



NDSBA
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HB 1532 | Testimony of Alexis Baxley
House Education Committee
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Chairman Heinert and members of the House Education Committee, my name is Alexis Baxley. I am the executive director of the North Dakota School Boards Association. NDSBA represents all 170 North Dakota public school districts, their boards, and several multi-district special education units. NDSBA stands firmly in opposition to HB 1532.

Article VIII, Section 2 of our state constitution states that the Legislative Assembly shall provide for a uniform system of free public schools throughout the state. The ND Constitution does not include any provision for the financial support of private or home education. In fact, it explicitly states that no money raised for the support of public schools of the state shall be appropriated to or used for the support of any sectarian school. This bill looks to create a program that would do exactly that. While NDSBA supports the right of a parent to choose the best educational experience for their child, we believe the public dollars belong to public schools.

There is good reason for this belief. The public school system is expected to adhere to a multitude of rules, standards, and requirements. In short, public schools, through their locally-elected school boards, the legislature, and the Department of Public Instruction, are accountable to the taxpayers and parents. Private, home, and parochial schools are not subject to these same requirements, the most significant of which is the inability to turn away any single student. Public schools are constitutionally obligated to provide a free and appropriate education to every student that walks through our doors. To direct funds towards any educational entity that is not obligated to do the same is inappropriate.

We have spent much time this session discussing parents' role in education. Private and parochial schools are often governed by boards of appointed directors and/or clergy rather than locally-elected boards. Appointed boards or directors do not require the same level of accountability as elected boards. Again, to send public dollars to an entity that is not directly accountable to the public is inappropriate. The lack of accountability is further underscored by the bill's lack of definition for a qualified school beyond the willingness to accept program funds. There is zero level of quality required for a school to qualify for the program. This was not an oversight. The only way a school may be declared ineligible for the program is through the office of the state treasurer. While our

Treasurer's office does a great job, they are by nature, not the office we task with evaluating the quality or effectiveness of educational programs in this state.

Finally, the bill drives home the lack of accountability by going so far as to prohibit any government entity from imposing regulations on a school whose only qualification is a willingness to accept funds, including educational program, practices admissions, curriculum, etc. The bill wrongly asks North Dakota taxpayers to contribute to these schools, but expects absolutely nothing of them.

For these reasons, NDSBA stands in opposition to HB 1532 and encourages this committee to give it a do not pass recommendation. Thank you for your time, and I will stand for any questions.