

**HB1358**  
**Bill Testimony**  
**Rep. Eric J. Murphy**  
**District 43, Grand Forks**

Chairman Heinert and honorable members of the House Education Committee, this bill provides for the establishment of public charter schools in the state of North Dakota. There are forty five (45) states that permit charter schools to operate within their states provided they have their own governing board and meet performance goals consistent with traditional public schools. States in which charters schools are not statutorily permitted include **North Dakota**, South Dakota, Montana, Nebraska, and Vermont.

**What are Charter Schools**

Charters schools take many forms from a "magnet school" approach with an emphasis in arts or science for example to a school run like a traditional public school but by a private entity. A traditional charter holder is given the opportunity to run a school that **must** be open to all students, just like our traditional public schools. These schools offer an alternative to a traditional public school with no additional costs to the student or their family.

**Benefits of a Charter School**

There are a number of benefits that charter schools can offer students. In this bill, there is an emphasis on charter schools that are focused on providing education for students who are on Individual Education Plans (IEP). This gives parents a **no-cost educational option** for these students who may not be thriving in a traditional school.

You will hear testimony from charter holders in other states who excel in educating these students. Hence, elevated academic performance is one advantage, which may explain the increase in enrollment of students in charter schools that has risen from 1.8M in 2010 to 3.7M in 2021, while students in traditional public schools decreased by 2M students over this same period.<sup>1</sup>

Charter schools in North Dakota will give teachers an alternative to teach in a different environment that permits more flexibility in how they teach students by adapting their teaching methods to meet the needs of students. This increases the capacity to offer specialized support for students on IEP and other students who struggle in traditional public schools. This is why there is an emphasis in this bill to provide an education alternative for IEP students and for the recovery of high school dropouts.

From smaller class sizes to a more intimate, less intimidating environment, charter schools offer parents an educational option for their children that is a departure from what they may have experienced in many of our traditional public schools. **This choice comes at no additional costs to the child's family.**

## **Learning from the Past**

In this bill, there were intense discussions with leaders in the charter school area that focused on overcoming the missteps seen in Arizona upon implementation of charter schools in 1994. Arizona is second in the nation for the proportion of students who attend charter schools at 20%, following the District of Columbia (45%), while Colorado, Florida, California, Utah, Michigan, Nevada, and Louisiana have 10-15% of students attending a charter school.

Addressing the previous pitfalls seen in Arizona, this bill:

- Limits the number of charter schools for the first several years, in this bill, it is limited to 12 schools in the 25-26/26-27 school years and 15 schools in the 27-28/28-29 school years.
- Limits the scope of charter schools by emphasizing a mission for IEP students and high school dropout recovery.
- Limits charters to schools that want to take the academically high performing students out of the public schools.
- Ensures charter holders are in good standing in at least one state to prevent proliferation of charter holders with limited or no experience in education.
- A demonstrated ability to provide innovative educational programs
- Prevents licensing of a charter to others including educational management companies.
- Require a school board of 5, 7, or 9 members with one member who is a resident of each community in which the charter holder has a school.

The cost in the original bill were set at 85% of the state aid payment, but this was raised to 100% after consultation with DPI and the State Superintendent of Schools.

In conclusion, HB1358 provides for public charter schools to give parents an educational option for their children that does not cost them any additional money. By statute, the public charter schools have no authority for taxation, and they rely on the student aid payment from the State of North Dakota for operations.

I appreciate your thoughtful consideration of this bill and ask you for a do pass vote.