouldn't ask for public funds to help you pay for your child to go.

Lastly, when we consider the need for free, public education in establishing a culture of individuals to progress America forward and continue to meet societal needs and advancements, hence why we have the compulsory attendance law, it's important to ensure funding stays with the public. When you consider school districts where high percentages of the residents are employed within the schools, it would be severely detrimental to remove funding from those districts with the implementation of vouchers. The impact a voucher could have on that district, the town, and those students is astronomical. For example, losing funding to vouchers reduces the resources the district has to recruit and retain quality teachers, which impacts the education of those students in the district. On top of that, people in the district may be forced to find new work as positions are cut due to funding.]

So, in a time when our state is in a teacher shortage crisis like we've never seen before, taking \$24 million from public education will have a SEVERE impact on all the students attending public schools in our state, which using numbers and data from Fall 2022-2023 Enrollment report on the State's Website, is roughly **95%** of all school age children in our State. That is taking away significant opportunity of quality education to 95% of our learners.

Our state has about 90% responsibility for funding to its public schools, and a majority of that comes from the tax dollars of our residents. Even though education is not considered a Fundamental Right by the Constitution of the United States, through legislative Acts and statutes surrounding Attendance, tax laws for funding, and most importantly, Separation of Church and state, taking millions of dollars from the public to support those who choose not to accept the free education provided to them, is on them. It is not the responsibility of ND or it's people to pay for the "prestige" of those who choose not to participate public education.

In addition, North Dakota's rural communities, served by public schools, will receive absolutely no benefit from this bill as there are no private or parochial nonpublic schools located in 36 of North Dakota's 53 counties. This bill takes resources from the state's 490 public schools in every community across the state to support private choices.

Additionally, HB 1532 requires no accountability for these expenditures on the part of the private schools who will receive them. In contrast, public schools, governed by locally elected school boards and open meetings laws, must account for every dime they receive from the taxpayers of North Dakota. If you look at the *Zelman vs Simmons-Harris*, 536 U.S. 639 (2002) case, you'll find examples of how the state provides aid for parents to make the choice of where to send their kids to school, the funds are available to public and private schools with guidelines in place. There are no specific guidelines in place that would provide support in this bill in not breaking the rules of the establishment clause.

Finally, nonpublic schools that will benefit from HB 1532 are not required to follow many federal and state requirements and the bill specifically prohibits requiring nonpublic schools to alter their admissions policy. They are free to deny admission to any student for any reason, including cognitive ability, physical disability, as well as behavioral and social limitations. Public schools, on the other hand, proudly educate all comers, regardless of their limitations and abilities. It is not unreasonable to believe that if private, nonpublic schools receive state funding, then they should have to follow the same state and federal requirements as North Dakota's public schools.

I ask that you please give a DO NOT PASS vote on HB 1532. It is necessary in order to protect the schools and education of our future of North Dakota.

Thank you,

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