**Testimony of Kathy Griesmyer**

**HJR 1: Weakening Idaho’s Prohibition on Government Supported Religious Schools**

**Before House Education Committee**

**March 17, 2016**

The ACLU of Idaho stands before this body today asking you to preserve our Constitution’s strong protections for religious liberty and hold bills like HJR 1 in committee. HJR 1 would significantly weaken Article IX, Section V of the Idaho Constitution by chipping away at its prohibition on using taxpayer dollars to benefit religious institutions.

Article IX, Section V provides that no “public fund[s] or moneys whatever” may be paid in support of any church or religious institution, including religious schools. HJR 1’s proposed constitutional amendment, if it were passed by the Legislature and approved by the electorate, would drastically change that, allowing (for the first time since the Constitution’s passage) public funds to be paid to religious institutions for educational purposes so long as the funds first pass through the hands of students and parents.

The end goal, no doubt, is to lay the groundwork for the state to implement voucher programs that will divert state education funds from public to private schools. That may be a boon to private schools, but it will cause untold harm to public schools and students, and it will completely disregard key religious-liberty principles safeguarded by the Constitution’s framers: that no Idaho taxpayer should be compelled to support religion, and that public funds should not be used for religious purposes.

Private religious schools indoctrinate students into a particular faith. Many discriminate in admissions. For example, a Christian private school might not admit Jewish or Muslim students, and vice versa. Some private religious schools refuse to admit or will expel students based on the students’ or their parents’ sexual orientation. Many private religious schools also require students to attend worship services and pray. While parents are entitled to send their children to such schools, taxpayer funds should not be used to support these religious beliefs and activities.

In addition to being denied their religious-exercise rights, students who attend private schools using vouchers are stripped of other First Amendment protections, as well as due process rights, and other constitutional and statutory rights offered by public schools, including rights granted under the Individuals with Disabilities Act and Title IX.

Meanwhile, the voucher programs that would be authorized under the proposed constitutional amendment would deprive our public schools of direly needed funds. Indeed, just this year, the legislature is being asked to restore public school funding to 2009 levels, and with the possibility of a voucher system being created, public schools across the state could find themselves competing against private and religious schools for crucial taxpayer dollars.

We ask that you preserve both the integrity of our public schools and the robust religious-liberty protections provided by Article IX, Section V of the Constitution by prohibiting the creation of a voucher system. Thank you.