

2025 HOUSE EDUCATION

HB 1590

2025 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1590
2/5/2025

Relating to a student education services account pilot program; and to provide an appropriation.

10:01 Vice Chairman Schreiber- Beck called the hearing to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Discussion Topics:

- Education tuition
- Mental health services

10:02 a.m. Chairman Heinert introduced the bill.

10:23 a.m. Shane Goettle, State Association of Non-Public Schools, testified in favor and submitted testimony. #35015

10:38 a.m. Daniel Martinez, Parent, testified in favor and submitted testimony. #34731

10:42 a.m. Kevin Jordre, Parent, testified in favor.

10:48 a.m. Bob Otterson, President, Oat Grove Lutheran School, testified in favor.

10:54 a.m. Davin Tamisiea, Executive Director ND catholic Conference, testified in favor.

#34223

10:56 a.m. Paul Belser, Parent, testified in favor.

10:57 a.m. Kristy Rose, Tricity Home Educators Association, testified in opposition and submitted testimony. #35047

11:03 a.m. Kevin Hoherz, Government Lead NDCEL, testified in opposition and referenced Amiee Copas's testimony. #35169

11:08 a.m. Leslie Bieber, Superintendent Alexander Public Schools, testified in opposition and submitted testimony. #34814

11:13 a.m. Joseph Drumm, VP Grand Forks Education Association, testified in opposition and submitted testimony. #34158

11:15 a.m. Mike Heilman, ND Small Organized Schools, testified in opposition and submitted testimony. #35206

Additional written testimony:

#33298, #33338, #33372, #33433, #33482, #33513, #33517, #33547, #33557, #33581, #33599, #33638, #33696, #33724, #33742, #33779, #33783, #33797, #33798, #33898, #33905, #33924, #33931, #34055, #34112, #34122, #34132, #34137, #34140, #34171, #34190, #34234, #34252, #34256, #34271, #34305, #34359, #34381, #34468, #34527, #34568, #34576, #34595, #34601, #34607, #34669, #34698, #34731, #34776, #34830, #34840, #34849, 34951, #35044, #35054, #35059, #35081, #35094, #35108, #35127, #35145, #35191, #35203, #34103, #34186, #35172, #35176, #35271

11:17 a.m. Vice Chairman Schreiber- Beck closed the hearing.

Addison Randazzo for Leah Kuball, Committee Clerk

As a grandmother of 11, I believe this bill would be a great advantage for all of them. Helping young families is the surest way for our grandchildren to receive the best education possible.

January 31, 2025

North Dakota House Education Committee
State Capitol
Bismarck, ND 58501

RE: Endorsement of HB 1590

Dear House Education Committee:

My name is Amanda Dukart. I live in the Mandan school district, and I am a parent who has chosen to enroll my children in Christ the King Catholic Montessori School.

I support House Bill 1590, but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my child. I support House Bill 1590, which would establish matching grant funded educational savings accounts for K-12 students' educational needs, because three of our children currently attend a private school, so this would majorly affect our family directly.

The first reason we support this bill is because we would experience first-hand the benefits of our tax dollars toward education. The second reason is because we currently make many financial sacrifices so that our children can attend a private school. We find that the sacrifice is worth the benefits, but if the bill were passed, we would also be able to save more money to help pay for our children's higher education in later years. The third reason we support HB 1590 is because we are paying tax dollars toward education, but we also reserve the right to choose a private institution that provides a religious and Montessori education.

We have seen the benefits of this approach to education in the lives of our children, forming in them independence and a love of their faith. They love their school and the freedom it provides for them to choose how they learn. I also attended the same institution as a child, so the school feels like home to us. We are grateful for a school that teaches the same exact values as what we teach our children in our home, and we get a say and are very involved in that process.

Please vote in favor of HB 1590. There are numerous great families and schools that will benefit from assistance with private education, and a financial burden will be lifted in each of their households. Thank you for your service to the state of North Dakota and for your time on HB 1590.

Sincerely,

Amanda Dukart
511 13th St. NW
Mandan, ND 58554

Testimony

02/01/2025

In support of the Bills HB1590, HB1607, HB1540, and SB2303. We, Neil and Gaylne Schweer, support these bills listed because our child attends Our Redeemer's Christian School, an approved Christian School in Minot, ND.

We are property owners in Minot, ND and have paid property taxes for the last 11 years, which some of those tax dollars go to support Public Schools.

Our child has been enrolled in Our Redeemer's Christian School for 8 of those 11 tax paying years, all of our son's education has been learned at Our Redeemer's Christian School.

My husband and I have paid full tuition for each of those 8 years for our child to attend our school of choice.

As parents, we feel the importance of our son learning in an environment that teaches and promotes our religious beliefs.

We feel our son is succeeding, and well is educated due to going to Our Redeemer's Christian School instead of public school.

I do not think it is fair treatment for the State of North Dakota, to financially support only Public Schools. Please recognize the unfair treatment of parents trying to direct the education of their children in alignment with our religious practice by providing a means of financial support to us who choose to send our children to a Christian School, as it is very important to our families.

Thank you

Neil and Gaylne Schweer

1512 11th St SE Minot, ND 58701

Hello House Education Committee,

My name is Taylor Gall. I live in District 25 and I am a parent who has chosen to enroll my child in St. Anne's Catholic School.

I support HB 1590, but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my child. I support HB 1590 because we are trying to raise a family that follows more closely in line with our values and beliefs as Catholics. We are a family of 5 and are on a strict budget with only one person working because we believe in the value of being able to raise our kids on our own at home. We know that going to a private school isn't necessary and is our choice to attend but we feel so strongly about our kids getting the best education. To us, there is nothing better than our child coming home and talking about God and what they learned from the core values that are taught in school.

Being able to get assistance from the state from our tax dollars would help lessen the financial burden of tuition and all of the other costs that are present when attending private schools.

I urge you to vote in favor of HB 1590.

Thank you for your service to the state of North Dakota and your time on HB 1590.

Hello Education Committee,

My name is Aimee Bachmeier. I live in District 0802, and I am a parent who has chosen many different school choices for my children. I support SB 2295, SB2303, SB2400, HB 1607, HB 1590, HB 1540 school choice bills that support parent autonomy and the right to provide an education of choice for my children. Over the years, I have chosen many different methods of education for my children: private school, homeschool, and public school. Each of these choices was based on each individual child's needs and on our financial status.

For example, my oldest child was enrolled in a private elementary school. We loved the faith that was integrated in the school and the small class size, but he was severely struggling academically. At that time, we didn't feel it was the best choice to enroll him into public school. So, I left my job as an Assistant Professor at Bismarck State College and homeschooled. I homeschooled all 4 of my children for 5 years. It was very difficult financially, as we were living on one income. Due to financial constraints, we had to decline some field trips and activities, and I had to choose affordable homeschool materials. Often the materials were used and prewritten in and sometimes we would borrow materials from fellow homeschoolers. We became very creative and utilized the free resources we had in the community to help our children grow academically and spiritually. Before my eyes, I witnessed leaps and bounds in my oldest child's educational understanding. Eventually, he tested out of the IPP (IEP) program, and I no longer needed to submit my educational plan to the public schools. As he got older, he enrolled in public school. He was point one away from graduating with honors at the public school. This is a huge accomplishment! This was a child that went from barely being able to write in 7th grade to getting an A in high school and college English and is now on the dean's list at University of Mary. I cannot stress enough that parents know what is best for their child. It would have been so helpful to have the option of financial assistance while I was homeschooling and to have the support of my ND government during this time in my children's educational journey. My child's education was successful because we decided to homeschool him and pay for homeschooling using our own financial means. After we left homeschooling, we wanted to enroll our children back into private Catholic schools. However, we were on one income, and it was unaffordable. We still had small children that we were raising. We wanted our children to be raised with faith as a part of their schooling. We believe that it helps them to not only grow and learn academically but also spiritually. Because we had no choice, we enrolled them in the public school system. This is why school choice is so important to me and our family. If our ND government had supported our family with educational financial assistance and had supported school choice, then this would have opened our options and given us more autonomy in making decisions that we feel would be best for our children. Instead, we had no choice but to send our older children to the public school system. Currently, our two younger elementary age children go to the private Catholic school, and we are enduring a financial burden because we made the choice to send our children to Catholic schools. I should be able to use the money I pay for taxes to send my children to the school of choice.

I urge you to vote in favor of these bills SB 2295, SB2303, SB2400, HB 1607, HB 1590, HB 1540. Thank you for your service to the state of North Dakota and for your time on the Senate Educational Committee.

Sincerely,
Aimee Bachmeier

Members of the House Education Committee,

I am Brenda Seehafer, an elementary Title I reading and math teacher from Rolla, ND. I am asking you to oppose the following three bills: HB 1540, HB 1590, and HB 1607. All three of these bills relate to educational savings accounts.

Public dollars belong in public schools, which is the bottom line of my opposition to these bills. Private schools are just not held to the same transparency, accountability, or accessibility standards as our public schools; private schools don't have to take **all** students. Private school vouchers/educational savings accounts do not save taxpayers money and have resulted in multi-million-dollar deficits and tax increases in places like Arizona. Only 17 of our 53 counties or about 32% of North Dakota counties have access to a private school, so why would we do this? Why should rural North Dakotans foot the bill to send city kids to private schools, because that is just what these bills do to rural North Dakotans.

I am asking you to oppose HB 1540, HB 1590, and HB 1607. Don't use our public dollars on vouchers or educational savings accounts because that is not what North Dakota needs or wants.

Hello Senate Education Committee,

My name is Chris Ahlers and I live in the Fargo public schools district. I am a parent who has chosen to enroll all five my in the St. John Paul II Catholic Schools network.

I support HB1590 and I am in support of all school choice bills that help create parent autonomy and the right to provide an education for my child. I support HB1590 because sending my children to a private schools gives them something more than what they could get at a public school. It is not my perspective that North Dakota has inadequate public schools but instead private schools can provide something above and beyond what public schools can provide and that is something my wife and I *choose* to provide for our children.

In 2024, US News and World Report ranked the states and unfortunately we have the lowest overall education ranking in the four state area. Definitely room for improvement.

[Source: <https://www.usnews.com/news/best-states/rankings/education>]:

- North Dakota as #28 in education (#34 in Pre-K - 12 and #12 in higher education)
- South Dakota was #15 in education (#29 in Pre-K - 12 and #7 in higher education)
- Minnesota was #17 in education (#17 in Pre-K - 12 and #18 in higher education)
- Montana was #22 in education (#27 in Pre-K - 12 and #16 in higher education)

We all value choice in our daily lives and where we put our money and our time is how we "vote" for the choice we make. As parents, we want a different education for our children. We desire to have our Christian values woven into their daily instruction and education. We desire the opportunity to make that choice and a voice to choose and we wish more families had the same opportunity to make that choice without significant financial burdens.

I urge you to vote in favor of HB1590 and to give parents a voice and the opportunity to make the choice that they feel is best for their children.

Thank you for your service to the state of North Dakota and your time on HB1590.

Chris Ahlers
Fargo, ND

Hello House Education Committee,

My name is Reed Mesman. I live in District 3 and my wife and I have chosen to enroll our children in the Our Redeemer's Christian Christian School in Minot, ND. I support this bill, and I am in support of all school choice bills that support parent autonomy and the right to provide an education for my children. I support this bill because I have strong beliefs, values, and morals in not only my faith and religion but also our individual rights as parents in our personal responsibility for the raising and upbringing of our own children however parents seem fit. My wife and I both grew up and attended private Christian schools from K-12. Our parents did not have much money back then but believed so strongly in the kind of faith-based education we received that they made great financial sacrifices for us. My wife and I feel this way as well and choose to do the same with our children. It's not that we don't like or that we disagree with the public school system, rather it is about the choice to choose the education system for our children that we deem best when we have the option available. I believe as North Dakotans we all share these God-given rights and beliefs in our hearts and the same care about our children. This is not always an easy choice as it comes with a great financial burden. Not only do we pay for private education for our children but we also pay taxes for the local public school system, which we do not benefit at all from. In this sense we pay double for our choice, but we have no say in the matter of where our tax money goes. As tax payers, we would like to see our tax money benefit our own children as well and the school system they are part of.

I greatly urge you to vote in favor of this bill. Thank you for your service to the great State of North Dakota and your time and dedication to this bill.

Sincerely, Reed & Carrie Mesman



Testimony in Support of House Bill 1590

Mark Jorritsma, Executive Director
North Dakota Family Alliance Legislative Action
February 5, 2025

Dear Chairman Heinert and honorable members of the House Education Committee,

North Dakota Family Alliance Legislative Action would like to testify in support of House Bill 1590 and respectfully requests that you render a DO PASS on this bill.

Educational options are in high demand nationwide as parents seek out the best opportunities for their children. There are now 34 states and territories that currently offer some type of school choice program¹, and we would love for North Dakota to join those ranks. Educational Savings Accounts (ESAs) and similar programs are some of the most popular types of school choice options because they offer families more educational flexibility through state financial support.

This bill would provide fifty percent state matching educational funds (up to one thousand dollars per child per school year) to families who choose to put money into a student education services account. The funding could be used towards an array of qualified educational expenses. We are pleased that this covers many student scenarios and provides financial benefits to families who are within the public school system as well as those who are pursuing private school education or home education.

We strongly support this type of program in North Dakota, because it gives families more options as they consider the best educational fit for their children, their child's most effective learning techniques, and specific circumstances. In addition, a school choice option such as this allows families to consider more educational choices than may have been possible on their own income alone.

¹ <https://excelinedinaction.org/2025/01/07/the-rise-of-eas-continues-10-states-take-action-on-school-choice-in-2024>

For these reasons, North Dakota Family Alliance Legislative Action respectfully requests that you vote House Bill 1590 out of committee with a DO PASS recommendation.

Thank you for the opportunity to provide this testimony, and feel free to contact us if you have any questions.

Sincerely,

Mark Jorritsma
Executive Director
North Dakota Family Alliance Legislative Action

Hello House Education Committee,

My name is Chantelle Woodbury. I live in District 8 and I am a parent who has chosen to enroll my children in St. Mary's Catholic School. I support HB1590, but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my children. I support HB1590 because while I have been fortunate enough to be able to afford to send my children to the school of my choice I have friends and family members who have not been so lucky. My niece recently was having problems with bullies at her local public school which led my brother to look into the local private school but it was not an option financially for his family. Please put children first in our state by opening up more options for families so our children can receive the best education possible. I urge you to vote in favor of SB2303. Thank you for your service to the state of North Dakota and your time on HB1590.

Chair Owens and the members of the House Education Committee,

My name is Melissa Buchhop and I am a 4th grade teacher in the Grand Forks Public Schools. I urge a DO NOT PASS on HB 1590. No matter what these bills are called—education savings accounts, scholarship programs, or otherwise—if they divert public dollars to private schools, they are vouchers. Public funds should NOT be going to private schools. Taxpayer money is for public entities.

As a taxpayer, I pay for public parks and our local park district in Grand Forks. As a parent I can decide that I don't want to take my child(ren) to the public park and instead put up a playset in my yard. This does not mean that I now get to ask for public funds to fund my playset because I am not using the public parks. The same goes for schools. I can choose to send my child to private school or homeschool, but I do not and should not get tax money to pay for that private school or to homeschool.

Private schools don't have to follow the same rules as public schools, they can choose to reject students based on disability or socioeconomic status. Public dollars should be used to strengthen our public schools (our teachers, support staff, mental health resources, and students), which are for everybody, not to subsidize private institutions that serve only a few. We need the legislature to invest in public education, not dismantle it.

Thank you for your time and consideration.

Sincerely,
Melissa Buchhop

February 3rd, 2025

Chair Heinert and members of the House Education Committee,

My name is Samantha Harrison, a current resident of Mandan and former public school teacher. I am writing to you to urge a “Do Not Pass” recommendation and a “No” vote on HB 1590.

This testimony will, exhaustingly, mirror testimony I am submitting for five other bills that have been introduced this session. No matter what they are called, education savings accounts, scholarships, or tax credits—if they take money from public schools and funnel it to private institutions, they are vouchers, and I and other public educators current, former, and future vehemently oppose them.

The purpose of the public school system is to serve every child, regardless of income, ability, or background. Private and religious schools are not held to the same standards, and as a taxpayer in North Dakota, I oppose my tax dollars being used to support private education in any way. The State should be investing in the public school system, rather than be complicit in funnelling money away from it.

I urge a “Do Not Pass” recommendation from the committee and a “No” vote on the floor on HB 1590.

Sincerely,

Samantha K. Harrison
District 34

Chairman Heinert and members of the Education Committee,

My name is Jeff Ringstad, I am the school administrator at Our Redeemer's Christian School

I would like to provide testimony regarding two common arguments from our opposition when it comes to providing state support for parental choice in education. We commonly hear that it is not fair if we do not admit every student that wishes to attend our schools, and if state funding is made available to private schools the accountability should be the same as public schools.

Admissions

As a Christian non-public school, I am often asked about how we admit students. Must families meet certain criteria in order to receive an invitation? This question is easier to answer from a standpoint of what would disqualify a family.

1. Faith is our primary reason for denying families. If families intend to enroll students, but cannot offer any applicable testimony, no church home, or actively oppose Christian ideals – they are denied. The mission of our school really focuses on two key areas: knowing each student so that we can challenge each according to their abilities with a level of rigor that will spur educational growth, and to share the Gospel every day to spur spiritual growth.
2. Available space. Just as a public school can and will deny open enrolled students once the physical space has all been utilized. Non-publics do not have a defined district and thus may deny admission once a class is full.

The truth for us is that over 80% of our revenue comes from collection of tuition. It is our goal to have a full school of tuition paying families. We have students that are denied, but this is a very small number.

A common misconception that I hear from families interested in attending my school are that students with disabilities are not admitted. We admit many students with disabilities, but because we do not receive state funding we are limited in resources and ability to meet the needs of all students. In certain rare cases, we have shared with parents that a public school would be capable of offering additional needed services that would be best for the child. We have students with learning disabilities, physical disabilities, students on the autism spectrum, and a wide range of learners.

Once we have admitted students, they are our students, and we exhaust our resources to find a successful outcome. I ask that the state of North Dakota take the same viewpoint. The students at Our Redeemer's Christian School are North Dakota students in which families have made the choice to pay tuition. Our request is simple, provide the financial support to educate all students residing in North Dakota. This bill requests a modest dollar amount, much less than what public schools receive via state aide.

Accountability

North Dakota public schools have different measures of accountability than non-public schools. Public school leaders point to the differences in open meeting laws and school board century code, being accountable to the state within their budgets, and student test scores. Non-public schools are not part of these same accountability standards, but we are held to a different standard. The families that are willing to make a financial investment in their child's K-12 education hold the school very accountable. Our parents are also our customers, and there are very high expectations that are communicated daily. Our school is held accountable by 175 parents that are very aware of what is happening within the school at all times.

Summary

We are different than public schools because of faith and funding. We are similar to public schools in that we are educating students and preparing them for the world after high school. Our teachers are licensed through the ESPB the same way public school teachers are licensed. Our students are assessed and found to be learning at expected rates. Our Redeemer's Christian School has been successful without state funding, but this bill is not for the school. This bill is right move for the families desiring a choice in education and supporting the education of every ND student.

Respectfully,

Jeff Ringstad
School Administrator
Our Redeemer's Christian School
Minot, ND
701-797-7118 (cell)

Vote No: HB 1540, HB 1590, HB 1607, SB 2295, SB 2303, SB 2400

I am sharing my testimony to express my strong opposition to all forms of voucher bills – education savings accounts, scholarships, tax credits. Funneling public money into private schools is not right. Keep public dollars in public schools. Voucher schemes support private schools in large ND communities. Rural Communities would be helping foot the bill for these wealthy private schools when only 32% of ND counties have access to private schools.

North Dakota families already have school choice. Parents can choose which school is best for their kids. They can choose to homeschool, they can choose the closest public school, they can open-enroll their student to a nearby public school, or they can choose a private school. Those are the choices.

I do not want my tax dollars funding private already wealthy schools or homeschools.

Sincerely,

Sarah E. Lerud

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Lisbon Public Schools**School District No. 19**

502 Ash Street – PO Box 593

Lisbon, North Dakota 58054-0593 Phone: (701) 683-4106

High School Fax: (701) 683-4414

Middle School Fax: (701) 683-4111

Elementary School Fax: (701) 683-4415

"Providing Equal Opportunities for Employees and Students"

To Whom It May Concern,

I am submitting written testimony in opposition to HB 1590. This bill seeks to redirect public funds to support private education, which undermines our state constitution. The constitution clearly states that no money raised for public schools shall be used to support sectarian schools in North Dakota. It mandates that we fund a uniform system of public education. The students who attend public schools in North Dakota deserve this commitment.

While I believe Education Savings Accounts (ESAs) can benefit students across North Dakota, the provision in this bill that funds private schools should be removed. Doing so would create a fairer system for all families, regardless of where they live, allowing them to receive ESA dollars without violating our constitution.

Public schools in North Dakota serve 90 percent of students. Our public schools accept all students, regardless of their background—whether they have disabilities or face severe mental health challenges. No other entity in North Dakota provides such inclusive services. The work our public schools do is challenging and vital, requiring a strong financial commitment from our state to ensure that all students have the resources they need to become productive members of society. Our students are the future of our state and country, and investing in them should be a top priority.

I have no issue with ESAs benefiting all students across our state. My concern is that ESAs should not be directed towards families who choose to attend private schools. Attending private school is a choice, and public dollars should not be used to support that choice.

Sincerely,



Justin Fryer, Superintendent
 Lisbon Public School District

ND House Education Committee:

My name is Amber. I live in District 7 and I am a parent who has chosen to enroll my children in Light of Christ Catholic Schools. Thank you for taking the time to read my comments and for studying HB 1590!

I support HB 1590, but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my child. I support HB 1590 because I believe parents should have another option if they know government/public school is not a safe place for their children to be taught.

I wish I could say religion is what initially made us chose Catholic school, but it was truly fear of what has engulfed public schools. I can't say choosing to pay for private school is easy! It is a tremendous financial undertaking! But as a parent, protecting your children is your top priority.

There are many terrifying things in our government schools today that where not there when us older generations went to school. Phones and all that comes with them, homosexual pornographic books in the libraries, gender confusion- boys in the girls' bathrooms and girl sports and kids identifying as animals and using strange pronouns, mental instability in peers, indoctrination to hate our Country, teaching white guilt/privilege, pushing equity instead of equality, many are not able to speak English, and drugs to name a few most concerning to me. These are the reasons I knew I didn't want my children in the government school environment.

My husband has a background in Law Enforcement. Conversations with youth officers are what led him to favor a private school for our children. School Resource Officers have said they see less crime in the private schools, also kids' "innocence" seems last longer in the private schools. They just stay kids a little longer. This was another rationale that drove us to look elsewhere from government education.

There is a reason many school choice bills are passing in states around our Country. Something in our government schools is broken. Kids are not as safe. Kids test scores are declining rapidly, many cannot even read. And our youth has never been this depressed and mentally ill. I am afraid government schools are more influenced by the teacher union interests than that of students and parents. I believe the unions are what drives the hostility to school choice bills. Because if you really want what is best for each child, wouldn't you be more than happy to see them at the school that is going to bring out their full potential, not just the school government-assigned to them down the street? Since we started at our Catholic school, I have seen the class sizes grow in just a few short years. More and more parents are taking the better option for their kids' education.

I wanted to point out there are many more reasons than only religion as to why parents may want to choose a nonpublic school. I firmly believe parents know what is best for their children, not the State or teacher unions. Which is why I believe it is important to support parents' fundamental right to do what they know is best for their children. Bill 1590 will help more parents do what's best no matter their finances.

Thank you very much for your service to the state of North Dakota doing what is best for our state's future generations. I urge you to support HB 1590.

I am writing in favor of HB 1590. We've chosen to send our four children to a private school, but it has come with great cost. Our children have received superior education but feel that it is time to give parents a bit of freedom with their tax dollars for their children. Any savings accounts/matching grants, etc. will help offset this cost.

Thank you for your work and consideration,

Renae Arnston

February 3, 2025

Written testimony against ESA and EEA:

To Whom it may concern:

As a public school superintendent, I have some concerns over upcoming bills establishing various EDA and EEA to support families enrolling students in non-public or home schooling programs.

1. My first concern regards oversight. As a public school, we have many state laws we must follow and much data to report to the state. As is appropriate, there is a significant amount of oversight as to how we spend public money and can show student accountability. Private schools, charter schools, and home schooling lacks this oversight. This does not seem fiscally responsible or fair.

Indeed, I have had inquiries about enrolling former home schooled students in my school district where the parents have stated that they actually did NO schooling for several years. Under the current system, home schooling parents have no requirements to prove that their children are receiving an education. They can take the state exams but may also choose to opt out. Will the state hand out money to families without making sure that it is used toward education? How will the home-schooled families demonstrate that the funds were used appropriately?

Should the legislature approve any of these measures, the entities receiving the funding should be subjected to the same oversight that public schools work under.

2. My second concern regards equity. Private schools and, I presume, charter schools if passed, are generally located or will be located in the large cities of ND and therefore not available to rural students. Some private schools may set up a virtual academy, but I can tell you from much experience, that many students do not do well under this learning model. It would have limited appeal.

Also concerning equity is that private school may select which students to accept. They can choose to accept only the highest-performing students while denying entry to students with greater (and more expensive) needs. Public school, by law, must educate ALL students regardless of cost.

Will providing money to private, charter, and home-schooled families reduce the amount of money available to fund public schools, who provide the most equitable education by accepting and educating ALL students? Will it take away funding from rural schools, who already struggle with less funding (because of fewer students) and less access to services? If so, this would hardly be considered increase equity for our ND students.

3. Is providing public funding to religious-based schools legal? Are we violating ND Century Code?

To whom it may concern:

This bill would greatly help our family. We believe our children need to incorporate their faith into their every day lives. They have teachers and friends that work with them and spend time with them and learn together at their schools each and every day. We need to send them to these schools because this is where they learn the best and where they learn what our family wants them to learn and HOW our family wants them to learn. It is very important to us that we educate our children in these ways and at these schools. We have 4 children not attending the public schools in Bismarck/Mandan, they are all at private schools for many reasons, and this is important to our family. We would greatly appreciate this bill helping us best educate our children in the ways we need to for in household.

Thank you.

Sincerely,

Laura Gardner

Mandan, ND

Dear ND legislators & reps.,

My name Jacqueline Kraft from Devils Lake, mom of 3, & parish member of St. Joseph Catholic Church. This letter is a testimony in response of the request of passing of a school choice bills. I have chosen for my kids to go to Catholic school for the education and values that they learn there. Yes teaches about Bible & theology, but it is much more than that. The school fosters real core beliefs that any child should learn, whether catholic or not. I see the excitement in my kids when they master the weekly virtue and receive a VIP sticker. What they learn is of course English, math, and normal elementary/middle school curriculum but so much more. My 15yr. Decided to stay for 7th-8th grade instead of going to public school for middle school. Please don't get me wrong, there is nothing wrong with public school & went my entire life and turned out perfectly good. Well educated and a good community member, but could've had a more if i went to my kids Catholic school. I know with what my kids have & will continue to be provided I would look for ways to continue to stay even if my husband wasn't the part time teacher. The bill passing could help funding the current school, to bring in others who would love to send but can be costly & unable to. There are even programs & talking to the principal & father to help if this is a parents choice, no one should be denied this benefit/school education. I have paid taxes since 16 yrs old & believe we live where our voices can be heard. The school is also like a family, getting all done required & really caring about our kids. I have never regretted sending my kids to Catholic school & as soon as the two youngest were ready was excited to start their school career & yes learn about our family values & our God almighty. The bill could also let us continue to send our kids there. We are a family of 5 and middle class, so keeping costs lower is best for us & the community. Please consider this in your decision, since this a yet another bill for the session but passing could impact lives, of myself & others.

Thank you for reading & taking time to listen to my voice among many.

Sincerely,

 Jacqueline Kraft

Subject: Oppose Educational Savings Accounts – Protect Public Education

Dear House Education Committee

I urge you to oppose any legislation promoting Educational Savings Accounts (ESAs), which funnel taxpayer dollars away from public schools under the misleading promise of “school choice.” These programs weaken our education system by diverting funds to private institutions, often with little accountability or oversight.

Public dollars should stay in public schools. ESAs primarily benefit families who can already afford alternative education options while leaving behind the vast majority of students who rely on well-funded public schools. Instead of improving education, ESAs create a two-tiered system that drains resources from the very institutions that serve most children. Most rural district students do not have the option to attend a private institution due to the travel involved to commute to a more rural community.

Rather than propping up private and unregulated education programs with public money, we should focus on strengthening our public schools—hiring more teachers, reducing class sizes, and improving resources. Every child deserves access to a strong public education, not a system where only a select few get the best opportunities.

I urge you to stand against ESA expansion and protect public education for all students.

Sincerely,

Steven Heim

Dear House Education Committee,

I am writing to express my strong opposition to HB 1590. Regardless of the name given to these initiatives—whether education savings accounts, scholarships, or tax credits—if they divert funds from our public schools to private institutions, they are effectively vouchers. This is a dangerous path that threatens the integrity of our public education system, which is designed to serve every child, regardless of their ability, income, or background.

Instead of funneling public dollars to private schools that lack the same standards of accountability and accessibility, we should focus on investing in our public schools. Our educators, support staff, mental health resources, and students deserve our support and funding. This investment is crucial for maintaining a robust educational environment that benefits all children in our community.

I urge you to reconsider the implications of HB 1590 and to prioritize our public education system. The future of our children and the strength of our community depend on it.

Thank you for your attention to this critical issue. VOTE NO on HB 1590.

Sincerely,
Matt Liebel

Vote no on HB 1590

I would like to express my strong opposition to the proposed school education services accounts. While the intention behind these funds may be good, I believe they ultimately undermine the public education system and add to existing inequalities.

First and foremost, diverting public funds into education services accounts takes vital resources away from our public schools, which are already struggling to meet the needs of students and staff. These funds, intended for the benefit of a select few, could instead be used to improve facilities, hire and retain teachers, and provide essential services for every child in our community. Our public schools are the backbone of our community, and they deserve our unwavering support.

Additionally, the lack of accountability and oversight with these funds raises serious concerns. Without proper regulation, there is a risk that funds may be mismanaged or used for purposes that do not directly benefit students' education. Public school boards were created to oversee our school districts to account for tax payer dollars. Our children deserve a transparent and accountable system that prioritizes their learning and development.

I urge you to vote no on HB 1590. Instead, let us focus on strengthening our public education system, ensuring that every child has access to a high-quality education. Together, we can build a brighter future for all students in our state.

Thank you for your time and consideration.

Deven Mantz

Minot, ND

District 5

To Whom It May Concern,

Passing this bill is crucial for the future of North Dakota, as it prioritizes the importance of education in shaping both the present and future of our state. By supporting this bill, we ensure that our education system adapts to the evolving needs of students and provides them with the tools they need to succeed in a rapidly changing world. Strong, forward-thinking education policies today will empower our children to become the leaders, innovators, and problem-solvers of tomorrow, securing a brighter future for all of North Dakota.

Sincerely,

Rachel Pankratz

Hello House Education Committee,

My name is Marie Vetter. I live in District 18 and I am a parent who has chosen to enroll my children in St. Michael's Catholic School.

I support HB 1607, but I am also in support of all school choice bills that support parent autonomy and the right to provide an education for my child. I support HB 1590.

In voicing my support of HB 1590, I'll be direct: this isn't just about policy—it's about our children and our constitutional rights as parents.

My husband and I are in the midst of raising ten children, all of whom are, of course, unique with varying gifts and struggles. Tim is employed in our community as a public servant; I work three jobs as well as operating my own business. We're not looking for handouts; we're looking for equity in how our education dollars are allocated.

I'll share briefly about our journey. We started in public schools, and I do want to acknowledge the dedicated teachers and staff at those establishments. These educators tried their best, but eventually, we faced a reality that many parents understand: sometimes, even good schools can't meet every child's needs. When we identified specific challenges our children were facing, we made the difficult decision to homeschool. This allowed us to adjust the pace of learning for each child—something that's nearly impossible in a one-size-fits-all system.

Today, just one of our children is homeschooled, and 5 of our children attend Catholic School, where we've finally found the partnership in education we've been seeking. The support our children receive there is exactly what they need. While we have made it work to hold on to this educational experience, there's something that still feels so unjust: we shouldn't have to work multiple jobs just to access an education that works for our children. These are our tax dollars, meant for our children's education, yet we're effectively paying twice—once through taxes and again through tuition.

This isn't about private versus public education. It's about recognizing that parents know their children best and should have the financial freedom to choose the educational environment that will help their children thrive. The Constitution guarantees our right to direct our children's education, but without school choice, this right becomes a privilege only available to those who can afford it.

I'm not asking for a favor, here. Please don't view this as some sort of special request you'll consider granting out of benevolence. It's quite simple; education dollars are for education or they are not, and I'm asking for our legislature to acknowledge that education dollars should follow the child, not the system. When we talk about school choice, we're talking about trusting parents to make informed decisions about their children's futures. We're talking about acknowledging that different children learn differently, and respond better in certain environments over others, and that's okay.

Our family's story—working multiple jobs, making sacrifices, constantly adjusting to meet our children's educational needs—shouldn't be the norm. School choice legislation would mean that families like ours wouldn't have to struggle to pay bills and provide the education their children need.

This isn't just about my family. It's about every North Dakota family who deserves the right to choose the best educational path for their children, regardless of their income level or zip code. The time for school choice in North Dakota isn't just now—it's overdue.

I urge you to vote in favor of HB 1590.

Thank you for your service to the state of North Dakota and your time on HB 1590.

Respectfully,

Marie Vetter

Hello House/Senate Education Committee,

My name is Alexis Scott. I live in District 6 and I am a parent who has chosen to enroll my child(ren) in John Paul II Catholic School(s).

I support HB 1590 , but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my child. I support HB 1590 because as a parent of high school age to kindergarten I no longer felt after COVID my children's educational needs were met. A few examples on why I chose to remove my children from public school:

1. **Lack of Academic Progress Transparency** – For years, I struggled to get meaningful academic updates from my children's public school teachers. My 4th grader fell behind in math without any notification, and when I inquired, teachers couldn't specify his struggles or offer additional support. Requests for extra homework were dismissed, leaving me helpless in guiding his progress. After switching to Catholic schools, I experienced a complete shift—weekly grade updates, prompt responses to questions, and immediate academic support. I finally felt engaged in my child's education again rather than shut out of the process.
2. **Effective Reading Support** – My child struggled with reading throughout 1st grade, receiving school-provided reading support with little improvement—managing only 7 WPM at 50% accuracy by year's end. Upon transferring to JP2, he received consistent, individualized 1:1 instruction. By the end of the year, he was reading 86 WPM with over 95% accuracy. The tailored support not only accelerated his progress but also built his confidence and love for learning in a way I hadn't seen before.
3. **Middle School Environment & Academic Expectations** – My oldest child's public middle school experience was chaotic—regular fights, constant classroom disruptions, and an overall apathy toward learning. At Discovery Middle School, there were no classroom controls, no cell phone policies, and no clear academic expectations. Despite being labeled “nice” and “easy to work with,” he struggled to write a basic paragraph. In contrast, his first day at JP2 was “the best first day of school ever.” The school fostered respect, discipline, and high academic standards in a safe, structured environment. By year's end, he proudly handed me a three-page essay, amazed at his own progress. The transformation in confidence, learning, and overall well-being has completely changed our family's experience with education.

I support school choice because it allows my family to thrive in an education system that is supportive, engaging, and exceeding our expectations. It would ease our financial burden and make quality education accessible without sacrificing our financial stability. We have taken extra jobs, cut expenses, and relied on scholarships to provide this opportunity—something families shouldn't have to do to ensure a strong education. Every child deserves access to a school that meets their needs, and our tax dollars should support families in making that choice.

I urge you to vote in favor of HB 1590.

Thank you for your service to the state of North Dakota and your time on HB 1590.

Regards,

Alexis Scott

Hello House Education Committee,

My name is Liz Hoffner, we live in the Grand Forks school district. I am the proud mother of two boys who attend Holy Family-St. Mary's School in Grand Forks. I support HB1590, but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my children.

Our journey into Catholic education began when our eldest son was preparing to enter kindergarten. At the time, he was very shy and uncomfortable in large group settings. Although we live just two blocks from an excellent public elementary school, we knew that its large class sizes and multiple sections per grade would not provide the nurturing start he needed. We wanted him to feel comfortable, confident, and supported—something that simply didn't seem possible in a large public-school setting.

As parishioners at HFSM, we began exploring other educational options. When we toured the school, we were warmly welcomed by older students who eagerly shared what they loved about being part of HFSM. We met with the principal, spoke with other families, and immediately knew this was the right place for our children. From the moment we stepped inside, we felt at home. The love, passion, and dedication of the teachers and students were undeniable. HFSM is more than just a school—it's a community that nurtures not only academic excellence but also the whole child: mind, body, and soul.

At HFSM, students are held to a high moral standard through a faith-based approach to education, creating a warm, inclusive environment where every child is valued. They learn respect—for themselves, their peers, and their teachers—rooted in the belief that each of them is perfectly created and deeply loved by God. This atmosphere of acceptance and encouragement has transformed my once-shy kindergartener into a confident and outgoing fifth grader.

Beyond academics, HFSM instills a spirit of service and leadership. Students actively participate in community service, from raising funds for local charities and disaster relief to organizing food drives and forming meaningful connections as pen pals with elderly parishioners. They also develop leadership and teamwork skills by leading weekly Mass through readings, music, and altar serving.

Choosing HFSM for our children has been one of the greatest blessings of our lives. However, this decision has required financial sacrifices—sacrifices that many families may not be able to make. I truly believe that every family should have the ability to choose the best educational environment for their children, regardless of financial constraints. It's time to empower families with school choice, ensuring that every child has access to an education that meets their unique needs and helps them thrive.

I urge you to vote in favor of HB1590. Thank you for your service to the state of North Dakota and your time on HB1590.

Sincerely,

Liz Hoffner and Family

Dear Legislators,

I am adamantly opposed to all the school choice bills introduced into the house and senate.

Let me start by saying my kids all went to Catholic Schools, fourth generation. However, like the rest of the community, everybody has the choice right now to send their kids to the school of their choice within their district, and neighborhood. We did. I disagree with sending our kids to catholic school as a "SACRIFICE." We all did this willingly. Nobody made me sacrifice or give my jewelry for the war effort etc. If we did not want to send our kids to a non-public school, we would not have. Introducing funding for school choice will not increase enrollment nor sway more to go to these schools. We thought at the time it was the best choice. In the end, it was not and our kids suffered consequences due to the closed, limited, and strangulated academic environment non-public schools offer.

Let's keep one fact in mind. Just because you have a small population in or want this choice, does not mean you burden the entire population with a tax burden that offers a solution to a problem that does not exist. Public schools are excellent places for our kids to learn, have many resources to aid the ones that need help and offer lots of courses, a breadth of technical and skilled opportunities and extra-curricular activities.

Here are a few points why I am against the bill. Kids that need IEP's don't get that at non-public schools, they get pushed out of the system and forced into public schools. So honestly, this is not the best learning environment for our children in this community. Also, our kids miss out on good sports facilities, shop class or other curriculum that the non-public schools don't offer that is offered in public schools. AP courses are not fully offered at the JPIL schools in the breadth that public schools get them. So, I respectfully disagree with any statement or making a statement to others, that non-public schools are the best learning environment. Ask me how I know. I went to public school, a small Christian school with 8 students in my class and a large Catholic high school growing up. I know the differences and cultures of them all.

I already appreciated having the choice, I did not "need" it and if I did, it was freely, freely, let me say that again, freely available for my choice.

Non-public schools do not build a great culture, unless you want a focused, one track hostile to non-loyalist environment that you expose your children. Our kids experience has turned them away from their faith. Out of the multiple siblings, my spouse is the only one to send kids to a non public school. Others I have talked to who went to non-public schools growing up did not send their kids there. There is a reason the church is fighting so hard to get this, they think it will bring more into the fold. It won't.

On several occasions, all my kids have experienced a negative culture for one reason or another. Let me give you one example of when a fellow student took a picture of my daughter's crotch. The school did nothing. My daughter lives with that "culture" in her

memory. I am also hearing this from other parents on how their kids are being treated and the school is not working to resolve these "cultural" issues. I even heard recently that kids were doing the Hitler salute and joking about it, far too frequently. As a child of a parent that was raised in Nazi occupied Europe, I find this disturbing. This is not a culture I would expect in a Christian school. The cultures these non-public schools are building is not one that brings a community together, but is rather ripping it apart.

Let me speak to the Executive order. No, I don't want my taxes to be diverted from CCDGB or my military funds paying for school choice when I want them to defend my borders or our NATO partners. House Bill 1670 will cost the state up to 3.8 million dollars initially. I don't agree with that. Let's pay for school lunches and breakfasts first. House Bill 1590 lays out another expense to all taxpayers in this state, to match up to 50% of a contribution (full allowable contribution to be \$2000) per year. HB 1540 looks to add another 1/4 million dollars to the bill. Home school and non-public schools, again those that have chosen it, have that choice freely and I don't want to pay for it on top of supporting public schools.

SB 2295 seems to add another multiplier to my local tax bill for the kids that go to non-public schools...? So, now the formula for my taxes increases even more at the local level too. Why, to pay for the non-public school enrollees. I understand the school district is required to forward that to the schools, but I don't want to pay for a faith-based school system with my taxes. I don't expect my non-faith-based neighbors to pay for my kids faith-based education. This is not right. SB 2303 is just the same as the house bill and I disagree with it as well.

Here is what I would support. Take money out of the mills for public schools and put them into programs that can show they meet or exceed the standards, curriculum offerings and provide a loving and accepting culture to all children, IEP kids, to kids struggling at home e.g. provide counselling services like the public schools have. Secondly, all the funds the non-public schools bring in, should be shared back to the public schools. And if my non-public school choice now gets dollars received through taxation, they should meet all grant stipulations that are required under all state and or federal grants. But moreover, if non-public schools get dollars received from my tax dollars, all non-public schools receiving them should then be taxed on their revenues and lose their tax-exempt status.

In summary, I am opposed to these bills. These proposed bills bring more burden to all residents in this state in the form of more taxes, wasteful spending and a solution to a problem that does not exist.

Sincerely,

Pierre Freeman
2823 36th Ave S
Fargo Nd 58104

February 3, 2025

North Dakota Senate Education Committee

State Capitol

Bismarck, ND 58501

RE: Endorsement of HB 1590

Dear House Education Committee,

My name is Rebecca Obrigewitch, and I live in District 32. As a parent, I have chosen to enroll my children in a local private school.

I support House Bill 1590, but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my child. Our children's enrollment in the school has been an incredibly positive experience. I firmly believe that all parents should have the opportunity to choose the educational experience for their children that aligns with their faith, values, and educational priorities. This bill's financial impact would be a great benefit.

I urge you to vote in favor of House Bill 1590.

Thank you for your service to the state of North Dakota and your time on House Bill 1590.

Sincerely,

Rebecca Obrigewitch

Kristin Nelson

2/3/25

5409 20th Street South

Fargo, ND

District 46

DO NOT PASS HB 1590

Representative Heinert and members of the House Education Committee:

I urge a **DO NOT PASS** on HB 1590. **Public dollars belong to public schools.** Our schools struggle with funding as it is, we cannot allocate dollars away from public use. Public dollars must stay to **support public education.**

Again, I urge a **DO NOT PASS** recommendation on this bill.



To Whom it may concern;

My name is Joe Drumm. I'm reaching out in opposition to HB 1590, a bill which takes public dollars and moves those funds to support private schools (otherwise commonly known as vouchers).

Most conversations involving education from my perspective revolve around state funding and the need for increases. Most observing the state and national educational scene agree that we are in the midst of a recruitment and retainment crisis in public education. Many colleges and institutions that traditionally produce teachers are reporting a lack of candidates interested in or graduating from their programs.

Locally to my district, UND acts as a litmus in the state of education in North Dakota. In the 2011-12 school year, UND reported 823 enrollees in their school of Education and Human development, 5.6% of their total enrollment. This last academic year, UND reported 607 enrollees in the same school, 4.28% of total enrollment**. This drop isn't atypical, and has drawn national attention as schools and districts scramble to deal with the fallout of these decreases in enrollment.

Positions are left vacant for months at a time with few to any qualified candidates applying for the position. At a local and national level, it's becoming harder and harder to find people who are willing to do the work and commit the time required to work in this profession.*** As of 2024, at least 27 governors have called for legislative action to address the sinking number of teachers seeking to enter the field*. These shortages aren't specific to Red or Blue states, and are impacting the country on a fairly consistent trend.

And yet, here we are, arguing if moving money out of public education is the correct way to address this issue. When viewed from this perspective, the entire conversation becomes almost comically nonsensical. In the midst of a crisis, it makes little sense to further expound the problems that add to the severity of the crisis. In other words, it's equivalent to pouring water into a sinking boat. Working to draw funding down from an already struggling and critically important sector solves nothing and draws the problem out, forcing further emergency measures that hurt schools and hurt the public good. Only 32% of North Dakota counties have access to a private school. 2 out of 3 North Dakotan families wouldn't benefit from this sort of legislation in any meaningful way.

I strongly urge a Do Not Pass recommendation on these bills in committee. Pulling public funding to private entities solves nothing and directly hurts North Dakotans.

Thank you for your time,
Joe Drumm



Sources:

* <https://www.nga.org/news/commentary/state-education-trends-for-2024/>

** <https://und.edu/analytics-and-planning/data-and-reports/2024.html>

*** <https://www.inforum.com/news/north-dakota/north-dakotas-teacher-shortage-creating-imminent-peril-as-board-seeks-emergency-rule>

I am a homeschooling mom, and small business owner, who believes in the educational freedom that homeschooling allows.

I strongly OPPOSE HB 1590

The person (state or other entity) who provides the funding, will want to control how it's used. Homeschooling parents wish to school their children without the regulation strings that would come with any "free" money.

This bill would likely call for regulation, mandated curriculum, increased testing, and loss of data privacy. Do not push North Dakotan children into uniform products of the state, which would force transparency and accountability on taxpayer-funded projects. Homeschooling parents do not want this.

As a homeschooling parent, we should fight for the right to homeschool in peace and freedom. We do not believe that one educational plan fits all children and parents should be empowered to make that determination based on their child's unique gifts, talents, and needs.

Dear Members of the House Education Committee,

Thank you for allowing me to address you today. My name is Sara Dudley, and I am the principal at St. Michael's Catholic School in Grand Forks. I am here to advocate for school choice and to dispel some common misconceptions regarding non-public schools.

1. Accessibility for All Families:

One of the most pervasive falsehoods is that non-public schools are only for the wealthy. At St. Michael's Catholic School, 28% of our student population is enrolled in the Free and Reduced Lunch Program. This statistic highlights that our school is accessible to families from various economic backgrounds. School choice allows families, regardless of their financial situation, to select an education that they believe will best serve their children. It is crucial that we continue to support policies that enable all families to access quality education and empower parents.

2. Serving Students with Disabilities:

Another misconception is that non-public schools do not serve students with disabilities. I want to clarify that at St. Michael's Catholic School, we take pride in our inclusive environment. Currently, we serve 17 students with various needs, representing 11% of our K-5 student population. These students face challenges such as dyslexia, ADHD, autism spectrum disorder, learning disabilities, speech and language needs, and emotional needs. However, we receive \$0 of the per pupil formula to support these students. With additional resources, we could serve even more students and strive to meet their diverse needs effectively.

We work in partnership with the public school system when serving students with identified special education needs, but the lack of funding limits our ability to provide comprehensive support because we depend on tuition and serve a population that receives scholarships so we cannot hire specialists or more interventionists.

Again, the reason that we are limited in our services for students with special needs is based upon available resources because we receive \$0 from the state to serve them and we keep our tuition rates low so families can access the education of their choice in Catholic schools.

3. High Standards of Accountability:

Another misconception is that non-public schools lack accountability. I want to assure you that we maintain high standards of accountability. Non-public schools are required to complete reports mandated by the Department of Public Instruction, along with undergoing the Cognia accreditation process, which evaluates our schools by the same standards as public schools. Additionally, we have a Board of Education elected by our school community, ensuring that our leadership is accountable to the families we serve and the parish that financially supports our school and families.

Furthermore, we are mandated to employ highly qualified educators who participate in required professional development mandated by the Department of Public Instruction and the Education Standards and Practices Board. Our curriculum aligns with state learning standards ensuring that we provide a rigorous educational experience for all students.

4. A Diverse Student Body:

It's also important to note that not all students who attend Catholic schools are Catholic. At St. Michael's Catholic School, approximately 12% of our student body comes from different faith backgrounds. These families choose our school because they seek an alternative to what public schools can offer—smaller class sizes, a focus on character development, and a values-based education, close relationships with teachers and administrators to create meaningful partnerships in their child's education. The choice of a school should not be limited to religious affiliation; it should be about finding the best fit for each child's unique needs.

5. The Importance of School Choice:

School choice is essential for fostering an educational landscape that is diverse, inclusive, and responsive to the needs of all students. It allows families to seek out educational environments that align with their values and meet their children's specific needs. By supporting school choice, we are advocating for equitable access to quality education for every student, regardless of their background or abilities.

6. A Call to Action:

I urge this committee to support policies that promote school choice, ensuring that all families have the opportunity to choose the educational path that best fits their children. Together, we can dismantle the falsehoods surrounding non-public schools and create a more inclusive educational system that truly serves all students.

Thank you for your time and consideration. I hope you will support policies that enhance school choice for all families. I will stand for any questions.

Sincerely,
Sara Dudley
sara.dudley@stmichaelsgf.com

515-231-8102

504 5th Ave. N.

Grand Forks, ND 58203

February 3, 2025

Dear Chairman Heinert and Members of the House Education Committee,

We are Charlie and Jaime Adams and we live in District 27, South Fargo. We are parents who choose to enroll our children in Nativity Catholic Elementary School.

We support HB 1590 and support all school choice bills because we moved from a rural school district to Fargo. We were grateful to be able to afford enroll in a non-public school because we wanted more opportunity for a religious education than what the public schools provide. As a result, we pay tuition out of pocket, and we continue to pay taxes to the public school district without any burden to the district. This bill will positively impact our family by creating more certainty in providing for tuition and keeping the choice available to our family. We believe religious education both home and at school, is important for instilling values in our young sons.

I urge you to vote DO PASS on HB 1590.

Thanks for your consideration,

Charlie and Jaime Adams
701-809-6262



*Representing the Diocese of Fargo
and the Diocese of Bismarck*

To: House Education Committee
From: David Tamisiea, Executive Director
Subject: House Bill 1590 - Education Services Accounts
Date: February 5, 2025

The North Dakota Catholic Conference supports House Bill 1590.

HB 1590 seeks to improve the way education is provided in North Dakota by respecting a child's right to a quality education and a parent's right to choose the education best suited to their child.

A Principled Approach to Education That Respects the Rights of Parents and Children

Every child has a right to a state-supported education. This right is rooted in the immeasurable dignity of each child, and the obligation of the political community to provide concrete assistance for the education of all children so that they can achieve their potential.

Parents are the primary educators of their children. This is because they are ultimately responsible for their children's growth, formation, and development. As the primary educators of their children, parents have a duty and right to choose the kind of education that best meets their child's needs.

This educational choice bill respects both the right of the child to a state-supported education and the right of the parent to choose the form of education best suited to the child. It gives families affordable options to choose from through education services accounts instead of a "one-size-fits-all" approach to education.

Education Services Accounts

Currently in North Dakota, parents have three options for educating their child: public school, non-public school, and home education. This bill recognizes that these three choices are not equal in terms of the financial burdens placed upon families. It seeks to alleviate the financial burden on parents who choose to educate their child in a nonpublic school or home setting through the use of an Education Services Account (ESA). It also expands choices for families so they can utilize educational tools and materials that they otherwise might not be able to afford. The funds deposited into a parent's ESA could be used for qualified educational expenses, including tuition and fees, textbooks, tutoring, curriculum materials, online classes, examination fees, computer technology, and transportation fees.

103 South Third Street
 Suite 10
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 701-223-2519
 ndcatholic.org
 ndcatholic@ndcatholic.org

Do Not Let North Dakota Fall Behind

Parental choice is widely recognized as essential for quality K-12 education. Just last week, the President signed an executive order to expand educational freedom by directing federal agencies to prioritize school choice programs when awarding federal dollars to support state K-12 education.¹ There are currently 33 states that have some form of parental choice in education that allow public funds to be used by parents to access the schools or services that best fit their child's needs.² These state school choice programs include education services accounts, school vouchers, and tax credits and deductions. When you add public charter schools into the mix, only Kentucky and North Dakota have no school choice options for parents and their children.³ We should not allow North Dakotan families to be left behind without the ability to choose the best form of education for their children.

Education Services Accounts Expand Educational Choice

Education Services Accounts funds are available for a wide variety of educational uses tailored to meet an individual student's needs. Eligible uses include not only private school tuition and fees, but also textbooks, online classes, tutoring, test prep, transportation costs, educational camps, and the like for any student.

Current non-public school students could use ESA funds for tuition and fees, and home educated students could use the funds for curricular materials and textbooks. Students who could not otherwise afford it could also use their ESA funds to attend a non-public school, which may better match their beliefs, values, and needs. Public school students could use the other educational tools to enhance their free public school education.

Families in rural areas could also benefit immensely from greater access to educational resources with an ESA. A recent study of families using Florida's ESA program found that rural families utilized more of their ESA funds than urban and suburban families.⁴ The study also found that rural families spent smaller portions of their ESA funds on non-public school tuition and more on the other educational materials and tools tailored to their needs.

¹ "Fact Sheet: President Donald J. Trump Expands Educational Opportunities For American Families," at <https://www.whitehouse.gov/fact-sheets/2025/01/fact-sheet-president-donald-j-trump-expands-educational-opportunities-for-american-families/>

² EdChoice, "School Choice in America," at <https://www.edchoice.org/school-choice-in-america-dashboard-scia/>.

³ National Center for Education Statistics, "Fast Facts: Charter Schools," at <https://nces.ed.gov/fastfacts/display.asp?id=30>.

⁴ Loftin, Michelle and Michael Lueken (2021). Distribution of Education Savings Accounts Usage Among Families: Evidence from the Florida Gardiner Program. (EdWorkingPaper: 21-426). Retrieved from Annenberg Institute at Brown University: <https://doi.org/10.26300/baz8-7757>.

It is also not true that there are no non-public schools in rural North Dakota. There are non-public schools in Rugby, Langdon, Valley City, Sentinel Butte, Watford City, Belcourt, and Fort Yates. Rural families in these areas could use ESA funds to pay for non-public school tuition.

It Is Entirely Appropriate to Use Public Funds for Non-Public Schools

Opponents object to public funds being directed to non-public schools. Detractors see this as an inappropriate use of tax-payer funds since these are private organizations and not state-run entities.

This objection is misplaced since these funds would be deposited into ESAs and then the parents would use the funds to make the best educational choices for their children. Nothing would go directly to a non-public school. If the parent chose to send their child to a non-public school, this would only be an indirect payment consequent to the decision of the parent.

Moreover, why do opponents insist that public funds can only be used by public schools to educate our children? Like all states, the state of North Dakota directs public funds to private organizations in other areas besides education to help carry out essential social services for its citizens. For example, North Dakota directs public funds to private religious non-profit organizations to conduct adoptions. Further, the state directs medicaid payments to cover medical services given to the poor at private hospitals and clinics throughout the state. North Dakota also provides public funding to Dakota Boys & Girls Ranch and Home on the Range to care for troubled youth. In addition, state funds are directed to the Anne Carlsen Center and other providers to care for children with behavioral and developmental challenges. Many more examples could be offered. The point is that it is entirely appropriate for state funds to be used by parents to pay for non-public schools.

North Dakota's Non-Public Schools Are More Regulated by the State Than Any Other Non-Public Schools in the Country

Another objection against directing public funds to non-public schools is that these schools are not accountable to the state. This is not true for two reasons.

First, this bill directs public funds directly into ESA accounts for a parent to use for their child's educational needs. No funds go directly to non-public schools, and a parent may use the funds for other approved educational resources. It is the parent's choice. Second, even if a parent chooses to use ESA funds to pay for tuition at a non-public school, North Dakota non-public schools are regulated by the state more than any other non-public schools in the country.⁵ North Dakota is one of only eight states that require all non-public schools to be approved by the state. In only two of these states -

⁵ State Regulation of Private and Home Schools, U.S. Department of Education, 2025; Specific State Laws, at <https://www.ed.gov/sites/ed/files/about/its/ed/non-public-education/files/permission-to-operate-comparison-chart.pdf>.

Massachusetts and North Dakota - are the approval requirements for non-public schools identical to the requirements for public schools. Only one of these two states - North Dakota - requires non-public school teachers to be licensed by the state. This leaves North Dakota as the only state in the nation that mandates both state approval for nonpublic schools identical to that for public schools and requires state-licensing for nonpublic school teachers.

Education Services Accounts Are Constitutional

Art. VIII, Sec. 1: Opponents of public funds going toward education services accounts also claim Article VIII, Section 1, of the North Dakota Constitution prohibits the use of public funds for private education. This is not what this section says. Rather, it merely says, “The legislative assembly shall make provision for the establishment and maintenance of a system of public schools which shall be open to all children of the state of North Dakota and free from sectarian control” (“sectarian” = religious). North Dakota *has* established a public school system “free from sectarian control” and “open to all children of the state of North Dakota.” But there is nothing in our state Constitution that limits the legislature *only* to establishing public schools for educating our children.

Nothing prevents the legislature from doing *other* things in addition to a public school system to support and enhance education in North Dakota, like providing public funding for ESAs to support parental educational choice. In fact, under Article VIII, Section 4, of the North Dakota Constitution, it says “The legislative assembly shall take such other steps as may be necessary to prevent illiteracy, secure a reasonable degree of uniformity in course of study, and to promote industrial, scientific, and agricultural improvements.”

Art. VIII, Sec. V: Opponents also frequently claim that Article VIII, Section V, of North Dakota’s Constitution prohibits educational funds going toward anything other than public schools, because it says, “No money raised for the support of the public schools of the state shall be appropriated to or used for the support of any sectarian school.”

This constitutional provision banning the use of public funds for the support of religious schools is known as the “Blaine Amendment.” The Blaine Amendment is named after James Blaine, a 19th-century Maine politician who in 1875 unsuccessfully tried to have this provision added as an amendment to the U.S. Constitution. Nevertheless, Congress forced new states, including North Dakota, to include the Blaine Amendment in their state constitutions as a condition of obtaining statehood.⁶

The U.S. Supreme Court has in three recent decisions declared that state Blaine Amendments banning the use of government funds to support religious schools violate the First Amendment of the Constitution by interfering with the free exercise of religion and are therefore void and unenforceable. In *Trinity Lutheran Church v. Comer* (2018), the U.S. Supreme Court held that the state of Missouri violated the First Amendment by excluding a faith-based preschool from a state program that provided recycled tires for

⁶ Act of Feb. 22, 1889, 25 Stat. 676, ch. 180 (1889)

playground resurfacing simply because it was religious. In *Espinoza v. Montana Department of Revenue* (2020), the U.S. Supreme Court held that the Montana Supreme Court violated the First Amendment when it invalidated, on state constitutional grounds, a private-school-choice program because it included faith-based schools. Likewise, in *Carson v. Makin* (2022), the U.S. Supreme Court held that Maine unconstitutionally excluded religious schools from a publicly-funded scholarship program for students in rural school districts. In all three cases, the Court held that withholding public funds from private religious schools under state Blaine Amendments was unconstitutional.

On November 29, 2022, Attorney General Drew Wrigley issued a formal legal opinion affirming the unconstitutionality of the Blaine Amendment in North Dakota's Constitution.⁷ (The AG's opinion is attached to this testimony.) The opinion states: "the Blaine Amendment is not enforceable under United States Supreme Court case law" and "the United States Supreme Court has barred the state from enforcing its Blaine Amendment." Blaine is dead. While the state of North Dakota is not obliged to fund private religious schools under our state constitution, nothing prohibits the state from doing so.

Nevertheless, we continue to hear from opponents of educational choice that, although the state's Blaine Amendment is unconstitutional, the legislature should respect the intent of the state's Founders and enforce it legislatively anyway. This assertion is deeply troubling. The state's Blaine Amendment is unconstitutional because it violates the First Amendment of the United States Constitution that protects American citizens against unjust religious discrimination by the government. Proponents of keeping its "spirit" because of "tradition" or respect for the state's founders are asking this legislative body to knowingly violate the First Amendment of the U.S. Constitution and the religious rights of North Dakotans.⁸

Conclusion

Education services accounts respect the rights of children to a state-supported education and the rights of parent to direct the education of their children. Education services accounts are constitutional and would expand educational opportunities for all families in North Dakota.

We urge a **Do Pass** recommendation on House Bill 1590.

⁷ North Dakota Attorney General Opinion 2022-L-07.

⁸ The state's founding fathers did not willingly choose to include the Blaine Amendment in the state constitution. Congress, which was swept up in anti-Catholic and anti-immigrant hysteria at the time, forced the state to include the Blaine Amendment in the state's constitution as a condition of obtaining statehood. (Act of Feb. 22, 1889, 25 Stat. 676, ch. 180 (1889).)



STATE OF NORTH DAKOTA
OFFICE OF ATTORNEY GENERAL
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Drew H. Wrigley
ATTORNEY GENERAL

LETTER OPINION
2022-L-07

Dr. Rebecca S. Pitkin
Executive Director
North Dakota Education Standards and Practices Board
2718 Gateway Ave., Ste. 204
Bismarck, ND 58503-0585

Dear Dr. Pitkin:

Thank you for your questions regarding the Teacher Support System and the availability of related grants for private school teachers. Specifically, you ask (1) whether private school teachers who are also mentors may participate in the Teacher Support System, and (2) whether private school teachers who are also mentors may receive grants to participate in the Teacher Support System. Nowhere in the applicable statute or administrative code are non-public school teachers prohibited from participating in the Teacher Support System. However, the context of your question indicates the key issue underlying these questions is whether Article VIII, Section 5 of the North Dakota Constitution (“the Blaine Amendment”)¹ prohibits teachers at sectarian schools from receiving grants from the Teacher Support System. It is my opinion that the Blaine Amendment is not enforceable under United States Supreme Court caselaw, and therefore teachers at sectarian schools may receive grants from the Teacher Support System.

ANALYSIS

The Blaine Amendment was adopted as Article 152 of the 1889 North Dakota Constitution and provides that “[n]o money raised for the support of the public schools of the state shall be appropriated to or used for the support of any sectarian school.”² The North Dakota Supreme Court has held “[a] ‘sectarian institution’ is ‘an institution affiliated with a particular religious sect or denomination, or under the control or governing influence of such sect or denomination.’”³ Over time, the definition of “sectarian” has broadened to include “relating to” or “supporting a particular religious group and its beliefs.”⁴ As a result, the Blaine Amendment effectively means “[n]o money raised for the support of

¹ In 1875, then Speaker of the U.S. House of Representatives James Blaine proposed an amendment to the United States Constitution which would prohibit states from providing public funds to religious schools. After Blaine’s amendment failed to pass the U.S. Senate, 38 states passed amendments to their state constitutions barring state funding of religious or sectarian schools. These amendments are colloquially referred to as “Blaine Amendments.”

² N.D. Const. art. VIII, § 5.

³ *Gerhardt v. Heid*, 267 N.W. 127, 131 (N.D. 1936).

⁴ Black’s Law Dictionary (11th ed. 2019).

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the support of the public schools of the state shall be appropriated to or used for the support of any [religious private school].”⁵

The Teacher Support System is a mentoring program for new teachers operated by the North Dakota Education Standards and Practices Board (ESPB).⁶ A teacher who holds an initial, two-year license must participate in the Teacher Support System to be eligible to apply for a five-year-renewal license.⁷ The legislature appropriated \$2,125,764 to the ESPB for the 2021-23 biennium to provide grants to Teacher Support System mentors.⁸ The applicable statutes and administrative code do not prohibit private school teachers from participating in the Teacher Support System as either mentors or mentees. Given that participation in the mentor program is a requirement for renewed licensure and the lack of contrary language in statute, it is my opinion that teachers at private schools may participate in the Teach Support System as mentors. Similarly, it is my opinion that teachers at private schools may receive grants for participating in the Teacher Support System.

However, this does not end the inquiry. As noted above, the Blaine Amendment bars appropriated funds and public money from being used to support any sectarian school. On its face, this prohibition would apply to Teacher Support System grants provided to mentors employed by sectarian schools. However, in two recent decisions, the United States Supreme Court cast doubt on whether Blaine Amendments can be reconciled with the First Amendment to the United States Constitution. In *Trinity Lutheran Church of Columbia, Inc. v. Comer*,⁹ the Court held a “law . . . may not discriminate against ‘some or all religious beliefs.’ . . . The Free Exercise Clause protects against laws that ‘impose [] special disabilities on the basis of . . . religious status.’”¹⁰ The Blaine Amendment functionally prohibits religious private schools from receiving grants from the Teacher Support System, while teachers at non-religious private schools are allowed to receive the grants. This is precisely the type of disadvantage the Supreme Court concluded may not be imposed on the basis of religious status.¹¹

The Supreme Court went even further in *Espinoza v. Montana Dept. of Revenue*.¹² In that case, the Court held that, because Montana’s Blaine Amendment had been applied to discriminate against schools and parents based on the religious character of the school at issue, the amendment was subject to the strictest level of judicial scrutiny.¹³ The Court made clear an interest in separating church and

⁵ N.D. Const. art. VIII, § 5.

⁶ N.D.A.C. § 67.1-04-04-03.

⁷ N.D.C.C. § 15.1-13-10(9).

⁸ See H.B. 1013, 2021 N.D. Leg., Section 1, Subd. 1 - part of the “Grants – program and passthrough” line item.

⁹ 137 S.Ct. 2012 (2017).

¹⁰ *Id.* at 2021 (citations omitted).

¹¹ *Id.* at 2021-2022.

¹² 140 S.Ct. 2246 (2020).

¹³ *Id.* at 2260 (noting that, to satisfy this “strictest scrutiny” test, the government action in question must “advance ‘interests of the highest order’ and must be narrowly tailored in pursuit of those

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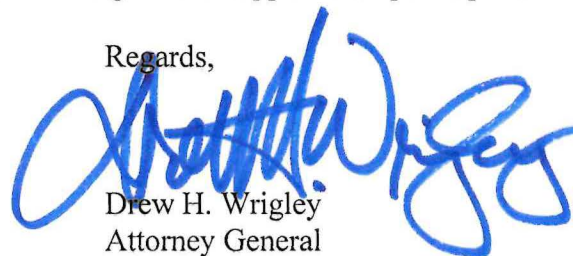
November 29, 2022

State “cannot qualify as compelling in the face of the infringement of free exercise.”¹⁴ The Court concluded that “[a] State need not subsidize private education. But once a State decides to do so, it cannot disqualify some private schools solely because they are religious.”¹⁵ Recently, the Supreme Court expanded the *Espinoza* holding in *Carson v. Makin*.¹⁶ In *Carson*, the Court held the application of Maine’s Blaine Amendment to generally available tuition assistance payments violated the Free Exercise Clause of the First Amendment. The Court said the Blaine Amendment impermissibly denied public funding to certain private schools solely because the schools are religious.¹⁷

Here, as in *Carson* and *Espinoza*, the state created a mentorship program that is mandatory for licensure renewal. Fairly applied, the Blaine Amendment would permit teachers at public schools and non-religious private schools to receive grants for participating in the mandatory program, while barring teachers at religious private schools from receiving the same grants. Based on *Trinity Lutheran*, *Espinoza*, and *Carson*, the Blaine Amendment cannot be enforced in any situation where doing so would disadvantage a sectarian school as compared to a non-religious private school simply because of the school’s sectarian nature. As a result, it is my opinion the United States Supreme Court has barred the state from enforcing its Blaine Amendment.

Based on binding United States Supreme Court caselaw, it is my opinion the Blaine Amendment unconstitutionally disadvantages sectarian schools. As a result, it is my opinion that teachers at all schools, including both non-religious and sectarian private schools, may participate in the Teacher Support Program as mentors, and may receive grants to support their participation.

Regards,



Drew H. Wrigley
Attorney General

This opinion is issued pursuant to N.D.C.C. § 54-12-01. It governs the actions of public officials until such time as the question presented is decided by the courts.¹⁸

interests.” (citing *Church of the Lukumi Babalu Aye, Inc. v. City of Hialeah*, 508 U.S. 520, 546 (1993)))

¹⁴ *Espinoza v. Mont. Dep’t of Revenue*, 140 S.Ct. 2246, 2260 (2020).

¹⁵ *Id.* at 2261.

¹⁶ 142 S.Ct. 1987 (2022).

¹⁷ *Id.* at 2002.

¹⁸ See *State ex rel. Johnson v. Baker*, 21 N.W.2d 355 (N.D. 1946).

Hello, my name is Kristen Klein,

My children's education is very important to me and my husband. This is why we choose Bishop Ryan Catholic School. They really fit everything we need and want for our kids, especially our religious freedom. It is very important to us to send our kids to a non-public school. This choice matters that we get to choose where we send our kids. However, it is not our choice where our tax dollars go to for education. With a fourth child on the way the cost of educating them all becomes cumbersome. Just because we love our big family, I don't feel like we should have to financially suffer because of our choice to go to a non-public school. Our family needs some sort of financial help for us to continue to educate them all in the non-public school system. I thank the committee for listening to our family, and hopefully will pass a bill that will help assist not only our family but other families with the same financial stress.

Hello

My name is Chauncey Klein and am a 43 year old father of three, soon to be four, children all under the age of 13. I am proud to say that I have called North Dakota my home from the time I was born in Williston, graduated from Minot High School, and eventually got my B.S. from North Dakota State University. When the time came for my wife and I to choose what school to send our children to, we made the choice to send them to Bishop Ryan Catholic School even though both of us graduated from public school. The decision ultimately came down to the desire for our kids to be able to have God a part of their education, which neither of us had and something we believe is important. Over the course of the past few years, this has proven more difficult with the costs of everything increasing due to the inflation that everyone is dealing with.

I believe that an Educational Savings Account could help families like mine navigate these struggles and be able to continue to give our children the education we believe is best. North Dakota is a truly great place to live and I implore you all to consider these circumstances that I know many families face.

Regards,

Chauncey Klein

Greetings, House Education Committee,

My name is Jeremy Schmaltz. I live and work in District 42 and I am a parent and school board member who has chosen to enroll my child in St. Michael's Catholic School in Grand Forks, ND. I work as a clinical counselor in the area.

I support HB 1607, HB 1509, and HB 1540, but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my child. I support HB 1607, HB 1509, and HB 1540 because having previous experience in both the public and private sector of education in my community as a former music educator, I believe that parents should have the right to choose where their tax dollars are allocated to provide their children with the best future they can provide. The public schools here in Grand Forks have chosen to include ideological content that is harmful to the natural development of elementary aged and middle school aged children. Kids are bullied for not being LGBTQAI + in GFPS. There has been a rise in kids who identify as transgender and non-binary ever since these policies have been adopted. Several students have gone as far as taking puberty blockers, have begun and nearly finished the process of transition. This is biologically and psychologically damaging on many levels, not to mention, banned in the EU. I find it sad that I must protect my child against this environment at my local public elementary school. As such, I do so voluntarily, but feel no other option but to send my child to a private institution. I personally choose a Catholic education for its rigorous academics, quality educators, the instillment of character and values that promote community service and leadership, and for its faith-based approach that aligns with our family's core values.

Having school choice will aid 100s of families in the Grand Forks area and 1000s throughout the state to have the ability to choose where their tax dollars go regarding their children's education, so that they can have the confidence and freedom that their tax dollars are being spent in accordance with their conscience and values. It also empowers the diversity of educational approach for those students who the traditional model of education does not work for.

I urge you to vote in favor of HB 1607, HB 1509, and HB 1540. In the United States, 11 states have universal private school choice programs, and 21 states have limited private school choice programs. It is time ND adopt these school choice programs to further empower its citizens and invest in the future of its children.

Thank you for your service to the state of North Dakota and your time on HB 1607, HB 1509, and HB 1540

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Testimony against House Bill 1590

Dear members of the House Education Committee:

My name is Cam Leedah. I live in rural Leonard. I urge a Do Not Pass on HB 1590.

Student education services may seem like a good alternative to ESAs and vouchers but here are a few problems with this:

- 1) Bigger government (administration) and greater burden to taxpayers.
- 2) Accountability follows the money. Rules and regulations put onto programs or schools that did not already have them will hamper the very spirit that made them unique and turn them into another arm of the government.
- 3) Costs for tuition and programs will rise, as they have in states that have had these taxpayer funded programs for more than a few years. This is a burden for the non-public schools and programs that do not take the money.

Keep taxpayer dollars in the public school.

Give this bill a Do Not Pass.

I was a student in public schools in a community where many of my friends were in the local Catholic elementary school connected to our church. My family could send my brother and me to the local public school. It was hard as a kid to understand why my friends from church and activities went to a different school than me, but as an adult, I now understand. My brother had needs that could not be met at a private school. I struggled with reading, and our local public school had reading specials to enhance the instruction I received in the classroom. Now, as a public-school teacher and mother believe wholeheartedly that their choice was the best for our family. Those services we received wouldn't have been as possible if public funds had gone to the private school in our area. As a kindergarten teacher, I see students start in private schools and then come into public school classrooms after their needs have not been met in those locations. As a mother, I have a child who is on an IEP for dyslexia and receives not only special education services but also reading interventions through a reading specialist. Private schools do not have to accept everyone. Private schools do not have to meet the needs of every student like public schools. Private schools do not have the same regulations and expectations as public schools. Therefore, public dollars should not be used for private education. Every parent should have a choice on what is best for their child. However, public dollars are meant for the free inappropriate education that public schools provide. I encourage you to oppose any bill that gives public dollars to private schools.

Thank you for your time

Monica Klein

1 Testimony in Opposition to House Bill 1590

2
3 Chairman Heinert and Members of the Committee,

4
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 1590, which proposes the
7 creation of a Student Education Services Account (SESA) pilot program that would divert public
8 funds to private education expenses with little oversight, accountability, or equitable distribution.

9
10 As a fiscally responsible, conservative state, North Dakota must ensure that taxpayer dollars are
11 spent with full transparency and accountability. HB 1590 fails to meet this standard. The bill
12 creates an account structure where parents may deposit up to \$2,000 per child, and the state
13 will match 50% of that amount, up to \$1,000 per year, per child. These funds can then be used
14 for private school tuition, tutoring services, online education programs, educational camps, and
15 even medical appointments. However, there is no requirement that these funds be used for core
16 academic instruction, nor is there a mechanism to ensure they improve educational outcomes.

17
18 Public schools educate 90% of North Dakota's students and serve every child, regardless of
19 background, income, or ability. HB 1590 creates an inequitable system where families who can
20 afford to deposit money into the account will benefit the most, leaving out those who cannot.
21 This is not a universal education program—it is a subsidy that disproportionately benefits
22 families with disposable income while pulling funds away from public education.

23
24 Further, HB 1590 raises significant concerns about financial oversight. Public schools undergo
25 strict financial audits and reporting requirements to ensure taxpayer dollars are spent
26 responsibly. This bill, however, creates an entirely new funding stream with vague financial
27 controls, leaving room for misuse and inefficiency. The bill allows parents to use taxpayer-
28 backed funds on a wide variety of expenses, yet there is no requirement that participating
29 schools or vendors adhere to state standards, financial transparency, or non-discriminatory
30 admissions policies. Public funds should require public oversight, and HB 1590 fails to provide
31 any meaningful mechanism for ensuring accountability.

32
33 Additionally, HB 1590 does nothing to address the needs of rural students. The vast majority of
34 North Dakota's 170 school districts are in rural areas where private school options and
35 alternative education programs do not exist. This bill would disproportionately benefit families in
36 urban centers, leaving rural students with no meaningful way to access these funds. We should
37 not incentivize urban areas at the expense of rural communities. If the intent is truly to support
38 all students, then any funding program should be structured to provide the same flat dollar
39 amount for all 127,500 students in North Dakota—whether they attend public, private, or home
40 school. HB 1590, however, prioritizes private education options while leaving public school
41 students behind.

42
43 Finally, HB 1590 creates a pathway for public funds to flow into private and religious schools,
44 raising serious constitutional concerns. Article VIII, Section 5, and Article X, Section 18, of the

45 North Dakota Constitution explicitly prohibit public funds from being appropriated to sectarian
46 schools. By creating a government-funded account that can be used for private religious
47 education, this bill attempts to circumvent these constitutional protections.

48
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 1590 fails to meet this
51 standard. If the goal is fairness, then these funds must be distributed equitably to all students. I
52 urge you to oppose HB 1590 and any legislation that diverts public funds to private education
53 providers without accountability.

54
55 Thank you for your time and consideration. I am happy to answer any questions.

Dear lawmakers,

As Superintendent of the Valley-Edinburg School District, encompassing five small rural communities in the northeast corner of North Dakota, I ask that you consider the constitutionality of the many ESA bills presented to you this session.

North Dakota's Constitution is unquestionable about the use of public school funds for sectarian schools: "no money raised for the support of public schools shall be appropriated or used for the support of any sectarian school." Likewise is the constitutionality of reimbursing student families for private school tuition: "Neither the state nor any political subdivision thereof shall make any direct or indirect appropriation or payment from any public fund in aid of any sectarian school." The compulsory nature of our educational system requires our state to offer free, equitable public education to all students in our state. The issue does not lie in the creation and use of ESA's, if the amount of support is equal for all students in the state, regardless of the type of education they choose to access.

My school district is currently educating 223 students in our buildings. These 223 students come from varying socioeconomic backgrounds and were born with varying abilities and health conditions. It is our responsibility and constitutional mandate to educate each of these students, regardless of these factors. The ND Department of Public Instruction recently developed a North Dakota School Needs Rank List, in which a 1-10 scale (1=lowest need and 10=highest need) rated each school's overall level of needs based on the percentage of students with the following disadvantages: economic, free and reduced lunch counts, students with disabilities, IEP assignments, students learning English as a second language, and Native American students. Valley-Edinburg's PK-2 grade building in Hoople received an 8 ranking; Valley-Edinburg's 3-6 grade building in Crystal received a 7 ranking; and Valley-Edinburg's 7-12 grade building in Edinburg received an 8 ranking. These rankings suggest a high level of student needs that we are committed to addressing and meeting every day, because that is what we are charged to do as a public school in the state of North Dakota. Despite these needs, our district, through adequate funding, smart budgeting, and outstanding teaching, manages to exceed the state average by almost 20% in ELA achievement, by almost 20% in Math achievement, and over 20% in Science achievement in our annual state academic testing last year.

This is not easy work, and our charge changes continuously throughout the school year based on ongoing diagnoses, fluctuating enrollment, etc. Not only do we work diligently throughout the school year to provide each of these students with a Free and Appropriate Education, we also work continuously to provide enriching, supplemental programs for all of our students and school community families, because we know that great education happens when you choose to educate the WHOLE child:

- In-house Dual-Credit Biology Courses (offered to surrounding schools via ITV)
- Course planning w/ Lake Region College for high school students to earn Associate's Degrees or General Education Certificates
- High school school-to-work placements with area businesses

- Member of North Valley Career and Technical Center (offered to all 10-12 graders - marketing, agriculture, business, health care, automotive, construction, and welding)
- Extensive career exploration programs: job shadows, college visits, career exploration events (SCRUBS Camp & Manufacturing Days)
- Spanish program for all 9-12 grade students
- Competitive theater and music programs for all 7-12 grade students
- Co-curricular opportunities such as River Watch, FCCLA,
- On-site telehealth services for counseling and mental health appointments
- On-site speech therapy, occupational therapy, physical therapy, psychological services, and behaviorist services
- In-house Valley-Edinburg Special Education Unit
- Math and reading intervention program for all PK-12 grade students
- PK-2 grade in-house Spanish immersion program
- In-house daycare facility
- District-sponsored preschool program
- In-house Extended School Program, providing additional learning from 7AM-5:30PM for all PK-8 grade students
- Monthly interest clubs for 3-6 graders
- Tiny Titans Basketball Camp for all PK-2 graders
- Tiny Titans Cheer Camp for all PK-2 graders

These programs have all been developed as a response to our local needs and stakeholder requests. As a parent of two children currently enrolled in this school system, I am excited about the opportunities they have access to every day in our school district, on top of the excellent educational experience they receive.

These 223 public school students are the future of North Dakota's workforce and our nation's workforce. We ask that these students, as mandated by the state's constitution, receive the level of priority that they deserve.

4 February 2025

Dear Members of the House Education Committee:

Thank you for the opportunity to provide written testimony in favor of HB 1590, relating to a student education services pilot program. Experts in the field can address the statistical benefits of supported school choice programs; my testimony offers the personal perspective of a parent to one private school student and one home-educated student. I urge the committee to provide a DO PASS recommendation for school choice bills for the following reasons:

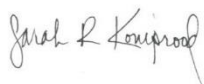
Educational savings accounts with matching funds would support equity and access to quality education. Choice without empowerment is little or no choice at all. Parents have the right and obligation to select for their children schools that correspond with their duty to nurture mind, soul, and body. Our communities and state have a corresponding obligation to concretely support this for all its citizens.

Educational strategies are significantly more effective when the individual learning needs and strengths of students are recognized and accommodated. Parents and students weigh multiple factors when determining best options for education. What is best for one student may be significantly different than for another. Supported school choice recognizes this reality. One of my children has significantly benefitted from enrollment in a local Catholic school that provides small class sizes, social-emotional support, and accommodations for learning needs. Our family has made economic sacrifices because we see firsthand the benefits of education which is rooted in truth about the human person, exercise of reason and will, and service to others. Accounts for education spending promote individualized teaching and learning, and therefore fairness in opportunities for success.

The accounts described in HB 1590 allow for flexibility in use of funds, including dual-enrollment courses, college preparatory exams, online courses, and learning needs-focused mental health services. This would expand access to educational services for all public and private students, particularly in rural and underserved areas. My child has desired to be home-educated for several important reasons and has thrived in this environment. Our family has spent significant resources on dual-enrollment and online courses and extracurricular activities because we recognize the value of these for our home-educated child's future success. All students would benefit from greater access to educational services which are expensive and are often not offered or funded in our public and private institutions.

Supported school choice creates equity in opportunities for all students' success. Please provide a DO PASS recommendation for HB 1590. My testimony is provided as a private citizen and does not state the position of my employer. Thank you for your consideration.

Sincerely,



Sarah Komproud, Grand Forks, ND

To Whom it may concern,

I am writing to express my strong opposition to HB 1590, which is currently under consideration by the committee. As a concerned life-long resident and teacher in North Dakota and a firm believer in the strength of our public education system, I urge you to recommend a DO NOT PASS on this legislation. I am a product of K-12 public education from a Class B town in western North Dakota, a product of the University of North Dakota, and now a teacher in a city in eastern North Dakota. The legislation in question seeks to divert crucial funds from public schools by implementing a voucher system.

My first concern is the limited access to private schools. As I said before, I am from a Class B school in western North Dakota. The closest private school was almost an hour drive. Only 32% of North Dakotan families have access to private schools, meaning that the majority of our residents would not benefit from the proposed voucher system. By diverting public funds to private institutions, we would be disproportionately benefiting a small segment of the population while leaving the vast majority of North Dakota families without equal opportunities.

There are also inequities in homeschooling vs public schooling. Our public schools have state standards that all public schools must follow. Homeschooling doesn't have the same standards public schooling currently institutes, and even with the proposed changes massive inequities will still exist. By diverting funds to homeschooling, we are financially hindering our public dollars to support students who aren't involved in the public process.

Our public schools already face financial challenges that haven't been met yet. Schools are underfunded, overcrowded, and do not have enough resources to go around. Public money should be going to the public buildings to fully-fund the opportunities for the students. A voucher system is not beneficial for the crisis that already exists.

The public schools in North Dakota are integral to our future leaders and future work force. If public money is diverted to private institutions, then the students suffer. Remember, there are 78% of students who do not have access to a private institution. Private institutions are also not held to the same standards as public schools. The rural – urban divide will widen. The educational crisis will become worse.

I respectfully urge you to reject the proposal of school vouchers in North Dakota in all of its iterations. Public dollars must be protected and stay in the public sector.

Thank you for your time,

Erika Feole



Eric Ripley
Executive Director, Career
& Technical Education
Grand Forks Area Career and Technology Center

Direct Phone: 701.746.2205, ext. 7117
Fax: 701.772.7739
eripley270@mygfschools.org

February 4, 2025

Subject: Opposition to ESA Provision for Private School Reimbursement

I am writing to express my strong opposition to the provision within the Education Savings Account (ESA) proposal that allows for reimbursement of private school tuition. While ESA programs can be beneficial for North Dakota families and students, the current structure of this legislation raises serious constitutional concerns and creates an inequitable allocation of public funds.

Our state's constitution is explicitly clear regarding the funding of education as outlined below.

Article VIII, Section 5 states that "no money raised for the support of public schools shall be appropriated or used for the support of any sectarian school."

Additionally, Article X, Section 18 affirms that

"neither the state nor any political subdivision thereof shall make any direct or indirect appropriation or payment from any public fund ... in aid of any sectarian school, or for any other sectarian purpose."

Providing public dollars—even in the form of reimbursements—to private schools conflicts directly with these constitutional provisions.

Public schools serve approximately 90% of North Dakota's students, regardless of ability, background, or health. These institutions ensure equal access to education for all children, a responsibility that no other educational entity fully assumes. It is imperative that the legislature prioritizes funding for public schools, which remain the foundation of our state's workforce and future economic stability.

I urge you to amend the ESA proposal by removing the provision for private school reimbursement while maintaining fair and equitable support for all students, regardless of where they attend school. A constitutionally sound ESA program that benefits all families would be a reasonable and just approach.

Thank you for your time and consideration of this important matter. I appreciate your commitment to upholding the integrity of North Dakota's constitution and ensuring fair educational funding for all students.

Sincerely,

Eric Ripley
Executive Director of Career & Technical Education

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Grand Forks, ND 58201-3405

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Grand Forks, ND 58206-6000

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Grand Forks School District prohibits discrimination and harassment based on race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, ancestry, disability, age, or other status protected by law. The District also provides equal access to the Boy Scouts and other designated youth groups, as required by federal law.

To the House Education Committee,

My name is Lisa Roers and I live in District 37. I am the parent of 4 children who I have enrolled in Catholic Education over the past 13 years. I am in support of Bill HB 1590 that supports the parent's right to chose the route of education they would like their child to take.

When it was time to choose a school for our children, we toured both public and private schools. At that time, the schools were overflowing with children and the teachers were not able to provide the small atmosphere we wanted for our children. This was during the boom and we wanted to have teachers we could talk to for any questions we had as well as keep our children accountable for their actions. Yes we knew we would still be paying for public schools to be operational but we were getting so much more for our children in a private setting. These will also be the children that will some day step up to be on committees, volunteer to help with sports etc and know how important it is to give back to their communities.

I urge you to vote in favor of HB 1590. Thank you.

Lisa Roers

To the ND House and Senate Education Committees –

Thanks for your hard work on behalf of North Dakotans.

My name is Carrie Schumacher, and I live with my husband and 8 children in Bismarck; we are on WIC, Medicaid, and SNAP, though my husband teaches full-time at the University of Mary. Our oldest child is 16 – a junior at School of the Holy Family in Mandan – and they progress down in age from there (14, 12, 10, 8, 6, 4 & 2). The 14-year-old takes a couple freshman classes at BHS and plays sports there, but is primarily homeschooled, as are his younger siblings. Our kids love learning at home – in addition to personal attention, they complete their work quickly and efficiently, leaving them time for music lessons, sports, jobs, and relationships – but they also appreciate access to the public and private school systems. Our youngest child has Down's syndrome, which requires extra time and attention, but the older kids have benefited from learning to love her well and to have compassion for folks with disabilities.

All this is to say – our family has a wide range of gifts and abilities, goals and desires, from a 16-year-old who will apply to elite institutions to a 2.5-year-old who cannot yet walk. These various bills that would allow educational funds to be released to families (especially low-income families like ours), would be a huge benefit for those of your constituents who are called and equipped to offer their kids an education that varies from the standard public-school model.

In case you were unaware, there is a group called Braintree Academy that helps homeschool families in several states recoup some of their school tax money in exchange for increased reporting on educational goals (in the case of ND, they allow families to use \$1700/child enrolled)... but I am sure neither of their end game, what their financial benefit is, nor what is done with the information we submit. It may be more efficient to cut out the middle man and access the funds directly from a state account. Other states have already implemented a similar model to what you are considering.

There is an argument that bills like these may divert funds from public schools, but

- (1) as I (possibly incorrectly) understand it, the school tax moneys from homeschooling families do not get forwarded to their local schools, but rather sit in an account, unapplied.
- (2) Because there is limited space at both public schools and private schools, homeschoolers/ private schoolers actually help maintain a stasis at the public schools – and there's not likely to be a huge 'run' on private schools if these funds are available, as they have only so many seats.
- (3) Also, because most families who want to homeschool or use private schools have already made the sacrifice, there may not be a huge increase in either population.
- (4) Having these funds available for private schools would further benefit families, as the income would help schools' available scholarship funds go further to help more students.
- (5) Citizens have paid tax dollars for education and would appreciate being able to access them.

Thank you for considering ways to help families like ours attempt to produce the next generation of faithful, compassionate, and wise North Dakotans.

Carrie Schumacher
1001 N. Mandan St, Bismarck

Hello House Education Committee,

My name is Kara Trom. I live in District 25 and I am a parent who has chosen to enroll my children at St. John's Catholic School in Wahpeton, ND. I support HB 1590, but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my children. I support HB 1590 because I believe that all families should have a say in the environment in which their children receive education.

St. John's Catholic School provides an excellent education curriculum and learning environment but with a Christ-centered focus, which differs from public-school systems, and something we value as a family. The ability for our children to attend private school is a great expense to our family, and we have had to make many sacrifices to continue to send them there. The opportunity to receive assistance with tuition from our tax dollars will greatly benefit our family and many others like ours. We pay taxes to educate our children, however the public school is not educating them. The opportunity to attend private school should not only be for the wealthy, but it should be for all students in North Dakota. Every child should have the opportunity to attend a school that fits their needs and beliefs.

I urge you to vote in favor of HB 1590 to allow parents greater flexibility when choosing which school, they send their children to and ease the financial burden that goes with private schools.

Thank you for your service to the state of North Dakota and your time on HB 1590.

Kara Trom

Wahpeton, ND

I am writing this in opposition to HB 1590. I have been an educator for 32 years and I spent 9 years of that teaching in private schools. I personally know that private schools don't provide services for a whole sub-section of students, mainly students with disabilities. Public schools are held to a higher standard since they are required to accept ALL students. This is a time when we need all our resources in the public schools.

HB 1590 aims to divert taxpayer dollars to private and religious schools, which are not held to the same transparency, accountability, or accessibility standards as our public schools.

No matter what these bills are called—education savings accounts, scholarship programs, or otherwise—if they divert public dollars to private schools, they are vouchers.

Public funds should remain in public schools, where they serve all students, regardless of ability, background, or financial status. Our public schools are the foundation of our communities, and instead of diverting resources away from them, we should be investing in smaller class sizes, support staff, mental health resources, and competitive wages for educators.

North Dakota students, families, and educators are counting on us to stand up for **fully funded, equitable public education**. Let's make sure every public dollar stays where it belongs—in public schools.

Michelle Strand

Veteran K-12 Teacher

2015 Presidential Award for Excellence in Mathematics and Science

2022-23 Albert Einstein Distinguished Educator Fellow

National Board Certified Teacher since 2014

To the ND House Education Committee,

Hello,

My name is Kristin Franzen. I live and pay taxes in District 36. My 4 children attended non-public schools in this district from 1995 – 2014. I also currently have grandchildren attending non-public schools in District 35 and I own a business in District 32 that has been paying local taxes in that District since 2001.

I support HB 1590, and I am in support of matching grant-funded educational savings accounts and all school choice bills that empower parents to choose the right educational option for their children.

Parents partner with schools to provide an education for their children and parents should be primary in their education. As a parent who therefore wants to be involved with my children's and my grandchildren's education and to have a choice, and a voice in the academic, cultural, social and spiritual environment that surrounds them, I support HB 1590.

Most non-public schools in ND were established to empower parents to partner in their children's education through shared standards and beliefs. They were not established for the well-off or for the elite. While we were paying both the taxes for our public school system and the tuition for our children to attend the school of our choice, our financial situation was such that we qualified for reduced hot lunches. We and many others made many sacrifices to send our children to the school of our choice, because of our strongly held belief that it was the right educational environment for our children.

The financial burden of non-public education has eliminated the "choice" for many families in ND. For the sake of our children and grandchildren, it's time to recognize our freedom of choice in education through the appropriation of funds for all students in this state through the use of matching grant-funded educational savings accounts.

I urge you to vote in favor of HB 1590.

Thank you for your service to the State of North Dakota and for your time on this important bill.

Respectfully,

A handwritten signature in cursive script that reads "Kristin Franzen".

Testimony in Support of House Bill 1590

Chairman Heinert and members of the House Education Committee,

My name is Daniel Martinez. My wife, who could not be here today, and I are United States Air Force Veterans and parents to eight beautiful children.

I am here to testify in support of House Bill 1590 and respectfully request that you render a “DO PASS” on this bill.

We feel very strongly about the ability to choose an education for our children that best suits them and firmly believe that we as parents, are the most qualified to make that decision. Furthermore, my wife and I believe that the manner in which their education is funded is a matter of justice and parental rights. On the matter of justice, it is the duty of our government to justly and fairly distribute both public benefits and burdens to all its citizens. It is not just that we simultaneously help fund a public school system for which our children will not benefit from, while also paying tuition to the school that is actually educating them. On the matter of parental rights, it is our duty as parents to guide and direct the education of our children. The path that we have chosen for our own kids is directly in line with our religious and educational beliefs. Our right to choose the foundation upon which their futures are built should not rest on whether I need to seek out additional employment or empty our savings account year after year. This is why a bill such as this is needed.

I stated previously that my wife and I are raising eight children. Our five school-aged kids are enrolled in Bishop Ryan Catholic School. Over the last 12 years, three of them have attended six different schools across four different states, both public and private. We know without a doubt that they thrive in Catholic schools. Although it has been a heavy financial burden, we feel it is the best choice for them. Unfortunately, after this school year is over we may be faced with a very difficult decision: Who do we pull out of Bishop Ryan? Our kindergartener who comes home excited to tell us that she loves Jesus and can't wait to see him one day? Our 2nd grader who can recite his prayers in Latin and tells us about the beauty of First Holy Communion and Reconciliation? Or will it be our 7th grader who is autistic and ADHD and struggles every day, but finds solace in the wonderful teachers and staff that go above and beyond to make sure that their lessons reach him in a way that he can understand? Or will it be my Junior or Sophomore girls who excel in their academics, but more importantly have expressed a calling to serve God and their community which is a direct influence by the culture of giving that Bishop Ryan has instilled in them. I don't have an answer today.

I would like to comment on just one more thing: My wife and I have been together for almost 25 years; she is from Minnesota and I am from Arizona. In 25 years the closest we've been to either of our families is an 8-hour drive. We have missed countless birthdays, weddings, holidays, and funerals. We've talked about where we would call home when she retired from the Air Force for over two decades, and I have to say that Minot, ND was never on the list. We dreamt of being close to family, hers or mine, it didn't matter as long as we were close. Bishop Ryan Catholic School has changed all of that. My wife retired last month, we bought a house in Minot and have decided that

the great state of North Dakota is our home. Bishop Ryan is the reason we stayed. If a school like that can completely alter our 20-year old plans and have such an immense impact on the direction of an entire family, please consider how many more families could be helped if they too had the means to send their kids to a school of their choice.

Thank you all for your time.

My name is DeAnn Scheeler. I live in District 37 and I am a parent who has chosen to enroll my children in a nonpublic school. I also work in a nonpublic school, and attended one for my personal K-12 education.

I support HB 1590 but I am in support of all school choice bills that support parent autonomy and the right to provide an education for my children.

My grandparents worked hard to provide for not only their children, but for the next generation. They were part of a group that helped establish the Catholic school system in Dickinson. In turn, my parents chose to send me and all four of my siblings through that same system, and now my husband and I, both of whom are graduates of a non-public school have chosen to send our children there.

Our experience in a non-public school has been wonderful for our family. The sacrifice that we make to afford this education is one that is thoughtful and deliberate, as we find tremendous benefit in our children being able to practice their faith in a school setting. Our faith is part of our identity, and having to silence that in a public school is something that would change the way we raise our children.

We have chosen to make sacrifices to be able to afford this educational opportunity for our family, knowing that nonpublic schools, especially in Dickinson, have helped to alleviate the crowding of our public school system. School choice is something that not only helps our family, but helps our community. As our President recently signed an Executive Order in favor of school choice, it would be prudent of North Dakota to take strong action to support families in their right to choose the education path that fits their family best.

I strongly urge you to vote in favor of HB 1590, advancing school choice in the state of North Dakota.

Thank you for your service to the State of North Dakota and your time on HB 1590!

Testimony in Opposition to 1590

Chairman Heinert and Members of the Committee,

My name is Leslie Bieber and I am the Superintendent of Alexander Public School. I am in opposition to HB1590.

Public funds in every public entity require the same transparency and accountability measures that public schools must follow. Public schools are legally bound by open records laws, ensuring that every dollar spent is accounted for and that financial decisions are made with public oversight. I request the same for every tax dollar that will go towards any private tuition or fees.

Redirecting ESA Funds for Universal School Meals

If the Legislature is committed to ensuring all students benefit from state funding, a more effective and equitable use of these funds would be to guarantee free breakfast and lunch for every student in North Dakota. No matter where a child receives their education—public, private, or home school—all children need access to nutritious meals to thrive. By redirecting ESA funds to universal school meals, North Dakota can:

- **Combine multiple bills**—including the bill proposed to support school meal debt relief, the free meals bill, and various ESA proposals—into a single, comprehensive policy.
- **Save the state money** by eliminating duplicative funding mechanisms and ensuring funds are used efficiently.
- **Support every student** in North Dakota, regardless of where they receive their education.
- **Parents put those monies** into a college save account or for other educational needs such as tuition for CTE courses or private schools.

Providing universal school meals would:

- **Ensure no child in North Dakota goes hungry during the school day.**
- **Support families by alleviating the financial burden of meal costs.**
- **Improve student focus, behavior, and academic outcomes.**

Using ESA funds to cover the cost of school meals benefits every student by still supporting their education choice.

HB1590 undermines the principles of public education by diverting taxpayer dollars to schools that are not subject to the same public accountability. Rather than creating an inequitable funding I urge a do not pass on this bill but rather redirect these funds toward a universal meal program that serves **every** child in North Dakota, regardless of where they receive their education.

I respectfully ask this committee to oppose HB1590. Thank you for your time and consideration.

Testimony in opposition to HB1590:

Members of House Education committee:

HB1590 would be a nice idea except that it commits public funds to fund private education, and this is a bad idea. The gift portion of the account comes from the Bank of North Dakota. Even if this is not subtracted from the allotted payment to the local school district, it is still taxpayer money going to private schools.

Please Vote a DO NOT PASS on HB1590.

Thank you for your consideration.

James B. and Sharon E. Buhr
613 Chautauqua Blvd
Valley City, ND
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(701) 840-0973

To whom it may concern,

I am writing to express my strong opposition to HB 1590, which is currently under consideration by the committee. As a concerned life-long North Dakota resident, the current Board President of District 1 (Grand Forks Public Schools), and a firm believer in the strength of our public education system, I urge you to recommend a DO NOT PASS on this legislation. The legislation in question seeks to divert crucial funds from public schools by implementing a voucher system.

Key Concerns Regarding the Voucher System:

1. Limited Access to Private Schools. Only 32% of North Dakotan families have access to private schools, meaning that the majority of our residents would not benefit from the proposed voucher system. By diverting public funds to private institutions, we would be disproportionately benefiting a small segment of the population while leaving the vast majority of North Dakota families without equal opportunities.

2. Inequities in Homeschooling vs. Public Schooling. Homeschooling doesn't have the same standards public schooling currently institutes, and even with the proposed changes, massive inequities will still exist. By diverting funds to homeschooling, we are financially hindering our public dollars to support students who aren't involved in the public process.

3. Draining Resources from Public Schools. Our public schools are already facing significant challenges, including underfunding, overcrowding, and insufficient resources. Taking money away from these institutions would only expound the issues we face, further draining the resources from where they are most needed. Instead of improving educational opportunities, a voucher system would only exacerbate the crisis in our public schools.

4. Worsening the Educational Crisis. North Dakota's public schools are integral to ensuring that EVERY child receives a quality education. Diverting public funding to private schools that do not serve all students will only deepen the inequities in our education system. Private institutions are not held to the same accountability standards as public schools, which risks further undermining educational outcomes for all students, particularly those from underserved communities.

In conclusion, I respectfully urge you to reject the proposal of school vouchers in North Dakota in ALL of its iterations. Public dollars must be protected and stay in the public sector.

Best regards,

Dave Berger, School Board President
District 1 (Grand Forks Public Schools)
Mobile: 218.779.9872
Email: dberger100@mygfschools.org



Dr. Terry Brenner
Superintendent of Schools

Phone: 701.787.4880
Fax: 701.772.7739
tbrenner270@mygfschools.org

February 4, 2025

Dear North Dakota Legislators:

As a long-time servant in public education amassing 42 years of professional experience as a teacher, principal, director and now superintendent, I am writing to express my strong opposition to HB 1540, HB 1590, HB 1607, and SB 2400, which are currently under consideration by the committee. It has been my vocation to advocate for students on all levels of the educational spectrum from gifted and talented to multi-lingual to special education and general education. Public schools are the linchpin to a sustained democracy and represent ALL people from a global perspective. We welcome ALL students at our front doorstep every single day.

Given the above, I implore you to recommend a DO NOT PASS on this legislation. The legislation in question seeks to divert crucial funds from public schools by implementing a voucher system. I don't need to remind you of the separation of church and state as you well understand the Constitution.

If this is an attempt to create competition so public schools can "up our game", please consider the following challenges public education has undertaken, sometimes without the necessary funds:

- Special Education student population has increased from 9% to 20% over the last generation. IDEA funding (federal) has not kept pace with special education needs.
- Multi-language learners doubled from 200+ to over 400+ in one academic school year with little funding to support programming.
- We have been forced to create satellite campuses for students who are coming out of drug/alcohol rehab, students with a violent history, and students who have been expelled from other school districts.
- The lack of "school readiness" for students entering kindergarten has increased significantly. In a classroom of 18-21 kindergarten students, there is a 5-year disparity between the top and bottom performers in that given classroom.
- Since COVID-19, absenteeism has skyrocketed (we have new procedures in place addressing this with some good results) which creates more workload for classroom teachers in "catching up students".

I am fully aware that fighting for public education and the necessary resources that accompany it is an uphill battle in North Dakota. It is disheartening to know that it has come to this.

I respectfully ask you to fully and completely understand what these bills will do to public education. And I urge you to vote these bills down.

Professionally,

Dr. Terry Brenner, Superintendent
Grand Forks and Grand Forks Air Force Base Public School Districts



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www.gfschools.org

Testimony in Opposition to HB1590

Submitted by Sandy Hansen, resident of Barnes County, ND

I would like to encourage the committee to give this bill a “Do Not Pass” recommendation. More studies need to be done to determine the effect on the state’s budgeting for education and how this could benefit some to the detriment of others.

Public funds that are used to send kids to private schools are vouchers, not ‘education savings accounts (ESA).’ A recent poll from North Dakota United found that 68% of North Dakota citizens do not want their taxpayer dollars paying for private school tuition. Lower-income families, students receiving special education services and students in need of extracurricular or specialized programs would be disproportionately impacted by an ESA program.

We are a rural state with limited funds available for our public schools. Re-routing public tax dollars needed for those unable to afford private education to non-public education seems a misuse of those funds without further investigation of consequences. Our public dollars would be better used on supporting our public schools and their staff.

PLEASE VOTE NO ON HB1590. Thank you.

Testimony on House Bill 1590

**Presented by Shane Goettle on Behalf of the State Association of Nonpublic Schools
February 5, 2025**

HB 1590

Chairman Heinert and Members of the House Education Committee, my name is Shane Goettle, and I am here today representing the State Association of Nonpublic Schools. I am honored to provide my support for House Bill 1590. This bill presents a transformational opportunity for education in North Dakota by creating a student education services account pilot program, which empowers families to take an active role in shaping their children's education.

HB 1590 is a forward-thinking and practical approach to expanding educational choice. By leveraging state funds in a cost-effective manner, this bill provides a sustainable way for families to access critical educational services beyond the traditional classroom. It is a true investment in students, their future, and North Dakota's long-term prosperity.

Constitutional Argument for Funding Choice in Education

The opponents of funding for choice in education frequently invoke North Dakota's constitutional provisions to argue against funding for nonpublic schools. However, these arguments are legally outdated and no longer hold merit.

- **Full Context of Article VIII of the North Dakota Constitution:**
 - **Section 1:** Establishes the requirement for a system of public, emphasizing the importance of public education as a foundation for democracy.
 - **Section 2:** Mandates a uniform system of free public schools, extending through higher education, but explicitly allows for tuition, fees, and service charges to assist in financing higher education.
 - **Section 3:** Requires that all schools provide instruction on civic virtues such as truthfulness, public spirit, and respect for labor.
 - **Section 4:** Grants the legislature broad authority beyond public schools, stating that it must take additional steps to prevent illiteracy, ensure uniformity in education, and promote industrial, scientific, and agricultural improvements.
 - **Section 5:** Limits funding raised specifically for public schools from being allocated to sectarian schools but does not apply to general state funding.
- **Section 4 and Its Legislative Authority Beyond Public Schools:**
 - Sections 1, 2, and 3 focus exclusively on public education, specifically the establishment, maintenance, and governance of the public school system, ensuring free public education and directing state resources toward public schools.
 - However, Section 4 shifts the focus from public schools alone to broader educational responsibilities, instructing the legislature to take any necessary steps

to improve literacy, standardize education, and support scientific, industrial, and agricultural progress.

- This section does not limit legislative action to public schools alone but rather affirms the Legislature's responsibility to improve education as a whole, including through nonpublic schools.
- This section grants the legislature the authority to promote education broadly, including funding initiatives beyond public schools, such as parental choice programs, nonpublic school support, and specialized learning initiatives.
- By authorizing the legislature to address educational needs beyond the strict confines of the public school system, Section 4 provides clear constitutional justification for policies like the Bill you have before you.

- **Article VIII, Section 5, and the Limits of Its Application:**

- This section states that *"No money raised for the support of the public schools of the state shall be appropriated to or used for the support of any sectarian school."*
- However, it is critical to recognize that this applies only to funds specifically raised for public schools, such as local property taxes and state-allocated funds ("school lands") earmarked for public education.
- General state funds, such as the general fund, strategic investment and improvement funds, or legacy fund earnings, are not subject to this restriction and may be lawfully allocated to support parental choice initiatives.

- **Legal Precedents Supporting the Constitutionality of Parental Choice:**

- The language prohibiting certain public funds from finding their way to a "sectarian school" has its origin in the series of "Blaine Amendments" which were state constitutional language required of several states who entered the Union in the late 1800s\ (including North Dakota).
- The federal Blaine Amendment, a late 19th-century provision, was introduced as an effort to prohibit public funds from being used for religious education. Though this attempt at a federal constitutional amendment failed, many states, including North Dakota, incorporated similar provisions into their constitutions. These provisions were largely driven by religious discrimination rather than neutral funding policies. Over time, legal challenges have significantly weakened the enforceability of these amendments.
- The U.S. Supreme Court has ruled that excluding religious schools from generally available public benefits violates the Free Exercise Clause of the First Amendment.
- *Espinoza v. Montana Department of Revenue* (2020): The U.S. Supreme Court ruled that a state cannot exclude religious schools from generally available public benefits simply because they are religious in nature. Montana's attempt to prohibit religious schools from receiving funds under a tax credit scholarship program was deemed unconstitutional under the Free Exercise Clause of the First Amendment.
- *Carson v. Makin* (2022): The Court expanded on *Espinoza*, ruling that if a state provides a public benefit program that includes private education options, it

cannot prohibit funds from being used for religious schools solely based on their religious identity.

- *Pierce v. Society of Sisters* (1925): This landmark case affirmed that parents, not the state, have the fundamental right to direct the education of their children, reinforcing the validity of school choice initiatives.
- **North Dakota Attorney General's Opinion 2022-L-07** made it clear that the Blaine Amendment language in the North Dakota's constitution is unenforceable under federal law. The opinion affirmed that state policies must align with U.S. Supreme Court rulings, which have struck down state attempts to exclude religious schools from generally available public benefits. While the opinion addressed teacher support grants, its broader legal implication is that state restrictions based on religious affiliation cannot be upheld where they contradict federal constitutional protections.

Accountability of Nonpublic Schools

Another concern often raised regarding choice in education is whether nonpublic schools operate without sufficient oversight. This is simply not true.

- **North Dakota has some of the strictest nonpublic school regulations in the country:**
 - North Dakota is one of only two states in the nation where nonpublic schools must meet approval requirements identical to public schools.
 - It is the only state that requires all nonpublic schoolteachers to be state-certified, ensuring that students receive high-quality instruction.
 - **SOURCE:** See attached "*Regulation of Nonpublic Schools*" and "*How does North Dakota rank in its treatment of nonpublic schools?*"
- **Nonpublic schools must adhere to extensive state regulations**, including:
 - Approval by the North Dakota Department of Public Instruction to operate any elementary or secondary nonpublic school. *N.D. Cent. Code §15.1-06-06*.
 - Mandatory teacher certification. *N.D. Cent. Code §15.1-18-07, -08, & -09*.
 - Same length of school year and days. *N.D. Cent. Code §15.1-06-04 (sections 3 and 6)*.
 - Meet state curriculum standards. *N.D. Cent. Code §§15.1-21-01 & -02, 15.1-21-02, §15.1-21-24*
 - Compliance with health and safety codes applicable to all educational institutions. *N.D. Cent. Code §§15.1-06-10, 23-07-16, 15.1-06-12, 15.1-18.2-04, 15.1-19-22.3*.
- **Nonpublic schools are directly accountable to parents.** Unlike public schools, which assign students based on geography, nonpublic schools must continuously earn parental trust and enrollment through academic quality, transparency, and student success.

Conclusion

HB 1590 is an innovative and well-structured solution to meet the evolving educational needs of North Dakota families. It allows parents to take the lead in personalizing their child's education while ensuring financial responsibility and oversight.

Thank you for your time and consideration.

Regulation of Nonpublic Schools

Eight States Require All Nonpublic Schools to be Approved by the State

Maine
Maryland
Massachusetts
Michigan
New Hampshire
North Dakota
Rhode Island
Washington

In Only Two of those States are the Approval Requirements for Nonpublic Schools Identical to the Requirements for Public Schools

Massachusetts
North Dakota

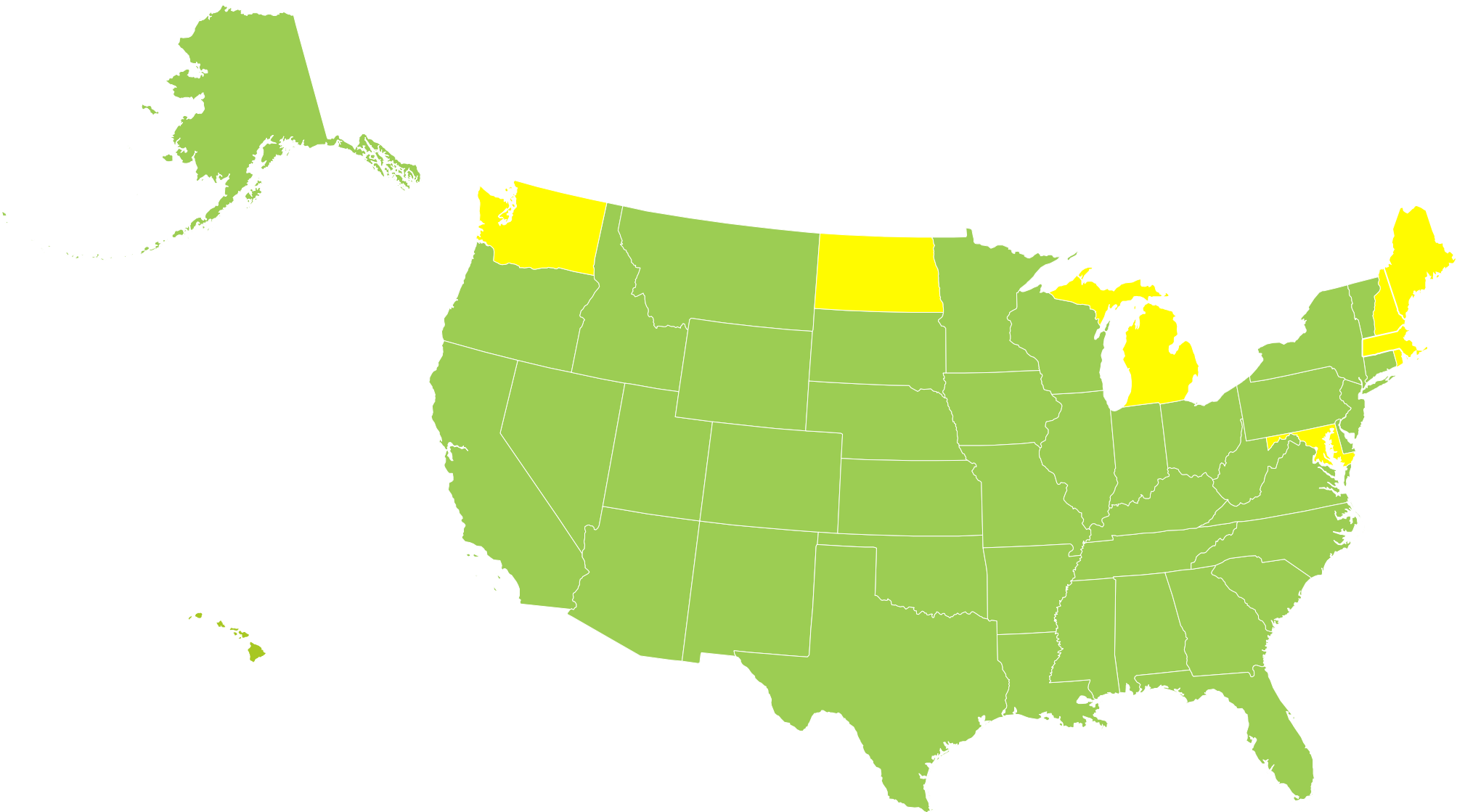
Only one of those Two States Requires Nonpublic School Teachers to be Licensed by the State

North Dakota

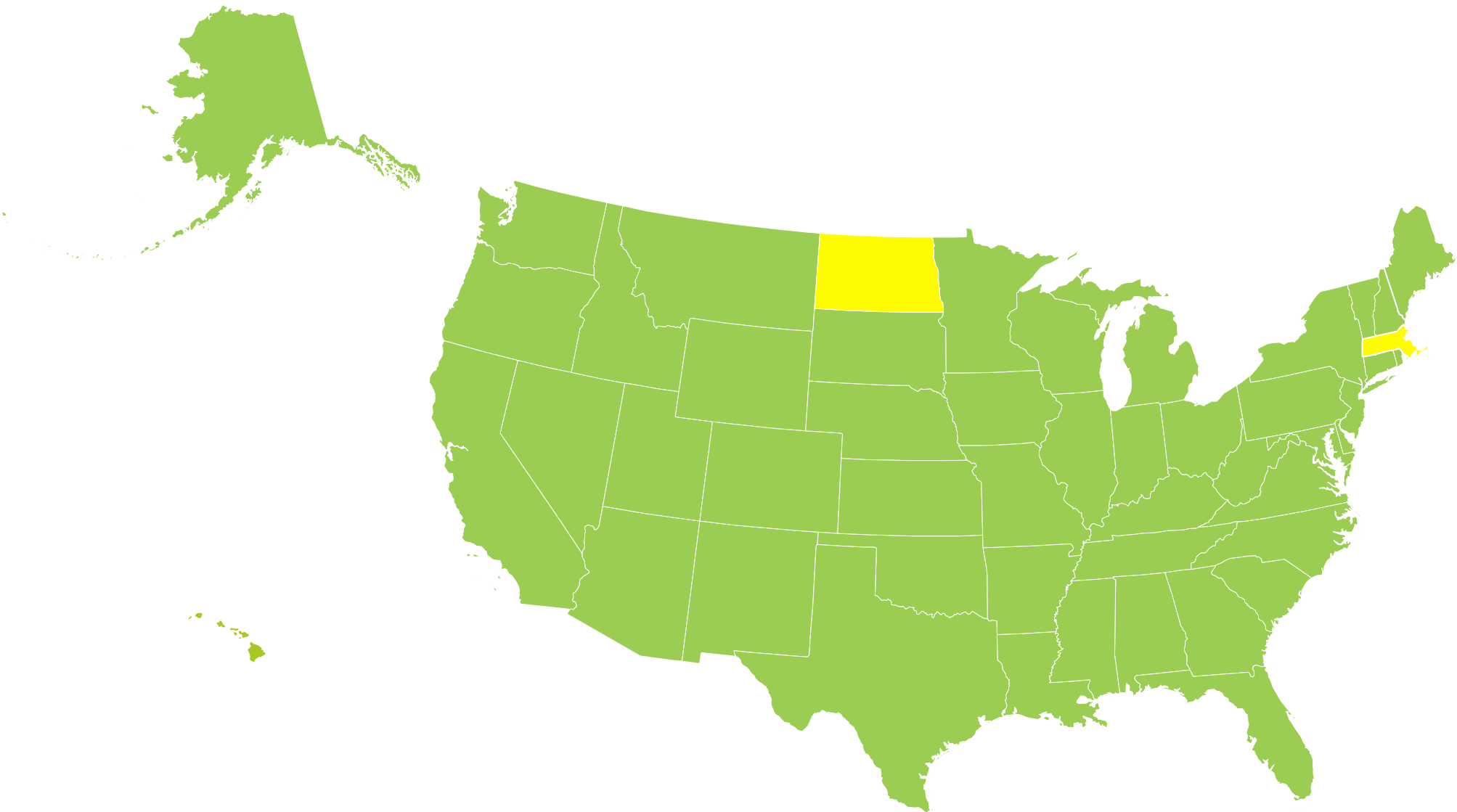
This leaves North Dakota as the only state in the nation that mandates both state approval for nonpublic schools identical to that for public schools and state licensed teachers in nonpublic schools.

SOURCES: STATE REGULATION OF PRIVATE AND HOME SCHOOLS, U.S. DEPARTMENT OF EDUCATION, 2025; SPECIFIC STATE LAWS.

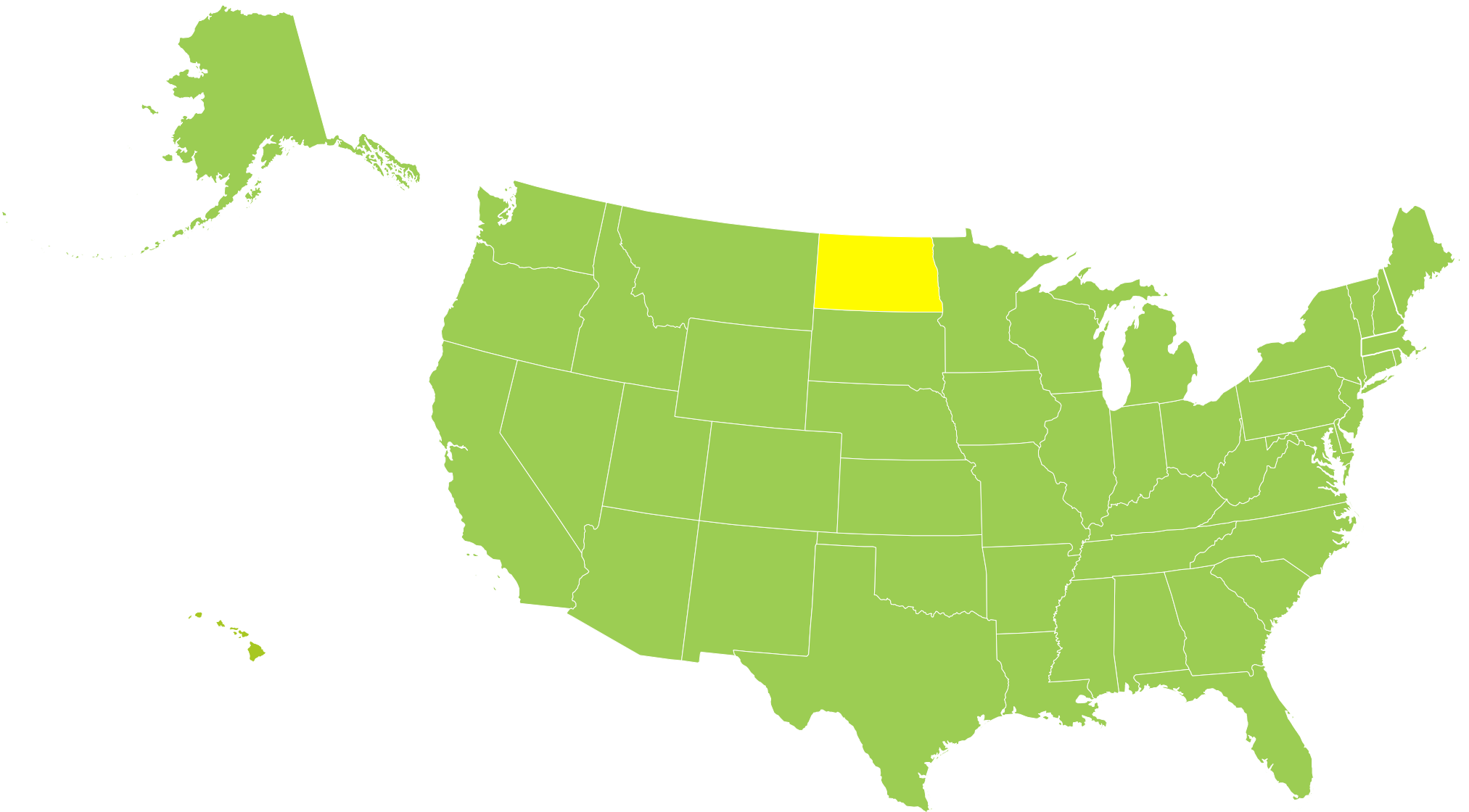
**How does North Dakota rank in its
treatment of nonpublic schools?**



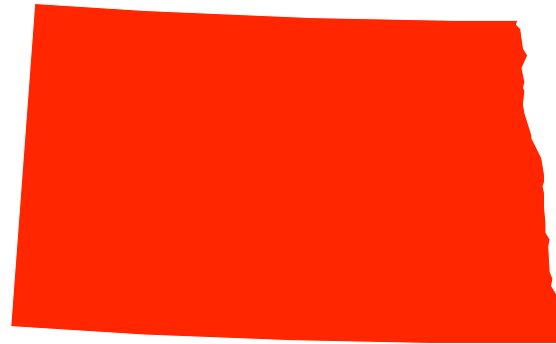
Only eight states require state approval of all nonpublic schools.



In only two of those states are the approval requirements identical to public schools.



Of those two states, only one requires classes to be taught by certified teachers.



This leaves North Dakota as the only state that mandates both state approval identical to public schools and state certified teachers.

Sources: State Regulation of Private and Home Schools, U.S. Department of Education, 2025; specific state laws.

North Dakota House Education Committee
North Dakota Legislative Assembly
600 East Boulevard Avenue
Bismarck, ND 58505

02/05/2025

Subject: In Opposition of Using Public Dollars for Private Education

Dear Members of the House Education Committee,

I am writing to express my strong opposition to HB 1607, HB 1590, SB 2400, and HB 1540, all of which propose the allocation of public funds to private education. As a North Dakota resident and advocate for equitable education, I urge you to consider the significant consequences these bills would have on our public school system and rural communities.

Public schools are the backbone of our education system, serving all students regardless of socioeconomic status, academic ability, diagnoses, or geographic location. Diverting public funds to private institutions undermines the very purpose of public education by redirecting critical resources away from schools that are already underfunded and facing challenges in staffing, programming, and infrastructure.

Additionally, the majority of North Dakota's rural communities do not have access to private schools. If public funds are directed toward private education, families in these areas will receive no benefit while still contributing tax dollars to a system they cannot access. This creates a clear inequity, favoring urban and more affluent populations at the expense of rural students. Public funds should serve the public good, ensuring that every child, regardless of where they live, receives a high-quality education.

Furthermore, private schools are not subject to the same accountability measures as public schools. They are not required to accept all students, including those with disabilities, behavioral challenges, or English language learners. Public dollars should not support institutions that have the ability to exclude students based on their own selective criteria.

I urge you to uphold the integrity of North Dakota's public education system by opposing HB 1607, HB 1590, SB 2400, and HB 1540. Our state's priority should be strengthening public schools so that every child, in every community, has access to a well-funded, high-quality education.

Thank you for your time and consideration.

Sincerely,

Jessica Nolz
Special Education Teacher

Kristy Rose
6725 Apple Creek Drive
Bismarck, ND 58504
kristywrose@gmail.com

ND Legislature
69th Assembly

RE: HB 1590

While this bill has some attractive and reasonable tenets relating to education accounts, I am writing today in opposition of this HB 1590.

First, I appreciate that the bill actually provides a legitimate savings account where state money is only “unlocked” after a parent makes a contribution to the account. This is a true savings account similar to HSAs. Second, I commend the inclusion of all students: public, private and home educated. This is fair as even public school parents incur costs of education not covered by tax dollars. Third, I recognize the ability to transfer unused funds into a college save account as valuable and thoughtful.

Thank you very much for those thoughtful considerations in writing this bill. I truly appreciate them.

However, public funding of private education is a slippery slope that I and most other homeschoolers do not want to slide down. We have fought long and hard for the freedoms we have to educate our children without state oversight and without state interference.

I am the president of Tricity Home Educators Association serving 150 families which equates to about 475 students. We are not the only support group in the Bismarck area and not every homeschooling family is a member. The majority of homeschoolers with whom I have contact do not want state money because they've seen the regulations that quickly follow.

The bill does not include qualifications and regulations for eligibility or compliance. It also does not set forth any protections for homeschoolers nor private schools. This opens both to government over-reach, unintended consequences of program administration, and kind of feels like bait in a trap. Since there is no protection from regulation, nor no clear expectation of qualification, we don't really know what we are signing up for and are left open to strings we did not want.

For these reasons, I encourage a “do not pass” on this bill. Thank you for your consideration.

Sincerely,
Kristy Rose

Hello House Education Committee,

My name is Michaela Larson. I live in District 8 and I am a parent who has chosen to enroll my children in Christ the King Catholic School.

I support all school choice bills that support parent autonomy and the right to provide an education for my child.

I urge you to vote in favor of HB 1590.

Thank you for your service to the state of North Dakota and your time on HB 1590.

Thank you,

Michaela Larson

Milnor Public School District No. 2

530 Fifth Street | P.O. Box 369

Milnor, North Dakota 58060-0369

Phone: 701-427-5237 | Fax: 701-427-5304

www.milnor.k12.nd.us

Chris Larson, Superintendent and Activities Director

Ryan Weber, High School Principal

Theresa Wittich, Elementary Principal

Testimony in Opposition to HB 1590

Presented by: Dr. Chris Larson

Superintendent, Milnor Public Schools

Member, Legislative Focus Group – North Dakota Council of Educational Leaders (NDCEL)

February 5, 2025

Chair Heinert, members of the committee, thank you for the opportunity to testify today. I am Dr. Chris Larson, and I serve as the Superintendent of Milnor Public Schools and as a member of the legislative focus group for the North Dakota Council of Educational Leaders (NDCEL). I am here today in opposition to HB 1590 in its current form.

North Dakota's Constitution is explicit in its commitment to funding a uniform system of public education. Article VIII, Section 5 clearly states:

"No money raised for the support of public schools shall be appropriated or used for the support of any sectarian school."

Additionally, Article X, Section 18 reinforces this principle, stating:

"Neither the state nor any political subdivision thereof shall make any direct or indirect appropriation or payment from any public fund... in aid of any sectarian school, or for any other sectarian purpose."

The Education Savings Account (ESA) concept, as a whole, has the potential to provide meaningful benefits to families across North Dakota. However, the provision in HB 1590 that reimburses private school tuition directly conflicts with our state's constitution. The inclusion of this provision not only undermines the foundational principles of public education but also opens the state to potential legal challenges.

Our public schools serve over 90% of North Dakota's students, regardless of ability, background, or health status. No other entity provides this level of service, ensuring that every child has access to quality education. This is not easy work—it requires dedicated funding and legislative priority. Public education is the backbone of our workforce development and the future of our state.

If the provision of private school tuition reimbursement is removed, the bill becomes a fair and reasonable means of supporting all families without violating our constitution. ESA funds should be distributed equitably, regardless of where a student attends school, ensuring that every family receives the same level of support.

Milnor Public School District No. 2

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Chris Larson, Superintendent and Activities Director

Ryan Weber, High School Principal

Theresa Wittich, Elementary Principal

1 This bill does not treat each student or family equitably:

2
3 *1. A parent may deposit in a child's student education services account up to two thousand dollars per*
4 *child per school year.*

5 *2. The Bank of North Dakota shall deposit funds in the amount of fifty percent of the amount deposited*
6 *by a parent in a child's student education services account.*
7

8 Our students and families in the most need likely don't have funds available to meet the match
9 requirements laid out in this bill. This creates an inequitable system where only families with disposable
10 income can fully benefit, leaving our most vulnerable students behind.
11

12 **The Precedent Problem: Unintended Consequences of Funding Religious Schools**

13 A particularly concerning aspect of HB 1590 is its long-term implications for how public funds could be
14 used to support religious education in North Dakota.

15 1. State Support for Private Schools Must Be Neutral and Equitable

16 o If the state funds private religious schools, it must do so without favoring one faith over another.

17 o HB 1590 sets a precedent—if public dollars can be used for private Christian schools today, they
18 could just as easily be used for schools affiliated with any other religion in the future.

19 2. This Bill Opens the Door to Unintended Consequences

20 o If passed, HB 1590 could require the state to fund private schools of all religious backgrounds,
21 including those that may not align with the values of the legislature or the general public.

22 o Would the legislature be comfortable funding schools affiliated with non-traditional or
23 controversial belief systems?

24 o Once public funds are allocated to private religious institutions, the state cannot discriminate in
25 how those funds are distributed.

26 3. Potential Legal and Constitutional Challenges

27 o Funding only certain religious schools while denying others could lead to legal challenges on the
28 grounds of religious discrimination.

29 o Courts have ruled that if a state provides public funds to religious schools, it cannot exclude any
30 religion without violating First Amendment protections.

31 o This could force the legislature to fund schools it may not intend to support.
32

33 I urge this committee to remove the private school tuition reimbursement provision from HB 1590.

34 Doing so would align the bill with constitutional requirements while still providing meaningful support
35 to North Dakota families.
36

37 Respectfully submitted,
38
39

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Chris Larson, Superintendent and Activities Director

Ryan Weber, High School Principal

Theresa Wittich, Elementary Principal

1

2 Dr. Chris Larson

3 Superintendent

4 Milnor Public School

5 Chris.larson@k12.nd.us

Hello,

I am writing to urge you to oppose the following six bills that propose using public dollars to fund private schools:

- HB 1540
- HB 1590
- HB 1607
- SB 2295
- SB 2303
- SB 2400

Regardless of how these bills are labeled—whether as education savings accounts, scholarship programs, or otherwise—if they divert public funds to private schools, they essentially function as vouchers.

I have spent ten years teaching in both public and private K-12 schools in Devils Lake, ND. The disparity between what public and private schools offer is significant. Public schools accept every student, ensuring that every child has access to education. This inclusivity demands a broad range of services and the ability to meet diverse needs, which, in turn, requires adequate funding.

I was proud to work at a private school in Devils Lake that went to great lengths to accommodate all students, providing necessary services without discrimination. However, the critical difference was that this private school has strong financial stakeholders and tuition fees to support these additional costs.

I want to emphasize that my stance is not to vilify private schools or the families who choose them. I believe our tax dollars should remain within the public education system. Having firsthand experience, I am acutely aware of the struggles classroom teachers face to provide even the bare minimum for their students. Public schools are not seeking extravagant raises, new buildings, or top-tier resources. What they are requesting, and what I am advocating for, is that tax dollars allocated for education should stay within public schools.

Finally, the majority of school districts in our state do not have access to private schools. From my observations, it is primarily our larger communities that benefit from private education options. These larger communities also enjoy a more substantial tax base, resulting in higher tax revenues for their schools. Diverting public funds to private schools would not only deprive our rural public schools of essential resources but also fail to benefit rural families who lack access to private education options.

Please oppose these six “voucher” bills and fight to keep public funds in the incredible public schools throughout North Dakota.

Catherine Benton

620 28th Ave S
Grand Forks ND 58201
701.412.7917

Testimony of Jeannie Nasers

Before the North Dakota Senate Education Committee on HB 1590

SUPPORT

February 5, 2025

Thank you, Chairman Heinert, and members of the House Education Committee for providing the opportunity to submit written testimony in support of HB 1590. My name is Jeannie Nasers. I live in District 34, and I am a product of Catholic school education and a parent who has chosen to enroll my four children in Christ the King Catholic Montessori School.

I strongly support HB 1590, as well as any legislation that upholds parents' right to direct their child's education. Every child deserves an education that meets their unique needs, nurtures their dignity, and reinforces the values instilled at home. My family currently makes significant financial sacrifices so that our children can attend a private school, and while we believe the investment is worth it, the assistance provided by SB 2303 would greatly ease this burden. More importantly, it would allow more families the opportunity to choose the best educational environment for their children, regardless of financial means.

As both a former student and now a parent, I have personally experienced the profound impact of a faith-based education. Growing up, my Catholic school provided more than just academic instruction—it offered a community that fostered character, independence, and a deep sense of self-worth. As a child with a learning disability, I was not just another student; I was surrounded by teachers who saw my potential and classmates who shared a commitment to virtue and personal growth. Now, I want my children to experience that same kind of nurturing environment—one where faith and education are seamlessly integrated, where they hear at school the same truths we teach at home: that they are valuable, that they matter, and that they have a responsibility to serve others.

HB 1590 would ensure that families who are already contributing tax dollars to education have the ability to direct a portion of those funds toward the schooling option that best serves their children. This bill would relieve a financial strain on many families while empowering them to make the best educational choices for their children. I urge you to vote in favor of HB 1590 so that all parents, regardless of income, have the ability to choose the educational path that best fits their child's needs. Thank you for your service to North Dakota and for your time on this important matter.

Thank you for your service to the state of North Dakota and for your time in considering HB 1590.

Sincerely,

Jeannie Nasers



Brandon Baumbach
Business Manager

Department Phone: 701.787.4885
Direct Phone: 701.746.2205, Ext. 7126
Fax: 701.772.7739
bbaumbach020@mygfschools.org

Representatives,

I am writing to express my strong opposition to the proposed student education services account (ESA) program. As a K-12 school administrator, I have serious concerns about the long-term impact such a program would have on public education, student equity, and the responsible stewardship of taxpayer dollars.


Public schools are the backbone of our communities, serving all students regardless of ability, background, or socioeconomic status. ESA programs divert critical funding away from public schools, weakening our ability to provide high-quality education, maintain facilities, retain highly qualified teachers, and offer essential student services. Public schools are already underfunded, and further reductions in funding will only exacerbate disparities and hinder student achievement.

Unlike public schools, which are held to rigorous academic and financial accountability standards, private institutions and other education service providers that benefit from ESAs often operate with minimal oversight. This lack of accountability raises serious concerns about the effectiveness and appropriate use of taxpayer dollars. Moreover, there is little evidence to suggest that ESA programs lead to better academic outcomes for students, particularly for those from disadvantaged backgrounds.

Additionally, ESAs do not provide a viable solution for many rural families. In areas with limited private school options, families may find themselves unable to utilize ESA funds effectively, while their local public schools suffer from reduced resources. This creates an inequitable system that disproportionately benefits families in urban areas while neglecting those in rural communities.

I urge you to oppose HB 1590 and instead focus on investing in public education—ensuring all students have access to high-quality teachers, well-equipped classrooms, and the support services they need to succeed. Strengthening our public schools should be our priority, not diverting funds to programs that primarily benefit a select few.

Thank you for your time and consideration. I welcome the opportunity to discuss this matter further and advocate for policies that truly benefit all students.

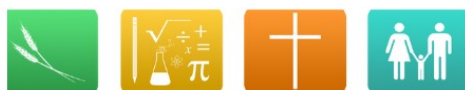
 Mark Sanford Education Center
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Grand Forks, ND 58201-3405

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Equal opportunity employer

Grand Forks School District prohibits discrimination and harassment based on race, color, religion, sex, sexual orientation, gender identity, gender expression, national origin, ancestry, disability, age, or other status protected by law. The District also provides equal access to the Boy Scouts and other designated youth groups, as required by federal law.



North Dakota Home School Association

Serving Home Educators since 1985

HB 1590

No

Chairman Heinert and Members of the House Education Committee,

The North Dakota Home School Association (NDHSA) is fundamentally opposed to public dollars funding home education.

This bill contains some very good thoughts and it is clear it was thought through carefully. I like the fact that it is a pilot program and also that it requires parents to chip in. It also appears that this bill is for all students whether public, private or home educated.

If it were a bill offering help for some of the expenses incurred by special needs families and possibly a few other of the items we might have different thoughts on the bill. Our concern lies again in **tuition for non-public education**. Does that include homeschooling? **We do not think it is the role of the state to finance home education programs**. Most parents choose home education because they want freedom. With funding will come regulation.

Homeschooling is a relatively inexpensive education option. Over my years of home educating my four children I never spent more than \$500 total unless one was enrolled in a dual credit college course. Granted, I have been done for awhile, but a lot of home school curriculum is in the form of non-consumables and so is used with subsequent children. Many of our state homeschool support groups have curriculum lending libraries and homeschoolers are regular patrons of our state's public libraries.

This bill, with some work, might have some good possibilities, but we are leery because of the funding of nonpublic education. The scope of this bill should remain small during its pilot and then discussion about other possibilities could be considered.

In the words of Ronald Reagan, "I think you all know that I've always felt the nine most terrifying words in the English language are: 'I'm from the Government and I'm here to help'."

Please render a "do not pass".

Sincerely,

Theresa Deckert 701-662-4790

Legislative Liaison/Lobbyist

North Dakota Home School Association

February 4, 2025

Dear Member of the House Education Committee,

I am a resident of Grand Forks and a parent of two children currently enrolled in Grand Forks Public Schools. I am writing to you today to ask that you give HB1590 a DO NOT PASS recommendation in your committee and vote against this bill.

HB1590 would divert millions of public dollars into private schools. Public dollars are limited and public dollars should not go towards paying for the private school costs of privileged families. Private schools are not held to the same standards and accountability as public schools. Public schools are required to serve all children in our state. Private schools are not required to serve all children and may exclude students for any number of reasons.

If there are millions of public dollars available, they should go to support our public school system, teachers, and students - not a select group of students, families, and education providers who have the extra resources to afford private education. The vast majority of families in our state cannot afford private school tuition and/or do not have access to private school options (especially those in rural communities across the state). As a result, these sorts of schemes will simply exacerbate education inequalities rather than provide a public good that benefits all families of school age children.

In short, this bill is not a good use of public funds. I ask that you give HB1590 a DO NOT PASS recommendation out of committee.

Sincerely,

Liz Legerski
Grand Forks, ND



Testimony in Opposition to House Bill 1590

Chairperson and Members of the Committee,

Thank you for the opportunity to testify today. My name is [Your Name], and I would like to express my appreciation for the creativity and innovation behind House Bill 1590. Expanding educational opportunities for students is a commendable goal, and I appreciate the intent of this legislation to provide financial support for a broad range of educational services. However, despite the strengths of this proposal, I cannot support **state-funded reimbursements for nonpublic school tuition. I wonder if the bill sponsor would consider the removal of that option for reimbursement and continue with the concept keeping the question of constitutionality in place?

Public Funds Should Remain Dedicated to Public Education

North Dakota has a long-standing constitutional commitment to funding **a strong and equitable public education system** that serves every child. While educational choice is a valued principle, it must not come at the expense of **our public schools**, which educate the vast majority of North Dakota's students and serve as the foundation of our communities.

By **subsidizing nonpublic school tuition**, this bill would divert public funds toward private education—without the same transparency, accountability, and accessibility required of public institutions. This is concerning, as private schools are not bound by the same obligations regarding curriculum, student rights, or nondiscrimination policies as public schools.

Unintended Fiscal and Equity Consequences

The proposed program, which includes a **50% state match for deposits into student education services accounts**, would ultimately shift taxpayer dollars away from public schools and toward **private and alternative education options** that lack public oversight. This raises serious questions about **equity and fairness** in the distribution of state education funding.

Prioritizing Public Education Infrastructure

Rather than diverting funds to nonpublic tuition reimbursement, we should focus on **enhancing public education infrastructure** to ensure that all students—regardless of their financial background or geographic location—have access to quality learning opportunities. This includes:

- Strengthening **career and technical education (CTE) programs** within public schools.
- Expanding **dual-credit and vocational courses** that benefit all students.
- Providing **mental health support and special education services** within public institutions.
- Supporting **public school innovation** in technology, curriculum development, and workforce preparation.



Conclusion

I commend the sponsors of this bill for their effort to **expand educational access** and provide families with additional learning opportunities. However, I strongly urge the committee to **reject** the provision allowing for **reimbursement of nonpublic school tuition**. Public funds should remain dedicated to **strengthening our public schools, supporting our teachers, and ensuring that every child—regardless of their ZIP code—has access to a high-quality education**.

Thank you for your time and consideration. I welcome any questions the committee may have.



*Great Public Schools**Great Public Service*

**Testimony Before the House Education Committee
HB 1590
February 5, 2025**

Chairman Heinert and members of the Committee, I am Nick Archuleta, and I am the president of ND United. I rise today in opposition to HB 1590 and encourage the House Education Committee to issue a ***do not pass*** recommendation for this proposed legislation.

Members of the Committee, HB 1590 contains some very good ideas that deserve to be considered. ND United and, according to a recent survey, 76% of North Dakotans favor a mechanism by which parents with school aged children can access public dollars to enhance educational experiences like mental or behavioral health assistance, educational camps like the excellent International Music Camp, standardized test fees, education materials and services for students with special needs, and other qualified educational expenses and experiences. If this were a stand-alone bill with a dedicated funding source, ND United would be in staunch support.

Unfortunately, in addition to the exceptionally good things, HB 1590 allows for spending dollars raised for public education and other public purposes on private school tuition. We have seen what happens to public school finances in other states when public money is diverted to private schools. ND United has historically opposed voucher bills like HB 1590 that provide public funds for private school tuition. Voucher bills like HB 1590 make it more difficult for North Dakota's great public schools to deliver on our promise and Constitutional obligation to educate every child that walks, runs, rolls, or is carried through our schoolhouse doors.

Mr. Chairman and members of the Committee, I urge a ***do not pass*** recommendation for HB 1590.



NDSBA
**NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION**

1224 West Owens Avenue
Bismarck ND 58501
1-800-932-8791 • (701)255-4127
www.ndsba.org

HB 1590
Testimony of Amy De Kok
House Education Committee
February 5, 2025

Chairman Heinert and members of the House Education Committee, thank you for the opportunity to provide testimony today. My name is Amy De Kok, and I serve as the executive director for the North Dakota School Boards Association. Thank you for the opportunity to provide testimony in opposition to HB 1590. This bill, which proposes the creation of a Student Education Services Account (ESA) pilot program, raises significant concerns regarding the use of public funds to subsidize private education, the inequitable distribution of benefits, and the failure to promote genuine educational choice.

Public Funds Should Support Public Education

The fundamental issue with HB 1590 is the diversion of public funds to private educational institutions. Public education is a cornerstone of our democracy, serving all students regardless of socioeconomic status, ability, or background. By allocating state funds—up to \$41.2 million over two years—to supplement private tuition and related expenses, this bill undermines the public education system that the vast majority of North Dakota’s families rely upon.

Public schools are accountable to taxpayers, ensuring transparency and equitable access to quality education. By contrast, private schools set their own admissions policies and are not held to the same accountability standards, meaning that public money could be used to support schools that do not serve all students fairly. At a time when public schools are facing budget constraints, teacher shortages, and rising costs, it is irresponsible to redirect much-needed public funds to subsidize private education for a select few.

HB 1590 Favors Wealthier Families and Increases Inequity

The proposed ESA matching program inherently favors families who already have the financial means to contribute to their child’s education. Under the bill, families can deposit up to \$2,000 per child per year, with the state matching 50% of that amount. This means that families with greater disposable income will benefit the most, as they are more likely to afford the maximum contribution. Low-income

families, who may struggle to contribute even a small amount, will not experience the same financial benefits.

Moreover, this program does not expand educational opportunities for disadvantaged students. Instead, it provides additional financial support to families who have already chosen private education, reinforcing existing disparities rather than fostering broader access to quality schooling.

HB 1590 Does Not Promote True School Choice

Proponents of HB 1590 will likely argue that it promotes educational choice. However, true school choice means expanding options for all students, particularly those in underfunded or struggling districts. In reality, this bill primarily benefits families who have already made the choice to enroll in private schools, rather than providing new opportunities for those who lack access to alternative options.

Additionally, private schools retain the right to set admission criteria, meaning that students with disabilities, behavioral challenges, or lower academic performance may not be accepted. Public schools, on the other hand, are required to serve all students. Rather than investing in an inequitable system that disproportionately benefits a select group, North Dakota should focus on continuing to improve and strengthen public education to ensure every child has access to high-quality learning environments.

In conclusion, HB 1590 represents a fundamental shift in education funding that would weaken the public school system, exacerbate socioeconomic disparities, and fail to provide meaningful school choice. Instead of diverting public funds to private education, the state should invest in strengthening public schools, ensuring competitive teacher salaries, expanding special education services, and enhancing classroom resources for all students.

I urge this committee to reject HB 1590 and prioritize policies that support a strong and equitable public education system for all North Dakota families. Thank you for your time and consideration.

Hello House Education Committee,

I'm Dora Tschosik, a resident of District 34 and a parent who has chosen to enroll a child in Light of Christ Catholic School.

I firmly support HB 1590 and all school choice bills that uphold parent autonomy and the right to provide an education for my child. I support because it provides my child an environment he wishes to gain an education. We made the switch from public to private school 6 weeks into the current school year. Despite our efforts, the public school system was much too large for him. He was refusing to go to school and at just 10 years old we knew we needed to make a change quickly. We chose a faith-based education in order for him to succeed. He enjoys Light of Christ Catholic School and happily goes each and every day. Some of the reasons he enjoys going are smaller class size, the close connections with teachers and peers, religion, engagement in the classroom and day to day activities/education. I strongly feel if we kept in the public school system, we would've set him up for failure in continuing his education. What works for many isn't always the best fit for every child.

I believe that having school choice/parent choice will positively impact my family. I urge you to vote in favor of HB 1590. Thank you for your service to the state of North Dakota and your time on HB 1590.

Sincerely,
Dora Tschosik

**Testimony on
February 5, 2025, 10:00 A.M.
House Education Committee
Representative Heinert, Chairman**

Marya J. Skaare, President, Trinity Catholic Schools

Affirmative Support of HB 1590

Good afternoon, Chairman Heinert and House Education Committee Members,

My name is Marya Skaare. While this is largely a duplicate of my testimony for other education choice-related bills, I would be remiss if I didn't demonstrate my support for all legislation designed to support ND students, and for the legislative body to review all of the proposed legislation and determine the best course of action to achieve the desired outcome for all students. I am the current President of Trinity Catholic Schools in Dickinson and more importantly, I am a mom with my youngest now in her sophomore year of high school, so this bill is of great interest to me and could be of great impact to the families who entrust their children's education to our state's nonpublic schools or those who desire to do so, but haven't had the means to do so. Thank you for the opportunity share my testimony in support of school choice in North Dakota. Just off of National School Choice Week—which has been formally proclaimed in ND for the last eight years—as well as the 49th Annual Catholic Schools Week, the timing of this hearing could not be more providential. I especially appreciate Gov. Armstrong's comment in his School Choice Week proclamation that "citizens across the state of North Dakota agree that improving the quality of education remains a pressing concern for the state's leaders," and "every person deserves and recognizes the role of an effective education and the immeasurable value it adds to their development and growth." This sentiment is evident now more than ever with President Trump's recent executive order aimed at expanding educational freedom and opportunities for families. I am encouraged by the number of proposed bills this session geared toward helping families with education expenses related to their school age children. I stand today in support of HB 1590, but more so, I stand

**Testimony on
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Affirmative Support of HB 1590

in support of the wisdom of our legislative body in North Dakota to work through these bills, finding the right solution for North Dakota's students and their families that will work effectively with anticipated federal legislation. Born, raised and educated in North Dakota, I am a product of our State's strong system of public schools from a small community where, like the majority of North Dakota, there was not a non-public school option available. Even today, less than 7% of school-age students in ND attend a non-public school. Even with the modest number of non-public options, my children have been fortunate enough to attend both public and non-public schools with the latter simply being the right fit for our family, and ultimately, where I would be called to serve in my career. I share this with you today because I simply want to take a moment to reinforce the fact that choice in education is not intended to be an indictment of public schools, just as it should not be used as an indictment of non-public schools. In North Dakota, we have of the most robust oversight of nonpublic schools by the State and I can attest that our schools enjoy a positive working relationship with the state. Choice in education is not about pitting school systems against one another and it is not about a new funding mechanism for private school systems to the detriment of public school systems. In fact, upon reviewing the proposed Bill, I was pleased that it makes very clear that the intent is to expand our State's commitment to student success by implementing an education savings account program for families, empowering them through partnership with the state to make their choice in education attainable. With ESA funds providing freedom and flexibility for families, this school choice legislation is clearly not about State support of school systems, rather it is about State support of STUDENTS--EVERY North Dakota school-age student

**Testimony on
February 5, 2025, 10:00 A.M.
House Education Committee
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Affirmative Support of HB 1590

regardless of the type of school with which they affiliate; and as a parent, that is incredibly encouraging and makes me so proud of who we are as North Dakotans. Our willingness to blaze trails, aspire to greatness and always prioritize our people, is exactly why this bill is worthy of a do-pass recommendation.

Chairman Beard and esteemed Senators, please accept my enthusiastic and sincere encouragement for your support for school choice. Your support means support of ND students and their success. Your support means unlocking funds for ND families to choose the educational path that is right for their children. Your support is an investment in our future by investing in our people. Your support begins today, with a do-pass.

Thank you for your many and good works for the State of North Dakota!



North Dakota Small Organized Schools

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1

2 Testimony in Opposition to HB 1590

3 Chairman Heinert and members of House 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 HB 1590, which seeks to establish an
6 Educational Savings Account (ESA) program for K-12 students attending non-public schools. While the
7 bill is 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 HB 1590 is the lack of non-public school options in rural areas of
10 North Dakota. The vast majority of students (116,598) in our state choose to attend public schools and
11 those in rural areas have few if any options for attending a non-public school. The students (7904) that
12 attend non-public schools are also there by choice. Allocating taxpayer dollars to an ESA program will
13 primarily benefit urban families who have already made the choice to attend non-public schools, while
14 leaving rural students with no comparable choices. Four metro areas representing six communities,
15 Bismarck/Mandan, Fargo/West Fargo, Minot and Dickinson make up the vast majority of non-public
16 school enrollments. This creates a disparity that unfairly favors one segment of the population over
17 another. There are currently fewer than twenty communities in North Dakota with a non-public school
18 option and less than half of those offer a high school option.

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

26 Rather than diverting funds away from public education, we should focus on investing in our public
27 schools, which serve the vast majority of North Dakota's children. HB 1590 threatens to undermine our
28 public education system by redirecting scarce resources to unregulated institutions, disproportionately
29 benefiting urban and affluent families while leaving rural and lower-income students behind.

Board of Directors

Region 1

Mr. Tim Holte, Supt. Stanley
Mr. Kris Kuehn, Supt. Ray

Region 2

Mr. Monte Mayer, Supt. Velva
Mr. Steven Heim, Anamoose & Drake

Region 3

Dr. Frank Schill, Supt. Edmore
Mr. David Wheeler, Supt. Manvel

Region 4

Mr. Brian Christopherson, Supt. New Salem
Mr. Russ Ziegler, Supt. Elgin-New Leipzig

Region 5

Mr. Rick Diegel, Supt. Kidder Co.
Mr. Brandt Dick, Supt. Burleigh County

Region 6

Mr. Mitch Carlson, Supt. LaMoure
Dr. Steven Johnson, Supt. Ft. Ransom

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 The ESA that would be established by HB 1590 does little to serve the students in rural areas, directs
31 funding to non-public schools without the same regulations of public schools and diverts critical funding
32 away from public schools. I respectfully urge you to oppose HB 1590 and prioritize policies that
33 strengthen our public schools for the benefit of all North Dakota students.

34
35 Mr. Michael Heilman – Executive Director
36 North Dakota Small Organized Schools
37 mheilmanndsos@gmail.com
38 701.527.4621
39

From: [Frank Schill](#)
To: [Randazzo, Addison - HTechClerk3 - HEDU - HNAT](#)
Subject: HB1590
Date: Wednesday, February 5, 2025 8:00:22 AM

You don't often get email from frank.schill@k12.nd.us. [Learn why this is important](#)

Testimony House Bill 1590

February 5, 2025 – 10:00 AM

House Education Committee

By Dr. Frank Schill Superintendent of Edmore Public School

Chairman Heinert and Members of the House Education Committee:

My name is Dr. Frank Schill, and I serve as the Superintendent of the Edmore Public School District. In addition to this role, I am a board member of the NDASA Legislative Focus Group and the North Dakota Small Organized Schools Organization. I am here today to voice my strong opposition to House Bill 1590, which proposes the implementation of student education services account for K-12 students in North Dakota. This bill would allocate funds to families with children attending public schools, private schools, and home education students.

This bill stands in clear violation of the North Dakota State Constitution:

- Article VIII, Section 5 states, “No money raised for the support of public schools shall be appropriated or used for the support of any sectarian school.”
- Article X, Section 18 states, “Neither the state nor any political subdivision thereof shall make any direct or indirect appropriation or payment from any public fund ... in aid of any sectarian school, or for any other sectarian purpose ...”

It is important to note that only 7,500 students in North Dakota attend private schools or are homeschooled, compared to the 115,000 students who are enrolled in our public schools. Redirecting public funds to such a small minority undermines the robust public education system that serves the vast majority of our children.

If HB1590 becomes law, I am confident that it will prompt a constitutional challenge brought forth by the taxpayers of North Dakota. I am equally confident that such a measure would be overwhelmingly rejected by our citizens. Therefore, I urge you to save both time and resources by voting “DO NOT PASS” on HB1590.

North Dakota boasts an excellent public education system, deeply rooted in the principle of “Local Control.” Parents seeking changes within their schools should engage in the democratic process at the local level by attending school board meetings. If they feel their voices are not being heard, they have the power to rally their communities and elect school board members who better represent their concerns.

I would urge you to support HB1475 which would guarantee food in each student’s stomach every day. The fiscal note for HB1475 is similar to the fiscal note for HB1590 and would benefit all students immediately and would alleviate financial pressures for all families with students that are school-age.

For the integrity of our public education system and the democratic processes that support

it, I strongly urge you to vote "DO NOT PASS" on HB1590.

If you have any questions, I am available at 701-520-9674.

Thank you for your dedication and service to our great state.

Frank Schill

"It's Never Too Late To Be What You Might Have Been"

George Eliot

2025 HOUSE STANDING COMMITTEE MINUTES

Education Committee Coteau AB Room, State Capitol

HB 1590
2/10/2025

Relating to a student education services account pilot program; and to provide an appropriation.

3:15 p.m. Chairman Heinert called the hearing to order.

Members Present: Chairman Heinert, Vice Chairman Schreiber- Beck, Representatives, Conmy, Hager, Hatlestad, Hauck, Heilman, Jonas, Longmuir, Maki, Marchall, Morton, Novak, Osowski

Discussion Topics:

- Savings Account for Students

3:17 p.m. Representative Marschall moved Amendment LC#25.0861.01001. #36808

3:17 p.m. Representative Morton seconded the motion.

Representatives	Vote
Representative Pat D. Heinert	N
Representative Cynthia Schreiber-Beck	N
Representative Liz Conmy	N
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	N
Representative Matthew Heilman	N
Representative Jim Jonas	N
Representative Donald W. Longmuir	A
Representative Roger A. Maki	N
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	Y
Representative Doug Osowski	N

Motion Failed: 5-8-1.

3:20 p.m. Representative Hauck moved a Do Pass and Rereferred to Appropriations.

3:21 p.m. Representative Novak seconded the motion.

Representatives	Vote
Representative Pat D. Heinert	Y
Representative Cynthia Schreiber-Beck	N
Representative Liz Conmy	N

Representative LaurieBeth Hager	N
Representative Patrick R. Hatlestad	N
Representative Dori Hauck	Y
Representative Matthew Heilman	N
Representative Jim Jonas	N
Representative Donald W. Longmuir	A
Representative Roger A. Maki	Y
Representative Andrew Marschall	N
Representative Desiree Morton	N
Representative Anna S. Novak	Y
Representative Doug Osowski	N

Motion failed: 4-9-1

3:25 p.m. Representative Heilman moved a Do Not Pass.

3:25 p.m. Representative Morton seconded the motion.

Representatives	Vote
Representative Pat D. Heinert	N
Representative Cynthia Schreiber-Beck	Y
Representative Liz Conmy	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Dori Hauck	N
Representative Matthew Heilman	Y
Representative Jim Jonas	Y
Representative Donald W. Longmuir	A
Representative Roger A. Maki	N
Representative Andrew Marschall	Y
Representative Desiree Morton	Y
Representative Anna S. Novak	N
Representative Doug Osowski	Y

Motion Carried: 9-4-1.

Bill Carrier: Representative Morton

3:29 p.m. Chairman Heinert closed the hearing.

Addison Randazzo for Leah Kuball, Committee Clerk

REPORT OF STANDING COMMITTEE
HB 1590 ([25.0861.01000](#))

Education Committee (Rep. Heinert, Chairman) recommends **DO NOT PASS** (9 YEAS, 4 NAYS, 1 ABSENT AND NOT VOTING). HB 1590 was placed on the Eleventh order on the calendar.

25.0861.01001
Title.

Prepared by the Legislative Council
staff for Representative Koppelman
February 7, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1590

Introduced by

Representatives Heinert, Berg, Hauck, Lefor, Meier, Porter

Senator Cory

1 A BILL for an Act to create and enact a new chapter to title 6 of the North Dakota Century Code,
2 relating to a student education services account pilot program; and to provide an appropriation.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1.** A new chapter to title 6 of the North Dakota Century Code is created and
5 enacted as follows:

6 **Definitions.**

7 As used in this chapter:

8 1. "Authorized education expenses" means:

9 a. Tuition for:

10 (1) Career and technical education courses;

11 (2) Dual-credit courses;

12 (3) Vocational and technical courses;

13 (4) ~~Nonpublic school education;~~

14 ~~(5)~~ Certified online courses; and

15 ~~(6)(5)~~ Approved programs; and

16 b. Expenditures for:

17 (1) Meals served to students in school buildings;

18 (2) Tutoring services;

19 (3) Mental health assistance;

20 (4) Special needs programs;

- 1 (5) Educational materials essential for meeting education standards;
- 2 (6) Medical appointments necessary for an educational benefit;
- 3 (7) Standardized test preparation materials and programs;
- 4 (8) Higher education entrance examinations; and
- 5 (9) Educational camps.

6 2. "Child" means a resident of the state who is enrolled in kindergarten through grade
7 twelve at a public school.

8 3. "College save program" means a North Dakota higher education savings plan under
9 section 6-09-38.

10 4. "Parent" means the parent or legal guardian of a child.

11 5. "Student education services account" or "account" means an account held by a parent
12 in the name of a child and the child's parent, which is administered by the Bank of
13 North Dakota under this chapter.

14 **Student education services account program - Bank of North Dakota - Pilot program -**

15 **Rules.**

16 1. Beginning with the 2025-26 school year and continuing through the 2026-27 school
17 year, the Bank of North Dakota shall establish and operate a student education
18 services account pilot program to provide funding for authorized education expenses.

19 2. To administer the program, the Bank of North Dakota may:

20 a. Adopt rules in accordance with chapter 28-32 to implement this chapter.

21 b. Contract with private service providers for administration of student education
22 services accounts.

23 3. To participate in the program, a parent annually shall register in the manner prescribed
24 by the Bank of North Dakota.

25 **Student education services account - Deposits - Payments.**

26 1. A parent may deposit in a child's student education services account up to two
27 thousand dollars per child per school year.

28 2. The Bank of North Dakota shall deposit funds in the amount of fifty percent of the
29 amount deposited by a parent in a child's student education services account.

30 3. Any funds remaining in the student education services account at the end of a fiscal
31 year may be carried over to the next fiscal year.

1 4. An account is for one child and account funds may not be shared among siblings.

2 5. A vendor shall request payment from the student education services account
3 administrator for authorized education expenses incurred by the holder of a student
4 education services account. Requests for payment may be made in December and
5 May, unless the amount to be paid exceeds three hundred dollars, in which case the
6 request for payment may be made at any time.

7 **Student education services account - College save program rollover - Refunds.**

8 1. Upon graduation from high school, the parent may transfer account funds to the
9 college save program, if the child is enrolled at an institution of higher education in the
10 state.

11 2. If a child no longer resides in the state, does not pursue higher education, or enrolls in
12 an institution of higher education located in another state, the account is closed and
13 the funds contributed by the parent must be refunded to the parent.

14 **SECTION 2. APPROPRIATION - BANK OF NORTH DAKOTA - STUDENT EDUCATION**

15 **SERVICES ACCOUNT - PILOT PROGRAM.** There is appropriated out of any moneys in the
16 general fund in the state treasury, not otherwise appropriated, the sum of \$41,200,000, or so
17 much of the sum as may be necessary, to the Bank of North Dakota, for the purpose of funding
18 and administering the student education services account pilot program, for the biennium
19 beginning July 1, 2025, and ending June 30, 2027. The Bank of North Dakota may use up to
20 \$1,200,000, to administer the program.