



North Dakota Small Organized Schools

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2 Testimony in Opposition to HB 1540

3 Chairman Beard and members of Senate Education Committee

4 My name is Michael Heilman, I am the Executive Director of North Dakota Small Organized Schools. The
5 140+ schools that are members of NDSOS stand in opposition to HB 1540, which seeks to establish an
6 Educational Savings Account (ESA) program for K-12 students attending non-public schools. While the
7 bill is framed as an opportunity for school choice, it presents significant equity, oversight, and funding
8 concerns that make it a poor fit for North Dakota.

9 One of the most pressing issues with HB 1540 is the lack of non-public school options in rural areas of
10 North Dakota. The vast majority of students (116,598) in our state attend public schools by choice and
11 those in rural areas do not have a choice. The students (7904) that attend non-public schools are also
12 there by choice. Allocating taxpayer dollars to an ESA program will primarily benefit urban families who
13 have already made the choice to attend non-public schools, while leaving rural students with no
14 comparable choices. Four metro areas representing six communities, Bismarck/Mandan, Fargo/West
15 Fargo, Minot and Dickinson make up the vast majority of non-public school enrollment. This creates a
16 disparity that unfairly favors one segment of the population over another. There are currently fewer
17 than twenty communities in North Dakota with a non-public school option and less than half of those
18 offer a high school option.

19 Additionally, non-public schools that would receive ESA funds are not subject to the same level of
20 oversight and regulation as public schools. If the state is going to fund non-public education, NDSOS
21 strongly believes that the education providers must comply with all regulations and rules that public
22 schools are required to follow, including accepting of all students, open records laws, open board
23 meetings, participation in TFFR and all other state laws, rules and regulations that apply to public
24 schools. Public funds should only be allocated to educational institutions that are required to meet the
25 rigorous accountability and transparency measures that are applied to public schools.

26 Rather than diverting funds away from public education, we should focus on investing in our public
27 schools, which serve the vast majority of North Dakota's children. HB 1540 threatens to undermine our
28 public education system by redirecting scarce resources to unregulated institutions, disproportionately
29 benefiting urban and affluent families while leaving rural and lower-income students behind.

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The mission of NDSOS is to provide leadership for the small/rural schools in North Dakota and to support legislation favorable to their philosophy while opposing legislation that is harmful.

30 The ESA that would be established by HB 1540 does little to serve the students in rural areas, directs
31 funding to non-public schools without the same regulations of public schools and diverts critical funding
32 away from public schools. I respectfully urge you to oppose HB 1540 and prioritize policies that
33 strengthen our public schools for the benefit of all North Dakota students.

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