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HB 1590

Testimony of Amy De Kok House Education Committee February 5, 2025

Chairman Heinert and members of the House 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. Thank you for the opportunity to provide testimony in opposition to HB 1590. This bill, which proposes the creation of a Student Education Services Account (ESA) pilot program, raises significant concerns regarding the use of public funds to subsidize private education, the inequitable distribution of benefits, and the failure to promote genuine educational choice.

Public Funds Should Support Public Education

The fundamental issue with HB 1590 is the diversion of public funds to private educational institutions. Public education is a cornerstone of our democracy, serving all students regardless of socioeconomic status, ability, or background. By allocating state funds—up to \$41.2 million over two years—to supplement private tuition and related expenses, this bill undermines the public education system that the vast majority of North Dakota’s families rely upon.

Public schools are accountable to taxpayers, ensuring transparency and equitable access to quality education. By contrast, private schools set their own admissions policies and are not held to the same accountability standards, meaning that public money could be used to support schools that do not serve all students fairly. At a time when public schools are facing budget constraints, teacher shortages, and rising costs, it is irresponsible to redirect much-needed public funds to subsidize private education for a select few.

HB 1590 Favors Wealthier Families and Increases Inequity

The proposed ESA matching program inherently favors families who already have the financial means to contribute to their child’s education. Under the bill, families can deposit up to \$2,000 per child per year, with the state matching 50% of that amount. This means that families with greater disposable income will benefit the most, as they are more likely to afford the maximum contribution. Low-income

families, who may struggle to contribute even a small amount, will not experience the same financial benefits.

Moreover, this program does not expand educational opportunities for disadvantaged students. Instead, it provides additional financial support to families who have already chosen private education, reinforcing existing disparities rather than fostering broader access to quality schooling.

HB 1590 Does Not Promote True School Choice

Proponents of HB 1590 will likely argue that it promotes educational choice. However, true school choice means expanding options for all students, particularly those in underfunded or struggling districts. In reality, this bill primarily benefits families who have already made the choice to enroll in private schools, rather than providing new opportunities for those who lack access to alternative options.

Additionally, private schools retain the right to set admission criteria, meaning that students with disabilities, behavioral challenges, or lower academic performance may not be accepted. Public schools, on the other hand, are required to serve all students. Rather than investing in an inequitable system that disproportionately benefits a select group, North Dakota should focus on continuing to improve and strengthen public education to ensure every child has access to high-quality learning environments.

In conclusion, HB 1590 represents a fundamental shift in education funding that would weaken the public school system, exacerbate socioeconomic disparities, and fail to provide meaningful school choice. Instead of diverting public funds to private education, the state should invest in strengthening public schools, ensuring competitive teacher salaries, expanding special education services, and enhancing classroom resources for all students.

I urge this committee to reject HB 1590 and prioritize policies that support a strong and equitable public education system for all North Dakota families. Thank you for your time and consideration.