

Chairman Heinert, members of the committee, thank you for the opportunity to speak to you on this important topic.

My name is Adam Peshek and I am a Senior Fellow at an organization named Stand Together. I specialize in K-12 education, an area I've been focused on for 16 years. I've also spent a great amount of time studying and working with microschools.

The past few years have represented the most dynamic time in education in any of our lifetimes. We are seeing more parents and educators who are looking not only for something better in education, but something *different* from education.

We've seen thousands and thousands of new and unique schools started across the country: classical schools, Montessori schools, STEM-focused schools, career-focused schools, schools focused on serving kids with learning disabilities, and many more approaches than I have time to go over. This entrepreneurial spirit is a positive trend for education and the teaching profession.

One approach has seemed to stand out in the public's imagination: microschools, which can be best described as a modern-day version of the one-room schoolhouses that would have dotted the North Dakota landscape a century ago.

Microschools are like a home-cooked meal—each use their own recipe, no two look the same, and the best ones don't come from a box. But they are typically characterized by:

1. **Small Sizes** – Typically 50 students or less, though they can range anywhere from 5 to 150 students.
2. **Individualized Curriculum** – The small size naturally allows for more tailoring to students' needs or interests. It's common for schools to follow kids' interests, such as pivoting to focus more on the solar system if that topic captures students' imaginations.
3. **Unique Approaches** – Not surprisingly, microschools often specialize in approaches not provided in the public system, such as classical education, Montessori, religious education, project based learning, and many other approaches not typically found in traditional schools.
4. **Flexibility** – Some microschools operate outside of standard school hours or offer mixed-age group learning, where older experienced students take on roles of guides for younger students.
5. **Non-Traditional Settings** – They can be held in homes, community centers, churches, or even outdoors.
6. **Teacher Autonomy** – Educators often have more freedom to experiment with teaching methods and can direct the day.

And that's why many current and former educators are opting for microschools. I have encountered many, many teachers who either left the profession or were considering leaving the

profession because they felt unfulfilled in their careers. Then they learn about microschooling, how they can lead their own school, and how they can build it in a way that matches their vision for what they went into teaching to do.

Microschools also point to an obvious notion that we rarely reflect on today: that one or two great teachers, working directly with families and freed from bureaucracy, can build a school from the ground up with a tight knit group of kids and parents.

These models do not fit neatly into preconceived definitions. The U.S. Department of Education and most states break education into three or four categories: public schools, private schools, homeschoolers, etc. These set categories do not give space for the nuance that is driving the most innovation in the education market. You may enter a school that you are convinced is a traditional private school, only to find that most students only attend two days a week and are homeschooled the other days. A parent may tell you they homeschool their children, only to find that a great deal of instruction is coming from a microschool teacher. I have encountered parents of students in a microschool who describe what they are doing in different ways.

This nuance and confusion is why bills like HB 1472 are needed to add clarity. Founders and would-be founders of microschools and other innovative new models are constantly getting caught up in regulatory fights with City Hall on such topics as local zoning ordinances, rules governing how to register as a private school, childcare regulations that often misclassify microschool and homeschool students, compulsory education laws with strict definitions around the number of days and hours schooling is required, and much more.

- A microschool founder signed a lease on a two-acre property where she planned to open her school, but was prevented by local zoning officials who told her she needed a minimum of 5 acres for a school.ⁱ
- A retired Navy officer with an engineering degree was blocked from opening a microschool because he lacked a state teacher's license.ⁱⁱ
- A health department wouldn't allow a microschool to order pizza for students on Fridays because state law required a commercial kitchen for schools.ⁱⁱⁱ
- One microschool founder was shut down by a zoning officer because her parking lot was 32 feet away from the neighboring building instead of the required 35 feet for businesses classified as childcare centers. This required her to pursue a lengthy zoning variance to reopen, all while carry the lease on a building she cannot use.^{iv}

Prospective microschool founders have been told that they violate zoning regulations because they are a "business and not a school," they've been ordered to install elevators to comply with the Americans with Disabilities Act, and even required to register as a daycare and be forced to

setup dedicated and sterile diaper changing stations – even though the school teaches teenagers.^v

Just yesterday, I received an email from a school founder who received a cease and desist letter from his local school district because his proposed school name had part of the town's name in it.

These are just a handful of the hundreds of examples I have seen from all corners of the U.S. that impede entrepreneurial educators from launching new schools.

Lawmakers from both parties strive to be seen as the best for small business. Like we do with small businesses, we should pay more attention to the burden of starting a new small school in the education sector.

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My name is **Adam Peshek**, and I am a Senior Fellow at Stand Together. I specialize in K-12 education, an area I've been focused on for 16 years. I've also spent significant time studying and working with and around microschools.

The past few years have been the most dynamic period in education in any of our lifetimes. More parents and educators aren't just looking for something *better*—they're looking for something *different* from education.

Across the country, thousands of unique schools have been created to meet this new demand: classical schools, Montessori schools, STEM-focused schools, career-prep academies, schools serving students with learning differences, and many more. This entrepreneurial energy is a positive trend for both education and the teaching profession.

One approach that has captured the public's imagination is **microschooling**, best described as a modern version of the one-room schoolhouses that once dotted the North Dakota landscape.

Microschools are like a home-cooked meal—each follows its own recipe, no two look the same, and the best ones aren't made from a box. They are typically characterized by:

1. **Small sizes** – usually 50 students or fewer, sometimes as few as 5 or as many as 150.
2. **Individualized curriculum** – tailoring instruction to students' needs and interests, often pivoting when kids become deeply engaged in a topic.

3. **Unique approaches** – such as classical education, Montessori, religious instruction, and project-based learning.
4. **Flexibility** – including mixed-age classrooms, flexible hours, and student-led learning.
5. **Non-traditional settings** – from homes and churches to community centers and outdoor spaces.
6. **Teacher autonomy** – allowing educators to experiment, innovate, and build schools that match their vision of great teaching.

This is why so many educators are choosing microschools. I've spoken with countless teachers who felt unfulfilled, even considering leaving the profession—until they discovered that they could start and lead their own school, free from bureaucracy and able to shape the learning experience around students' needs.

Microschools also remind us of a simple but profound truth: **great teachers, working directly with families and freed from red tape, can create exceptional schools.**

But current education laws don't reflect this reality. The U.S. Department of Education and most states sort schools into rigid categories—public, private, and homeschool—without room for the hybrid, innovative models emerging today. As a result, microschools and similar efforts often run into unnecessary regulatory roadblocks:

- A school founder leased a two-acre property, only to be told she needed five acres to operate.^{vi}
- A retired Navy officer with an engineering degree was blocked from starting a microschool because he lacked a state teaching license.^{vii}
- A health department prohibited a microschool from ordering pizza for students because state law required a commercial kitchen.^{viii}
- A founder was forced to shut down because her parking lot was 32 feet from the next building instead of the required 35 feet—despite her school serving students, *not* operating a daycare.^{ix}

These are just a handful of the countless examples from across the country that make starting a small school harder than it should be.

This is why HB 1472 is necessary. It provides clarity for microschools, removes barriers that stifle innovation, and ensures that educators and families have the freedom to build learning environments that work for them.

Policymakers across the country take pride in supporting small businesses—yet small schools face even greater obstacles. If we truly believe in entrepreneurship, innovation, and opportunity, we should extend that same mindset to education—arguably the area most in need of harnessing a positive, entrepreneurial spirit.

This bill is a step toward making sure that passionate educators have that freedom.

Thank you for your time, and I welcome any questions.

ⁱ <https://ij.org/press-release/micro-school-entrepreneur-struggles-to-make-sense-of-zoning/>

ⁱⁱ <https://www.forbes.com/sites/kerrymcdonald/2023/02/22/why-cant-a-retired-us-navy-officer-and-engineer-open-a-private-school-in-nevada/?sh=9d292fe3649a>

ⁱⁱⁱ <https://www.the74million.org/article/growing-pains-microschools-face-regulatory-maze-as-approach-takes-hold/>

^{iv} <https://fee.org/articles/how-regulations-constrain-education-entrepreneurship-and-innovation/>

^v <https://libertas.org/bill/sb-166-legalize-microschools/>

^{vi} <https://ij.org/press-release/micro-school-entrepreneur-struggles-to-make-sense-of-zoning/>

^{vii} <https://www.forbes.com/sites/kerrymcdonald/2023/02/22/why-cant-a-retired-us-navy-officer-and-engineer-open-a-private-school-in-nevada/?sh=9d292fe3649a>

^{viii} <https://www.the74million.org/article/growing-pains-microschools-face-regulatory-maze-as-approach-takes-hold/>

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