

Americans for Prosperity North Dakota – IN SUPPORT HB 1540

Americans for Prosperity strongly supports educational choice.

We are in support of educational savings accounts; we urge you to support HB 1540.

Key Components of a Strong Education Savings Account (ESA) Bill for North Dakota.

These are the essential components and recommendations for crafting a robust Education Savings Account (ESA) bill in North Dakota. The goal is to provide all families with access to high-quality educational options and ensure equitable participation for all school-age children in the state. A strong ESA bill should prioritize accessibility, transformative funding, and flexibility for students, while maintaining an efficient implementation process.

Must-Have Components

1. Universal Eligibility

- **Definition:** All school-age children in North Dakota should be eligible for an ESA. The bill should phase in universal eligibility over a short period to maximize impact and inclusivity for every family.

2. Transformative Funding

- **Goal:** The ESA funding must be substantial enough to significantly enhance educational opportunities for families, particularly those from lower-income backgrounds. The funding should enable access to a wide range of non-public educational options (e.g., private schools, tutoring, online learning, educational therapies).

3. Opt-In Participation

- **Principle:** The ESA program should be voluntary for families and non-intrusive to private educational providers. It should not automatically categorize any family as an ESA participant. Additionally, it should create a separate category for students receiving alternative instruction (home-schoolers) and ensure it does not interfere with existing alternative education laws.

4. **Low Barriers to Application**

- **Access:** The program should have minimal bureaucratic hurdles, with no income qualifications required. Families should be able to easily access the program regardless of their financial status.

5. **Broad Educational Choice**

- **Flexibility:** The ESA should provide a wide range of educational options for students. Rather than narrowly defining what is an acceptable expenditure (e.g., curriculum categories), the focus should be on creating robust and diverse educational opportunities, allowing families to tailor education to their child's needs.

6. **Ease of Implementation**

- **User-Friendly:** If a third-party vendor is used for administering ESAs, the system must be easy for families to navigate, ensuring that there are no delays or barriers in accessing funds. Avoid reimbursement processes that create additional financial burdens on families and require excessive administrative staffing.

No-Go Provisions of a Strong Education Savings Account (ESA) Program for North Dakota

1. **Overly Harsh Accountability Measures**

- **Issue:** Accountability measures that impose harsher penalties on ESA students than on public school students should be avoided. ESA students should not face additional punitive measures that are not equally applied to public school students.

2. **Excessive Curriculum Restrictions**

- **Issue:** The ESA program should not limit eligible educational expenditures to “government-approved,” in-state, or secular curriculums. Families should have the freedom to choose educational materials and providers that best meet their child’s needs, without unnecessary government oversight on curriculum.

3. **Overcomplicated Bureaucratic Expenditure Approval**

- **Issue:** The ESA system should avoid creating time-consuming and complicated bureaucratic processes for expenditure approval. Families should have access to funds instantly at the point of sale, without the need for reimbursement claims or excessive approval procedures that create delays.

4. **Tiering Eligibility Solely Based on Income**

- **Issue:** Eligibility should not be tiered exclusively based on income levels. While certain groups may need targeted support, all school-age children should eventually have access to the ESA, regardless of family income.

5. **Standardized Testing Tied to Funding**

- **Issue:** The ESA program should not tie future funding or eligibility to individual students' standardized test performance. Students and families should not be penalized with reduced funding based on test scores.

A well-crafted ESA bill for North Dakota should empower families with meaningful choices and substantial funding for educational opportunities. By adopting these key components, avoiding problematic provisions, and considering additional flexible options, North Dakota can create an ESA program that is inclusive, flexible, and transformative. This will ultimately ensure that all students have access to a high-quality education that meets their unique needs, while also promoting the state's educational and economic goals.

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