



## DRAFT Legislative Resolutions

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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

##### 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

#### A. Achievement and Equity

##### 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

## 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

## A. Achievement and Equity

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### 4. OPEN ENROLLMENT – DATE FOR APPROVAL

#### RESOLUTION

~~ASBSD supports legislation to allow local school districts to establish dates by which open enrollment requests must be submitted to the local district in order to be approved, provided the legislation makes available exceptions or an appeal process to protect the student's best interest.~~

#### RATIONALE

~~South Dakota's fall headcount is the basis for state formula aid. Because funding for students accepted into a district after the fall headcount may not follow until nearly two years after the student is accepted through open enrollment, the current law may create a financial burden for some South Dakota districts.~~

~~More importantly, some may use open enrollment for purposes outside the legislative intent of South Dakota's enrollment options program, including open enrolling to avoid disciplinary action or to take advantage of another public school's earlier dismissal date.~~

~~Adopting a date certain for open enrollment requests, whether that date is once a year or once a semester, offers a solution to both issues that run counter to South Dakota's otherwise well-intended open enrollment provisions. An appeals process, or exceptions to the law, would provide a mechanism for parents and school officials to pursue if an individual case warrants immediate attention.~~

ADOPTED: 2009

## A. Achievement and Equity

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### 5. 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.

#### RATIONALE

Common core standards establish important ~~national~~ 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

## A. Achievement and Equity

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### 6. CO-CURRICULAR ACTIVITIES – FREE ACCESS

#### RESOLUTION

ASBSD supports 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 to co-curricular offerings.

#### RATIONALE

The South Dakota Constitution guarantees a free public education to all students. 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

## A. Achievement and Equity

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### 7. TEACHER SALARIES (NEW RESOLUTION)

#### RESOLUTION:

ASBSD supports a long-term commitment by the legislature to raising teacher salaries.

#### RATIONALE:

South Dakota is ranked 50<sup>th</sup> in the nation in average teacher salary. Our schools are losing quality teachers 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.

## 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 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

## B. Local Governance

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### 2. APPOINTMENTS TO COMMISSIONS

#### RESOLUTION

~~ASBSD supports the appointment of South Dakota school board members to statewide commissions, advisory committees and forums that directly or indirectly affect the development of state education policy.~~

#### RATIONALE

~~As publicly elected leaders charged with the establishment of local educational policy, school board members provide valuable insight, experience and knowledge that should be considered during the development of statewide education policy.~~

ADOPTED: 2008

## B. Local Governance

### 3. 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

## B. Local Governance

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### 4. 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

## B. Local Governance

### 5. 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

## B. Local Governance

### 6. CHARTER SCHOOLS

#### RESOLUTION

ASBSD supports current statute that prohibits the establishment of charter schools.

#### RATIONALE

Charter schools have the effect of taking public school funding from current schools, receive waivers from state standards of accreditation and teacher certification, are elective in the students who may enroll, and would have a detrimental impact on local public schools.

ADOPTED: 2012

## B. Local Governance

### 7. EXTENDED SCHOOL YEAR (NEW RESOLUTION)

#### RESOLUTION:

ASBSD supports legislation that would extend the school year by two days (or 5.5 hours per day) each year over a five-year period provided that state funding covers all operational and salary expenses for the additional days.

#### RATIONALE:

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

## 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

## C. School Finance

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### 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

## C. School Finance

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### 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

## C. School Finance

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### 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

## 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 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

## C. School Finance

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### 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

## C. School Finance

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### 7. \$4,805 (NEW RESOLUTION)

#### RESOLUTION:

ASBSD supports legislation that would return the per-student allocation to its 2010 highpoint of \$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.

## C. School Finance

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### 8. CAPITAL OUTLAY FLEXIBILITY REDUCTION (NEW RESOLUTION)

#### 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.

## C. School Finance

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### 9. TWO PERCENT INDEX FACTOR (NEW RESOLUTION)

#### 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 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 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.

## D. Taxation

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NO RESOLUTIONS

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## 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 ~~deficient~~ 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

## E. Personnel

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### 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

## 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

## F. Unfunded Mandates

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### 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

## 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

## G. Federal Relations

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### 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

## G. Federal Relations

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### 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

## G. Federal Relations

### 4. SCHOOL NUTRITION

#### RESOLUTION:

ASBSD urges the U.S. Department of Agriculture (USDA) to reexamine the new meal pattern and nutrition requirements 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

## G. Federal Relations

### 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