



NDSBA
NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION

1224 West Owens Avenue
Bismarck ND 58501
1-800-932-8791 • (701)255-4127
www.ndsba.org

HB 1358

Testimony of Amy De Kok House Education Committee January 28, 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. I am here today to testify in opposition to HB 1358, which proposes the establishment of public charter schools in North Dakota. This bill presents several concerning issues that compel my opposition, including the unknown financial implications, the potential diversion of funding from public schools, the lack of clarity regarding employment rights for certified staff, and the redundancy of public charters given the robust Learning Continuum and other educational opportunities already available in our public schools. Additionally, there are well-documented concerns with public charter schools, which should be carefully considered before proceeding with this legislation.

Unknown Financial Impact and Diverted Resources

The bill does not provide sufficient information on the financial costs associated with establishing public charter schools. From administrative costs to potential funding shifts, the fiscal implications remain unclear. Charter schools would receive per-student state aid, which means that every student transferring to a charter school takes funds away from traditional public schools. This reallocation of resources could lead to reduced funding for public schools, forcing cuts to critical programs. Such outcomes could significantly harm the majority of North Dakota's students who remain in public schools.

Lack of Regulation and Oversight

Charter schools, including those that would be created by this bill, are privately operated but funded with public dollars, allowing them to bypass many of the regulations and accountability measures required of public schools. This lack of adequate oversight raises serious concerns about transparency and responsible use of taxpayer funds. Without the same rigorous reporting and performance requirements, there is a risk of mismanagement, fraud, or poor performance, as has been observed in other states where charter schools have closed abruptly due to financial or operational failures. North Dakota's focus should

remain on strengthening its existing, well-regulated public schools, not on creating a parallel system with fewer safeguards.

Reduced Quality of Public Education

Public charter schools often pull the highest-performing students from traditional public schools, leaving behind those who require more intensive support, such as students with disabilities or those from disadvantaged backgrounds. This selective enrollment practice can negatively impact public school performance metrics and create disparities in educational quality. By fragmenting the student population, charter schools undermine the mission of public education to provide equitable, high-quality opportunities for all students. HB 1358 does not contain any provisions that would prevent this from happening in North Dakota.

Limited Options for Students with Disabilities

Charter schools and similar programs have been criticized for failing to adequately serve students with disabilities. These schools may lack the specialized staff, resources, or programs necessary to meet the needs of these students, effectively excluding them from access to quality education. North Dakota's public schools are already equipped to serve all students, including those with disabilities, through their commitment to equity and inclusion.

Reduced Student Diversity

Charter schools can exacerbate segregation by race, socioeconomic status, or academic ability. Research has shown that these schools often serve more homogeneous populations, reducing diversity and contributing to inequities within the education system. This runs counter to the values of inclusion and community that are foundational to North Dakota's public schools. Nothing in HB 1358 addresses this potential concern.

Learning Continuum: A Strong Alternative

North Dakota already offers a robust, competency-based Learning Continuum that allows for personalized education tailored to the needs of each student. This system emphasizes flexibility, equity, and transparency, enabling local districts to meet the needs of their communities without creating competition for resources or dividing students. The Learning Continuum supports innovation within the existing public school framework, making the establishment of charter schools unnecessary and redundant.

In conclusion, HB 1358 poses significant risks to North Dakota's education system, including unknown costs, diverted funding, lack of adequate oversight, and reduced educational equity. With the robust Learning Continuum already in place, the addition of public charters is not only unnecessary but

also potentially harmful to the public school system that serves all students. I strongly urge the committee to oppose this bill and instead focus on enhancing our existing public education framework to ensure equitable, high-quality opportunities for every child in North Dakota.

Thank you for your time and consideration.