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Chairman Heinert, Vice Chairman Schreiber-Beck, and members of the Committee:

I am writing to express my opposition to House Bill 1172. While I understand the intent behind this bill, I believe it is important to consider the implications it may have on our educational system and the future of student choice in North Dakota.

Student choice empowers parents and students by providing options about the educational setting that fits the student's individual needs. Restricting this choice, by creating financial barriers, limits these opportunities for students and families in this state. Providing each unique student with the chance to explore different learning environments will serve in the best interest of each student in North Dakota.

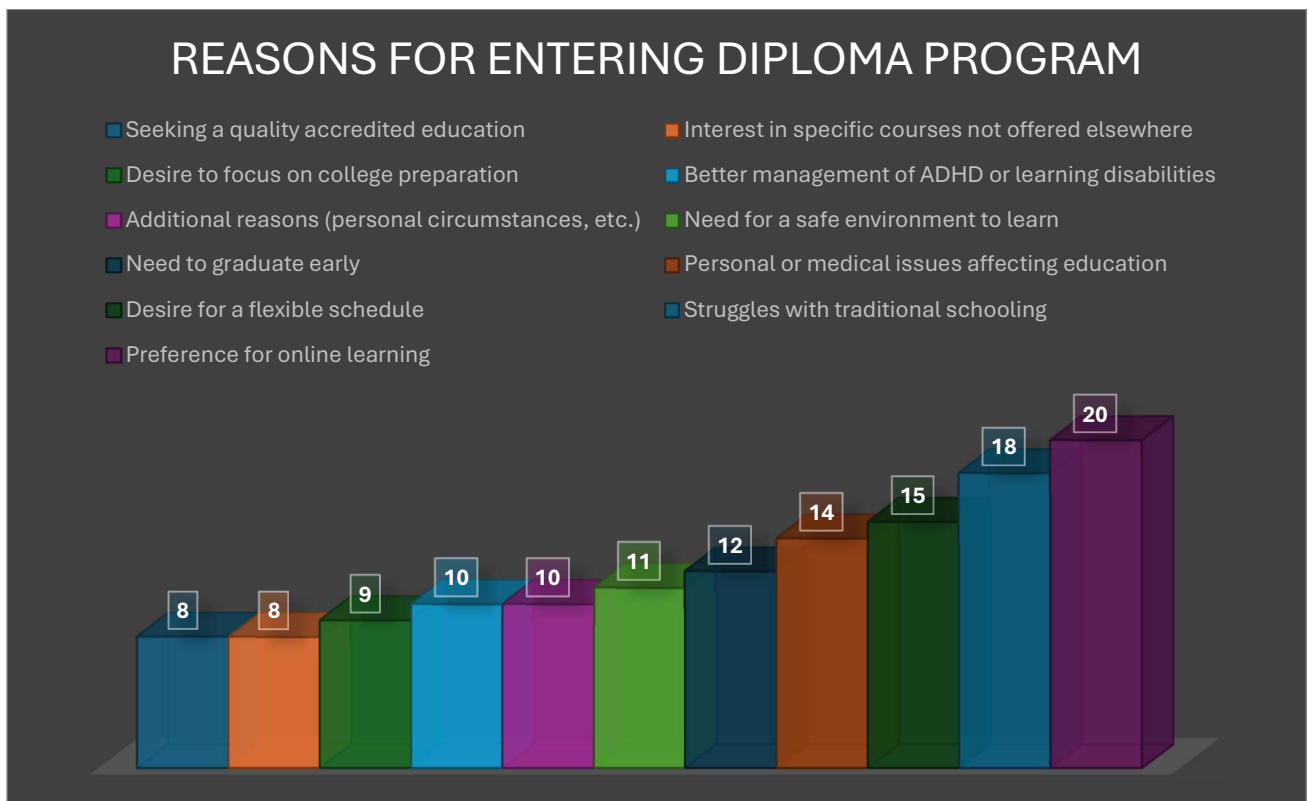
I ask the Committee to consider policy guidance instead of changing North Dakota Century Code. Policies and procedures would provide flexibility for local school districts and can be adjusted to meet the changing needs of each school as virtual schools and school choice evolve. Many of the issues the local schools are currently facing are real and I understand why they would want change. However, I do not believe legislating each problem is the right answer.

It is my personal belief that if there was a way for each school district to write their policies for taking virtual education courses, or any alternative courses not taken in the school building, and have them approved by the ND Department of Public Instruction, or a similar entity, they would feel more empowered instead of powerless when it comes to students who deviate from the traditional path of education. For example, can schools have registration windows for signing up for online courses so schools can better plan for staff? Can schools restrict who takes an online course based on past performance online or when a student shows no activity in online courses for a week or more? There are various ways schools could retain a sense of control while still offering students the opportunity to explore alternative learning environments to discover what fits them best.

I am the School Counselor at NDCDE and the Academic Advisor for students who want to graduate with NDCDE. We currently have 85 students in this program working toward their high school diploma and have had 13 students graduate this year.

No student should feel like they don't have a choice. If traditional, face-to-face learning, is not right for them they should not be forced to be there because the laws in North Dakota, and the inability to pay for a different learning environment, are forcing them there.

The table below illustrates some of the more common reasons students have entered the program since 2020, the most common reason for wanting to learn in this online environment and graduate with NDCDE is a 'preference for online learning' followed closely by 'struggles with traditional schooling'.



While online learning is not a definite fit for all kids, it *is* a fit for some kids. And *all* kids deserve the chance to experience online learning.

One recent student addition to the state's diploma program is a fifteen-year-old girl who had fallen through the cracks in the traditional face-to-face school setting. She has selective mutism, which is a somewhat uncommon thing for schools to deal with. She did

not qualify for an IEP and while she had a 504 she did not receive the 1:1 support that was needed. She is a bright student but the pace of face-to-face school did not allow her to work at her own pace and or for her to be able to process what she was learning at her own speed. She tried a private school to see if fewer students in the school made a difference. While a little better for her socially, she still struggled academically. She failed two classes in her freshman year.

She decided to try ND CDE as the option before strict homeschooling. She continues to take some classes at her private school while also taking classes at NDCDE. She has recovered the credit she failed at school, is passing and working ahead of pace in her current class, and even meets with her teachers 1:1 for discussions. While academic achievement is huge for her, her social achievement may be even greater. I have been told she gave her first in-class presentation at her face-to-face school this fall. She is beginning to feel more confident in her abilities and is taking control of her educational path. This environment has allowed her the chance to do that. She may not have had the opportunity had her parents not been able to afford classes and this law was amended.

The North Dakota Center for Distance Education, and its previous namesakes, has been an option for students who can afford school choice options since 1935. It is time, 90 years later, to make it a choice for all students in North Dakota regardless of their ability to pay.

In conclusion, I respectfully request that the Committee vote 'do not pass' on HB1172 and explore other approaches that will address the legitimate concerns brought forth by the school districts. This will provide North Dakota students with the flexibility to discover the individual path that fits them best. This approach also allows school districts to regain some control over the cost and credit loss issues many in favor of this bill might discuss.

Sincerely,

Jocelyn Kolle