



## Legislative Resolutions

Last revised 8/6/2014

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### OVERVIEW

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ASBSD Resolutions are policy statements adopted by the ASBSD membership that guide your Association's advocacy efforts at the state and federal levels. A subcommittee of the ASBSD Board of Directors – called the ASBSD Policy and Resolutions Committee – develops draft policy statements for consideration by the full membership at the ASBSD Delegate Assembly.

### A. Achievement and Equity

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#### 1. PRE-KINDERGARTEN STANDARDS

##### RESOLUTION

ASBSD supports the development and adoption of statewide content and accreditation standards for voluntary pre-kindergarten education programs.

##### RATIONALE

Research points to clear short and long-term benefits of pre-k programs. It's widely accepted that early experiences form vital connections in a child's brain and influence how a child learns and develops throughout life. According to research, quality pre-k programs reduce the number of students in need of special education services and the number of students that have to repeat grades. Research has also documented long-term efficiency of pre-school programs through a reduction in the juvenile crime rate and lessening later reliance on public assistance programs.

ADOPTED: 2008

REVISED: 2012

#### 2. PROFESSIONAL DEVELOPMENT

##### RESOLUTION

ASBSD supports full funding for state mandated professional development.

##### RATIONALE

ASBSD supports professional development for teachers and administrators. Because of state mandates for new innovations, we believe state funding to train professionals is essential.

ADOPTED: 2008

REVISED: 2012

## A. Achievement and Equity

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### 3. COMPULSORY SCHOOL ATTENDANCE

#### RESOLUTION

ASBSD supports compulsory attendance in public school to age 18 or until a student graduates.

#### RATIONALE

In today's global economy, every South Dakota student deserves the lasting benefits of a high school diploma. Maintaining compulsory attendance age until 18 will make public school policy mirror BIE policy, minimizing the potential for students to transfer to public school in order to drop-out of high school.

ADOPTED: 2008

REVISED:

### 4. COMMON CORE ACADEMIC STANDARDS

#### RESOLUTION

ASBSD supports common core academic standards, ~~provided the state has a workable plan, complete with sufficient financial resources and professional development for school staff, to facilitate implementation of the standards.~~ ASBSD supports the requirement of all students to be tested using the Smarter Balance Assessment.

#### RATIONALE

Common core standards establish important benchmarks to help students succeed in a global economy and a technologically advanced society. The new standards were created in 2009 in a joint effort of the National Governor's Association and the Council of Chief State School Officers to increase rigor and academic expectations for students in Language Arts and Math and thus a stronger U.S workforce. Common Core standards are recognized as South Dakota state standards in Language Arts and Math, however implementation of the standards (how to teach them) is still a matter of local decisions. Common standards may save the state money on assessments and other fixed costs associated with our modern system of standards-based education. Most importantly, the establishment of common math and language arts standards across the nation would mean all teachers are attempting to move students toward the same goal – a fact that will likely contribute to greater innovation in best practices and increased collaboration.

ADOPTED: 2010

REVISED: 2014

### 5. E X T R A \_ A N D \_ C O - C U R R I C U L A R A C T I V I T I E S – F R E E A C C E S S P A R T I C I P A T I O N

#### RESOLUTION

ASBSD supports extra and co-curricular activities as an important component of South Dakota's system of public education and opposes legislation that will in any way establish fees for access participation to in extra and co-curricular offerings.

#### RATIONALE

The South Dakota Constitution guarantees a free public education to all students. Extra curricular and co-curricular activities, though not always offered for academic credit, are a valuable part of a child's education and should remain free to all public school students.

ADOPTED: 2010

REVISED: 2014

## A. Achievement and Equity

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### 6. SCHOOL EMPLOYEE COMPENSATION

#### RESOLUTION

ASBSD supports a long-term commitment with the legislature to enhance the ability to employ and retain quality personnel in public schools.

#### RATIONALE

South Dakota is ranked 50<sup>th</sup> in the nation in average teacher salary. Our schools are losing quality employees to different careers and /or not receiving quality applicants for open positions because of low salary options. Legislators have heard the concerns and must commit financial resources to improve salaries.

ADOPTED: 2013

REVISED:

## B. Local Governance

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### 1. STUDENTS RECEIVING PUBLIC SCHOOL EXEMPTION

#### RESOLUTION

ASBSD supports the development of state guidelines for evaluating the academic progress of students receiving a public school exemption and the establishment of effective state regulations to ensure exempted students receive a high quality education.

#### RATIONALE

~~As elected officials~~ School boards and the Department of Education are responsible for the education of students receiving public school exemption instruction. State guidelines and regulations would provide school boards with criteria to determine if revocation of an application is warranted.

ADOPTED: 2008

REVISED: 2014

### 2. TECHNICAL INSTITUTE GOVERNANCE

#### RESOLUTION

ASBSD supports local governance of the state's technical institutes.

#### RATIONALE

The state's four technical institutes continue to perform well under the governance of locally elected school boards, providing students with post-secondary instruction and playing an important role in workforce development. Preserving local control would allow these institutions a continued local and regional focus that would erode if governance was shifted to the state-level.

ADOPTED: 2008

REVISED:

### 3. SCHOOL FINANCES

#### RESOLUTION

ASBSD supports local governance in the management of district funds.

#### RATIONALE:

Control of school finances should rest with the local school board within the district.

ADOPTED: 2009

REVISED: 2012

## B. Local Governance

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### 4. EMPLOYEE HEALTH INSURANCE PLANS

#### RESOLUTION

ASBSD supports health insurance options that allow local school boards to choose from a range of competitive options and opposes mandates requiring all schools to participate in a single health insurance plan.

#### RATIONALE

The concept of mandatory, one-size-fits all health insurance options run contrary to the tenets of local control. While the mandatory programs may save some districts money, it could drive up health insurance costs for districts that have implemented cost-saving plan alternatives or wellness programs. Local school boards should be free to choose health benefit plans based on local circumstances and should not be forced to turn over control of all benefit-related decisions to a distant third-party.

ADOPTED: 2010

REVISED:

### 5. CHARTER SCHOOLS

#### RESOLUTION

~~ASBSD supports current statute that prohibits the establishment of~~ opposes any charter school expansion beyond what is currently authorized in statute, which permits Pilot Charter Schools for American Indian Students.

#### RATIONALE

~~Any expansion beyond what is currently allowed in state statute has the potential to introduce charter schools have the effect of taking that could take public school funding from current schools, receive waivers from state standards of accreditation and teacher certification, are be elective in the students who may enroll, and would have a detrimental impact~~ be detrimental to local public schools.

ADOPTED: 2012

REVISED: 2014

### 6. EXTENDED SCHOOL YEAR

#### RESOLUTION

~~ASBSD supports legislation that provides districts the option to extend the school year by 12 hours each year over a five-year period provided that state funding covers operational and salary expenses for the additional hours.~~

#### RATIONALE

~~Districts can utilize the additional hours for educational purposes as they see fit and would receive additional funding to be determined by the legislature.~~

ADOPTED: 2013

REVISED: 2014

## B. Local Governance

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### 7. PLEDGE OF ALLEGIANCE

#### RESOLUTION

~~ASBSD supports legislation that promotes school districts to have policies whereby all grade levels must recite the Pledge of Allegiance.~~

#### RATIONALE

~~Students reciting the Pledge of Allegiance instills in them the value of patriotism for our country and is also a learning tool that expresses the principles the United States was founded upon.~~

~~ADOPTED: 2013~~

~~REVISED: 2014~~

### 8. SDHSAA TRANSPARENCY

#### RESOLUTION

~~ASBSD supports increased transparency and accountability in the South Dakota High School Activities Association (SDHSAA).~~

#### RATIONALE

~~SDHSAA was created by the legislature, but accountability remains vague. The legislators have heard concerns that the SDHSAA is not as transparent and accountable to the public as they should be. Efforts should be made to support public transparency and accountability.~~

~~ADOPTED: 2013~~

~~REVISED: 2014~~

### 9. MARKET-BASED PAY RESOURCES (NEW)

#### RESOLUTION

ASBSD supports the right of school boards to utilize market-based pay resources – such as a signing bonus, moving expense, college loan payment or other market-based resources – to attract and retain teachers for their school district.

#### RATIONALE

Allowing school boards to offer market-based pay resources provides them a variety of options to attract and retain teachers for their district, which will help provide stability to the teaching staff and ensure students continue to receive a high-quality education.

ADOPTED: 2014

REVISED:

## C. School Finance

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### 1. SCHOOL FUNDING

#### RESOLUTION

ASBSD supports funding appropriated by the State that meets expectations established in statute, administrative rule and accreditation standards.

#### RATIONALE

While ASBSD embraces accountability standards, new requirements are increasing the demand on school budgets and continue to stretch the capacity of our current public school systems to meet the changing needs of every student.

ADOPTED: 2008

REVISED: 2012

### 2. INDEX FACTOR

#### RESOLUTION

ASBSD supports legislation to provide South Dakota's public schools with the statutorily required per-student funding.

#### RATIONALE

The current funding formula provides a minimum base of funding to schools through the per student allocation. A formula provides school boards with a predictable basis for budgetary planning.

ADOPTED: 2010

REVISED: 2012

### 3. EDUCATION SERVICE AGENCIES

#### RESOLUTION

ASBSD supports the reinstatement of full funding for Educational Service Agencies.

#### RATIONALE

The Education Service Agencies have provided valuable services and resources for public schools in South Dakota. The recent cuts by the legislation have seriously hurt what ESAs can provide to schools. Their full funding needs to be reinstated for them to continue to be a valuable resource.

ADOPTED: 2009

REVISED:

### 4. CONSISTENT SPARCITY FUNDING

#### RESOLUTION

ASBSD supports consistent district-level funding provided by the state for sparse school districts as defined in SDCL 13-13-78.

#### RATIONALE

The state's sparse funding has provided much needed resources to the state's smallest and most rural schools. However, ~~in the three years~~ since the funding has been instituted, the amount of funding delivered to districts has declined and has been threatened for repeal. Given that sparcity funding amounts to more than 10 percent of the operating budget in some rural districts, the state's smallest most geographically isolated districts deserve consistent state supplemental funding.

ADOPTED: 2009

REVISED: 2014

## C. School Finance

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### 5. USE OF CAPITAL OUTLAY FUNDS

#### RESOLUTION

ASBSD supports the provisions in law that allow school districts to use capital outlay funds to pay for some insurance, energy and transportation costs.

#### RATIONALE

The flexibility granted extended in 2013, which will expire on June 30, 2018, is consistent with the purposes of capital outlay, allows for local control over locally generated funds, and frees up much-needed general fund resources.

ADOPTED: 2010

REVISED: 2014

### 6. OTHER REVENUE

#### RESOLUTION

ASBSD supports current state law that allows "other revenue" to be used exclusively by the school district in which the revenue is generated.

#### RATIONALE

Other sources of revenue in the general fund include: gross receipts taxes, county apportionment, fees, bank franchise tax, mobile home taxes, etc. These general fund revenues are above and beyond the per-pupil amount per student allocation established by the Legislature and any attempt to redistribute or equalize other revenue will cause instability, and in some cases would create a severe hardship on a local district. Furthermore, any attempt made to shift other sources of general fund revenue into the state aid formula would reduce the school district's general fund revenue.

ADOPTED: 2009

REVISED: 2012

7. ~~\$4,805~~

#### RESOLUTION

~~ASBSD supports legislation that would increase the per-student allocation to no less than \$4,805 for the 2014-15 school year.~~

#### RATIONALE

~~A return to \$4,805 would provide the funding stability that was lost due to the funding cuts in 2011 and symbolize legislative support for K-12 education.~~

ADOPTED: 2013

REVISED: 2014



## C. School Finance

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### 8. CAPITAL OUTLAY FLEXIBILITY REDUCTION

#### RESOLUTION

ASBSD opposes gradual reduction of the percentage of capital outlay dollars a district can use to supplement its general fund, as granted by law.

#### RATIONALE

The flexibility granted in 2013, which will expire on June 30, 2018, is consistent with the purposes of capital outlay, allows for local control over locally generated funds, and frees up much-needed general fund resources. ~~A proposed timeline would reduce the percentage of capital outlay dollars being used for general fund expenses to 40 percent in FY '15, to 30 percent in FY '16, to 20 percent in FY '17 and 10 percent in FY '18, without a plan to replace the lost funding used by as a supplement by districts.~~

ADOPTED: 2013

REVISED: 2014

### 9. ~~TWO~~ THREE PERCENT INDEX FACTOR

#### RESOLUTION

ASBSD supports proposed legislation to provide South Dakota's public schools with the statutorily required per- student funding at a minimum increase of ~~two~~ three percent each year, with the possibility for a greater increase to be provided.

#### RATIONALE

A funding formula change that provides school boards with a minimum guaranteed increase of ~~two~~ three percent gives school boards a solid monetary figure to begin budgetary planning before the conclusion of the legislative session, with the possibility for a greater increase to be provided.

ADOPTED: 2013

REVISED: 2014

## D. Taxation

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NO RESOLUTIONS

## E. Personnel

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### 1. CONTINUING CONTRACT

#### RESOLUTION

ASBSD supports legislation to deny continuing contract rights to teachers who have received two consecutive years of unsatisfactory evaluations.

#### RATIONALE

ASBSD believes students should have the best teachers in the classroom. Using the state mandated evaluation process, a teacher whose performance is determined to be deficient should lose their continuing contract rights.

ADOPTED: 2008

REVISED: 2013

### 2. HUMAN RESOURCE MANAGEMENT

#### RESOLUTION

ASBSD supports a local district's ability to develop hiring, evaluation and compensation policies to develop performance and market-based compensation mechanisms that support local efforts to recruit and retain quality staff.

#### RATIONALE

School boards, administrators and teachers are in the best position to decide whether the school district has the financial resources, personnel, data systems and desire to implement local policy. Districts should have the flexibility to adopt effective hiring, evaluation and compensation policies.

ADOPTED: 2010

REVISED: 2012

## F. Unfunded Mandates

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### 1. STATE EDUCATION MANDATES

#### RESOLUTION

ASBSD supports legislative action to require the State to adopt a fiscal note associated with and providing funding for all new mandates placed on local school districts.

#### RATIONALE

When state mandates place additional burdens on school boards, funds should be allocated to compensate expenses incurred. Therefore, it should be the policy of the State Department of Education to adopt fiscal notes and request funding from the legislature, prior to the passage of all new mandates placed on local school districts.

ADOPTED: 2008

REVISED: 2012

### 2. FEDERAL MANDATES

#### RESOLUTION

ASBSD supports full funding for all federal mandates.

#### RATIONALE

As federal policymakers enacted laws intended to foster higher levels of school performance and academic achievement, Congress has failed to fund federal programs such as IDEA and ESEA to the levels authorized when they created the programs, causing local school boards to shift local resources to meet the demands of federal education policies.

ADOPTED: 2008

REVISED: 2012

## G. Federal Relations

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### 1. ESEA REAUTHORIZATION

#### RESOLUTION

ASBSD supports a fully funded federal education policy for elementary and secondary education that focuses on improving learning outcomes for every child, provides for public school accountability and gives local school boards flexibility to develop education programs reflective of the local student population and community.

#### RATIONALE

Unfunded federal policies place a burden on state governments and local school boards, often replacing local priorities with federal mandates.

Strong public school systems are the result of strong local governance and leadership, and districts being held accountable for student performance need the flexibility to implement local initiatives suited to the local district population.

ADOPTED: 2008

REVISED: 2012

### 2. MEDICAID SERVICE REIMBURSEMENT

#### RESOLUTION

ASBSD supports the continuation of federal Medicaid Service provided to K-12 for providing health services to Medicaid-eligible students.

#### RATIONALE

Schools play a key role in identifying eligible children for Medicaid, connecting children to needed services in schools and communities. Medicaid service reimbursement funds help South Dakota districts provide outreach and coordination services that ultimately helps eligible children receive health services in a timely manner.

ADOPTED: 2008

REVISED: 2012

### 3. PAYMENT IN LIEU OF TAXES

#### RESOLUTION

ASBSD supports legislation to develop guidelines for disbursements of PILT (payment in lieu of taxes) fund from the county level to the school districts within the counties.

#### RATIONALE

South Dakota has 43 counties receiving PILT amounted to \$4.9 million to carry-out vital services needed by the counties to include education. Lack of direction from the federal government to the counties have allowed the funds to be kept by the counties and not used for education funding.

ADOPTED: 2009

REVISED:

## G. Federal Relations

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### 4. SCHOOL NUTRITION

#### RESOLUTION

ASBSD urges the U.S. Department of Agriculture (USDA) to reexamine the ~~new meal pattern and nutrition requirements~~ Healthy Hunger-Free Kids Act for the National School Lunch and School Breakfast programs.

ASBSD urges flexibility to state and local food service personnel to adjust the nutrition requirements including changes to the calorie maximum, to ensure they are providing school meals that meet the needs of their diverse student body in their communities.

#### RATIONALE

A one-size-fits-all policy ties the hands of local school lunch providers. According to recent report, the USDA's new regulations have led to hungrier students, wasted food, and increased costs for schools.

ADOPTED: 2010

REVISED: 2014

### 5. E-RATE

#### RESOLUTION

ASBSD supports action by Congress and the Federal Communications Commission to strengthen the E-Rate program and improve the quality and speed of Internet connectivity in our nation's K-12 schools.

#### RATIONALE

The E-rate program, officially called the Schools and Libraries Program Universal Service Fund, provides significant discounts to schools and libraries to help them build technology infrastructure and provide telecommunications and Internet services for students in low-income and rural areas. The program is a vital source of funding to maintain and improve Internet connectivity in K-12 schools. Expansion of the federal E-rate program would improve access to technology for K-12 schools and students.

ADOPTED: 2010

REVISED: 2012