



North Dakota Small Organized Schools

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2 Testimony in Opposition to SB 2303

3 Chairman Beard and members of the Senate Education Committee

4 My name is Michael Heilman, I am the Executive Director of North Dakota Small Organized Schools. The
5 140+ schools that are members of NDSOS stand in opposition to SB 2303, which seeks to establish an
6 Educational Savings Account (ESA) program for K-12 students attending private schools. While the bill is
7 framed as an opportunity for school choice, it presents significant equity, oversight, and funding
8 concerns that make it a poor fit for North Dakota.

9 One of the most pressing issues with SB 2303 is the lack of private school options in rural areas of North
10 Dakota. The vast majority of students (116,598) in our state attend public schools by choice and those in
11 rural areas do not have a choice. The students (7904) that attend private schools are also there by
12 choice. Allocating taxpayer dollars to an ESA program will primarily benefit urban families who have
13 already made the choice to attend private schools, while leaving rural students with no comparable
14 choices. Four metro areas representing six communities, Bismarck/Mandan, Fargo/West Fargo, Minot
15 and Dickinson make up the vast majority of private school enrollment. This creates a disparity that
16 unfairly favors one segment of the population over another. There are currently fewer than twenty
17 communities in North Dakota with a private school option and less than half of those offer a high school
18 option.

19 Additionally, private schools that would receive ESA funds are not subject to the same level of oversight
20 and regulation as public schools. If the state is going to fund private education, NDSOS strongly believes
21 that the education providers must comply with all regulations and rules that public schools are required
22 to follow, including accepting of all students, open records laws, open board meetings, participation in
23 TFFR and all other state laws, rules and regulations that apply to public schools. Public funds should only
24 be allocated to educational institutions that are required to meet the rigorous accountability and
25 transparency measures that are applied to public schools.

26 Another concerning provision of SB 2303 is that the ESA funds can be used for post-secondary education
27 expenses. This benefit is not extended to public school students, creating an inequitable system where
28 families who choose private schools receive additional financial advantages that are denied to families
29 relying on public education. Public funds should be used to strengthen our public school system and

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The mission of NDSOS is to provide leadership for the small/rural schools in North Dakota and to support legislation favorable to their philosophy while opposing legislation that is harmful.

30 ensure all students—regardless of their educational setting—have access to high-quality learning
31 opportunities.

32 Rather than diverting funds away from public education, we should focus on investing in our public
33 schools, which serve the vast majority of North Dakota’s children. SB 2303 threatens to undermine our
34 public education system by redirecting scarce resources to unregulated institutions, disproportionately
35 benefiting urban and affluent families while leaving rural and lower-income students behind.

36 The ESA that would be established by SB 2303 does little to serve the students in rural areas, directs
37 funding to private schools without the same regulations of public schools and diverts critical funding
38 away from public schools. I respectfully urge you to oppose SB 2303 and prioritize policies that
39 strengthen our public schools for the benefit of all North Dakota students.

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