

1 Testimony in Opposition to House Bill 1607

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3 Chairman Heinert and Members of the Committee,

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5 My name is Mike McNeff, and I serve as Superintendent for Rugby Public School District. I
6 appreciate the opportunity to testify in opposition to House Bill 1607, which proposes the
7 creation of Educational Empowerment Accounts to divert public school funding into private
8 education expenses with no meaningful oversight, transparency, or equitable access for all
9 students.

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11 As a fiscally responsible, conservative state, North Dakota must ensure that taxpayer dollars are
12 spent with full accountability. HB 1607 fails to meet that standard. The bill allows public funds to
13 be transferred to individual accounts that parents can use for private school tuition, tutoring,
14 transportation, educational therapy, and various other expenses. However, there are no
15 academic requirements, financial audits, or guarantees that these funds will be used to improve
16 student learning. Unlike public schools, which must adhere to state-mandated curriculum,
17 testing, and fiscal oversight, private institutions and service providers benefiting from these
18 accounts are not held to the same standard.

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20 North Dakota's public schools educate 90% of students, yet HB 1607 redirects public funds
21 away from these schools to support private and home education options that do not serve all
22 students. The bill explicitly prohibits students who receive an empowerment account from
23 enrolling in public school or filing for home education status, meaning these students are
24 removed from the public education system entirely while still receiving public money. This is a
25 direct attack on public school funding and an inequitable use of state resources.

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27 Additionally, HB 1607 disproportionately benefits urban families while doing little for rural
28 students. The vast majority of North Dakota's 170 school districts are in rural areas with no
29 access to private schools or specialized educational service providers. This bill allows urban
30 students to access a variety of options, while rural students—who lack these alternatives—are
31 left with no real choice. We should not incentivize urban areas at the expense of rural
32 communities. If the goal is to support all students, then any funding program should be
33 structured to provide an equal flat dollar amount for all 127,500 students in North Dakota—
34 whether they attend public, private, or home school. HB 1607, however, creates an inequitable
35 funding system that prioritizes private education over public school students.

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37 This bill also raises serious constitutional concerns. North Dakota's Article VIII, Section 5, and
38 Article X, Section 18 explicitly prohibit the use of public funds for sectarian schools. By creating
39 government-funded accounts that can be used for private religious education, HB 1607 attempts
40 to circumvent these constitutional protections and could lead to future legal challenges.

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42 Finally, the lack of meaningful oversight in this bill invites financial misuse and fraud. The bill
43 states that the Superintendent of Public Instruction may conduct random audits but does not
44 require regular reporting or financial transparency from participating families. While there is

45 mention of fraud investigation, it is reactive rather than proactive, meaning public funds could be
46 misused for months or years before any accountability is enforced. This is not a responsible use
47 of taxpayer dollars.

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49 If North Dakota is going to invest in education, those funds must be accountable, transparent,
50 and used for the benefit of all students, not just a select few. HB 1607 fails to meet this
51 standard. If the goal is fairness, then these funds must be distributed equitably across all
52 students and should not come at the expense of public school funding. I urge you to oppose HB
53 1607 and any legislation that weakens public education by diverting public funds to private
54 education providers without accountability.

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56 Thank you for your time and consideration. I am happy to answer any questions.