

2025 SENATE EDUCATION

SB 2355

2025 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2355
2/12/2025

Relating to intelligent design in science content standards for elementary and secondary student.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt and Wobbema.

10:00 a.m. Chairman Beard called the hearing to order.

Discussion Topics:

- DNA research
- Evolution
- Viable scientific theory
- Theory vs. hypothesis

10:00 a.m. Senator Dwyer, District 47, introduced the bill and submitted testimony #37365 and #37384.

10:19 a.m. Marit Heidebreder, Lobbyist ND Family Alliance Legislative Action, testified in favor and submitted testimony #37296.

10:25 a.m. Cody Schuler, American Civil Liberties Union, testified in opposition and submitted testimony #37303.

10:34 a.m. Dr. David Ronderos, biology professor, testified in opposition and submitted testimony #37290.

10:39 a.m. Dr. Aimee Copas, Executive Director ND Council of Educational Leaders, testified in opposition and submitted testimony #37314.

10:40 a.m. Magdalen Mercado, testified in opposition.

10:44 a.m. Dr. Steven Travers, NDSU Department of Biological Sciences, testified in opposition and submitted testimony #37239.

10:56 a.m. David Tamisiea, Executive Director ND Catholic Conference, testified neutral.

Additional written testimony:

#37312, #37283, #37179, #37182, #37238, #37249, #37265, #37273, #37276, #37308, #37235, #36343, #36345, #36381, #36426, #36630, #36727, #36778, #36836, #36883, #36905, #36943, #37018, #37021, #37031, #37041, #37081, #37088, #37116, #37123, #37141, #37143, #37156, #37165, #37177, #37208, #37234, #37237, #37328, #37285, #37337.

11:03 a.m. Chairman Beard closed the hearing.

Susan Helbling, Committee Clerk

February 7th, 2025

Subject: Concerns Regarding the Mandating of Intelligent Design in Public Schools via Senate Bill 2355

Greetings,

I hope this message finds you well. I am writing to express my concerns regarding Senate Bill 2355 and the potential mandate for teaching intelligent design in public schools.

Intelligent design presents significant conceptual errors, as it lacks empirical evidence and does not adhere to the scientific method.

In contrast, the theory of evolution is grounded in extensive scientific evidence and has undergone thorough peer review. Key concepts supporting this theory include comparative anatomy, which shows how similar structures in different species indicate a common ancestry; embryology, which reveals developmental similarities among various organisms; DNA analysis, which provides insight into genetic relationships; and fossil evidence, which documents the history of life on Earth and the changes that have occurred over millions of years. These scientific concepts are crucial in understanding the diversity of life and the processes that have shaped it.

Moreover, it is essential to uphold the freedoms of all individuals by ensuring that public education remains free from the imposition of religious ideologies. Education should foster critical thinking and inquiry, rather than promote specific beliefs.

Thank you for considering my perspective on this important issue. I appreciate your commitment to the education and well-being of our students.

Sincerely,

Jackson Long

Opposition to the Bill Regarding the Inclusion of Intelligent Design in Science Content Standards

Dear Legislators,

Whether or not an individual believes in a higher power, or God, the bill being introduced is a blatant attempt to force certain individual beliefs on the rest of North Dakota. The proposal to require the inclusion of intelligent design (ID) in the science content standards for North Dakota's elementary, middle, and high school students raises significant concerns for me and many North Dakotans regarding the quality of education, the separation of church and state, and the integrity of science education itself. Please find these key reasons why this bill should be opposed:

1. Intelligent Design is Not Scientifically Supported

Intelligent design is not considered a scientific theory by the majority of the scientific community and many North Dakotans. Unlike theories such as evolution, which are grounded in empirical research, evidence, and observation, intelligent design lacks the necessary scientific methodology and peer-reviewed evidence to be classified as a viable scientific theory. Science education must be based on established scientific knowledge that has been rigorously tested and validated. Promoting intelligent design in the science classroom undermines this foundational principle and could mislead students about the nature of scientific inquiry.

2. Violates the Principle of Separation of Church and State

The introduction of intelligent design into public school science curricula poses a constitutional concern. Intelligent design is often associated with religious creationist beliefs and, as such, its inclusion in public schools may be interpreted as an unconstitutional endorsement of religion. The U.S. Supreme Court has ruled in *Edwards v. Aguillard* (1987) that teaching creationism in public school science classes is unconstitutional, as it violates the Establishment Clause of the First Amendment, which prohibits government entities from promoting religious views. By mandating the teaching of intelligent design, this bill would open the door to legal challenges and guarantee incurred legal costs to the state. Legislators have a responsibility to ensure that the laws they support are financially sound and in the best interest of the state's resources. The financial implications of this bill cannot be ignored, and any legislator who supports it should be asked to justify the unnecessary legal costs it would impose on the state.

3. Undermines Science Education Standards

Science education should focus on developing students' critical thinking skills through evidence-based inquiry and exploration. Requiring the teaching of intelligent design, a concept that does not adhere to scientific standards, could confuse students about what constitutes legitimate scientific evidence and hinder their ability to understand the scientific method. This diversion from accepted scientific consensus could harm students' readiness for higher education and their ability to engage with complex scientific issues in a meaningful way.

4. Unnecessary and Divisive

North Dakota's current science standards already provide a robust and well-established framework for teaching science, including evolution, which is widely accepted by the scientific community. There is no need to introduce intelligent design, a controversial and unsupported idea, into the curriculum. Adding this requirement could cause division in the North Dakota community, create unnecessary conflicts

among educators, and detract from the focus on building students' academic strengths in science, math, and critical thinking.

5. Redirects Resources Away from Effective Science Education

By mandating the inclusion of intelligent design, the bill also proposes that educators be provided with instructional materials and in-service training. This would divert time and resources away from strengthening teaching on scientifically validated topics. Rather than focusing on evidence-based science like biology, chemistry, and physics, teachers would be forced to address an ideologically driven topic, creating logistical burdens for the education system, all at a time when resources should be focused on improving the quality of education for students.

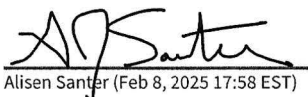
6. Public Opinion is Divided

While some individuals and groups advocate for the inclusion of intelligent design in science curricula, many in the scientific community, education sector, and broader public oppose it. This bill fails to reflect the consensus of educators, scientists, and policymakers who are dedicated to ensuring that students receive the highest quality science education based on established, peer-reviewed knowledge. Legislators have a duty to create laws that serve the best interests of the public, but they are not equipped to dictate specific content in the curriculum, particularly when it comes to highly specialized fields like science. The development of science standards and curricula should be guided by experts in the field—scientists, educators, and curriculum specialists—who possess the knowledge and experience necessary to ensure that students are learning accurate, up-to-date, and rigorous content. By mandating the inclusion of intelligent design, legislators are stepping into a domain that requires scientific expertise, and they are potentially undermining the professional judgment of educators and scientists.

Conclusion:

The inclusion of intelligent design in North Dakota's science content standards would be detrimental to the educational system, violate constitutional principles, and undermine the credibility of science education. Instead of introducing divisive and scientifically unsupported content into the curriculum, the focus should remain on teaching students the fundamental principles of science, based on the most accurate and evidence-based understanding of the natural world. For these reasons, this bill should not be passed.

Sincerely,



Alisen Santer (Feb 8, 2025 17:58 EST)

Alisen Santer
1006 Campbell Drive
Grand forks, ND 58201
Alisen22@gmail.com
218-79-0522

North Dakota Senate Education Committee
600 E Boulevard Ave.
Bismarck, ND 58505

RE: Opposition to Senate Bill 2355 – Intelligent Design in Science Content Standards

Dear Members of the Senate Education Committee,

As the Director of Standards-Based Instruction for Fargo Public Schools, I am writing to express my strong opposition to Senate Bill 2355, which mandates the inclusion of intelligent design in North Dakota's science content standards. This bill represents a fundamental overreach into science education, conflicts with established scientific consensus, undermines North Dakota's academic integrity, and raises serious legal and constitutional concerns.

1. SB 2355 Conflicts with Established Scientific Consensus

Science education is based on rigorous empirical research, peer-reviewed evidence, and widely accepted scientific theories. Intelligent design is not recognized as a scientific theory by the National Academy of Sciences, the American Association for the Advancement of Science, or any other credible scientific institution. Mandating intelligent design in science standards falsifies scientific literacy and misrepresents the nature of the scientific method.

2. SB 2355 Undermines the Integrity of North Dakota's Science Standards

North Dakota's science content standards should reflect well-established, peer-reviewed scientific research, not political ideology. Science instruction must be based on empirical data, reproducible results, and evidence-based reasoning. Forcing intelligent design into the curriculum undermines the credibility of North Dakota's education system, placing students at a competitive disadvantage in STEM fields.

3. SB 2355 Raises Constitutional and Legal Concerns

Intelligent design has been ruled by U.S. courts as a religious doctrine, not a scientific theory. In the landmark case *Kitzmiller v. Dover Area School District (2005)*, a federal court ruled that teaching intelligent design in public schools violates the Establishment Clause of the First Amendment, which prohibits government endorsement of religious doctrine. If SB 2355 is enacted, North Dakota will face costly legal challenges, potential lawsuits, and national scrutiny for violating constitutional protections.

4. SB 2355 Wastes Valuable Educational Resources

Mandating intelligent design in science standards will require the reallocation of funds, teacher training, and instructional materials, diverting resources away from legitimate scientific education. Given North Dakota's ongoing educational priorities—such as improving student

outcomes in STEM, closing achievement gaps, and supporting teacher development—this bill represents an irresponsible use of taxpayer funds and state educational resources.

Conclusion

Science education must remain free from ideological interference, rooted in empirical evidence, and aligned with the consensus of the scientific community. SB 2355 is an unnecessary, unconstitutional, and anti-scientific mandate that weakens North Dakota's educational credibility, threatens legal challenges, and misleads students about the nature of scientific inquiry.

For these reasons, I strongly urge you to oppose SB 2355 and support science education that is evidence-based, constitutionally sound, and aligned with national and international scientific standards.

Sincerely,

Dr. Liann M. Hanson
Director of Standards-Based Instruction
Fargo Public School

Regarding SB 2355 Teaching “Intelligent Design/Creationism” in public schools
February 9th, 2025

I write in opposition to SB 2355 which mandates the teaching of “Intelligent Design” otherwise known as “Creationism” in our public schools across North Dakota.

I am an ordained United Methodist pastor who happens to have a Bachelor’s of Science degree in Chemistry (BS Chem) as well as a Master’s degree in Divinity (MDiv).

While people of faith are free to believe in divine guidance to the existence of life on this one planet we all inhabit and share, that doctrine is a religious tenet of some Christian believers, and thus not appropriate for public schools which teach students of many faiths.

Creationism depends on a particular literal interpretation of the opening chapters of Genesis – a scripture sacred to Christians and Jews, but not necessarily to other religions. Creationism is not a valid or testable scientific theory like evolution, but rather a rigid adherence to a religious doctrine dressed up in pseudo-scientific language.

Intelligent Design similarly posits that there is some sort of uber intelligence guiding the development of natural systems and beings into their current forms. While the role of the basic scientific laws of chemistry, biology and physics is not ignored in shaping life as we know it, Intelligent Design adds a spiritual (therefore unscientifically testable or provable) force as the main factor. Thus it, too, is a religious doctrine and thus a teaching that interferes with the constitutional principles of the United States.

Should the public schools of North Dakota teach Deism – the philosophy that God is like a divine clockmaker who created and then stepped away to let the machine run on its own without further interference or interaction from the divine?

What about other religions’ teachings on how the world, nature and creatures came to be – say the teachings of Buddhism, Hinduism or Islam? There are students of these faiths in all our public schools especially in larger cities. Should their origin and creation stories be taught as fact, too?

While I believe that Holy Scripture is sacred and has authority in my practice of faith, it is not a scientific textbook nor was it ever meant to be. The Bible teaches about values and behavior – what is moral and immoral, good and evil, laudable and shameful. Even so Christians themselves do not agree on its interpretation and lessons – yet some in the ND legislature want to inject these debates into public school classrooms?!

Leave religious doctrines like “intelligent design and creationism” to Sunday School and teach secular science and established scientific method in public school classrooms.

Please oppose SB 2355.

February 10, 2025

RE: Opposition to SB 2355

Dear Legislators:

I am writing as a 7-12 principal in rural southwest North Dakota to express my opposition to SB 2355, mandating the inclusion of intelligent design in the state science content standards. While I respect the diversity of perspectives on the origins of life, this bill raises significant concerns regarding its implications for science education and the preparation of our students for future academic and career opportunities.

1. Intelligent design is not a scientific theory. Intelligent design does not meet the criteria of a scientific theory as defined by the scientific community. It lacks empirical evidence, is not testable through the scientific method, and is not subject to peer review in the same manner as established scientific theories like evolution. Mandating its inclusion in science standards undermines the integrity of science education by conflating science with non-scientific beliefs.

2. The bill jeopardizes students' competitiveness. Science education should equip students with the knowledge and skills necessary to succeed in higher education and STEM careers. By including intelligent design in the curriculum, we risk confusing students about the nature of scientific inquiry and critical thinking. This could disadvantage North Dakota students as they compete with peers from states adhering to rigorous, evidence-based science standards.

3. The bill conflicts with legal precedents. Federal courts, including the landmark *Kitzmiller v. Dover Area School District* case, have ruled that teaching intelligent design in public school science classes violates the Establishment Clause of the First Amendment. By mandating intelligent design in the curriculum, this bill exposes North Dakota schools to potential legal challenges, which could result in costly litigation and negative publicity.

4. The bill imposes undue burdens on educators. This bill would require the Superintendent of Public Instruction to develop instructional materials and provide in-service training for teachers on intelligent design. This diverts valuable time and resources away from evidence-based science education and professional development opportunities that align with widely accepted standards. Additionally, many science teachers may feel unqualified or uncomfortable teaching a topic that falls outside the realm of mainstream science.

5. The bill undermines local control of education. North Dakota's schools benefit from local decision-making that reflects the needs and values of individual communities. Mandating the inclusion of intelligent design at the state level removes local control over curriculum decisions and imposes a one-size-fits-all approach that may not align with community priorities or expectations.

6. The bill risks diminishing public trust in education. Public education relies on the trust of parents and communities to provide a high-quality, unbiased education. Including intelligent design in the science curriculum may erode that trust, leading to polarization and controversy that distracts from the primary mission of educating students.

In conclusion, while discussions about the origins of life are important, they are best suited for philosophy or comparative religion courses, not science classrooms. I urge the legislature to reject this bill and instead support initiatives that strengthen evidence-based science education, ensuring that North Dakota's students are well-prepared for the challenges of the modern world.

Thank you for considering my perspective. Please feel free to contact me if you would like further input or clarification.

Sincerely,
Shannon Meier

Mr. Chairman and Education Committee Members,

I urge you to vote DO NOT PASS on SB 2355 which mandates the teaching of intelligent design in public schools.

I will not repeat the many good arguments made by others in their testimony in opposition of this bill. Instead, I would like to offer a short anecdote about my time in high school in Grafton, ND. I was a member of an active Christian youth group and fervently believed in intelligent design: that God created the earth. I was also very interested in science and held the scientific theories taught in my classes in high regard. My parents made the choice for me to be instructed at our church in the tenets of Christianity and intelligent design, they also allowed me to learn science at a public school. With those two experiences, I was able to hold it all as truth, even writing a speech to explain how science and religion do not have to be at odds. I still believe that to be true.

SB 2355 would take away a parents right to choose if and how their children learn about the religious belief of intelligent design and would make intelligent design seem as though it were in the same category as testable scientific theories taught in science classes.

I urge you to vote DO NOT PASS on this bill and to find a way to discourage lawmakers from introducing similar bills and resolutions that weaken our First Amendment right to religious liberty and waste precious time during the legislative session that should be used to serve the needs of all constituents.

Thank you for your consideration.

Heather Szklarski
Grafton, ND

North Dakota Senate
Education Committee
North Dakota Legislative Assembly
600 E Boulevard
Bismarck, ND 58505

February 10, 2025

Re: VOTE DO NOT PASS ON SB 2355: *A BILL to create and enact a new section to chapter 15.1-21 of the North Dakota Century Code, relating to intelligent design in science content standards for elementary and secondary students.*

My name is Dr. Anastasiya Andrianova. I'm a tenured full professor in the English Department at NDSU, a public employee, and an educator with more than twenty years of teaching experience. The views I share are my own, and in no way represent those of my employer.

I write as someone who has spent many hours reading, thinking, and writing about alternatives to Charles Darwin's evolutionary theory (Natural Selection). I am a scholar who specializes in environmental humanities, a field at the intersection of literature and science. My master's thesis and doctoral dissertation both focused on philosophical debates around evolutionary theories and their depictions in 19th-century European literature.

I understand that, even before the famous 1860 Oxford debate about science and religion, many thinkers and artists sought meaning in a universe that Darwin would empty of all purpose and replace with randomness. These authors, including naturalist Jean-Baptiste Lamarck, playwright Bernard Shaw, and philosophers Henri Bergson and Giovanni Gentile (the latter ghostwrote part of the 1932 "Doctrine of Fascism" attributed to Mussolini) offer fascinating food for thought. However, these alternatives—just as the doctrine of Intelligent Design, or Creationism—**do not constitute viable scientific theories and should not be taught as such in public schools in the state of North Dakota.**

Besides, the **separation of church and state** makes the mandatory teaching of any given religious perspective in a public-school science class unconstitutional. If someone wants to learn about these alternative accounts, they are welcome to take a course in the history of ancient civilizations, in the philosophy of science, or in religious studies once they're in college. Elementary and secondary schools are not the appropriate venue. Please let educators educate our elementary and secondary public-school students about evidence-based science, not faith.

I urge you to vote DO NOT PASS on SB 2355.

Thank you for your time and consideration.
Sincerely,
A. Andrianova, B.A., M.A., M.Phil., Ph.D.

Hello

I strongly oppose this bill. If I wanted my child to learn the i would send her to Christian private school. Let's not waste tax payer dollars on teaching religious [REDACTED] in public schools. That is what church and Christian private schools are for. let's remember we are not A Christian Nation and keep church and religion out of public schools.

Written Testimony in Opposition to SB 2355

Date of Hearing: 2/12/2025

Rev. Ellery Dykeman

1840 12th St SW – Minot, ND 58701

As a Lutheran pastor here in Minot, I stand in strong opposition to SB 2355, requiring the teaching of creationism and intelligent design in public school curricula.

Our faith encourages critical thinking and the pursuit of knowledge, and as such, we believe that education in public schools should be rooted in scientific consensus, not religious doctrine. Creationism, while an important part of many religious teachings, is grounded in personal faith, and lacks empirical evidence and does not align with the scientific method. The separation of church and state, as enshrined in the U.S. Constitution, ensures that public schools remain secular institutions, where education is based on universally accepted facts and research, not on religious interpretations and personal faith.

Allowing the teaching of creationism in public schools undermines the integrity of scientific education and violates the principle of neutrality in religious matters. Science is a methodical process of discovery that relies on evidence and peer-reviewed research, and it is essential for preparing students to engage in a complex and diverse world. Teaching creationism alongside or instead of established scientific theories like evolution can create confusion and undermine students' understanding of fundamental biological principles. As people of faith, we believe that both science and religion can coexist, but we also recognize that public schools must teach science based on proven knowledge, not on religious belief. Let's keep religious education in the home and congregation, and leave public education free to foster an educated, open-minded citizenry, with intellectual freedom.

Again, I appreciate the desire for religious education but let's not mix the complex and diverse array of biblical interpretation with the world of science. I oppose this bill and all the various ideologies that seek to mix faith and public education.

Thank you for your consideration.

Rev. Ellery Dykeman

1840 12th St. SW- Minot, ND 58701

Dear Members of the North Dakota Legislative Assembly,

I am writing to express my strong opposition to Senate Bill 2355, which mandates the inclusion of intelligent design in the state science content standards for elementary, middle, and high school students. This proposal raises significant concerns regarding the integrity of science education, the constitutional separation of church and state, and the future competitiveness of our students.

1. Intelligent Design Lacks Scientific Foundation

The scientific community overwhelmingly agrees that intelligent design is not a scientific theory but a form of creationism. It lacks empirical support and does not adhere to the scientific method, as it does not provide testable hypotheses or predictive value. The National Academy of Sciences has stated that "creationism, intelligent design, and other claims of supernatural intervention in the origin of life or of species are not science because they are not testable by the methods of science." Including intelligent design in science curricula would misrepresent non-scientific ideas as scientific, undermining the quality of education.

2. Constitutional Concerns

Mandating the teaching of intelligent design in public schools raises serious constitutional issues. The U.S. Supreme Court has consistently ruled that teaching creationism in public school science classes violates the Establishment Clause of the First Amendment, which prohibits government endorsement of religion. Intelligent design, being a rebranded form of creationism, falls under this prohibition. Implementing this bill could lead to costly legal challenges and potential violations of students' religious freedoms.

3. Impact on Students' Competitiveness

Integrating non-scientific concepts like intelligent design into the science curriculum can hinder students' understanding of established scientific principles, such as evolution. This educational approach may leave students ill-prepared for higher education and careers in science, technology, engineering, and mathematics (STEM) fields. Employers and academic institutions expect proficiency in scientifically validated concepts, and diverting instructional time to unscientific ideas could disadvantage our students in an increasingly competitive global economy.

Senate Bill 2355's requirement to include intelligent design in the state science content standards is misguided. It threatens the quality of science education, poses constitutional risks, and could impair the future success of our students. I urge you to reject this bill and instead support educational policies that uphold rigorous scientific standards and prepare our students for the challenges of the modern world.

Sincerely,

Savannah Elkins

February 10, 2025

Dear members of the Senate Education Committee,

My name is Dr. Elizabeth Freedman Fowler. I am an Assistant Professor of Biological and Earth Sciences at Dickinson State University. I write today as an independent individual; my views are not necessarily those of my employer.

I have taught introductory biology to over 100 non-science majors per year: education majors, nursing majors, agriculture majors, business majors. In my 8 years at Dickinson State University, I have never had a single student complain about evolution, and not a single student ever asked about Intelligent Design. At the end of the semester of biology, I would ask them what their favorite topic was from the whole course. Every year, the most common favorite topic was evolution. Students said that they found the evolution unit interesting because they had never been taught it properly before, and evolution made so much sense.

Without learning about evolution, nursing students have difficulty explaining the rise of antibiotic-resistant bacteria. Without evolution, agriculture students struggle to explain why weeds become resistant to herbicides. Evolution has real world economic impacts.

North Dakota students are already at a disadvantage because they have not been taught evolution properly in science class. Please do not harm our next generation by introducing non-science into their science courses.

Vote "do not pass" on SB 2355.

Sincerely,

Dr. Elizabeth Freedman Fowler

Dickinson, ND 58601

Opposition to Senate Bill 2355**2/10/2025****Dear Chairman and Members of the Senate Education Committee,**

As a parent, I want my child to have the best possible education—one grounded in facts, critical thinking, and the pursuit of knowledge. Senate Bill 2355, which would require teaching "intelligent design" as a viable scientific theory, does not align with these values. While I respect the role of faith in the *private* lives of our citizens, this bill undermines science education, misleads our children, and risks turning our classrooms into battlegrounds over ideology rather than places of learning.

Science is about asking questions, testing hypotheses, and building knowledge based on evidence. **Intelligent design fails every test of scientific rigor.** It has no empirical support and cannot be tested or falsified, which is why organizations like the National Academy of Sciences and the American Association for the Advancement of Science reject it as science.

Our teachers already work tirelessly to provide a quality education. Forcing them to teach concepts they know are not scientifically valid adds unnecessary stress and undermines their professional integrity. Developing materials and training teachers to teach intelligent design is a waste of time and money that could be better spent on proven educational tools and programs.

Science is about discovery, wonder, and unlocking the mysteries of the universe. Evolution, genetics, astronomy—these are fascinating fields that inspire curiosity and hope. Our kids deserve to learn real science that challenges them to think big, ask questions, and explore the world around them. They don't need unscientific concepts dressed up as theories.

As a parent, I want my child's education to prepare them for the future, not confuse them with pseudoscience. Senate Bill 2355 misleads our children, undermines science, and risks damaging North Dakota's reputation. I urge the Committee to reject this bill and keep our classrooms focused on what matters: truth, knowledge, and the power of learning.

Sincerely,

Kara L. Geiger
Mandan

Megan Brejcha
7738 Francis Street
Wahpeton, ND 58075

I am writing in opposition to SB 2355, which would require the presentation of intelligent design alongside evolution in primary and secondary science classrooms. There has never been a peer-reviewed scientific argument supporting intelligent design. The Big Bang theory and the Theory of Evolution, however, are the accepted scientific consensus for the origin of the universe, solar system, and life on Earth. Requiring science teachers, such as myself, to present intelligent design as science is against everything I've studied for over half my life. Science requires a rigorous process of questioning, investigation, and peer review. Intelligent design does not meet the requirements of science and has no place in a science classroom. I would challenge anyone who thinks otherwise to find a single scientific journal, textbook, or class at a college or university that states otherwise.

I strongly encourage a "DO NOT PASS" recommendation on SB 2355.

Sincerely,

Megan Brejcha

B.S. Biological Sciences Education, NDSU, 2007
Science Teacher, Wahpeton Public Schools (2007-present)
Adjunct Instructor, North Dakota State College of Science (2013-present)

We, the undersigned, are the members of the Biology Program at the University of Jamestown. We teach in all areas of biology. Evolution is foundational to an understanding of biology and is incorporated into every class taught at UJ. Intelligent design is not science and misrepresents the scientific enterprise and evolutionary biology. Senate Bill 2355 will do serious harm to the education of North Dakota students and should be rejected.

Almost every major scientific and educational organization supports the teaching of evolution in the classroom (<https://ncse.ngo/voices-evolution-0>). This is because evolution is necessary to understand biology. Scientists do not accept evolution out of bias or ideology. Scientists are practical. They use whatever theory works. Evolution is accepted because it is useful in understanding all areas of biology. It explains the patterns we see, leads to predictions and new avenues of research, and makes connections between fields. It would be impossible to teach most biology classes without incorporating evolution.

In contrast, Intelligent design has not been supported by any major scientific or educational organizations. Again, this is not because of ideology, but because it is not useful. Intelligent Design has failed to produce a single useful insight in decades of trying. If it was useful, scientists would accept it. More fundamentally, Intelligent design is rejected because it is not science. Science depends on making testable, tentative claims about the empirical world. Intelligent design is not testable, nor is it tentative. Several courts have considered the question of whether Intelligent design or creationism is science, and all that have addressed the question have concluded they are not science (*Kitzmiller v. Dover*, *McLean v. Arkansas*, *Edwards v. Aguillard*).

This bill calls for the teaching of intelligent design in classrooms. However, Intelligent design is not a scientific theory; there is no theory to teach. Intelligent design is not a science with a research program or empirical results to analyze, but instead is simply a group of criticisms of evolutionary theory. All of these criticisms have been considered by the scientific community and have been found to be invalid. Most importantly for the students of North Dakota, these criticisms depend on misrepresenting evolutionary theory, and then attacking that straw-man version of evolution. Intelligent design concepts such as irreducible complexity or complex specified information fundamentally misrepresent evolution, ignoring evolutionary principles such as exaptation or the production of novelty by gene duplication and selection. Teaching intelligent design can only mean mis-teaching evolutionary theory, and propagating misunderstandings of evolution. These misunderstandings will impair the further education of North Dakota students.

Likewise, teaching Intelligent design does not promote critical thinking. An understanding of science requires teaching how we evaluate evidence and how scientific theories are supported. Intelligent design misrepresents this process, just as it misrepresents evolutionary theory. The court in *Kitzmiller v. Dover* found the claim that ID promotes critical thinking was disingenuous: “The goal of [ID] is not to encourage critical thought, but to foment a revolution which would supplant evolutionary theory with ID.”

There is only one reason for this bill—to promote a particular religious viewpoint, masquerading as science. It is an error to believe that evolution necessarily conflicts with religious views. Many religions hold that evolution is compatible with their doctrine. For example, the last three Popes have all asserted that evolution is compatible with Catholic doctrine, as have many Protestant denominations and other religions. Of course, there are also some Christian groups that have asserted there is a conflict with evolution. The public-school classroom is not the place to resolve theological questions. These questions can be pursued outside of the public schools,

but it does a disservice to our students to do so in the science classroom and to blur the distinction between science and religion. One of the plaintiffs in *Kitzmiller v. Dover*, Julie Smith, recounted how the school's intelligent design policy had caused her daughter to believe that she could not be a Christian and believe in evolution. The school made her daughter question her own mother's faith, because the mother accepted evolution.

The claim that, unlike other forms of creationism, intelligent design is not a religious doctrine was thoroughly refuted in the *Kitzmiller v. Dover* trial. Judge Jones ruled that "ID...cannot uncouple itself from its creationist and thus religious antecedents." The overwhelming evidence at trial established that ID is a religious view, a mere re-labeling of creationism, and not a scientific theory

It is sometimes suggested that we should teach Intelligent design out of fairness, to teach both sides, as if there are exactly two sides. Even amongst opponents of evolution, there are many versions of creationism— intelligent design, young earth creationism, old earth creationism, day age creationism, and many others. Which of these should we teach? Why? When these groups disagree with each other, they do not invoke scientific evidence, but instead discuss how to interpret scripture (see for example <https://answersingenesis.org/creationism/old-earth/>). This again shows that teaching intelligent design, or any other version of creationism, is imposing one theology on the students and deciding which religious interpretation is correct. The science classroom is not the place to take a stand on Biblical exegesis.

Senate Bill 2355 would do serious harm to science education in North Dakota. It misrepresents both evolutionary theory and the scientific enterprise. North Dakota students would not be prepared to further their education beyond high school, nor would they understand what characterizes science in their lives. It is an unconstitutional imposition of one particular religious doctrine masquerading as science.

Dr. Bruce Jensen, Professor of Biology
Dr. Jessie Arneson, Assistant Professor of Biology
Dr. Elizabeth Naglak, Professor of Biology
Dr. Michelle Solensky, Professor of Biology

This is clearly religion injecting its beliefs into our public secular education system. Yet another scheme to divide people and sow distrust in our public education sysyem, all to further an agenda for the wealthiest 1%. There is no debate to be had.

Instead, I will remind the legislature they allowed Ray Holmberg to take trips to the otherside of the world to rape children on the taxpayer dime. I wish these were the ramblings of a madman, but state senator Ray Holmberg was convicted in a court of law doing just that. Ray Holmberg, longest serving and highest ranking republican member of the ND legislature, was never held to account by his party. I find it hard to believe there was no one else in this body that was aware of his escapades. Cowards, sycophants, and just generally terrible people. You are a party of clowns.

In closing, leave our children alone at school and everywhere else.

Intelligent design is a gentler way of saying religious indoctrination. Keep religion and the state separate. Anyone pushing for this legislation is an embarrassment to our country. I encourage legislators who are in favor of this bill to resign from their positions and seek employment outside of government.

I oppose SB 2355 to add intelligent design to science classes.

Intelligent design does not belong in any science curriculum. There is no scientific basis for it. No scientific study has found evidence to the contrary, and to suggest it is real is trying to prove a negative.

To even propose this shows that our representatives have little to no scientific understanding. If it's to be taught in schools, it should be in a religious studies course, and not science.

If our goal is to show North Dakota is an embarrassment, then pass the bill. If our goal is to help children and bring families to our state, then reject this.

I write in opposition to Senate Bill NO. 2355.

Intelligent Design has no place in a Science curriculum.

Intelligent Design falls into Religious Teachings.

This subject would be best handled by the Church, outside of the school system.

I also ask that the supporters of this bill reference 482 U.S. 578 (1987), *Edwards v. Aguillard*, and familiarize themselves with the Establishment Clause of the First Amendment.

This bill is a carbon copy of this case, and is an attempt to violate the First Amendment.

Testimony in strong opposition of SB2355

Dear Chairman and Members of the Committee,

I strongly urge you to give a DO NOT PASS recommendation to this bill that would require the teaching of a religious concept in North Dakota science classrooms.

Here are my reasons:

- Intelligent Design is **creationism**, i.e. religion, since its main point is that life is so complex that it can only have been created by God (the intelligent designer)
- Intelligent Design is **not based in science**. There is no scientific support of any kind for a creator God of all life. Evolutionary theory can easily explain the complexity of the human eye and other structures that may seem miraculous to the untrained person.
- Intelligent Design has been **ruled to be in violation of the Establishment Clause**. See *Kitzmiller vs Dover School board (2005)*
- Teaching Intelligent Design as a science **undermines the integrity of the excellent North Dakota science standards**
- Intelligent Design creationism, like all creationism, is **advanced by people who misunderstand the meaning of a scientific theory**. Scientific theories are not barely-supported guesses – “just a theory” – but are well-supported by a vast body of scientific research. Evolutionary theory is no more controversial than the theory of the atom, the theory of gravity, or cell theory.
- Passing this bill will undoubtedly lead to **law suits that have to be paid by the North Dakota taxpayer** and are bound to fail

Here is an excerpt from the 12/20/2005 decision by Judge Jones in the *Kitzmiller vs Dover* trial:

“Intelligent Design (ID) is not science. We find that ID fails on three different levels, any one of which is sufficient to preclude a determination that ID is science. They are: (1) ID violates the centuries-old ground rules of science by invoking and permitting supernatural causation; (2) the argument of irreducible complexity, central to ID, employs the same flawed and illogical contrived dualism that doomed creation science in the 1980s; and (3) ID's negative attacks on evolution have been refuted by the scientific community. ... It is additionally important to note that ID has failed to gain acceptance in the scientific community, it has not generated peer-reviewed publications, nor has it been the subject of testing and research. Expert testimony reveals that since the scientific revolution of the 16th and 17th centuries, science has been limited to the search for natural causes to explain natural phenomena.”

Sincerely,

Alex Deufel, PhD Biology
Professor of Biology
Minot State University

– District 40

Written Testimony in opposition to
SB2355

Date of Hearing 2/12/2020, 10:00 am

Dr. Heidi Super
1 Souris Ct.
Minot, ND 58701

Committee Chair, and members of the committee,

My name is Heidi Super. I am a newly retired, emeritus professor of Biology at Minot State University. My expertise is in genetics and cancer research, but I am broadly trained in science and the scientific method. Bill SB2355 mandates evolution by intelligent design (ID) be taught in ND classrooms. ID is a form of creationism, a God-based explanation for the origin of life and the evolution of many life forms. ID offers no testable hypothesis and its supporters provide no evidence for its existence, and is therefore not science.

However, the hypothesis that the diversity of life forms on earth is the result of natural selection, is unequivocally supported by hundreds of unique testing methods, including fossil examination and direct DNA analysis. There is already overwhelming of evidence supporting a scientific explanation for biodiversity--so much so that evolution by natural selection is now considered a theory--not a hypothesis. In science a theory is akin to a law--i.e. the Theory of Gravity.

Teaching ID would bring religion into public school classrooms. Numerous court cases, including Kitzmiller vs. Dover (PA) Area School District have ruled that ID is not science and should not be taught as an alternative to evidence-based (scientifically derived) explanations for evolution. Let's follow suit, and limit discussion of ID to religious settings where it is not considered science. Please vote--do not pass on SB2355.

Thank you.

Respectfully,

Heidi Super
heidi.super@me.com

This SB 2355 is unconstitutional and similar cases have already been tried in court and lost (see Edwards v Aguillard, Wikipedia summary link here: https://en.wikipedia.org/wiki/Edwards_v._Aguillard). Science should cover fact-based learnings only. If we're going to start splitting hairs, why will we also not teach all religion-based beliefs alongside the FACTS-BASED scientific study?

Don't answer that, we know why. Christianity is only one branch of religion practiced by North Dakotans and Americans at large. If you wish to include the beliefs of one religion in PUBLIC SCHOOLS, you MUST include the beliefs of all.

Or, ideally, facts-based, science-backed information only. It is a waste of the taxpayers' money to even debate this absurdity.

Dear Legislator,

Thank you for your willingness to try to lead all our citizens through our state government. It is a hard job and each person brings a perspective that is important to consider.

In the Senate Bill 2355 about mandating an inclusion of Intelligent Design into the science curriculum, I urge you to soundly defeat this bill.

Science as a content, is more than just opinions and ideas. Mandating a religious belief detracts from the importance of understanding science and how scientists use collected and observed data. Theories that are established over time by many scientists are a result of the cumulative data that has passed basic rules of high quality science, like results that repeat when peers carry out the process described (peer reviewed) information. Our k-12 schools have a limited amount of time to teach science due to the many other competing priorities. Currently, we have many in society that are not understanding science processes and are getting confused with personal beliefs. We need to use our k-12 time to create a informed and literate public.

Science is based on discovery and experimentation of observable phenomena. It is not based on beliefs or biases. Studies that cannot be replicated or data that is not observable is not used to support theories that have been put forth by scientists. Teaching a belief, as if it is science, has the potential to further politicize science and confuse students. When I was a science teacher, students had trouble with the word theory and thought it was just someone's idea. But according to Google AI, a scientific theory is a well-substantiated explanation of a natural phenomenon, based on a large body of evidence gathered through repeated observation and experimentation, which is widely accepted by the scientific community as the best explanation for a particular aspect of the natural world; essentially, a hypothesis that has been extensively tested and confirmed through research.

Science can help us solve some of our most difficult problems, but we need to have citizens that recognize what science is and is not. If a person leaves high school and does not understand the difference between a detective using the word theory to describe his/her own idea about the solving of a crime and the scientific theory based on repeated observations and experimentation as well as a broad agreement among trained scientists on the results, we have a problem. We have a society that is unable to advance by using science to their benefit. We have people who distrust public health information. We have people who argue the realities of the age of the earth due not to scientific theories but their own beliefs that are not supported by scientific evidence. We have a society that has difficulty working together due to distrust of everything and everyone.

Please do not take away time from the study of science processes to have students learn about beliefs. Reject Senate Bill 2355.

Thank you,
Brenda Cain
4357 52nd St S
Fargo, ND 58104

Oppositional Testimony for ND SB2355

Chairperson and Members of the Committee,

We are writing today in strong opposition to ND SB2355, a bill that seeks to introduce Intelligent Design into public education. This bill is a violation of constitutional principles and a direct contradiction to established legal precedent.

Intelligent Design is not a scientific theory. Intelligent Design is a religious belief that lacks scientific validation. Science education should be based on rigorous inquiry, empirical data, and peer-reviewed research—not on religious ideology. Allowing Intelligent Design into public school curriculum would misrepresent what science is and mislead students about the nature of scientific inquiry.

The inclusion of Intelligent Design in public education is unconstitutional. The 2005 case *Kitzmiller v. Dover* established that Intelligent Design is a form of creationism and, therefore, a religious belief—not a scientific theory. In that case, U.S. District Judge John E. Jones III ruled that teaching Intelligent Design in public schools violates the Establishment Clause of the First Amendment. The decision made it clear that Intelligent Design is an attempt to introduce religious doctrine into the science classroom, which the Constitution does not allow.

The separation of church and state is a fundamental principle of our democracy, ensuring that public institutions, including our schools, remain neutral in matters of religion. If this bill were to pass, it would almost certainly face legal challenges, which would cost the state both time and taxpayer money in litigation, only for courts to reaffirm what has already been determined: teaching Intelligent Design in public schools is unconstitutional.

We believe that science curriculum should be made by scientists and educators, not lawmakers. Scientific literacy is critical for our students' future success, and diluting science education with religious beliefs undermines their preparedness for higher education and careers in STEM fields. The responsibility of lawmakers is to uphold the Constitution and support high-quality education, not to legislate religious doctrine into science classes.

For these reasons, I urge you to reject ND SB2355. It is unconstitutional, legally unsound, and detrimental to the integrity of public science education. Let us ensure that our students receive an education grounded in science. Please leave Ideology out of K-12 Science Standards.

Jacob Schlecht
8-12 Science Teacher
Dean of Students
Enderlin Area Public Schools

Judith Krueger
7-12 Science Teacher
Enderlin Area Public Schools

February 12, 2025

Dear Chairman Beard and members of the Senate Education committee,

My name is Anita Tulp and I am the Director of the Valley City Barnes County Public Library. I am not writing to you today in my professional capacity but as a concerned citizen and Christian woman. I ask that you vote "Do Not Pass," on SB 2355.

As a Christian woman, I feel that I would not trust our public schools and a teacher that may or may not be a Christian to teach my children or grandchildren about intelligent design and creation. There are many different denominations of Christian churches and they each have their own doctrine that they follow according to their interpretation of scripture. Their rules of worship and beliefs may be different from church to church. I believe the teachings of Christian beliefs such as intelligent design and creation is my job as a parent and the job of my church. If my children were taught something in school that didn't agree with the teachings of their Sunday School class, then our stability as a worshipping Christian family would be undermined by the state required curriculum. That interference should not happen.

I also do not believe we have the right to force religion or religious beliefs on anyone. Our 1st Amendment guarantees that there will be "no law respecting an establishment of religion, or prohibiting the free exercise thereof." Therefore, it would be wrong to push our Christian beliefs on someone that may not believe at all or someone that is from another religion that doesn't recognize Jesus or other Christian beliefs.

I truly believe that we created by a loving God who sent his son Jesus to save us. I also believe that as Christians, we are called to be disciples of Jesus and share the love of God in His name. Jesus did not force his teachings on anyone. He offered them as a gift and an opportunity for everlasting life if we only have faith. Being a Christian is a deeply spiritual thing, and each Christian has their own personal relationship with Jesus. I don't believe that a curriculum about intelligent design can inspire the same kind of understanding about Christianity and why we believe in creation and expect the same results as from teachings received in their local church and from parents.

For those that would like to have Christian influence in their school curriculum, we have this wonderful thing called "private school" in which parents can choose to enroll their children. There are many options in private schools as well and parents can choose the one that fits best with their beliefs. They may also choose to homeschool and are then free to include the Christian curriculum they want.

What about the unchurched children you might ask? That is our job as disciples of Jesus. We are to share the stories of God's love and invite those we meet to join with us. Invite them to church, invite them to a meal, pray for them and with them when they are ready to accept Jesus as their Savior.

Please vote "Do Not Pass" on SB 2355. Thank you for your time.

Testimony in Favor of HB2355

Chairman and Members of the Committee,

My name is Irma Flemmer and I am an educator at a local college. I have been teaching for several years and have a Bachelor's in Science. I am a lifelong learner of science and think it is imperative that intelligent design be added to our school's science curriculum.

If passed, this legislation would present students, educators, and parents with an opportunity to see an alternative worldview than the one currently being taught in our schools. There are many notable biologists, biochemists, physicists, and astronomers who support intelligent design.

This legislative action sets an excellent standard and helps to ensure students have a comprehensive, well-rounded science curriculum; one that is developed by many creation scientist experts and would highly increase and benefit our educational standards.

Thank you for your time and consideration.

Dear Chairman Beard and honorable members of the Senate Education Committee.

I am writing to support SB2355, which asks the Superintendent of Public Instruction to include training materials that present Intelligent Design (ID) as one possible explanation for life.

Growing up in ranch and farm country, I had a passion for sciences, especially biology and chemistry. At university, I pursued a pre-med degree with B.S. in Biology and a Chemistry minor. With a science background, I value a strong education system that teaches students to think critically about all scientific theories.

Science is about looking at and exploring the evidence, as well as asking questions. In my experience, many students only hear one side of the debate—evolution is taught as the only valid theory for life's origins. Many students aren't presented with information or data from scientists who have raised questions about evolution as the only explanation for the origins of life.

Intelligent Design offers another way to think about the complexity of life. It suggests that life is too detailed and structured to have happened by chance. This is not about teaching religion—it's about helping students think critically. That is one of the values of using scientific methods.

Some scientists argue that natural explanations alone do not fully answer the big questions about life. Research in genetics, molecular biology, and physics continues to reveal patterns that suggest design. For example, the bacterial flagellum—a tiny motor that helps bacteria move—is so complex that it seems unlikely to have developed step by step. DNA, which carries genetic information, also shows patterns that look planned rather than random. Even scientists who are not religious admit that these discoveries raise important questions for us to consider.

By including Intelligent Design in training materials, SB2355 makes sure students are aware of these scientific discussions rather than being shielded from them. When we only teach one theory, we limit students' ability to think critically about the world we live in.

SB2355 does not remove evolution from the classroom. It simply gives teachers the tools to introduce Intelligent Design as another scientific idea. This supports academic freedom and encourages students to become better thinkers.

For these reasons, I strongly support SB2355. Giving students the chance to study different scientific theories will strengthen their education, their understanding of scientific methodology, and their ability to think critically. I'm grateful for your time and consideration.

Sincerely,

Danita Bye

If Teddy Roosevelt were alive today, he would never visit.

Each of us has religious beliefs and beliefs vary. Christianity isn't the only religion. And it's not DEI to treat all religions equally. It's religious freedom. Some believe in no god at all. All religious beliefs are equal under the law.

No matter what you personally believe, science is not religion. Science is based on evidence. Religion is not. To require public schools to teach as science a religious belief that a deity may have created the Earth is mandating them to teach a deity may exist. That's not science. If you want to teach religion in schools, then be brave about it, label it religion and teach the creation stories of every religion equally, and that belief in a deity is only scientific theory.

The definition of science: The systematic study of the structure and behavior of the physical and natural world through observation, experimentation, and the testing of theories against the evidence obtained. There is no continual testing and questioning of whether a religious belief is a fact. Science continually evolves and will repudiate a belief when new information is discovered. Religion never does this. It is not based on evidence that evolves.

If the bill is passed, the following will likely occur:

- A lawsuit to strip churches of tax exempt status for teaching science, not religion.
- A lawsuit to require public schools to teach the scientific creation story of all religions, not just Christianity, and to teach the scientific theory there is no deity at all.

Science does not say a deity does not exist. It's mute on the topic. It merely looks for evidence to explain what it sees, not evidence of who created it. What many Christians dislike is that science finds evidence that contradicts their personal religious beliefs. Science finds evidence the earth is billions of years old, offending many Christians who believe otherwise, without evidence.

House Majority Leader Mike Lefor says, I believe that God created the universe and that there needs to be something in our instruction that relays that. I am a firm believer that the further we get away from God, the more difficulties our country is going to have." I respect his beliefs and his right to have them, not his right to impose them on others. Once elected to public office, he is sworn to represent all North Dakotans, not just those who share his personal religious beliefs. He sounds more like a member of the Taliban than a leading representative of a state in a democracy.

North Dakota's Constitution states, The free exercise and enjoyment of religious profession and worship, without discrimination or preference, shall be forever guaranteed in this state. Lefor's beliefs support a preference, an infringement on others. Allow all religious beliefs in schools or allow none.

A separate bill being proposed would invalidate drivers licenses of visitors from states that don't check citizenship before issuing them. Pro tip: Other states will invalidate education credentials of North Dakotans taught that religion is science.

I was born and lived in Bismarck for 18 years, went to university in Fargo and worked in Fargo for a time after that. North Dakota once was a state guided by those who represented all residents equally. I've always intended to move back, but if this narrow view of governance persists, I will have to reconsider. Many will not want to have their children educated in this environment.

February 11, 2024

TO: North Dakota Senate, Education Committee

RE: Personal Testimony in Opposition of SB 2355

As an individual, a citizen of North Dakota, a resident of Fargo, and as a former high school science teacher, I submit this testimony for consideration. My objective is to urge you to reject Senate Bill 2355 because of the harm it will do to North Dakota students and to the State of North Dakota. For years I have studied the history and philosophy of science and science education. Based on the professional expertise amassed over many years, I offer the following two-pronged testimony in opposition to Senate Bill 2355: It will explain why “the theory of intelligent design” is *not* science and why its inclusion would be detrimental to science education in the state.

Mandating that intelligent design be taught as part of the North Dakota science standards would damage the understanding and critical thinking that we aim to cultivate as part of primary and secondary science education. *A Framework for K-12 Science Education* ([NRC, 2012](#)) and the *Next Generation Science Standards* ([NGSS Lead States, 2013](#)) articulate that students should come to know science as “a way of knowing” by engaging in practices that help them to understand that “scientific knowledge is based on empirical evidence” (see [Appendix H, p. 5](#)). These reform documents are consistent with the *North Dakota Science Content Standards* ([ND DPI, 2019](#)), which provide guidance for teachers to help learners understand the process of science that hinges on the gathering and examining of evidence (p. 10). Scientific theories are a type of scientific knowledge. They offer explanations about the natural world, which are consistent with and well-supported by evidence.

Senate Bill 2355 presents intelligent design as a scientific theory, an alternate explanation worth presenting to students for the creation of all life forms. The foundation of this bill is problematic because intelligent design is not a viable scientific theory. “Intelligent design” refers to a notion that living organisms were created in more or less their present forms by an “intelligent designer” ([Encyclopedia Britannica, 2025](#)). The argument for intelligent design, which seeks to challenge the established explanation of evolution by natural selection, rests on the linchpin of irreducible complexity – positing that some biological structures are too complex to have evolved in nature on their own (e.g., compound eyes in insects). While perhaps intriguing, intelligent design fails the fundamental tests of science. It’s not falsifiable, testable, or based on natural explanations. Instead, intelligent design relies on supernatural intervention.

Many prior attempts to inject intelligent design into K-12 classrooms have found it be a disguise for introducing religious ideas in public education. In 2005's *Kitzmiller v. Dover*, a federal court concluded that the Dover Area School Board’s policy requiring the teaching of “intelligent design” was unconstitutional, violating the Establishment Clause of the First Amendment of the U.S. Constitution. Judge John E. Jones III [in his ruling](#) stated that intelligent design targets evolution instruction, attempting to misrepresent its status in the scientific community, and, “causes students to doubt its validity without scientific justification, presents students with a religious alternative masquerading as a scientific theory”. It is not just that intelligent design is intertwined with religious

views, but the textbooks that were selected to support this instruction clearly demonstrated this position as well. The ruling went on to explain that “[intelligent design] is not science and cannot be adjudged a valid, accepted scientific theory as it has failed to publish in peer-reviewed journals, engage in research and testing, and gain acceptance in the scientific community.”

Incorporating intelligent design into K-12 content standards may seem like an opportunity for learners to explore different viewpoints, or critically examine perspectives, but it is a flawed premise. It would be misplaced in a science classroom. Furthermore, by making this addition, others in the wake of such a decision may demand equal time for other non-scientific viewpoints and, thus, dilute K-12 science education even further. Astrology is not considered as science content, nor crystal healing or tarot reading, because they do not abide by the process of science. They may be considered by some as other ways of knowing, but they are not science; science follows agreed upon guidelines.

In summary, intelligent design is not science and it has no place in K-12 science classrooms. By introducing supernatural explanations into instruction, intelligent design undermines science education. It detracts from critical thinking. Students need not wrestle with asking questions, collecting evidence, and forming explanations about natural phenomena if “by design” can be used as a trump card instead of rigorous inquiry. It is my hope that all students gain an understanding about nature of science and the role of evidence in the development of scientific knowledge during their K-12 years. Our public schools should be preparing the next generation of citizens to use evidence-based reasoning, which will aid them in their future pursuits and enable them to meaningfully engage in civic affairs. For the sake of our teachers and students, based on the reasons outlined in this testimony, I urge you to vote against Senate Bill 2355.

Respectfully submitted,

A handwritten signature in cursive script that reads "Ryan Summers".

Ryan Summers, PhD

Resident of Fargo, ND

Testimony in Opposition to Senate Bill No. 2355

Chair Beard, members of the Senate Education committee, thank you for the opportunity to provide testimony in opposition to Senate Bill No. 2355. My name is Mary Hoherz, lifelong life science, health, and physical education teacher, and I am here today to express significant concerns regarding the proposal to mandate the inclusion of intelligent design in North Dakota's science content standards.

Beliefs are beliefs; science is science. The role of science education is to teach students evidence-based knowledge, not religious doctrine. Teachers are trained to educate students in scientific principles, not theology. Religion should be left to the parents, not mandated within public school science curricula. Schools have always taught science, not religion, and our standards should remain based on evidence, not personal beliefs.

As an educator, my job is to provide students with the tools they need to critically analyze information and make informed decisions as they grow. I trust my students to engage with scientific principles and develop their own perspectives outside of the classroom. Theology courses are available for those who wish to explore religious viewpoints, but these discussions belong outside of mandated science education.

Teachers should be trusted to do their jobs. We did not go to college to teach religion—we trained to teach science. Science standards are designed for schools and should not be influenced by religious ideologies. If students choose to explore religious beliefs, they have ample opportunities outside of school to do so. The classroom should remain a place for factual, evidence-based learning, while religious instruction remains the responsibility of families and faith communities.

I present both sides of scientific debates so that, as adults, students can make their own choices. However, intelligent design is not a scientific theory; it is a belief. Schools are for education, while religious guidance belongs to churches and families. Mandating the inclusion of intelligent design in our science standards would blur the crucial distinction between faith and science, compromising educational integrity and setting a dangerous precedent.

For these reasons, I respectfully urge the committee to reject Senate Bill No. 2355. North Dakota students deserve a high-quality science education rooted in evidence-based learning, not ideological mandates. Thank you for your time and consideration. I am happy to answer any questions.

I am writing as a concerned citizen in strong opposition to Senate Bill SB 2355, which seeks to include intelligent design in the science content standards for North Dakota's elementary and secondary students. This bill is unconstitutional, unscientific, and an attempt to introduce religious beliefs into public education.

Intelligent design is not science—it is a religious concept. The scientific community, including organizations such as the National Academy of Sciences and the American Association for the Advancement of Science, has repeatedly affirmed that evolution is the only scientifically supported explanation for the diversity of life on Earth. Intelligent design, on the other hand, is a faith-based idea that suggests life was created by a divine being. Teaching it in public schools violates the separation of church and state as outlined in the First Amendment of the U.S. Constitution.

Courts have consistently ruled against teaching intelligent design in public schools. The Kitzmiller v. Dover Area School District case in 2005 established that intelligent design is not science but a repackaged form of creationism, making it unconstitutional to include in public school curricula. Passing SB 2355 would invite costly legal battles, burdening North Dakota taxpayers with unnecessary litigation.

Furthermore, introducing religious ideology into science education undermines students' ability to compete in higher education and the workforce. Science should be taught based on empirical evidence, peer-reviewed research, and the scientific method—not on religious beliefs. Students deserve a strong, fact-based science education that prepares them for careers in medicine, engineering, technology, and other STEM fields.

Public schools must remain neutral in matters of religion, respecting the diverse beliefs of all North Dakotans. If parents wish for their children to learn religious perspectives on creation, they are free to do so in churches, private schools, or at home—not in public science classrooms.

For these reasons, I strongly urge you to vote NO on SB 2355. Science education should be based on facts, not faith. This bill is unconstitutional, harmful to students, and a step backward for North Dakota's education system.

Thank you for your time and consideration.

Kristin Nelson

2/11/2025

5409 20th Street South

Fargo, ND

District 46

DO NOT PASS ON SB 2355

Chairman Beard and members of the Senate Education Committee:

I am writing to you today to encourage a **DO NOT PASS** recommendation on **SB 2355**. When researching intelligent design the first words that come up “**pseudo-science**”, and “**misrepresentation of science**”. Science is testable and this theory **cannot be tested**, replicated, or hold up to any scientific standards. This “pseudo-science” has also faced **several legal challenges** and will not hold up to **litigation**.

Do not waste tax dollars by inviting more litigation for another bill that is based in **Christian nationalism** supremacy. **DO NOT PASS SB 2355**.



February 10, 2025

To the state senators of the North Dakota Legislature,

We are North Dakota science educators, including biology and physical science professors, who conduct scientific research and teach college students. We oppose North Dakota SB 2355. Daily, we assess the best ways to teach scientific disciplines and methods and help students develop critical approaches to and evidence-based conclusions about the world around them. We believe that Senate Bill 2355 will harm North Dakota students and the state of North Dakota. In particular, because "Intelligent Design theory" is not a scientific theory but a religious doctrine, we note that incorporating Intelligent Design into the state science standards would impair the intellectual development of primary and secondary school students and have long-term detrimental consequences for the state.

Because this bill aims to change what is taught in science classes, supporting or rejecting Bill 2355 must include an honest discussion of "what is science" and "what is Intelligent Design." Scientific approaches use a carefully designed scientific method and have requirements that must be met that clearly distinguish science from other ways of knowing. The National Academy of Sciences defines science as the "use of evidence to construct testable explanations and predictions of natural phenomena, as well as the knowledge generated through this process." To elaborate, cornerstones of science include the following: 1.) scientific knowledge is based on empirical evidence; 2.) science addresses questions about the natural and material world, and 3.) scientific knowledge is open to revision in light of new evidence.

Intelligent Design lacks evidence, requires the supernatural, and is impervious to revision because it involves no testable hypotheses. Intelligent Design is the claim that biodiversity on earth is the product of a "designer." However, in a proper scientific approach, a hypothesis requires more than plausibility to be adopted - it requires evidence. In support of the Intelligent Design view, its proponents offer dogmatic statements rather than evidence. For example: "the adaptations we see in living organisms are perfect and thus could not evolve but rather must have been produced by a designer" and "Examples of irreducible complexity are also evidence of a designer because they could not evolve."

The arguments represent a distraction from the lack of evidence for their hypotheses. Intelligent Design does not satisfy the requirement that science education addresses questions about the natural and material world. Because Intelligent Design requires a "designer," it is the purview of religion, not science. Indeed, in 2005, a federal court ruled, in *Kitzmiller v. Dover*, that "Intelligent Design is not science and cannot uncouple itself from its creationist and thus religious antecedents."

In light of these characteristics of Intelligent Design, the Department of Biological Sciences at NDSU has serious reservations about Bill 2355 and the proposed changes to state science standards. The students of North Dakota deserve the best STEM education available. They will be poorly served by an education that erroneously teaches Intelligent Design as a scientific theory. Teaching Intelligent Design in any science class is wrong because it is not science.

Concerns have been raised about American students falling behind international STEM standards. Students graduating from schools teaching Intelligent Design as science would have difficulty at higher education institutions across the country, which would have to provide remedial instruction to undo the damage. If Bill 2355 were passed, North Dakota's ability to attract bioscience and related industries would be negatively impacted. Parents would question the quality of the STEM education their children would receive.

If the bill is passed, the state and its institutions could incur significant legal costs due to lawsuits and court cases. A local school district in Pennsylvania spent roughly 2 million dollars in the *Kitzmiller v. Dover* case. Intelligent Design and creationism represent the extremely narrow religious perspective of a small percentage of Christians and thus has no place in the science classroom. The bill as proposed represents an erosion of separation of church and state and is unconstitutional, as clearly indicated in the decision in *Kitzmiller v. Dover*.

We urge the members of the North Dakota legislature to reject Bill 2355, because it will harm the future of North Dakota and STEM education in the state. Adoption of Bill 2355 will diminish the quality of science teaching in North Dakota and disadvantage children relative to their peers in states that adhere to appropriate science standards. By rejecting Bill 2355, lawmakers will help the state avoid the bad publicity that invariably follows school districts and states that consider teaching Intelligent Design (e.g. the Kansas State Board of Education, 2005). They will avoid expensive lawsuits and legal costs such as those incurred in Pennsylvania in 2005. Most importantly, they will help maintain high standards for STEM education in the state, promote critical thinking in tomorrow's citizens and STEM-based professionals, and help North Dakotans maintain an evidence-based perspective for living in the world today.

Sincerely,

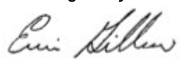
The Department of Biological Sciences, NDSU

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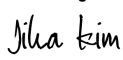
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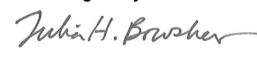
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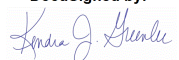
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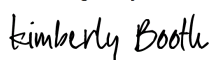
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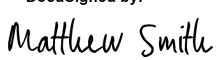
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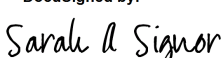
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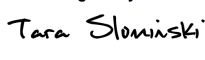
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BIOLOGICAL SCIENCES

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NDSU is an EO/AA university.

Testimony in opposition to SB 2355

Joel Hektner, Fargo, ND

February 11, 2025

I write to express my strong opposition to SB 2355. As a Christian, I believe the creation of all life occurred through the action of an intelligent being, God, and I teach my children that, but that does not mean that I want that idea taught in school as a scientific theory. As an educator and researcher, I use and teach the scientific method. Scientific ways of knowing are different from religious and faith-based ways of knowing, and the two are strongest when kept separate. It will not strengthen students' belief or understanding to try to fit the idea of intelligent design into a scientific theory; it will only confuse students as to what a scientific theory actually is. At a time when educating our children in STEM is more important than ever, we can't afford to cause them to fall behind their peers in other states and around the world because we felt the need to promote unscientific ideas as scientific theories.

Intelligent design is not a valid scientific theory and has no place in the science curriculum of the public school system.

As a parent with a child in the school system, I am uncomfortable with the prospect of my child receiving religious doctrine presented as scientific fact.

As an elementary school teacher, I know how precious instructional time is and do not see the presentation of this masked version of creationism as a good use of that time.

Sincerely,

Elizabeth Kruger

Valley City

Why are we considering adding what some people BELIEVE to our books that are supposed to contain what we as humans KNOW? A pseudoscientific theory has absolutely no place in our public school system. The fact that this is being considered is very disheartening. There are many people out there with many different beliefs so why are we considering adding just one of them to our science curriculum? What if I BELIEVE Sasquatch are real? Can we add that to our science curriculum too? You see it's a slippery slope which is why science books science books should stick to the facts... you know because that's actually what science is. Facts.

Dear Chairman Beard and members of the Senate Education Committee,

I submit this testimony **in opposition to SB 2355**

My name is Dr. Robert Newman. I submit this testimony as a private citizen. I do not speak on behalf of my employer.

I am a biologist with a degree from an Ecology and Evolutionary Biology program (Ph.D. 1987 University of Pennsylvania). I have been on the faculty of the University of North Dakota for 30 years. I taught first semester Introductory Biology for 21 of those years and still teach an upper-level undergraduate course with major content on evolution. Evolution is so fundamental to our understanding of life on Earth that it appears in chapter one of every biology textbook I used or reviewed when I taught Intro. Although this bill is not aimed at higher education, our students get their start in K12 and need to be well-prepared with a foundation that they can build on when they attend college. Even if they do not attend college, it is still critical that they understand what science is, how it works, and how it helps society solve problems and generally make sense of the world. Religion is a different way of sense-making. There are other places students can learn about religious beliefs, but that should not be in a science class. It would be a setback to their progress if students come into that class believing Creationism/Intelligent Design has any validity as a scientific theory or if students were predisposed to be skeptical of evolution because of what they had learned prior to college.

This bill is another effort to inject a religious belief into science education, pure and simple. As such it represents state sponsorship of religion and will be found to be unconstitutional in the courts, as similar legislation has been found for decades. Just as importantly, it would undermine the education of students by claiming a religious belief held as a matter of faith is in any way comparable to scientific knowledge that is based on data and rigorous testing of hypotheses. Intelligent Design is Creationism masquerading as something other than religion. This is well-known and changes nothing about the religious origin of the idea.

I respect the right for everyone to follow their own religious practices, a right afforded by the first amendment, which also establishes that governments shall not impose any religious practice or teaching on anyone. That is what this bill seeks to do. Creationism is a religious belief, associated with a subset of Christianity.

<https://churchlifejournal.nd.edu/articles/the-catholic-church-has-never-had-a-quarrel-with-the-idea-of-evolution/>.

There are questions that science cannot currently answer, such as the origin of life on earth. But however that occurred, which we can date to almost 3.5 billion years ago based on fossilized remains of very early single-cell life forms (bacteria), the diversity of life emerged as a result of evolutionary processes subsequently. This is a well-established scientific principle, supported by multiple lines of evidence.

Evolution is the basis for understanding the diversity of life on Earth and also used in more applied ways that are directly relevant to North Dakota – crop and livestock improvement, combatting pest species and diseases, and medical research (combatting antibiotic resistance, for example).

Science and religion are separate and distinct ways of knowing. Science specifically provides mechanistic understanding of the world and is based on its ability to make and test specific predictions. The benefit of this should be immediately apparent – scientific knowledge is never perfect and is constantly improving, but we have for some time been able to make high quality predictions about storm tracks, earthquakes, and health outcomes of different therapies. Religion makes no specific predictions about anything around us, nor can its tenets be tested. It is a matter of belief, of faith, and serves a very different role in our lives. It is an important and for many people valuable part of the human experience, but it is not a substitute or equivalent to what we can do with science. Religious beliefs such as Creationism or Intelligent Design are not an alternative way of understanding phenomena that we teach in a science class and should not be presented as such. Students and everyone should understand this distinction.

Religion can be the subject matter in a number of disciplines (religion courses, history, social studies), but has no place in any science course.

States have passed laws mandating the teaching of creationism/intelligent design in the past. This has done harm to a state's reputation, making the state appear anti-science, and making it less attractive to high tech industries. Moreover, it has been found to be unconstitutional, and any new laws will certainly be challenged in court, incurring unnecessary and avoidable costs for school districts and the state. According to the [National Center for Science Education](#), "since 1968 U.S. courts have consistently held that "creationism" is a particular religious viewpoint and that teaching it in public schools would violate the First Amendment of the Constitution."

<https://ncse.ngo/creationism-and-law-0>

<https://ncse.ngo/ten-major-court-cases-about-evolution-and-creationism>

For the good of the state of North Dakota and for the benefit of students in the state, I oppose SB 2355 and I urge you to vote against it.

Senate Bill 2355

My name is Ned Clooten. I'm writing this letter in support of SB2355. I am currently the Superintendent of Schools in Devils Lake, ND. I want to make it very clear that I am writing this testimony as a private citizen and in no way attempting to represent the school district or School Board of Devils Lake with my words. I have been in education for 27 years. I hold a Bachelor's Degree in Biology with a minor in Chemistry and a Master's Degree in Educational Leadership.

I feel like our children deserve to have an honest discussion about the Origin of Life rather than being told that life randomly appeared. You see nobody has ever proven evolution, in fact, quite the opposite is true. In order for evolution to be true it must have started from a single cell and evolved into what we are today. Just for the sake of argument here, we won't talk about the true miracle of life itself, we'll just focus on going from a single cell to these amazing bodies we walk around in every day. For this to be true, there must be millions, trillions, or even billions, of transitional species between a single cell, and a human being. But that is NOT what the fossil record shows us at ALL! Charles Darwin is often considered to be the Father of Evolution but evolutionists like to ignore the words in his book the Origin of Species where he says, "Why, if species have descended from other species by fine gradations, do we not everywhere see INNUMERABLE transitional forms?" He says later in his book that he hoped that future discoveries would be made of transitional forms. He goes on to say, "The geological record is extremely imperfect, and this fact will to a large extent explain why we do not find intermediate varieties, connecting together all the extinct and existing forms of life by the finest graduated steps. He who rejects these views on the nature of the geological record, **will rightly reject my whole theory.**" Here we are over 150 years later, and we have no undisputed transitional forms at all. Most of the celebrated 'missing links' were proven to be hoax's after they gained headlines. Even the most ardent evolutionists can only claim 12 such transitional fossil forms. A FAR cry from the 'innumerable' number Darwin tells us we should expect. However, our textbooks in schools, say as though it is fact, that the fossil record absolutely supports evolution.

Most of the opponents of this bill will spend all of their time attacking Intelligent Design. The reason they will attack it is because it is not a perfect theory either. I'm writing in support of SB 2355 because our kids deserve to have an open discussion about this topic. I graduated with a Biology Degree from ND university in 1998. I was very close to my Biology professor and would consider him a mentor. When he found out that I did not believe in evolution, he told me that I did not deserve my Biology degree. I don't tell you that story for sympathy. I tell you that story because the same things are still taking place in our science classrooms today. If you dare believe in anything other than the theory of evolution which has many holes in it, you are chastised, bullied, and shamed. Our students deserve better. They deserve to have a real discussion about a topic that has not been proven by anyone. No matter what evolutionists tell you, they cannot prove to you that we evolved from apes. Just like I cannot prove to you that we were Created by a God. I will leave you with a couple more quotes about the fossil record:

“We are now about 120 years after Darwin and the knowledge of the fossil record has been greatly expanded. We now have a quarter of a million fossil species, but the situation hasn't changed much. The record of evolution is still surprisingly jerky and, ironically, we have even fewer examples of evolutionary transition than we had in Darwin's time.” David Raup, Director, The Field Museum of Natural History

**“The extreme rarity of transitional forms in the fossil record persists as the trade secret of paleontology. The evolutionary trees that adorn our textbooks have data only at the tips and nodes of their branches; the rest is inference, however reasonable, NOT THE EVIDENCE OF THE FOSSILS.”
Stephen Jay Gould Evolutionist and Harvard Professor of Paleontology**

I have focused primarily on the fossil record NOT supporting evolution because that is the most egregious lie still being told on a regular basis in our science classrooms to support evolution but there are many more. I just don't have time to discuss Haeckel's fake embryos, the fake peppered moths, or Piltdown Man. Thank you for your time and support of SB2355



PO Box 750
Madison, WI 53701
ffrfaction.org

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

SB 2355 - Testimony in Opposition to teaching Intelligent Design in the science classroom

Dr. David S. Ronderos - biology professor; PhD, Neuroscience, UT Southwestern; Postdoctoral Fellowship, Johns Hopkins University School of Medicine; Member, Society of Catholic Scientists

I am a university professor and have taught evolutionary biology for the past 7 years. I'm also a devout Christian and practicing Catholic, and my faith is unquestionably the most important part of my life. I've spent years studying the complementarity of faith and science, especially evolutionary biology, and am familiar with "Intelligent Design (ID)".

Intelligent Design (ID) is not science: The natural sciences deal with nature and natural laws. Science, in the modern sense, is restricted only to the study of material and physical phenomena. By appealing to "intelligent agency" as an alternative to natural causes, ID is not science (despite persistent claims of ID proponents to the contrary). ID contains both (1) philosophical elements about causes and (2) theological elements about the relationship between an "intelligent designer" and nature. Importantly, ID is historically an outgrowth of "creationism", as was well-demonstrated in the 2005 *Kitzmiller v. Dover* trial. So, ID is a philosophical and theological position, not a scientific theory.

Biological evolution is well-established scientific theory: The phrase "it's only a theory" is frequently used to cast doubt on evolution. However, in a technical scientific sense, "theory" is often applied to well-supported ideas (like gravitational theory). Nearly every professional scientific organization and society in the country embraces evolutionary science while also rejecting ID. It is misleading to give students the impression that ID is a valid scientific theory, worthy of consideration alongside evolutionary theory. Unlike ID, evolutionary theory has withstood 165 years of rigorous testing and scientific advancements while gaining ever broader acceptance among scientists (a remarkable feat considering the structure of DNA was only discovered in 1953). Far from overturning evolution, recent discoveries have confirmed and extended it. The teaching of ID alongside evolution, as if these were two reasonable alternatives of similar scientific standing, gives students a false view of the scientific status of evolution and a misunderstanding of how the scientific process works. It risks putting our students in a disadvantaged position regarding scientific understanding generally.

Promoting ID in the science classroom will undermine religious belief: As a devout Catholic Christian, I am very concerned that promoting ID will have the unintended side-effect of undermining religious faith. If we tell students that all living species came about *either* by natural processes or by an "intelligent designer", God is depicted as a competitor against creation. It implies that students must choose between God and science - a false dichotomy. SB 2355 would inadvertently promote the view that faith and science are opposed. The ultimate effect may lead some students to reject either science or religion - neither of which is a desirable outcome of our educational system.

The theory of evolution is not inherently atheistic: Many faithful Christians have seen no conflict between faith and evolution, including Pope St. John Paul II, Pope Benedict XVI, Pope Francis, and St. John Henry Newman to name a few. The renowned evolutionary biologist and Orthodox Christian, Theodosius Dobzhansky, famously said that "*nothing in*

biology makes sense except in the light of evolution". SB 2355, by requiring that a particular theological viewpoint about an "intelligent designer" be taught as an alternative to evolution, implies that evolutionary biology is inherently atheistic – a religious claim that I and many other faithful Christians reject, based on belief in a God who is the creator and author of nature and natural laws. We should continue to have the freedom to teach our kids that science, especially evolution, is compatible with belief in God.



Testimony in Support of Senate Bill 2355

Marit Heidbreder
 North Dakota Family Alliance Legislative Action
 February 12, 2025

Good morning Chairman Beard and honorable members of the Senate Education Committee. My name is Marit Heidbreder with North Dakota Family Alliance Legislative Action and we would like to testify in support of Senate Bill 2355 and respectfully request that you would render a “DO PASS” on this bill.

Intelligent design is *the theory that matter, the various forms of life, and the world were created by a designing intelligence*.¹ The past fifty years of biological research have found that life is fundamentally based upon complex and specific information encoded in a biochemical language, a computer-like system of commands and codes that processes information, and irreducibly complex molecular machines and multi-machine systems. What do language, complex information, programming code and machines all point to? Intelligence. Intelligent design at its most fundamental level is based on scientific methods and evidence from nature.²

When a Christian organization such as ours brings up the subject of intelligent design, it is often asserted that it is simply a code word for creationism, and therefore a violation of the Constitution and likely to incur lawsuits against the state. However, creationism is defined as *a doctrine of theory holding that matter, the various forms of life, and the world were created by God out of nothing and usually in the way described in Genesis*.³ Creationism clearly differs from the definition of intelligent design because it is based on the Bible and faith, while intelligent design is based on scientific methods and evidence in nature.

We currently present one option to our students regarding the source of the universe and everything in it: the theory of evolution. Our materials do not include the alternative theory of intelligent design, even though it exists and is well-supported. Where is the harm in teaching our students *how* to think, rather than *what* to think? By equipping students with critical thinking skills to weigh different theories and evidence and ultimately decide for themselves which theory has the most merit, we empower students with valuable tools which will benefit them in their future workplaces. There will not always be someone there telling them what to think and what to do, but rather they will need to consider numerous situations and use their critical thinking skills to decide how to act and what to do for

¹ <https://www.merriam-webster.com/dictionary/intelligent%20design>

² <https://intelligentdesign.org/articles/what-is-intelligent-design/>

³ <http://www.merriam-webster.com/dictionary/creationism>

themselves. Including intelligent design in schools as an alternative theory to evolution will strengthen their ability to apply critical thinking skills to real life situations.

It has been said that it is the mark of an educated mind to be able to entertain a thought without accepting it. Albert Einstein also mirrored that same idea by saying, “Education is not the learning of facts, but the training of the mind to think.”⁴ We needn’t be threatened by posing an alternative theory to teach our students regarding the source of our universe, but rather we should embrace the opportunity to train them how to think and weigh for themselves the supporting evidence for both options. Their future success will be largely impacted by their critical thinking abilities.

For these reasons, North Dakota Family Alliance Legislative Action respectfully requests that you please vote Senate Bill 2355 out of committee with a “DO PASS” recommendation.

Thank you for the opportunity to provide this testimony. I appreciate your time and consideration and I’m happy to stand for any questions.

⁴ <https://india.un.org/en/162946-education-not-learning-facts-training-minds-think#:~:text=Albert%20Einstein%20during%20his%20visit%20to%20Boston%20in,not%20really%20need%20a%20school%20or%20college%20education>

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Sixty-ninth North Dakota Legislative Assembly
Senate Education Committee
S.B. 2355
February 12, 2025



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Chair Beard, Vice Chair Lemm, and members of the Committee:

On behalf of the American Civil Liberties Union of North Dakota, I submit testimony in opposition to Senate Bill 2355 which would mandate the inclusion of intelligent design in science content standards for elementary and secondary students.

Intelligent design, simply put, is a form of creationism and this bill would enact blatant violation of students' and parents' First Amendment rights, undermine science education across the state, invite costly litigation.¹

The federal courts, including the U.S. Supreme Court, have repeatedly held that teaching creationism in public schools and other efforts to suppress or undermine evolution education are unconstitutional—no matter what form they may take.² Nevertheless, the Dover Area School District in Pennsylvania incorporated into its biology lessons a disclaimer questioning the validity of evolution and promoting intelligent design as an alternative. In 2005, the ACLU and Americans United for Separation of Church and State sued the school district on behalf of local families. Experts from the National Center for Science Education (NCSE) served as consultants and expert witnesses in the case, and this letter was written in consultation with NCSE to ensure accuracy as to its representations about intelligent design.³

The Dover school district tried to defend its policy by arguing that, unlike other forms of creationism, intelligent design is not a religious belief and is thus properly taught as a scientific alternative to evolution. To ensure that these arguments were fairly heard and considered, Judge John E. Jones III—who was nominated to the bench by President George W. Bush—held a six-week trial during which extensive evidence about intelligent design was presented.⁴ As participants in the trial, our organizations can attest to the fact that Judge Jones left no stone unturned.

In the end, Judge Jones unequivocally rejected the district's arguments and systematically refuted each one. He ruled that intelligent design is merely "creationism re-labeled" and that incorporating

¹ ["Intelligent design" costs Dover over \\$1,000,000](#), NCSE (Feb. 24, 2006).

² See, e.g., *Edwards v. Aguillard*, 482 U.S. 578, 596-97 (1987) (striking down Louisiana's "Balanced Treatment for Creation-Science and Evolution-Science in Public School Instruction Act"); *Epperson v. Arkansas*, 393 U.S. 97, 107-09 (1968) (overturning state law prohibiting the teaching of evolution in public schools as "there can be no doubt that Arkansas has sought to prevent its teachers from discussing the theory of evolution because it is contrary to the belief of some that the Book of Genesis must be the exclusive source of doctrine as to the origin of man"); *Freiler v. Tangipahoa Parish Bd. of Educ.*, 185 F. 3d 337, 349 (5th Cir. 1999) (holding unconstitutional school-board policy requiring teachers to read classroom disclaimer questioning validity of evolution and promoting creationist beliefs); *Daniel v. Waters*, 515 F.2d 485, 489-90 (6th Cir. 1975) (striking down state statute that prohibited "the selection of any textbook which teaches evolution unless it also contains a disclaimer stating that such doctrine is 'a theory as to the origin and creation of man and his world and is not represented to be scientific fact'"); *Selman v. Cobb County Sch. Dist.*, 390 F. Supp. 2d 1286, 1309-12 (N.D. Ga. 2005) (enjoining school-board policy requiring placement of sticker disclaiming evolution as theory, not fact, in all science textbooks), *vacated and remanded on grounds of incomplete trial record*, 449 F.3d 1320 (11th Cir. 2006); *McLean v. Ark. Bd. of Educ.*, 529 F. Supp. 1255, 1274 (E.D. Ark. 1982) (overturning statute that mandated the teaching of creation-science in public schools and holding that "[n]o group, no matter how large or small, may use the organs of government, of which the public schools are the most conspicuous and influential, to foist its religious beliefs on others").

³ *Kitzmiller v. Dover Area Sch. Dist.*, 400 F. Supp.2d 707, 763-66 (M.D. 2005) (enjoining school board policy promoting the teaching of intelligent design in biology class).

⁴ See *id.* at 735 (noting that the court held "a six-week trial that spanned twenty-one days and included countless hours of detailed expert witness presentations").

it into science classes violates the Establishment Clause of the First Amendment.⁵ Moreover, he concluded that intelligent design “is not science” because it “fails to meet the essential ground rules that limit science to testable, natural explanations.”⁶ Indeed, “[t]he evidence presented... demonstrate[d] that [intelligent design was] not supported by any peer-reviewed research, data or publications.”⁷

By contrast, evolution “is the only tested, comprehensive scientific explanation for the nature of the biological world today that is supported by overwhelming evidence and widely accepted in the scientific community.”⁸ It is a cornerstone of biology and is so well-established as a scientific theory that there is no legitimate scientific debate regarding its validity, any more than there is a scientific debate regarding the validity of the theory of universal gravity.⁹

Even should SB 2355 be amended to permit rather than mandate the teaching of intelligent design, the constitutional problem with the law would remain. The State may neither mandate nor permit its agents to act unconstitutionally.¹⁰ Teaching intelligent design in public-school science classes is patently unconstitutional and should it become law it will inevitably violate students’ and parents’ constitutional rights and invite litigation. The ACLU and Americans United successfully sued in Pennsylvania, where the plaintiffs’ attorneys’ fees totaled more than \$2,000,000, but they

⁵ *Id.* at 722, 766; *see also id.* at 721 (“It is notable that not one defense expert was able to explain how the supernatural action suggested by [intelligent design] could be anything other than an inherently religious proposition. . . . The evidence at trial demonstrates that [intelligent design] is nothing less than the progeny of creationism.”); *id.* at 765 (“[Intelligent design] cannot uncouple itself from its creationist, and thus religious, antecedents.”).

⁶ *Id.* at 735-38. The false claim that intelligent design is rooted in science is similar to the false claim made decades ago that “creation science” was science-based and should thus be taught in public schools. As the *Dover* court explained, creationism advocates simply “utilize[d] scientific-sounding language to describe religious beliefs” and then renamed creationism “creation science” or “scientific creationism” and demanded that it be taught in public schools as an alternative to evolution. *Id.* at 711-12. The U.S. Supreme Court firmly rejected these efforts. *See Edwards*, 482 U.S. at 596-97.

⁷ *Kitzmiller*, 400 F. Supp. at 745. All the major scientific organizations agree. The National Academy of Sciences (NAS) describes intelligent design as “not supported by scientific evidence.” [Evolution Resources at the Nat’l Academies](#) (Science & Religion), Intelligent Design, NAS (last visited Feb. 25, 2023). The National Science Teaching Association (NTSA) includes intelligent design in a [list of creationist beliefs](#) that “cannot be considered science, and have no place in science classrooms.” Position Statement, Intelligent Design, NTSA (last visited Feb. 25, 2023). And, because intelligent design is not science, the American Association for the Advancement of Science (AAAS) [says](#) that promoting it in schools would undermine science education. AAAS Board Resolution on Intelligent Design Theory, AAAS (July 1, 2013).

⁸ *See Science, Evolution, & Creationism*, NAS, 53 (2008).

⁹ *Id.* at 50 (“[E]volution itself has been so thoroughly tested that biologists are no longer examining *whether* evolution has occurred and is continuing to occur.”). Any suggestion that evolution is “just a theory,” in the vernacular sense, is extremely misleading. *See What is a Theory?* Am. Museum of Natural History (last visited Feb. 25, 2023) (“In everyday use, the word ‘theory’ often means an untested hunch, or a guess without supporting evidence. But for scientists, a theory has nearly the opposite meaning. A theory is a well-substantiated explanation of an aspect of the natural world that can incorporate laws, hypotheses and facts. . . . The theory of evolution explains why so many plants and animals—some very similar and some very different—exist on Earth now and in the past, as revealed by the fossil record. . . . [T]he theory of evolution still persists today, much as Darwin first described it, and is universally accepted by scientists.”).

¹⁰ *See, e.g., Karen B. v. Treen*, 653 F.2d 897, 899, 902 (5th Cir. 1981), *aff’d*, 455 U.S. 913 (1982) (state statute authorizing, *but not requiring*, teachers to offer prayer if no students volunteered was unconstitutional because it made “inappropriate governmental involvement in religious affairs inevitable”).

agreed to accept half that after the community voted out the school board members insistent on pushing intelligent design.¹¹

While teachers and school officials enjoy a broad range of religious-liberty and free-speech rights in their personal capacities,¹² they are not entitled to promote biblical doctrine or other religious beliefs, such as creation science and intelligent design, in class.¹³ SB 2355, therefore, is not justified on academic-freedom grounds.¹⁴ Nor does promoting religious doctrine in connection with biology instruction, or otherwise undermining evolution lessons, somehow provide more comprehensive science education.¹⁵

Finally, as the Supreme Court explained in *Edwards* while rejecting a state creation-science law, “[f]amilies entrust public schools with the education of their children, but condition their trust on the understanding that the classroom will not purposely be used to advance religious views that may conflict with the private beliefs of the student and his or her family.”¹⁶ Parents, not public schools, are entitled to instill religious beliefs in their children. SB2355 infringes that right. Religion belongs where it prospers best—with individuals, families, and religious communities—not in science classrooms of public schools.

In issuing his intelligent design ruling, Judge Jones lamented the devastation that the school board had wrought on the Dover schools and community in its reckless pursuit of an obviously unconstitutional policy:

“Those who disagree with our holding will likely mark it as the product of an activist judge. If so, they will have erred as this is manifestly not an activist Court. Rather, this case came to us as the result of the activism of an ill-informed faction on a school board, aided by a national public interest law firm eager to find a constitutional test case on [intelligent design], who in combination drove the Board to adopt an imprudent and ultimately unconstitutional policy. The breathtaking inanity of the Board’s decision is evident when

¹¹ See *supra* n.1 (noting that the ACLU and co-counsel agreed to accept half of the fees awarded “in recognition of the limited resources of the district and of the change in the school board’s composition after the November 2005 election”).

¹² See *Kennedy v. Bremerton Sch. Dist.*, 142 S. Ct. 2407, 2422, 2432 (2022) (public-school employee permitted to engage in private act of silent prayer during noninstructional time after school, where prayers were *not* recited to a captive audience, such as a classroom, and students were not involved). Consistent with *Kennedy*’s “historical practices and understandings” test, *id.* at 2428, there is a long line of Supreme Court cases tracing the principle of governmental religious neutrality back to the beliefs and understandings of the Founding Fathers. See, e.g., *Everson v. Bd. of Educ.*, 330 U.S. 1, 8-16 (1947); *Engel v. Vitale*, 370 U.S. 421, 425-31 (1962); *Sch. Dist. of Abington Twp. v. Schempp*, 374 U.S. 203, 214-26 (1963); *McCreary County v. ACLU of Ky.*, 545 U.S. 844, 875-81(2005). And the case law pertaining to evolution and creationism relies on that longstanding constitutional principle.

¹³ See, e.g., *Peloza v. Capistrano Unified Sch. Dist.*, 37 F.3d 517, 521-22 (9th Cir. 1994) (holding that a science teacher was properly required by his school district to teach evolution and refrain from discussing his religious views); *Helland v. S. Bend Cmty. Sch. Corp.*, 93 F.3d 327, 329, 332 n.2 (7th Cir. 1996) (holding that public-school district had properly dismissed substitute teacher for, among other infractions, “the unconstitutional interjection of religion” into classes “by reading the Bible aloud to middle and high school students, distributing Biblical pamphlets, and professing his belief in the Biblical version of creation in a fifth grade science class”); cf. *Grossman v. S. Shore Pub. Sch. Dist.*, 507 F.3d 1097, 1099 (7th Cir. 2007) (“Teachers and other public[-]school employees have no right to make the promotion of religion a part of their job description and by doing so precipitate a possible violation of the First Amendment’s [E]stablishment [C]lause[.]”).

¹⁴ See *Edwards*, 482 U.S. at 587 (“It is equally clear that requiring schools to teach creation science with evolution does not advance academic freedom.”).

¹⁵ See *id.* at 586.

¹⁶ *Edwards*, 482 U.S. at 584.

considered against the factual backdrop which has now been fully revealed through this trial. The students, parents, and teachers of the Dover Area School District deserved better than to be dragged into this legal maelstrom, with its resulting utter waste of monetary and personal resources.”¹⁷

North Dakota’s public schools, communities, and students also deserve better. Students’ and parents’ constitutional rights must be protected. The ACLU of North Dakota urges the Senate Education Committee to give a “do not pass” recommendation on SB2355.

Submitted by:
Cody J. Schuler
Advocacy Manager, ACLU of North Dakota
Lobbyist #367, cschuler@aclu.org

¹⁷ *Kitzmiller*, 400 F. Supp. 2d at 765.



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BOARDS ASSOCIATION

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SB 2355

**Testimony of Amy De Kok
Senate Education Committee
February 12, 2025**

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.

**Do Pass Testimony
of Doug Sharbono, citizen of North Dakota
on SB2355
in the Sixty-ninth Legislative Assembly of North Dakota**

Dear Chairman Beard and members of the Senate Education Committee,

I am writing as a citizen and believe SB2355 is excellent legislation. This legislation mandates that schools present Intelligent Design as an additional theory of the origin of life. Currently, abiogenesis is the sole scientific theory taught as to the origin of life, and beyond the first page of the chapter in which it is initially discussed, is presented as fact.

Particularly troubling is that abiogenesis is a form of the scientific theory of spontaneous generation, which was disproven by Louis Pasteur and John Tyndall in the 19th century. Spontaneous generation is the assembly of living forms from non-living material. You will remember prior to Pasteur and Tyndall, science believed that flies could just spontaneously generate from meat isolated in a jar. Abiogenesis is really no different.

Intelligent Design is a competing theory to abiogenesis in which Intelligent Design provides a reasonable explanation for the origin of life, and how the biological intricacies are ordered. The confirmation bias for abiogenesis is very strong; possibly due to the prevailing scientists own typically strong beliefs against the notion of an Intelligent Designer. Secular beliefs are unfortunately substantially holding back scientific understandings and continue this single path theory of abiogenesis. We have not progressed beyond the jar of meat with flies. I think we can do better than that.

Despite the previously stated problems with abiogenesis, SB2355 does not remove it as a theory. SB2355 mandates the more reasonable scientific theory of Intelligent Design be taught alongside whatever current theories exist on the origin of life. The accusation of confirmation bias therefore cannot be levied against Intelligent Design. It has to compete on its own merits.

SB2355 is excellent legislation. Please give SB2355 a Do Pass.

Thank you,

Doug Sharbono
1708 9th St S
Fargo, ND 58103



Testimony in Opposition to SB2355 – Intelligent Design

Chairman Beard members of the committee, I'm here to speak in strong opposition to this bill that would require intelligent design to be included in HIGH SCHOOL SCIENCE If **Intelligent Design (ID)** were to be taught in an academic setting, it would be most appropriately placed in courses focused on **philosophy, religious studies, or history of science** rather than in science classes.

With all due respect to the bill sponsors. This subject matter does not belong in high school science courses

Intelligent design is considered inappropriate for high school science curricula for several reasons, primarily because it does not meet the criteria of scientific theory and conflicts with the principles of science education. Here's why: # 1. The courts have ruled it is a theory or religion not of science. But more:

1. **Lack of Empirical Evidence and Testability** – Science is based on observable, testable, and falsifiable explanations for natural phenomena. Intelligent design does not offer testable hypotheses or empirical evidence that can be independently verified through experimentation.
2. **Violation of the Separation of Church and State** – Courts, including the U.S. Supreme Court, have ruled that teaching intelligent design in public school science classrooms violates the Establishment Clause of the First Amendment. In *Kitzmiller v. Dover Area School District (2005)*, a federal court determined that intelligent design is a form of religious belief rather than a scientific theory, making it unconstitutional to include in public school science curricula.
3. **Misrepresentation of the Scientific Method** – Science relies on methodological naturalism, meaning it explains the natural world through natural causes. Intelligent design posits a supernatural cause, which falls outside the scope of scientific inquiry. Teaching it as science misrepresents the nature of scientific investigation.
4. **Consensus Among Scientists** – The overwhelming consensus among biologists, chemists, and physicists is that evolution, supported by genetics, fossil records, and other evidence, is the most robust scientific explanation for biodiversity. Intelligent design does not hold credibility in the scientific community as an alternative theory.
5. **Potential for Confusion Among Students** – Teaching intelligent design in science classes alongside evolution can create confusion about the nature of science and critical thinking. It blurs the line between faith-based beliefs and evidence-based scientific reasoning.
6. **Appropriate Venue for Discussion** – While intelligent design may be an appropriate topic for discussions in philosophy or religious studies courses, it does not belong in the science curriculum. Science education should focus on teaching theories that are supported by scientific evidence and peer-reviewed research.



Court Rulings Define It as Religion, Not Science – The *Kitzmiller v. Dover* (2005) trial concluded that ID is a religious belief and not a scientific theory, ruling that it should not be taught in public school science classes.

If **Intelligent Design (ID)** were to be taught in an academic setting, it would be most appropriately placed in courses focused on **philosophy, religious studies, or history of science** rather than in science classes. Here's where it might fit:

1. Philosophy Courses

- **Philosophy of Science** – Discussing the nature of science, the demarcation problem (what separates science from non-science), and how ID compares to scientific theories like evolution.
- **Philosophy of Religion** – Exploring the argument from design, teleological arguments, and how ID relates to broader philosophical debates about the existence of a designer.

2. Religious Studies Courses

- **Comparative Religion** – Analyzing ID alongside traditional creationism, evolution, and other religious perspectives on the origin of life.
- **Theology Courses** – Examining ID's roots in religious thought and its relationship to various theological interpretations of creation.

3. History of Science Courses

- **Evolution vs. Design in Scientific Thought** – Studying how ideas about design and evolution have developed over time, including figures like William Paley (who proposed the watchmaker analogy), Charles Darwin, and modern ID proponents.
- **Science and Society** – Exploring the cultural and legal battles over teaching evolution and ID in schools, including landmark court cases like *Kitzmiller v. Dover* (2005).

4. Political Science or Law Courses

- **Church and State in Education** – Analyzing legal cases surrounding ID, the Establishment Clause, and how courts have ruled on teaching religious concepts in public education.

Where It Should NOT Be Taught:

- **High School Science Classes** – Because ID lacks empirical support, falsifiability, and peer-reviewed research, it does not meet the criteria of scientific theory and is not appropriate for biology or other science curricula

NDCEL is the strongest unifying voice representing and supporting administrators and educational leaders in pursuit of quality education for all students in North Dakota.

Executive Director: Aimee Copas-----Government Lead and Special Projects: Kevin Hoherz

Dear Members of the Senate Education Committee,

I am writing to express my strong opposition to Senate Bill 2355, which seeks to mandate the teaching of creationism in science classes across North Dakota. This bill raises several significant concerns regarding the integrity of science education, the separation of church and state, and the professional responsibilities of our educators.

Firstly, creationism does not adhere to the principles of the scientific method. The scientific method is a rigorous process that involves making observations, forming hypotheses, conducting experiments, and analyzing results to draw conclusions. This method relies on empirical evidence and reproducibility. Creationism, however, is based on religious beliefs and lacks empirical support and testability. It does not provide a framework for making predictions or conducting experiments that can be independently verified.

Science education should focus on teaching students well-established scientific theories and principles that are supported by extensive research and evidence. Evolution, for example, is a cornerstone of modern biology and is supported by a vast body of evidence from various scientific disciplines. Teaching creationism in science classes undermines the quality of science education and confuses students about the nature of scientific inquiry.

Christians should be concerned about this bill. If the science vs religion debate plays out in science classrooms, creationism will lose. When creationism is subjected to scientific scrutiny, it does not hold up and can become a case study for students to see what science is not. This could lead to students viewing creationism as an example of failed science, which is not the intention of religious teachings. It is more appropriate for creationism to be taught in religious settings, where its spiritual and moral significance can be properly conveyed, rather than in science classes where it may be discredited. This is a reason why we must uphold the separation of Church and State.

Senate Bill 2355 is unconstitutional. The U.S. Supreme Court has consistently ruled that teaching creationism or intelligent design in public schools violates the Establishment Clause of the First Amendment. In cases such as *Edwards v. Aguillard* and *Kitzmiller v. Dover Area School District*, the courts have determined that promoting religious doctrines in public school science curricula is an impermissible endorsement of religion by the state.

Moreover, Senate Bill 2355 represents a clear example of government overreach. The state should not dictate the specifics of science curricula, especially when it involves promoting religious views. Our educators are trained professionals who understand how to teach their subjects effectively. Imposing such requirements undermines their expertise and autonomy, and it sends a message that the state does not trust them to do their jobs. This kind of micromanagement is detrimental to the educational environment and to the morale of our teachers. Such a mandate could drive dedicated teachers out of our state, as they seek

environments where they can teach science without compromising their professional standards and personal beliefs.

This bill clearly is backed by out of state interests that have a national agenda to undermine The Constitution of the United States. It will make North Dakota a battleground for litigation which will consume tax dollars that could be used to address more important issues in the state. Our legislature, being a Republican majority, should not stand for this. What happened to the party that had the principles of upholding the constitution, limited government, federalism, freedom, and local control?

In conclusion, I urge you to reject Senate Bill 2355. Our students deserve a robust science education that prepares them for the challenges of the future, grounded in evidence-based scientific principles. Religious beliefs, while important, should be taught in appropriate settings such as Sunday schools, not in public school science classes.

Thank you for considering my concerns.

Sincerely,

Austin Cote

Fargo, ND

Dear Chairman Beard and honorable members of the Senate Education Committee,

Re: SB 2355 re: including Intelligent Design in science classes. I thank you for introducing this bill.

Having read through a number of the written testimonies; it appears evident that the term "Intelligent Design" needs to be much more clearly understood - as most of the testimony seems to assume that this bill automatically means teaching a religious doctrine of creation by God in the science classrooms - and if this were all that it was, without scientific evidence being shown and studied, then I too would be in opposition to this bill.

However, as I understand the bill, what is being called for is the full scientific evidence that supports the observational science of the clearly "intelligent design" in all life forms - which cannot be adequately explained by the "scientific method". By this I mean that while minor genetic variations (sometimes referred to as "micro-evolution") are observable by the scientific method; neither "abiogenesis" (the origin of life from non-life), nor large-scale evolution occurring at the level of species and above (sometimes referred to as "macro-evolution") can be supported by the scientific method itself - and therefore, whenever and wherever these are taught, they should be taught as a theory of "historical science" - rather than as a scientific fact, as is often the case.

Several testimonies suggested that students would be harmed by the teaching of "intelligent design"; however, when properly defined and understood, I am of the conviction that NOT including this clearly observable scientific information is the greater harm to both full disclosure of scientific information, and for full inquiry and critical thinking by students - limiting students to an "abiogenesis"-only explanation for origins, and a "large scale evolution"-only explanation for the full variety of life forms observed. Again, neither of these are supported by the scientific method itself.

As for the conclusions that students may reach upon considering a much fuller scientific treatment of observable intelligent design; that is where critical thinking opportunities come in.

While there are many resources to support my above comments - many of them being from scientists holding their degrees in the very scientific disciplines being discussed here - I would suggest the documentary: "*DISMANTLED: A Scientific Deconstruction of Theory of Evolution*" as a good place to start. Though this resource is probably coming too late to be viewed prior to the Education Committee hearing on SB 2355 on the morning of February 12th, I strongly invite those interested in this topic of life's origins and development in general, and intelligent design in particular, to watch this fascinating new documentary produced by scientists who do peer reviewed research. You may view it for free by clicking on:

<https://www.youtube.com/watch?v=fjh7SE1nW-o>

Thank you for considering this point of view.

Ken Koehler
West Fargo, ND
dcekkoebler@outlook.com
701-429-3092

Dwyer, Mike A.

From: Dwyer, Mike A.
 Sent: Wednesday, February 12, 2025 8:21 AM
 To: Dwyer, Mike A.
 Subject: FW:

TESTIMONY ON SB 2355
 SENATOR MICHAEL DWYER, DISTRICT 47

UNLOCKING THE MYSTERIES OF LIFE

1. Where Did We Come From
2. How Did We Get Here
3. How Am I To Live

SCIENCE: THE SEARCH FOR TRUTH

1. What are the biology professors at the University of Jamestown afraid of? Are they afraid that what they believe science tells them may not be complete, and they don't want to look further, because it might alter the conclusion they currently have?

2. What are other opponents of this bill afraid of? Are they afraid that presenting more than just one theory regarding the origin of life might lead to there being a God involved in all this, and that is consistent with their world view?

3. I would submit to you that this bill has nothing to do with religion, but everything to do with continuing the search for truth, and giving our students the ability to understand and learn more than just one theory based on science.

"Biologists must constantly keep in mind that what they see was not designed, but evolved."
 Francis Crick, Nobel Laureate, DNA Research

TWO QUESTIONS IN BIOLOGY

1. How Do We Get New Living Forms from Life That Already Exists
2. How Did Life Originate in the First Place (How did we go from nothing to something)
 - a. You need the stuff to make something out of
 - b. You need to come up with how all that stuff was going to come together
 - c. Do it in a way that is organized and makes sense

FINE TUNED UNIVERSE

1. The existence of our entire universe and everything in it comes down to about 30 numbers: Physicists call these the physical constants
2. Fixed values of a fundamental physical condition we find in our universe
3. Examples are Gravitational Constant, Expansion Rate of the Universe, Mass of a Proton,

Electromagnetic Force

4. If the numbers, force, size, were any different than they are, physicists agree there would be no life as we know it.
5. Physicists seem to agree either these numbers were set by a super intellect, or they occurred by a trillions of different universes that we don't know exist

GOOGLE V DNA

1. It takes about two billion lines of unique handwritten code by over 25,000 engineers and a vast empire of computers and data centers over the entire globe to run google
2. It takes over 3 billion letters of unique genetic code arranged in a precise specific manner written inside a cell weighing less than a few thousand millionths of a gram to run a far more superior system (a person) than all of google.
3. Did the google code evolve by accident?
4. Does science tell us how the DNA code evolved by accident from nothing?

THEORIES

1. The Origin of Species: By Means of Natural Selection, 1851 by Charles Darwin. (Darwin's Black Box, Dr. Michael J. Behe, Biochemist)(Evolution has gaps when it comes to the origins of life, or why we, at some point, became thinking, speaking, writing, art-making, imagining, loving, reflecting, self-aware, reasonable creatures.)(If it could be demonstrated that any complex organ existed which could not possibly have been formed by numerous, successive slight modifications, my theory would absolutely break down.) Charles Darwin
2. Biochemical Predestination: The Biochemical Challenge to Evolution: Chemical Properties of Amino Acids Provide the Proper Assembly of Proteins (Could Amino Acids Order Themselves Into Proteins Without Instruction? Where Do Genetic Instructions Come From?)
3. Intelligent Design: Life and Intelligence and the ability to think and love, comes from something that already had life and intelligence and thinks and loves.

SCIENTISTS: Dr. Stephen Jay Gould "professionally trained scientists, virtually to a person, understand the factual basis of evolution, and don't dispute it."

1. Dr. Phillip Johnson, University of California, Berkeley
2. George Lemaitre, Belgian Astronomer
3. Dr. Paul Nelson, Professor of Biology,
4. Dr Dean Kenyon, Professor of Biology, San Francisco University
5. Dr Stephen C. Meyer, Philosopher of Science, Discovery Institute
6. Dr Michael J. Behe, Biochemist, Lehigh University, Author, Darwin's Black Box
7. Jed Macosko, Molecular Biologist, University of California
8. Jonathon Wells, Biologist
9. William Dembski, Mathematician, Baylor University
10. Jeremy Walter, Ph.D. Mechanical Engineering, Applied Research, Pennsylvania U.
11. Dr. John K. G. Kramer, Research Scientist, Ph.D. In Biochemistry, U of Minn
12. Dr. Henry Zuill, Professor of Biology, Ph.D. In Biology, Loma Linda University
13. Dr. Keith H. Wanser, Ph.D, Condensed Matter Physics, University of California
14. Dr. Timothy Standish, Ph.D. In Biology, George Mason University
15. Dr. James Allen, Ph.D in genetics, University of Edinburgh, Scotland

16. Dr. Dwain I. Ford, Ph.D in chemistry, Clark University, National Science Foundation
17. Dr. John M. Cimballa, Ph.D. in Aeronautics, California Institute of Technology
18. Dr. Edward A. Boudreaux, Ph.D. in Chemistry, Tulane University
19. Dr. E. Theo. Agard, Ph.D in Physics, University of Toronto
20. Dr. Arthur Jones, Ph.D. Biology, University of Birmingham, England
21. Dr. George F. Howe, Ph.D. Botany, Ohio State University: "Upon realizing that DNA carries precise information regarding most aspects of plant life.....How did the original DNA come to possess these intricate instructions.....That is a question science cannot answer."

COMPLEXITIES OF LIFE

1. Molecules: The Parts Necessary for Life, and the Proper Assembly (DNA, which stores the cells master plan, RNA, which transports a copy of the needed Information contained in the DNA to the protein assembly station, to assemble the proteins, which make up everything from the ribosomes to the enzymes)
2. Molecular Flagellum: Molecular machines which order the assembly of proteins needed for cells to survive. Co-dependence of cellular machinery and DNA.
3. Irreducible complexities: The string of the DNA of one cell is much smaller than the head of a pin, but contains enough information to fill 1000 books, each containing 1000 pages of text.
4. Energy, matter, and information.
5. All matter originates and exists only by virtue of a force which brings the particle of an atom to vibration and holds this most minute solar system of the atom together. We must assume behind this force the existence of a conscience and intelligent mind. This mind is the matrix of all matter.

CONCLUSION

Science continues to provide new information, specifically that information (DNA) is necessary to instruct the machinery to assemble everything needed for all cells, and life itself. Scientists were once labeled as kooks who concluded that intelligent design had to be how life itself began. But more and more, many scientists are concluding that the information required for creation of life leaves the unmistakable outcome must be intelligent design. To not include this information as part of North Dakota's science content standards is a disservice to North Dakota's students.

LITIGATION

The Litigation mentioned by many of the testimonies in opposition to this bill had a different set of facts. In that case, Intelligent Design was directed to replace the teaching of evolution. In this case, it is simply requested to include this information as part of the science content standards, along with evolution. Critical thinking, in education, behooves us to thoughtfully include this information for our students.

SCIENCE CONTENT STANDARDS WRITING COMMITTEE

The DPI can correct me if I am wrong, but the writing committee for any discipline, including the science content standard, includes over 30 people from various science disciplines. Regarding the teaching of theories for the origin of life, a consensus will need to be developed that has the acceptance and approval of the committee. All theories should be included for instruction.

AMENDMENT

I offer an amendment that seeks to address an issue brought to me by the DPI. By simply requesting that this information be included in the next re-write of the science content standards, the federal portion of funding for this effort will not be jeopardized. You may need to hear from DPI and work with them to achieve the correct outcome. I believe the amendment achieves the same intent as the original bill, but preserves the federal funding. If we are lucky, federal support for education will come in the form of block grants, allowing each state to proceed with education in the manner that provides the best outcome for its students. Thank you.

8.4

The Mystery of the Human Eye

William Paley was an English philosopher who lived in the late 1700s and died in 1805. He believed that God was a master craftsman, similar to a person who assembles a watch or a telescope. To help people understand this, he presented to his friends the similarities of the human eye with a high-powered telescope. This is what he determined:

- The eye was made for vision; the telescope was made for assisting it.
- Each uses a sophisticated lens to achieve its function and purpose.
- Both reflect and manipulate light.
- Both are able to bring an object into proper focus. The muscles surrounding the soft lens of the eye move to bring objects into focus, while a telescope uses dials to move the lens.

With this in mind, he asked his friends if it would be reasonable to believe that the telescope was created by a craftsman while the eye was not. Should they not both be considered products of design?²¹

I mention Paley's illustration because natural selection has a difficult time accounting for the human eye. Darwin clearly

recognized that understanding how the eye was formed posed a problem to his theory, as he wrote bluntly in a letter:

"The eye to this day gives me a cold shudder."²²

The complexity of the eye causes problems for evolutionary theory because a biological system like the eye had to develop over millions of years, and would have never worked until fully developed.

Darwin clearly saw this as a real problem.

The August 15, 2005, cover story of *Time* magazine was "Evolution Wars." It was a fairly lengthy article on the theory of evolution versus the theory of intelligent design. It addressed this thorny issue of the human eye. It would be very difficult for the eye to be the product of accidental mutations. As Michael Behe, an American biochemist, asks, "How could a process of gradual improvements produce a complex organ that needs all its parts—pinhole, lens, light-sensitive surface—in order to work?" Behe says the eye closely resembles a camera, which is clearly a product that someone has designed.²³

The tiny retina of the eye has 130 million receptor cells, 124 million of which are rod shaped and enable us to differentiate between light and darkness. Six million of these receptor cells are cone shaped and can identify up to eight million variations of color. Could this really occur by a random, purposeless process?

Author John Blanchard makes a significant point:

"A partial eye is useless. Five percent of an eye would not give five percent vision—it would give none. What is more, even if all the physical components of an eye were in place, they would achieve nothing unless they were precisely 'wired' to an amazing complex of nerve cells in the brain. Small wonder that someone has suggested, 'Examination of the eye is a cure for atheism.'"²⁴

Dr. Ming Wang is a world-renowned eye surgeon who earned

his MD from Harvard and his PhD in laser physics from MIT. He is one of the few LASIK surgeons in the world who holds a doctorate in laser physics. He has performed over fifty-five thousand cataract and LASIK procedures, including more than four thousand on fellow doctors.

Wang grew up in China and moved to the United States in 1982. In his years at Harvard and MIT he was an atheist. However, over time as he considered the human brain and how it was assembled, he began to question his atheistic belief. He says:

"As a medical doctor and a scientist, I can firmly attest to the fact that it is impossible for natural selection to form the intricacies of the eye."²⁵

Over time, he became a Christian because he could not find in science answers to those questions in life that he had been searching for. He said:

"The more I learned about science, the more—not less—evidence that I saw of God's creation and design. For example, as I was becoming an ophthalmologist and learning about the inner workings of the eye, the amazing and logical arrangement of photoreceptors, ganglion cells, and neurons, I realized that there is absolutely no way that an intricate structure such as the human eye could ever evolve from a random compilation of cells. The very complexity of a human eye is, in fact, the most powerful evidence of the existence of God."²⁶

This is a very powerful argument particularly since Darwin himself saw that the complexity of the eye had the potential to completely undermine his theory.

2025 SENATE STANDING COMMITTEE MINUTES

Education Committee
Room JW216, State Capitol

SB 2355
2/17/2025

Relating to intelligent design in science content standards for elementary and secondary student.

9:30 a.m. Chairman Beard called the hearing to order.

Members Present: Chairman Beard; Vice-Chairman Lemm; Senators: Axtman, Boschee, Gerhardt.

Members Absent: Senator Wobbema

Discussion Topics:

- Complex topic
- Classroom Instructor
- Not the right time
- True school choice

9:35 a.m. Senator Gerhardt moved a Do Not Pass.

9:35 a.m. Senator Axtman seconded the motion.

Senators	Vote
Senator Todd Beard	N
Senator Randy D. Lemm	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Justin Gerhardt	Y
Senator Mike Wobbema	AB

Motion Passed 4-1-1

Senator Gerhardt will carry the bill.

9:37 a.m. Chairman Beard closed the hearing.

Susan Helbling, Committee Clerk

REPORT OF STANDING COMMITTEE
SB 2355 ([25.1335.02000](#))

Education Committee (Sen. Beard, Chairman) recommends **DO NOT PASS** (4 YEAS, 1 NAY, 1 ABSENT OR EXCUSED AND NOT VOTING). SB 2355 was placed on the Eleventh order on the calendar. This bill does not affect workforce development.