

Senate Education Committee:

This is in strong opposition to Senate Bill 2303. With the slogan of “competition in education”, Competition does bring out the best in educational institutions. Along with that comes “choice in education”. We already have that choice in North Dakota. Students can attend a school of their choosing with the current laws of open enrollment, non-tuition agreements, private schools, and home schooling. The bigger question should be is who is to pay for a private or home-schooled education?

If the state wishes to spend money on non-public schools, should the state not make the rules of equal balance and enforcement of education law equal? Tilting the rules in favor of one organization over another that is geared toward the same goal of education is what I consider a violation of equal protection under the law.

If the State of North Dakota wishes to adopt this legislation, the legislative body should either have all private schools and home school parents follow the same rules as Public Schools do. The other alternative is to abolish all rules that the Public Schools must follow that Private Schools currently do not have to follow.

The current bill as written also has the following flaws and questions:

- The \$8,858 payment or 80% for the program. After the mill levy deduct, the LaMoure School receives \$8,198 from the state based on our Weighted Student Units. Based on these numbers, this is 74% of the Per Student Payment Rate from the state.
- The proposed legislation states a student (home school) shall not enroll in a public school. We have home school students in our district that enroll in music class, athletics, speech services, CTE class etc... does that mean now that they need to discontinue those public-school services?
- Will the state of North Dakota still support a private institution of education with state dollars if the focal point of their religion and school mission statement is controversial and not within the current religious affiliation we currently have for private schools in North Dakota?
- Will the state of North Dakota support a Private School Academy such as the IMG Academy in Bradenton Florida which is a private school that is sports-oriented around its students and programs. Should state dollars be used for this type of school?

The Education Savings Account bill is intended to strengthen the education system in North Dakota. I believe it will have the opposite effect. This will lead to weakening of the public school system. It sends the message from the legislature to our public schools and teachers that they are not doing their job. That is the furthest thing from the truth.

It is my hope that the legislature will pass legislation the “lifts up” our public education system and the educators in North Dakota who dedicate their lives to educating all students that come through their door. If this legislation is to pass, I foresee this as another point of chipping away at our public school system that will have an effect on recruitment of teachers to the public school system and the profession.

Below is a shortened list of the North Dakota Century Codes that apply to School Districts (Public Schools) that the laws do not pertain to Private Schools.

Respectfully Submitted – Mitch Carlson, LaMoure Public School

Century Code Reference**Public School****Private School**

Century Code Reference	Public School	Private School
5.1-02-09: DPI Supt report to Governor financial status, value of property, cost of education, Salaries	Need to report	No Report
15.1-02-10: Finance Facts to legislative assembly of each school	Need to report	No Report
15.1-02-13: Employee Compensation Report of all teachers and administrators for comparisons	Need to report	No Report
15.1-02-19: Information regarding federally funded health insurance programs	Inform students	No need to inform
15.1-02-23: Chronically low performing school districts intervention.	DPI can implement rules	No rules
15.1-06-01: Free, open and accessible at all times to any child.	Take any student	Selection process
15.1-06-04: Calendar length of a minimum of 962 for elementary & 1,050 for High school. 4-day school week needs waiver from DPI. Virtual Instruction must consist of minimum hours.	Need to follow minimum	No reference
15.1-06-06: School involved in the school improvement process	Need to follow criteria	Does not apply
15.1-06-06: Employment of a school Superintendent	Need to employ	Not needed
15.1-06-13: Supt. Each district complies with health, safety, & sanitation	Following rules set forth	No reference
15.1-06-14.1: Youth patriotic society must be allowed to speak to students.	Need to allow	No reference
15.1-06-17: Shall display US flag on the grounds of each school.	Need to follow	No reference
15.1-06-19: Counselor requirements with student numbers	Minimum employment hours	No reference
15.1-06.21: Transgender student accommodation	Need to follow	No Reference
15.1-07-20.2: School District Business manager duties outlined	Follow for school districts	Does not apply
15.1-07-25: School District Records open to examination by any person	Need to follow	Does not apply
15.1-07-25.2: Board meeting minutes, payroll, revenue, expenditures, retention	Open to public	Not open to public
15.1-07-25.3: Policy on protecting student data	Need to implement	No Reference
15.1-07-25.4: Virtual Learning policy, reporting	Policy to follow	No Reference
15.1-07-32: student Performance Strategies for every 400 students through grade 3.	Need to employ	No Reference
15.1-07-36: Report to DPI spent on school safety and security measures.	Need to report	No reference
15.1-07-38: Policy needed if participating in school lunch program.	Need to participate	Optional
15.1-09: School Boards elections, terms, meetings, publications, workshops, authorities,	Need to follow	No needed

15.1-15-01: Performance reviews of teachers to be conducted.	Follow law set forth	No Reference
15.1-15-02: Non-renewal of contract of probationary teacher to follow rules	Follow law set forth	No Reference
15.1-15-04: Non-renewal of the contract of a teacher the steps you must follow	Follow law set forth	No Reference
15.1-15-07: Discharge for cause outlining the causes and the hearing procedure.	Follow law	No Reference
15.1-16-01: Teacher Representation and Negotiations rules, representations, good faith, impasse, strike,	Follow law	No Reference
15.1-17: Teacher Personnel files, complaints, response laws	Follow law	No Reference
15.1-19-02: Prohibiting Corporal punishment	Follow law	No Reference
15.1-19-06: School personnel cannot refer to a person for a abortion	Folow law	No Reference
15.1-19-09: School need rules regarding suspension and expulsion.	Follow law	No Reference
15.1-19-18: Bullying prohibition and policy to follow for school districts.	Follow law	No Reference
15.1-21-05.1: Critical Race Theory prohibited to teach	Follow law	No Reference
15.1-21-08: State Testing of students in reading, math, and science. Publication of results.	Need to test	No testing required
15.1-21-17.1: Interim testing of students grades K-10. Twice a year.	Need to test	No testing required
15.1-21-18: Career Interest Inventory to administer.	Need to administer	No Reference
15.1-21-21: Teaching of personal finance,	Need to teach	No Reference
15.1-21-28: Health curriculum must include 3-minute video on human growth.	Need to teach	No Reference