

2019 HOUSE EDUCATION

HB 1464

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau Room, State Capitol

HB 1464
1/21/2019
31136

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Bev Monroe by Caitlin Fleck
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Explanation or reason for introduction of bill/resolution:

Relating to legislative management study of feasibility and desirability of developing a school choice program.

Minutes:

Attachment 1, 2, 3, 4, 5, 6

Vice Chairman- Cynthia Schreiber-Beck: Opened the hearing on HB 1464

Rep. Michelle Strinden: (see attachment 1)

Betty Grande, Research Fellow from the Heartland Institute: (see attachment 2) Ms. Grande was absent, testimony read by Representative Strinden.

Rep. Rick C. Becker: I am in support of this. Two years ago I brought before you an educational savings account bill (ESA). One that is a really good way to go about school choice. We want to offer the best possible option for our children. ESAs were kind of a new thing when we first talked about it last time. There was some uneasiness about how it would affect the financial aspect for schools. One of the aspects of the bill was that it would be phased in as a very slow process. The wording in the bill changes from “shall consider”, to “shall”. If we implement this over the next 12 years, we will be able to slowly verge into this program without any drastic damages to the public schools. I do think that this would be very forward thinking if we passed this bill.

Mark Jorritsma, Ex. Dir., Family Policy Alliance of ND: (see attachment 3)

Rep. Hager: I’m curious about the stats on ranking ND in public education.

Mr. Jorritsma: I can give you the specific link to that website where I found that stat.

Rep. Guggisberg: I went to the website, they have the 2019 grades out, and ND is ranked a B. The only state better in the Midwest in Minnesota is a B+. So according to this website we are doing better than most of the country.

Mr. Jorritsma: Is that K-12 achievement?

Representative. Guggisberg: It just says national scorecard.

Mr. Jorritsma: Right, that would be including other things. If you just look at the specific K-12 achievement, I believe that would be lower.

Rod Backman, State Association of Non-Public Schools: (see attachment 4)

Vice Chairman- Cynthia Schreiber-Beck: In the 139,000 dollars per biennium, what is combined in that?

Mr. Backman: I believe that we were around 10,000 dollars per student in education costs.

Christopher Dodson, ND Catholic Conference: All of our schools are members of other school associations, and because of that I wasn't going to speak. But I thought I should address the question of why? If there was not one Catholic school in the state, we would still be here in support of school choice. It is the right of the parent to decide how and where their child is educated. And it is a human right to receive an education. Therefore, the state has an obligation to ensure that those rights are not mutually exclusive. School choice is a fundamental right for parents and their children.

Donna Henderson: I am a homeschooling mom. Our oldest 2 have graduated and are married with families of their own. We still have 4 at home that we are homeschooling. From what I have learned of the study, I am in support of this bill.

Aimee Copas, ND Council of Educational Leaders: (WILL EMAIL TESTIMONY-see attachment 5)

Rep. Daniel Johnston: A public education is not free. This bill is a study so there's not much teeth in it. Why would we not want to know all the possible information? It could show to help us, or it may show that we are already there? Why wouldn't you want to know that?

Ms. Copas: It's a philosophical decision by our organization to stand in support of our public schools. Our stance lies in the public schools.

Rep. Michelle Strinden: I'm wondering if you have determined the fiscal impact for special needs ESAs?

Ms. Copas: Not in this document, but it is something that could be prepared?

Rep. Michelle Strinden: We should also look at the dollar saved to districts who have provided therapies to kids that would not be provided within the public school system.

Ms. Copas: I can do the best that I can with the information that I can dig out.

Rep. Hoverson: Who does the 84million total cost go to?

Ms. Copas: The 2,260 average switch rate is at a cost of 16,349,970. So when up add the 16 some million and the 48 some million and the 19 some million, that is that.

Rep. Hoverson: A cost to the state?

Ms. Copas: Yes, an additional cost that we do not incur. The switch rate to the students you could potentially look at that flip as a minor piece of savings.

Rep. Hoverson: Could you help me put together the 84 million as a cost to the state?

Ms. Copas: We discussed the ESAs, and their savings, but we can't figure out the savings to the state. It is difficult to determine the savings to the state as we don't have any additional cost at this time.

Representative Hoverson: 130 million is that that number came about that if a student is not going to a particular school, then that is money that the state does not have to give to the school?

Ms. Copas: That is correct.

Vice Chairman- Cynthia Schreiber-Beck: The 130 million is a 2-year figure, so if you split that out we're talking 84 and private school students.

Ms. Copas: A big piece is the dollars without accountability. Public schools receive the type of money that they do because we are accountable on a dollar to dollar basis. We're held to a standard that we are held accountable to the legislators and the tax payers.

Rep. Michelle Strinden: When you mentioned accountability, that is an inappropriate piece. We need to be accountable to the students that can't read in the public school system.

Ms. Copas: I think you hit on a cord that resonates with every teacher in the United States. It is painful to them when a student sneaks by that can't be helped. When they do slide through, we need to set up something to help them.

Rep. Michelle Strinden: You would still not be in favor of a study?

Ms. Copas: If we're talking about the ESA program that is being reflected in this bill, no we do not as an organization.

Rep. Michelle Strinden: You're speaking to the previous bill, not the study at this time?

Ms. Copas: The study is still in the education saving accounts and the ND Council of Educational Leaders has not seen an opportunity or a bill that shows any reason that we would extend our fulltime employee (FTE) time on something that has a fiscal note like this at this time.

Alexis Baxley: (See attachment 6)

NO FURTHER TESTIMONY OR QUESTIONS. MEETING CLOSED.

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1464
1/23/2019
31338

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Bev Monroe by Caitlin Fleck
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Explanation or reason for introduction of bill/resolution:

Vote on bill amendments.

Minutes:

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Chairman Owens open hearing.

Rep. Daniel Johnston: Amendment for adding the word consider after the word shall on line 1.

Chairman Owens: Shall consider to study?

Representative Johnston: To study.

Rep. Ron Guggisberg: Second.

Chairman Owens: Now it reads shall consider studying.

Chairman Owens: Do you change your motion to change line 1 to replace “require” with “provide” and line 5 replace “study” with “consider studying?”

Representative Guggisberg: I seconded it so that we could debate it. But now the whole purpose of the bill last time was to consider studying it, and it wasn't.

Chairman Owens: If it says required or shall study, they kill it on the floor so that the legislative management doesn't have to.

Voice Vote: Motion carried.

Representative Zubke: I move to have a do pass as amended.

Representative Schreiber-Beck seconded.

Rep. Mary Johnson: I cannot provide any reason to support this. It is way outside the scope of what the state does. We are not impeding schools outside of the public school sector. I don't care about the desirability of going to those schools

Rep. Michelle Strinden: I think that the study needs to be more specific on the educational savings accounts (ESAs). There are certain states that are doing ESAs for families that are under the poverty levels with kids that have special needs.

Rep. Mary Johnson: We did that with the last bill. That was the exact thing done. It never happened. I still believe that this is outside of the scope of our constitutional duties.

Rep. Hager: I believe this is the one that talked about how much it would cost to take the students out of public schools. and the even just 2 students going out of the Hettinger Public school could bankrupt it.

Chairman Owens: I didn't think that was this bill. We turned it into a study so that we could figure out how to save the money.

Rep. Daniel Johnston: I think that it is important to remember when studying school choice programs, the study that does not affect statuettes, it does not fall outside of the constitution.

Chairman Owens: The way that it is written is pretty broad and that might prevent it from being chosen.

Rep. Andrew Marschall: I still think that this is something that needs to be done, and I encourage it to go forward.

Rep. Mary Johnson: How is providing parents a way to not go to public school under our duty in the constitution?

Rep. Michelle Strinden: One of the things that I mentioned in my testimony is that when public schools do not provide education choices for students that are not at the appropriate education levels, we are doing an injustice.

Do Pass as amended: 7 Yes, 5 No, 2 Absent.

Bill carried by Representative D. Johnston.

MEETING CLOSED.

2019 HOUSE STANDING COMMITTEE MINUTES

Education Committee
Coteau A Room, State Capitol

HB 1464
1/30/2019
31787

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Bev Monroe by Donna Whetham
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Explanation or reason for introduction of bill/resolution:

Relating to legislative management study of feasibility and desirability of developing a school choice program.

Minutes:

Attachment 1

Chairman Owens: Opened the hearing on HB 1464. I need a motion to reconsider our actions on HB 1464.

Rep. Zubke: Made a motion to Reconsider the actions on HB 1464.

Rep. M. Johnson: Seconded.

Voice Vote: Motion carried.

Chairman Owens: Any discussion?

Rep. Johnston: I have a proposed amendment 19.0386.02 (See Attachment 1).

Chairman Owens: So your amendment would read insert "or" after the first comma on page 1 line 8 and then it would strike ",or home schooling"?

Rep. Johnston: Yes. I make a motion to move that amendment to HB 1464.

Rep. Strinden: Seconded.

Chairman Owens: I just want to make sure everyone knows what the amendment says and does. Any discussion.

Rep. Hager: Why are we excluding home schooling? (4:00-4:17)

Rep. Johnston: I know there may be an issue with funding for the study. Tape inaudible (4:31-4:56)

Rep. Strinden: I actually had a question on this to Legislative Management, the study on this, they actually thought the homeschoolers should be included, because over the course of time home schooling is becoming more common. I was a former home schooler and I am sensitive to their concerns and this may not be considering their rights. I think the study could benefit home schoolers particularly with regards to funding for homeschoolers and to understand the advantages and disadvantages to home schoolers. (4:57-6:47)

Rep. Hoverson: I also got emails from the North Dakota Home School Board Association, they would prefer to not have homeschoolers included because of the language that says having to have guidance and monitoring of programs the homeschoolers by DPI and I think that is problematic right there. There are other states that have made problems for the homeschoolers.

Rep. Schreiber-Beck: Going back to last session the communication I received the homeschoolers do not want oversight.

Chairman Owens: Any further discussion? Seeing none.

Voice Vote taken: Motion carries to amend HB 1464.

Rep. Johnston: I make a motion for a Do Pass as amended.

Rep. Strinden: Seconded.

Chairman Owens: Any further discussion? Seeing none.

Roll Call Vote: Yes 10 No 4 Absent 0. Motion carries on a Do Pass as amended on HB 1464.

Rep. Johnston: Will carry the bill.

Hearing closed.

January 23, 2019

DA
1/30/19

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1464

Page 1, line 1, replace "require" with "provide"

Page 1, line 5, replace "study" with "consider studying"

Renumber accordingly

19.0386.02001
Title.03000

Adopted by the Education Committee

DP 1/30/19

January 30, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1464

Page 1, line 8, after the first comma insert "or"

Page 1, line 8, remove ", or home schooling"

Renumber accordingly

Date: 1-23-19
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1464

House Education Committee

☐ Subcommittee

Amendment LC# or Description: 19.0386.01001

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐

Motion Made By Rep. D. Johnston Seconded By Rep. Guggisberg

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens			Rep. Guggisberg		
V. Chair. Schreiber-Beck			Rep. Hager		
Rep. Heinert					
Rep. Hoverson					
Rep. D. Johnson					
Rep. M. Johnson					
Rep. Johnston					
Rep. Longmuir					
Rep. Marschall					
Rep. Pyle					
Rep. Strinden					
Rep. Zubke					

Total (Yes) _____ No _____

Absent _____

Floor Assignment VOICE VOTE

If the vote is on an amendment, briefly indicate intent:

Motion Carried.

Date: 1-23-19
Roll Call Vote #: 2

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1464

House Education Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Zubke Seconded By Rep. Schreiber-Beck

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	X		Rep. Guggisberg		X
V. Chair. Schreiber-Beck	X		Rep. Hager		X
Rep. Heinert	A				
Rep. Hoverson	A				
Rep. D. Johnson		X			
Rep. M. Johnson		X			
Rep. Johnston	X				
Rep. Longmuir		X			
Rep. Marschall	X				
Rep. Pyle	X				
Rep. Strinden	X				
Rep. Zubke	X				

Total (Yes) 7 No 5

Absent 2

Floor Assignment Rep. D. Johnston

If the vote is on an amendment, briefly indicate intent:

Date: 1-30-19
Roll Call Vote #: 1

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1464

House Education Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☒ Reconsider ☐ _____

Motion Made By Rep. Zubke Seconded By Rep. M. Johnson

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens			Rep. Guggisberg		
V. Chair. Schreiber-Beck			Rep. Hager		
Rep. Heinert					
Rep. Hoverson					
Rep. D. Johnson					
Rep. M. Johnson					
Rep. Johnston					
Rep. Longmuir					
Rep. Marshall					
Rep. Pyle					
Rep. Strinden					
Rep. Zubke					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Motion Carries.

Date: 1-30-19
Roll Call Vote #: 2

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1464

House Education Committee

☐ Subcommittee

Amendment LC# or Description: 19.0386.02001

Recommendation: ☒ Adopt Amendment
☐ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐ _____

Motion Made By Rep. Johnston Seconded By Rep. M. Strunden

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens			Rep. Guggisberg		
V. Chair. Schreiber-Beck			Rep. Hager		
Rep. Heinert					
Rep. Hoverson					
Rep. D. Johnson					
Rep. M. Johnson					
Rep. Johnston					
Rep. Longmuir					
Rep. Marshall					
Rep. Pyle					
Rep. Strunden					
Rep. Zubke					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 1-30-19
Roll Call Vote #: 3

2019 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1464

House Education Committee

☐ Subcommittee

Amendment LC# or Description: 19.0386.02001

Recommendation: ☐ Adopt Amendment
☒ Do Pass ☐ Do Not Pass ☐ Without Committee Recommendation
☒ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar
Other Actions: ☐ Reconsider ☐

Motion Made By Rep. D. Johnston Seconded By Rep. M. Strinden

Representatives	Yes	No	Representatives	Yes	No
Chairman M. Owens	✓		Rep. Guggisberg		✓
V. Chair. Schreiber-Beck	✓		Rep. Hager		✓
Rep. Heinert	✓				
Rep. Hoverson	✓				
Rep. D. Johnson	✓				
Rep. M. Johnson		✓			
Rep. Johnston	✓				
Rep. Longmuir		✓			
Rep. Marschall	✓				
Rep. Pyle	✓				
Rep. Strinden	✓				
Rep. Zubke	✓				

Total (Yes) 10 No 4

Absent 0

Floor Assignment Rep. Johnston

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1464: Education Committee (Rep. Owens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (7 YEAS, 5 NAYS, 2 ABSENT AND NOT VOTING). HB 1464 was placed on the Sixth order on the calendar.

Page 1, line 1, replace "require" with "provide"

Page 1, line 5, replace "study" with "consider studying"

Renumber accordingly

REPORT OF STANDING COMMITTEE

HB 1464, as engrossed: Education Committee (Rep. Owens, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (10 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed HB 1464 was placed on the Sixth order on the calendar.

Page 1, line 8, after the first comma insert "or"

Page 1, line 8, remove ", or home schooling"

Renumber accordingly

2019 SENATE EDUCATION

HB 1464

2019 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1464
3/13/2019
33633 (19:00)

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Lynn Wolf

Explanation or reason for introduction of bill/resolution:

A bill for an Act to provide a legislative management study of the feasibility and desirability of developing a school choice program.

Minutes:

Att. #1 & #2-Strinden; Att. #3-Backman; Att. #4-DeKok; Att. #5-Jorritsma

Chairman Schaible: We will open the hearing to HB 1464.

Representative Michelle Strinden, Dist 41: See Att. #1, #2.

(6:45) **Senator Rust:** I think for at least two and possibly three legislative sessions, we have had bills on educational savings accounts and in my recollection, they have gone down in flames. How do you see Charter/Magnet schools working in many of our school districts across the state outside of the big nine?

Representative Strinden: I am not sure they could work in ND and that is actually the reason for the study – to see that if they could be an option for schools. I know that in Minneapolis, there are Charters that are available to students in those larger metro areas and they work quite well within their frame. The issue I am bringing forward today relates to different options in the study could consider charter schools. One of the things I am concerned about particularly as I mentioned in my testimony, that, for instance, if you are a dyslexic child and you have no access to tutoring that would actually help you learn how to read, there are centers in Bismarck, there are two centers in the Fargo/Moorhead area that do provide tutoring services that help students remediate this problem with dyslexia. If public schools cannot provide this type of training that allows our children to learn how to read, I would love to see students and families that don't have the financial means to provide for that tutoring, something that could perhaps be available to families. They could then access proper tutoring.

Senator Oban: I notice you list in the study does not include home schooling – which is a choice in educational opportunities. Why – I understand it was removed – was that correct in an amendment?

Representative Strinden: I am sorry; I don't know –

Senator Oban: Ok, either way, it is not in here.

Representative Strinden: Actually, yes it was, I apologize. It was amended out.

Senator Oban: So I am curious why it was amended out, if that is another – if we are going to study choice, it should be the full scope of choice.

Representative Strinden: It was removed, I think, because their fears of becoming involved in any kind of study that could detrimentally home schoolers – home schoolers for many years have fought very hard for freedoms to provide home schooling and have – because they have fought so hard I think they were just apprehensive to be included. I felt personally, that it could have benefited them. However, I agreed with them and was happy to remove them if they felt it could have harmed them in any way.

Senator Rust: There are some school choice options now. We do have open enrollment, and there is of course, home schooling – which I think is better termed as home educated because the home schooling option allows students to pick and choose with a great deal of flexibility – in other words, they can participate in sports – nothing else; or they can participate in a science class – nothing else. So, I believe that there is a certain amount of choice in today's program. And in some cases, you know if they are in a larger or near a larger town, there is probably even a choice of a private school, so there is a certain amount of school choice in our current program, is there not?

Representative Strinden: Yes, I believe there is a certain amount of choice in the references that you have made. I do know, however, Fargo, for example if you do apply to remove from your school in your area, it can be difficult because of school – the schools wouldn't have room for you to move. So there are some limits within those

Senator Oban: You cited in here – according to Ed Choice statistics ND ranks one of the least educationally free states in the nation. Can you tell me why we have that ranking and do they limit it simply to the money aspect of it?

Representative Strinden: Yes, we ranked and I believe that was in the 2017 statistic, so I don't know that they – where they rank currently. They – we ND were ranked 49th. I believe it was primarily through public dollars that are available.

Senator Oban: Do you have any concern about – because we have had this debate a number of sessions – and I know this is your first – about how this conflicts with ND's constitution. Would you be willing to take a constitutional change to the ballot to make these things available? We can study it all day long, but when our constitution doesn't allow it, we are pretty limited regardless of what the outcome of the study is.

Representative Strinden: Actually, ESAs (educational savings accounts) have withstood some of the challenges that have been brought in state where the Blaine Amendment is present.

Chairman Schaible: Seeing no other questions, thank you. Other testimony in favor of the bill.

(13:25) **Rod Bachman, State Association of Non-Public Schools: See Att. #3.** This was not our bill, we did not initiate this, we didn't even know it was coming, but we are here to say that if the study goes forward, we would be more than happy to share our story about private education in ND. On behalf of our 7000+ students and their parents and to point out as we always try to do that we save taxpayers \$160 million dollars a biennium. I was a little surprised in the House side at the opposition, just because it is a study and it is not mandated – it is up to legislative council. I think it just provides an opportunity to have a discussion – outside of the setting that we have been going through for several sessions as Senator Oban says, where stand up we think we can find a constitutional way to do this and the other side says no, it is unconstitutional. Maybe it is just time to have the discussion and work something out in a setting that might be somewhat different than the testimony where we get up and say something and the opposition speaks and then it is over. Any questions?

Chairman Schaible: Seeing no questions, thank you Rod.

(14:51) **Chairman Schaible:** Other testimony in favor of the bill? Agency testimony? Testimony in opposition to the bill?

Amy DeKok, In-house legal counsel, ND School Boards Association: See Att. #4.

Chairman Schaible: Seeing no questions, thank you Amy. Other testimony in opposition to the bill?

(17:09) **Amiee Copas, Exec. Director of the ND Council of Education Leaders:** We also stand in opposition of spending FTE time on this study.

Chairman Schaible: Questions. Thank you.

Nick Archuleta, President of ND United: I am going to associate our association with the remarks made by NDSBA, NDCEL and see if we can all get along. (laughter)

Chairman Schaible: Any other testimony in opposition. ElRoy, were you going to testify?

ElRoy Burkle, Exec. Director, ND Small Organized Schools: We oppose HB 1464.

Chairman Schaible: With that, the hearing on HB 1464 is closed.

Mark Jorritsma, Exec. Director of Family Policy Alliance of ND: See Att. #5. This testimony was handed to the clerk after the conclusion of the hearing.

2019 SENATE STANDING COMMITTEE MINUTES

Education Committee
Sheyenne River Room, State Capitol

HB 1464
3/18/2019
33872 (6:28)

☐ Subcommittee
☐ Conference Committee

Committee Clerk: Lynn Wolf

Explanation or reason for introduction of bill/resolution:

A bill for an Act to provide a legislative management study of the feasibility and desirability of developing a school choice program.

Minutes:

No Attachments.

Chairman Schaible: HB 1464 is a bill to study the feasibility and desirability of a school choice program.

Senator Rust: With regard to charter and magnet schools, many times the reason for them is that you have a very, very large district. Parents to some extent feel very shut out and the whole process of their local school and sometimes they will organize a magnet or charter school so they don't have to abide by some regulations, but most important for them is the fact that they then have a local kind of school board that runs that school. It seems to be that a lot of our schools in ND are exactly that – I mean they have – they are so small they have only one school and they have five or seven or – very seldom three – but mostly five to seven board members that run that school. Now maybe this would have some applicability to the very top largest schools in the state of ND. It seems to me we have done these things before. We had opposition from the School Boards Association, the Council of School Leaders and ND United. We did have some testimony in favor of from Non-Public Schools. I am kind of thinking been there, done that.

Chairman Schaible: I guess I would have to agree. I think there is a place for school choice. I think that information is out there, I think school choice is actually got some very good alternatives for – if you have a population base that is large enough to consider these alternatives – I don't think our state is big enough. I think we have also provided a lot of choice for parents and for schools, not only with the policy, but with funding for scholarships and everything else. We have been a very gracious to our parents and to our communities that are looking at school choice. I think that my intent here is an alternative of how to transfer state money into private schools or families to use for private schools or alternative education purposes. I think with our constitutional mandate that right now we are in the best situation to leave it where it was. I guess, I am not in favor of a study of this choice either.

Senator Rust: When you talk about school choice, let's think about what we have – a) we have open enrollment; b) there is home schooling; c) there are tuition waivers that can be requested-if you want your child to go to another school you can request them with a tuition waiver or you could pay the tuition if you wanted to; d) there are private schools. I think there is school choice out there right now. I think many parents are pretty aware of the different choices that they have.

Chairman Schaible: I think one thing I would add to that is that I think school was part of this at one time and they asked that they be removed because they believe in home school and I think that is their right, but they say to leave them out of this kind of discussion for the money purposes and that and I think their whole thing is leave us alone. I agree with that.

Senator Davison: Regardless of how I would vote on the bill, this bill is about money. I am sure the authors of the bill didn't chose the title of school choice program. They are really interested in studying how you get the education savings accounts and how to get money. I think that is what you are voting on here. Do you want them to have an opportunity to have those accounts and if so, what are the choices and how do you make it work within the state constitution of ND?

Chairman Schaible: Is there any recommendations?

Senator Oban: I move a Do Not Pass on HB 1464.

Senator Elkin: Second.

Chairman Schaible: Motion and a second for Do Not Pass on re-engrossed HB 1464. Other discussion. Seeing none, clerk take the roll.

7 Yeas; 0 Nays; 0 Absent.

Motion Carries.

Senator Schaible will carry the bill.

Date: 3-18-19
Roll Call Vote #: 1

2019 SENATE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. HB 1464

Senate Education Committee

☐ Subcommittee

Amendment LC# or Description: _____

Recommendation: ☐ Adopt Amendment
☐ Do Pass ☒ Do Not Pass ☐ Without Committee Recommendation
☐ As Amended ☐ Rerefer to Appropriations
☐ Place on Consent Calendar

Other Actions: ☐ Reconsider ☐ _____

Motion Made By Oban Seconded By Elkin

Senators	Yes	No	Senators	Yes	No
Chairman Schaible:	✓		Senator Marcellais:	✓	
Vice-Chairman Fors:	✓		Senator Oban:	✓	
Senator Davison	✓				
Senator Elkin:	✓				
Senator Rust:	✓				

Total (Yes) 7 No 0

Absent 0

Floor Assignment Sen Schaible

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1464, as reengrossed: Education Committee (Sen. Schaible, Chairman)
recommends **DO NOT PASS** (7 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING).
Reengrossed HB 1464 was placed on the Fourteenth order on the calendar.

2019 TESTIMONY

HB 1464

January 21st, 2019

Good afternoon Chairman Owens and members of the Education Committee. For the record, my name is Michelle Strinden and I represent south Fargo's District 41. I am the prime sponsor of HB 1464. HB 1464 is a bill to require a legislative study of the feasibility and desirability of developing a school choice program, including a consideration of education saving accounts, which I will address specifically today. The 65th Legislature passed a bill that stated that Legislative Management "shall consider" a school choice study. Legislative Management chose not to study the bill in the interim. This bill seeks to ensure that a school choice study takes place to explore the advantages and/or disadvantages for North Dakota students and families.

The North Dakota's Department of Public Instruction's 2019 Vision states that "all students will graduate choice ready with the knowledge, skills and disposition to be successful". Specifically, they site the objective to "enhance collaboration and partnerships to support students and families". Part of ND DPI's strategic theme is to "create a framework and provide resources for all students to succeed academically and behaviorally". Their vision also includes "building a capacity for districts and schools to implement personalized learning". I strongly believe school choice options like educational savings accounts and other school choice programs can help many students accomplish these very goals. Educational Choice programs are appealing because they empower families and give parents flexibility when tailoring programs to meet students individual needs.

So then, the question could be asked, how are ND Public Schools partnering with families whose students continue to struggle with academic or behavioral needs? How are they advancing goals for those students whose needs are not fully being met within the public school system? Could some of these students educational challenges be met through additional tutoring services, therapy, online school options or alternative curriculum that meet their individual needs?

One school choice option to consider is Education Saving Accounts. ESA's allow parents to receive a deposit of their students public school tuition dollars into government authorized savings accounts with limited but varied uses. The funds

can be distributed to families using a debit card, and can help families in covering costs relating to their child's personalized learning needs. These funds could then be used for online learning programs, private tutoring, therapy, community college programs, higher education expenses, and other customized learning services and materials. Many ESA'S allow students to use their funds to pay for a combination of public school and private services. Arizona, Florida, Mississippi, Nevada and Tennessee are a few of the states who are successfully using ESA' programs, including but not limited to students with special needs whose families income level is below poverty.

I feel this is an opportunity that would be particularly beneficial to parents who have students with specific learning challenges like Dyslexia and Autism. Families would have access to a portion of their child's public education dollars to use for additional tutoring, therapy or educational expenses outside of public school settings. These services often are not available to many families because of the high costs of fees.

According to Ed Choice statistics, North Dakota ranks as one of the least educationally free states in the nation. In addition, our ND DPI dashboard shows our statewide reading and math proficiency rates are currently well under 50 percent. North Dakota students have a 46 percent proficiency rating in English and Language Arts, and a 43 percent proficiency rating in math. According to Greg Foster's study called A Win Win Solution: The Empirical Evidence on School Choice, (May 2016), states that "school choice improves academic outcomes for participants and public schools, saves taxpayers money, moves students into more integrated classrooms and strengthens their shared civic values".

Chairman Owens and members of the committee, we have wonderful teachers and staff and well meaning administrators, doing exceptional work in schools all across our state. Despite this, we have hard data that shows we are failing many of our students. I submit that we still have much work to do for students whose educational needs are currently not being met within our public school systems. This is a very valid reason to consider an interim study. I ask for your support in an effort to determine the feasibility of developing these types of programs in our state as we seek to fulfill the 2019 Vision. A vision where all students are successful and provided with a high quality of education for a

HB 1464
1-21-19
#1

bright future. Thank you for your consideration, and I will attempt to answer any questions you may have.

Educational Savings Accounts (ESA'S)

Tax-credit Scholarships

Individual Tax Credits and Deductions

School Vouchers

Customized Learning

Homeschooling

Private Schools

Online Learning

Charter Schools

Magnet Schools

Open enrollment

Sources:

- The ABC's of School Choice; A Comprehensive guide to every private school choice program in America
- Edchoice.org



A nonprofit organization
devoted to discovering,
developing, and
promoting free-market
solutions to social and
economic problems.

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1994 – 2018

David H. Padden
1984 – 1994

PRESIDENT

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1984 – 2017

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Testimony on House Bill 1464

Chairman Owens and members of the House Education committee,

My name is Bette Grande and I am a Research Fellow from the Heartland Institute, we work with state legislators offering research and information in the areas of energy and environment, education, healthcare and budget and tax.

Legislation has been introduced many times in the past and again this session regarding Educational Savings Accounts (ESA) and other forms of “school choice”, yet none have moved forward to be implemented. This bill (HB 1464) would be the opportunity to look over the various programs that North Dakota families are missing out on in the education of their children.

Educational Savings Accounts are just one of many types of educational choice that should be examined in order to allow parents the opportunity to provide the best educational plan for each of their children. Not every child learns the same way. Not every family has the means to add support to the educational plans of their children. Not every public school can meet the needs of each child.

“With an ESA, state education funds allocated for a child are placed in a parent-controlled savings account. Parents then use a state-provided debit card to access the funds to pay for the resources chosen for their child’s unique educational program. Under the proposed program, ESAs could be used to pay for tuition and fees at private and parochial schools, as well as textbooks, tutoring services, educational therapies, and transportation costs. ESAs could also be used to cover the fees required to take national standardized achievement tests, such as the SAT or ACT.” Tim Benson, Heartland Institute Policy Analyst.

Benson continues, “Leftover funds would carry over each year of the child’s eligibility and would be available to help pay for tuition at postsecondary schools. These leftover funds could also be used to fund in part a 529 or 530 college savings plan. Funding for each ESA would equal 75 percent of the state government’s annual contribution to public schools.”

There are many programs that could be reviewed during the interim beyond ESA, there are voucher programs, tax credit scholarships, and individual tax credit/deductions. Many states have implemented the various programs and the study would allow for the committee it was assigned to review and understand the types of programs and determine what is best for the students of North Dakota.

With an increase in the cyber bullying and challenges for some students due to bullying, safety has become an important issue for parents. Child Safety accounts are being developed in some states to allow students access to a safe learning environment.

<https://www.heartland.org/publications-resources/publications/research--commentary-child-safety-accounts-allow-all-colorado-students-access-to-safe-schools>

HB 1464
1-21-19
#2

The following documents provide more information on education savings accounts.

Education Savings Accounts: The Future of School Choice Has Arrived

<https://www.heartland.org/publications-resources/publications/education-savings-accounts-the-future-of-school-choice-has-arrived>

In this *Heartland Policy Brief*, Policy Analyst Tim Benson discusses how universal ESA programs offer the most comprehensive range of educational choices to parents; describes the six ESA programs currently in operation; and reviews possible state-level constitutional challenges to ESA programs.

A Win-Win Solution: The Empirical Evidence on School Choice (Fourth Edition)

<http://www.edchoice.org/wp-content/uploads/2016/05/A-Win-Win-Solution-The-Empirical-Evidence-on-School-Choice.pdf>

This paper by EdChoice details how a vast body of research shows educational choice programs improve academic outcomes for students and schools, saves taxpayers money, reduces segregation in schools, and improves students' civic values. This edition brings together a total of 100 empirical studies examining these essential questions in one comprehensive report.

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The Effects of School Choice on Mental Health

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=3272550

This study from Corey DeAngelis at the Cato Institute and Angela K. Dills of Western Carolina University empirically examines the relationship between school choice and mental health. It finds that states adopting broad-based voucher programs and charter schools witness declines in adolescent suicides and suggests that private schooling reduces the number of times individuals are seen for mental health issues.

Competition: For the Children

<https://www.heartland.org/publications-resources/publications/competition-for-the-children>

This study from the Texas Public Policy Foundation claims universal school choice results in higher test scores for students remaining in traditional public schools and improved high school graduation rates.

Thank you for your time and consideration. I hope you find the information helpful in your decision. If you have questions, please let me know.

Bette Grande, Research Fellow, The Heartland Institute



Testimony in Favor of House Bill 1464

Mark Jorritsma, Executive Director
Family Policy Alliance of North Dakota
January 21, 2019

Good morning Chairman Owens and honorable members of the House Education Committee. My name is Mark Jorritsma, Executive Director of Family Policy Alliance of North Dakota. I am testifying in favor of House Bill 1464 and respectfully request that you recommend a “DO PASS” on this bill.

North Dakota ranks near the bottom in public education when compared to other states. Last year, *Education Week* magazine gave North Dakota a D+ rating for K-12 Achievement. Meanwhile, we are in the top half of per-pupil spending in the nation. So, what is the solution to this problem? Clearly not throwing more money at the problem. The solution is school choice.

Family Policy Alliance of North Dakota believes that parents have a God-given responsibility and right to direct the upbringing and education of their children. Families know best what type of educational experience their children need to succeed and helping them access the education they need to become their best lays a critical foundation. When a child is impeded because he or she isn’t able to get the education they need, we have work to do on our system of education.

That is why school choice is so important. It gives families the keys to unlock the education experience for their children, whether it be charter schools, magnet schools, private schools, or home schooling. Aside from benefits specific to a particular child, there are other significant public benefits that arise from school choice. Almost 30 empirical studies have showed again and again that increased school choice improves academic outcomes for participants and public schools, saves taxpayers money, moves students into more integrated classrooms, and strengthens their shared civic values (*A Win Win Solution: The Empirical Evidence on School Choice* – Greg Forster, May 2016).

This bill also calls out education savings accounts (ESAs) and requests that they be studied. ESAs are truly the “gold standard” when it comes to school choice, but they’re even more than just another school choice mechanism. ESAs allow parents to fully tailor their child’s entire educational experience. ESAs would nicely go hand-in-hand with charter schools, magnet schools, private schools, or home schooling, thereby creating compounded benefits to families and children alike. Family Policy Alliance of North Dakota believes that the analysis requested by this bill will show the incredible merits of this school choice mechanism.

For all these reasons, I respectfully ask you to vote House Bill 1464 out of committee with a “DO PASS” recommendation. Thank you for the opportunity to testify and I stand for any questions you may have.

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UNLEASHING CITIZENSHIP

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HB 1464
1-21-19
4

House Education committee

HB 1464

January 21, 2019

Chairman Owens and members of the committee, my name is Rod Backman here today representing the State Association of Non-Public Schools.

As an association we would be more than happy to share our story of education in North Dakota and to respond to any questions relating to private education on behalf of our 7,000+ students and their parents. The non-public schools in North Dakota save taxpayers of North Dakota in excess of \$130 million dollars per biennium.

I am open to any questions you may have at this point.

Thank You



**HB1464 – Education Savings Accounts
Testimony in Opposition
North Dakota Council of Educational Leaders – Dr. Aimee Copas**

Fiscal implications of Education Savings Account

Scenarios are approximate

Students in North Dakota – approximately 113,000

- In 2017, Representative Becker indicated in his testimony an average of a 2% switch rate. (Students that will leave public school and go to private school or home school).
- # of students @ 2% switch rate = 2260
- 2260 Switch Students @ \$7234.50 each = \$16,349,970
- 6722 Private School @ \$7234.50 each = \$48,630,309
- 2662 Home School (tracked) @ \$7234.50 each = \$19,258,239
- The cost to the state could be as much as \$84,238,518 per year. When you subtract the per pupil payment *savings of the public school students who may switch* (\$5,449,990) **
NOTE Private and Home school do NOT cost the state any dollars at this time the net cost would be as much as \$78,788,528
 - \$84,238,518 (voucher cost) – \$5,449,990 (per pupil savings) = \$78,788,528 (net state cost)

Impact to some public-school districts where you have your constitutional obligation to fund. None of these districts would be able to reduce staff or overhead cost with the loss of 2% of the students due to the rate of switch. Solely on the basis of \$9646 (not including weighted student units).

School	2% Switch Rate	Loss to school budget
West Fargo	10,252 Students @ 2% = 205	- \$1,977,430
Bismarck	13,201 Students @ 2% = 265	- \$2,556,190
Jamestown	2,229 Students @ 2% = 45	- \$434,070
Dickinson	3,472 Students @ 2% = 69	- \$665,574
Hettinger	267 Students @ 2% = 5	- \$48,230

Study by Fordham Institute showing school vouchers having a negative impact on student success. <https://edex.s3-us-west-2.amazonaws.com/publication/pdfs/FORDHAM%20Ed%20Choice%20Evaluation%20Report%20online%20edition.pdf>



NDSBA
NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION

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HB 1464
1-21-19
#6

HB 1464
Testimony of Alexis Baxley
House Education Committee
January 21, 2019

Chairman Owens and members of the House Education Committee, my name is Alexis Baxley. I am the executive director of the North Dakota School Boards Association. NDSBA represents all 178 North Dakota public school districts and their boards. NDSBA stands firmly in opposition to SB 2142.

Our state constitution very specifically states that the Legislative Assembly shall provide for a uniform system of free public schools throughout the state, and does not provide for the financial support of private or home education. We believe North Dakota's constitution did not provide for funding non-public education for good reason. Continuously, public school districts, their administrators and their staff are asked to do more with less. Costs associated with behavioral health, safety, staff benefits, social services, etc. continue to rise. So much so that we spent this interim studying our state's education funding formula – trying to understand how we could better provide for our public-school system with the same amount of money. One way I am certain we can't achieve that goal is to continue considering ways to divert those dollars outside of the formula. While a parent certainly has the right to choose where and how they want their children educated, that choice does not and should not entitle them to the dollars provided for public education by our state constitution.

North Dakota has one of the most open education systems in the nation. With open enrollment, students have more choice in where they would like to attend school than in many other states. Studying ways to create state funded schools with the intent of being exempt from many state standards is the first step down a dangerous road. NDSBA urges a Do Not Pass recommendation on HB1464, and I would be happy to stand for any questions. Thank you.

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Title.03000

Adopted by the Education Committee

January 30, 2019

PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1464

Page 1, line 8, after the first comma insert "or"

Page 1, line 8, remove ", or home schooling"

Renumber accordingly

#1 HB 1464
1-30-19

Representative Michelle Strinden
HB 1464
March 13th, 2019

Good afternoon Chairman Schaible and members of the Senate Education Committee. For the record, my name is Michelle Strinden and I represent south Fargo's District 41. I am the prime sponsor of HB 1464. HB 1464 is a bill to request a legislative study of the feasibility and desirability of developing a school choice program, including a consideration of Educational Savings Accounts, which I will address specifically today. The 65th Legislature passed a bill that stated that Legislative Management "shall consider" a school choice study. Legislative Management chose not to study the bill in the interim. This bill seeks to ensure that a school choice study takes place to explore the advantages and/or disadvantages for North Dakota students and families.

The North Dakota's Department of Public Instruction's 2019 Vision states that "all students will graduate choice ready with the knowledge, skills and disposition to be successful". Specifically, they site the objective to "enhance collaboration and partnerships to support students and families". Part of ND DPI's strategic theme is to "create a framework and provide resources for all students to succeed academically and behaviorally". Their vision also includes "building a capacity for districts and schools to implement personalized learning". I strongly believe school choice options like Educational Savings Accounts and other school choice programs can help many students accomplish these very goals. Educational Choice programs are appealing because they empower families and give parents flexibility when tailoring programs to meet students individual needs.

So then, the question could be asked, how are ND Public Schools partnering with families whose students continue to struggle with academic or behavioral needs? How are they advancing goals for those students whose needs are not fully being met within the public school system? Could some of these students educational challenges be met through additional tutoring services, therapy, online school options or alternative curriculum that meet their individual needs?

One school choice option to consider is Educational Savings Accounts. ESA's allow parents to receive a deposit of their students public school tuition dollars into government authorized savings accounts with limited but varied uses. The funds can be distributed to families using a debit card, and can help families in covering costs relating to their child's personalized learning needs. These funds could then be used for online learning programs, private tutoring, therapy, community college programs, higher education expenses, and other customized learning services and materials. Many ESA'S allow students to use their funds to pay for a combination of public school and private services. Arizona, Florida, Mississippi, Nevada and Tennessee are a few of the states who are successfully using ESA' programs, including but not limited to students with special needs whose families income level is below poverty.

I feel this is an opportunity that would be particularly beneficial to parents who have students with specific learning challenges like Dyslexia and Autism. Families would have access to a portion of their child's public education dollars to use for additional tutoring, therapy or educational expenses outside of public school settings. These services often are not available to many families because of the high costs of fees.

According to Ed Choice statistics, North Dakota ranks as one of the least educationally free states in the nation. In addition, our ND DPI dashboard shows our statewide reading and math proficiency rates are currently well under 50 percent. North Dakota students have a 46 percent proficiency rating in English and Language Arts, and a 43 percent proficiency rating in math. According to Greg Foster's study called A Win Win Solution: The Empirical Evidence on School Choice, (May 2016), states that "school choice improves academic outcomes for participants and public schools, saves taxpayers money, moves students into more integrated classrooms and strengthens their shared civic values".

Chairman Schaible and members of the committee, we have wonderful teachers and staff and well meaning administrators doing exceptional work in schools all across our state. Nevertheless, we have hard data that shows we are failing many of our students. I submit that we still have much work to do for students whose educational needs are currently not being met within our public school systems. This is a valid reason to consider an interim study. I ask for your

HB 1464
3-13-19
A# #1
P.3 of 3

support in an effort to determine the feasibility of developing these types of programs in our state as we seek to fulfill the 2019 Vision. A vision where all students are successful and provided with a high quality of education for a bright future. Thank you for your consideration, and I stand for any questions you may have.

Educational Savings Accounts (ESA'S)

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Individual Tax Credits and Deductions

School Vouchers

Customized Learning

Homeschooling

Private Schools

Online Learning

Charter Schools

Magnet Schools

Open enrollment

Sources:

- The ABC's of School Choice; A Comprehensive guide to every private school choice program in America
- Edchoice.org

THE HEARTLAND INSTITUTE

FREEDOM RISING

Testimony before the North Dakota Senate Finance and Taxation Committee
Bette Grande, Research Fellow
The Heartland Institute
March 11, 2019

HB 1464
3-13-19
AH #2
p1082

Chairman Schaible and members of the Senate Education committee,
My name is Bette Grande and I am a Research Fellow from the Heartland Institute, we work with state legislators offering research and information in the areas of energy and environment, education, healthcare and budget and tax.

Legislation has been introduced many times in the past and again this session regarding Educational Savings Accounts (ESA) and other forms of "school choice", yet none have moved forward to be implemented. This bill (HB 1464) would be the opportunity to look over the various programs that North Dakota families are missing out on in the education of their children.

Educational Savings Accounts are just one of many types of educational choice that should be examined in order to allow parents the opportunity to provide the best educational plan for each of their children.

Not every child learns the same way. Not every family has the means to add support to the educational plans of their children. Not every public school can meet the needs of each child. "With an ESA, state education funds allocated for a child are placed in a parent-controlled savings account. Parents then use a state-provided debit card to access the funds to pay for the resources chosen for their child's unique educational program. Under the proposed program, ESAs could be used to pay for tuition and fees at private and parochial schools, as well as textbooks, tutoring services, educational therapies, and transportation costs. ESAs could also be used to cover the fees required to take national standardized achievement tests, such as the SAT or ACT." Tim Benson, Heartland Institute Policy Analyst.

Benson continues, "Leftover funds would carry over each year of the child's eligibility and would be available to help pay for tuition at postsecondary schools. These leftover funds could also be used to fund in part a 529 or 530 college savings plan. Funding for each ESA would equal 75 percent of the state government's annual contribution to public schools."

There are many programs that could be reviewed during the interim beyond ESA, there are voucher programs, tax credit scholarships, and individual tax credit/deductions. Many states have implemented the various programs and the study would allow for the committee it was assigned to review and understand the types of programs and determine what is best for the students of North Dakota.

With an increase in the cyber bullying and challenges for some students due to bullying, safety has become an important issue for parents. Child Safety accounts are being developed in some states to allow students access to a safe learning environment.

<https://www.heartland.org/publications-resources/publications/research--commentary-child-safety-accounts-allow-all-colorado-students-access-to-safe-schools> .

The following documents provide more information on education savings accounts.

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This study from the Texas Public Policy Foundation claims universal school choice results in higher test scores for students remaining in traditional public schools and improved high school graduation rates.

Thank you for your time and consideration. I hope you find the information helpful in your decision. If you have questions, please let me know. **For more information about The Heartland Institute's work, please visit our website at www.heartland.org, or contact Bette Grande by phone at 701/388-7451 or by email at bette@bettegrande.com**

**Bette Grande
Research Fellow
The Heartland Institute**

H131464
3-15-19
AT #2
p 2 of 2

HB 1464
3-13-19
A# #3
p1 of 1

Senate Education Committee

HB 1464

March 13, 2019

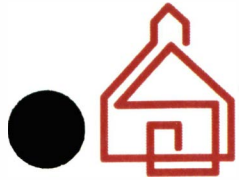
Chairman Schaible and members of the committee, my name is Rod Backman I am here today representing the State Association of Non-Public Schools.

As an association we would be more than happy to share our story of education in North Dakota and to respond to any questions relating to private education on behalf of our 7,000+ students and their parents. The non-public schools in North Dakota save taxpayers of North Dakota in excess of \$160 million dollars per biennium.

I am open to any questions you may have.

Thank You

Rod Backman



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HB 1464
3-13-19
Att #4
p.1 of 1

HB 1464

**Testimony of Amy De Kok
Senate Education Committee
March 13, 2019**

Chairman Schaible and members of the Senate Education Committee, my name is Amy De Kok. I am in-house Legal Counsel for the North Dakota School Boards Association. NDSBA represents all 178 North Dakota public school districts and their boards. NDSBA stands firmly in opposition HB 1464.

Our state constitution very specifically states that the Legislative Assembly shall provide for a uniform system of free *public* schools throughout the state, and does not provide for the financial support of private or home education. We believe North Dakota's constitution did not provide for funding non-public education for good reason. Continuously, public school districts, their administrators and their staff are asked to do more with less. Costs associated with behavioral health, safety, staff benefits, social services, etc. continue to rise. So much so that we spent this interim studying our state's education funding formula – trying to understand how we could better provide for our public-school system with the same amount of money. One way I am certain we cannot achieve that goal is to continue considering ways to divert those dollars outside of the formula. While a parent certainly has the right to choose where and how they want their children educated, that choice does not and should not entitle them to the dollars provided for public education by our state constitution.

North Dakota has one of the most open education systems in the nation. With open enrollment, students have more choice in where they would like to attend school than in many other states. Studying ways to create state funded schools with the intent of being exempt from many state standards is the first step down a dangerous road. NDSBA urges a Do Not Pass recommendation on HB 1464, and I would be happy to stand for any questions. Thank you.

HB 1464
3-13-19
Att #5
p1 of 1



Testimony in Favor of House Bill 1464

Mark Jorritsma, Executive Director
Family Policy Alliance of North Dakota
March 13, 2019

Good morning Chairman Schaible and honorable members of the Senate Education Committee. My name is Mark Jorritsma and I am the Executive Director of Family Policy Alliance of North Dakota. I am testifying in favor of House Bill 1464 and respectfully request that you render a "DO PASS" recommendation on this bill.

North Dakota ranks near the bottom in public education achievement when compared to other states. *Education Week* magazine gave North Dakota a D grade for K-12 Achievement in their 2018 report. Meanwhile, we are in the top half of per-pupil spending in the nation. So, what is the solution? Clearly not throwing more money at the problem. One clear solution is school choice.

Family Policy Alliance of North Dakota believes that parents have a God-given responsibility and right to direct the upbringing and education of their children. Families know best what type of educational experience their children need to succeed and helping them access the education they need to become their best lays a critical foundation. When a child is impeded because he or she isn't able to get the education they need, we have work to do on our system of education.

That is why school choice is so important. It gives families the keys to unlock the educational experience for their children, whether it be public schools, charter schools, magnet schools, or private schools. Aside from benefits specific to a particular child, there are other significant public benefits that arise from school choice. Almost 30 empirical studies have showed again and again that increased school choice improves academic outcomes for participants and public schools, saves taxpayers money, moves students into more integrated classrooms, and strengthens their shared civic values (*A Win Win Solution: The Empirical Evidence on School Choice* – Greg Forster, May 2016).

This bill also calls out education savings accounts (ESAs) and requests that they be studied. ESAs allow parents to fully tailor their child's entire educational experience. ESAs would nicely go hand-in-hand with charter schools, magnet schools, or private schools, thereby creating compounded benefits to families and children alike. Family Policy Alliance of North Dakota believes that the analysis requested by this bill will show the incredible merits of this school choice mechanism.

For all these reasons, I respectfully ask you to vote House Bill 1464 out of committee with a "DO PASS" recommendation. Thank you for the opportunity to testify and I stand for any questions you may have.

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