

Comments Accompanying the Presidential Executive Order on Educational Opportunity

Chairman, and members of the committee,

I appreciate the opportunity to address you today.

The recent Presidential Executive Order on Expanding Educational Freedom and Opportunity for Families, issued on January 29, 2025, underscores for me the importance of North Dakota being prepared and establishing its own framework governing educational opportunities initiatives.

The Order makes it clear that at the federal level school choice is no longer a question of "if" but "how." And without clear state legislation, the Department will be left with only broad federal directives to guide the operation of school choice programs.

If we do not establish state-specific expectations—such as assessment requirements, reporting structures, and program guidelines—the Department will be forced to default to federal regulations that may not align with our state's priorities and beliefs until the legislature reconvenes in 2027.

Please understand that I am not advocating one way or another or supporting one idea over another; it is about ensuring that **when** school choice funding from the federal level becomes available, it operates within a framework designed by our state lawmakers.

The legislature is considering at least six versions of educational savings accounts and two public charter school bills. I do not envy the work you must do as you consider each of them. I am simply here today to share my belief that establishing a solid state framework this session will prevent a regulatory void that could otherwise be filled by expansive allowances.

By setting our own parameters in advance, we retain control over educational standards and accountability measures, ensuring they are appropriate for North Dakota's students and families. State control is also a priority of this federal administration.

I recognize that there has been historical and significant resistance to implementing any type of school choice in North Dakota. For good or for bad, the landscape has shifted. Within 90 days, the U.S. Secretaries of Education, Labor, Health & Human Services and Interior will provide a plan that uses discretionary grant funds to expand education freedom. Within 60 days, the Secretary of Education has been directed to issue guidance regarding how states can use Federal formula funds to support education choice initiatives.

I believe legislators have a choice to consider this session: either proactively establish the parameters that align with our state's needs and high-expectations or risk leaving a void and having external entities define them for us until the legislature reconvene in 2027.

I hope that lawmakers will choose to ensure that any educational opportunities in North Dakota are implemented thoughtfully, with safeguards and standards that reflect our educational objectives for all students.