

# **FORT RANSOM SCHOOL DISTRICT NO. 6**

**135 MILL ROAD, FORT RANSOM, ND 58033-4011**

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March 12, 2023

North Dakota Senate Education Committee:

I write this letter in opposition to HB 1532. HB1532 would establish an educational reimbursement program for students who attend our private schools. As a conservative Christian, I believe strongly in the First Amendment of the United States Constitution, "Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances." The North Dakota Constitution states in Article VIII Education, Section 1. "... legislative assembly shall make provisions for the establishment and maintenance of a system of public schools which shall be open to all children of the state of North Dakota and free from **sectarian** control."

As a coach, teacher, principal, and superintendent for over 46 years in both public schools and one private school, I have considered laws similar to HB1532 to be unconstitutional. When I was the Dean of Academic Affairs at Oak Grove Lutheran School in Fargo(1987-1993), we believed our mission was to create a faith based education of the Evangelical Lutheran Church in America. Oak Grove was created as an alternative for those parents who wanted a faith based education for their child (ren) based on the mission of the ELCA. If parents wanted our faith based education it was their choice with the responsibility of paying for the education coming in the form of tuition and support from ELCA Churches. Many of the students at Oak Grove were not residents of North Dakota but came to us from Minnesota.

Currently, I am the superintendent of Fort Ransom School District #6. We are a very small k-6 with only 22 students located in a very small community. When you are 75 miles from the nearest Wal-Mart in North Dakota, you do not have school choice except to open enroll to a neighbor school or home educate your children. As a resident of rural North Dakota, I have a problem with \$24 million of our tax dollars going to private schools when most of those schools and students reside in the eight largest communities in North Dakota. Small schools and small communities in rural North Dakota are getting sick of our money going to the BIG cities while small rural schools/communities are forgotten. We believe strongly

that this \$24 million could go to help fund transportation or other important issues facing our rural school districts in North Dakota.

North Dakota taxes should not be given to private schools nor would a true conservative faith based private school accept those funds. What a privilege it is to live in a state and country that would permit us to choose where we education our children. HB1532, would now ask others to help pay for that privilege by establishing a payment to those faith communities/schools with no strings attached. In *Carson, vs. Makin*, U.S. Supreme Court ruling, [https://www.supremecourt.gov/opinions/21pdf/20-1088\\_dbfi.pdf](https://www.supremecourt.gov/opinions/21pdf/20-1088_dbfi.pdf) In this Montana case from June 21, 2022 decision, Chief Justice John Roberts explains, “A State need not subsidize private education. But once a State decides to do so, it cannot disqualify some private schools solely because they are religious.” It is my belief that if you were to pass HB1532 and it would become law, you could not disqualify any private school based on religion. You may be surprised to know that there are over 4,000 recognized religions in the world. Which one are you going to disqualify?

Respectfully,

Dr. Steven L. Johnson, Superintendent  
Fort Ransom School District #6  
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Fort Ransom, ND 58033

Cc: Chairman: Senator Jay Elkin  
Vice Chairman: Senator Todd Beard  
Member: Senator Michelle Axtman  
Member: Senator Cole Conley  
Member: Senator Randy Lemm  
Member: Senator Michael Wobbema