



2025 ASBSD Legislative Resolutions (DRAFT)

Overview

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. STATE FUNDED PRESCHOOL

RESOLUTION

ASBSD supports state funding of public voluntary preschool education programs so long as it does not jeopardize or repurpose current funding of public K-12 education.

RATIONALE

State funding for voluntary pre-school programs, consistent with the SD Early Learning Guidelines, would be a welcome addition to the public K-12 funding model. However, that funding would need to be a supplement to the current funding model, not utilized to supplant it, in any way. Any adjustment to the current funding model, which did not add new money to the model, would jeopardize academic opportunities currently in place in public school districts.

ADOPTED: 2017

REVISED: 2019

2. COMPULSORY SCHOOL ATTENDANCE (AMENDMENT PROPOSED)

RESOLUTION

ASBSD supports compulsory school attendance to age 18 or until a student graduates or earns their GED. ~~ASBSD also understands to accomplish this goal cooperative funding and support for at-risk youth must be provided to the districts.~~

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. ASBSD also understands to accomplish this goal cooperative funding and support for at-risk youth must be provided to the districts.

ADOPTED: 2008

REVISED: 2024

Moved second sentence in the resolution to the rationale.

A. Achievement and Equity

~~3. SOUTH DAKOTA ACADEMIC CONTENT STANDARDS, GRADUATION REQUIREMENTS AND STATE ASSESSMENT EXAMS (DELETION PROPOSED)~~

RESOLUTION

~~ASBSD supports South Dakota academic content standards, graduation requirements and state assessment exams assuming sufficient financial resources and professional development opportunities are available to public schools and staff members to ensure all students can achieve the benchmarks set for each segment.~~

RATIONALE

~~South Dakota academic content standards and graduation requirements serve as expectations for what students should know and be able to do by the end of each grade level and upon graduation. The review, revision, development, and feedback process involves stakeholders throughout the state of South Dakota and is an ongoing and critical component to ensure South Dakota students in every classroom receive current and relevant learning experiences. The goal is that all students continue their education, ultimately becoming career and life ready.~~

~~ADOPTED: 2010~~

~~REVISED: 2024~~

Incorporated into Standing Position: State Requirements and Oversight. The resolution now lends itself to a more general statement on the Association's stance on these matters and that fits into the Standing Positions. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics.

4. CURRICULUM ADOPTION (AMENDMENT PROPOSED)

RESOLUTION

ASBSD supports the authority ~~within current state statute~~ of the local school board to implement curriculum ~~within the content standards that is~~ best suited for their local school district within the content standards adopted and implemented by the State Board of Education without ~~additional~~ statutory intrusion ~~that dictates what each board must adhere to.~~

RATIONALE

Local school boards across the state are best suited to make decisions regarding what curriculum is best for their K-12 students. New laws dictating curriculum in the public schools of South Dakota would be a hinderance to the state and local boards, who are the knowledgeable decision makers in these areas, and potentially limit the education of students.

ADOPTED: 2021

REVISED: 2024

Proposed amendment strengthens the support of the local control of school boards to make the decisions that best fit their district related to curriculum within the adopted content standards and without the need for state law to establish curriculum mandates.

A. Achievement and Equity

5. ~~CONTENT STANDARDS INTERVENTION (DELETION PROPOSED)~~

RESOLUTION

~~ASBSD opposes legislative intervention to halt or repeal content standards approved by the State Board of Education Standards.~~

RATIONALE

~~The process for adopting new and updated content standards is in place and legislative intervention in the process could result in unintended consequences for our schools in the future; and erodes local control.~~

ADOPTED: 2024

Incorporated into Standing Position: State Requirements and Oversight. The resolution now lends itself to a more general statement on the Association's stance on these matters and that fits into the Standing Positions. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics.

6. ~~STATE BOARD OF EDUCATION STANDARDS MEMBERSHIP AND APPOINTMENT (DELETION PROPOSED)~~

RESOLUTION

~~ASBSD opposes change to state statute defining the membership composition and appointment process of the South Dakota Board of Education Standards.~~

RATIONALE

~~ASBSD encourages the inclusion of multiple K-12 educators or those with a background in K-12 education to serve on the South Dakota State Board of Education Standards, but does not want qualifying parameters for membership put in statute. We encourage the Governor to strongly consider the purpose of the board when making appointments and for the Senate Education committee and Senate body as a whole to thoroughly review any proposed appointments before voting to confirm the individual. Adjusting the Governor's appointment or Senate confirmation process may compromise the integrity of the board and its membership in the future.~~

ADOPTED: 2024

Incorporated into Standing Position: State Requirements and Oversight. The resolution now lends itself to a more general statement on the Association's stance on these matters and that fits into the Standing Positions. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics

B. Local Governance

1. STUDENTS RECEIVING ALTERNATIVE INSTRUCTION (HOMESCHOOL) FOLLOWING LOCAL SCHOOL DISTRICT POLICIES AND RULES

RESOLUTION

ASBSD supports all local school district eligibility requirements, policies and rules related to student participation in extracurricular, co-curricular and all other school sponsored activities be obeyed by alternative instruction (homeschool) students planning to participate.

RATIONALE

The statute does require an alternative instruction (homeschool) student participating in public school district activities be held to the same local training rules. ASBSD believes all students, regardless of path of education, participating in an activity be held to the same standard and follow all protocols.

ADOPTED: 2008

REVISED: 2022

2. SCHOOL FINANCES (DELETION PROPOSED)

RESOLUTION

~~ASBSD supports local governance in the management of district funds.~~

RATIONALE

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

~~ADOPTED: 2009~~

~~REVISED: 2024~~

~~*Incorporated in Standing Position: School Finance. The Resolution fits into the Standing Position because they express similar sentiments.*~~

3. CHARTER SCHOOLS OR OTHER SCHOOL SYSTEMS (DELETION PROPOSED)

RESOLUTION

~~ASBSD opposes legislation that creates charter schools or a similar school system that would require the use of any state or federal funds in order to operate.~~

RATIONALE

~~Any legislation that has the potential to introduce charter schools or similar school systems and could take funding from public schools, receive waivers from state standards of accreditation and teacher certification, be selective in the students who may enroll, and be detrimental to local public school districts, should be opposed.~~

~~ADOPTED: 2012~~

~~REVISED: 2024~~

~~*Incorporated in Standing Position: Non-Public Schools or Alternative Education Funding or Establishment of New Non-Public School Systems. The prevalence of legislative proposals establishing and funding non-public education systems has grown and the expressed opposition to these proposals now lends itself to a Standing Position because ASBSD opposes public funds being used for non-public education.*~~

B. Local Governance

4. PUBLIC FUNDING FOR NON-PUBLIC EDUCATION (DELETION PROPOSED)

RESOLUTION

~~ASBSD opposes any law, savings account, subsidies or voucher program that diverts taxpayer public dollars to fund non-public student education.~~

RATIONALE

~~Legislation that diverts or subsidizes taxpayer public dollars to non-public education would be detrimental to publicly educated students, and utilizes funding that is not accountable to taxpayers.~~

~~ADOPTED: 2015~~

~~REVISED: 2024~~

Incorporated in Standing Position: Non-Public Schools or Alternative Education Funding or Establishment of New Non-Public School Systems. The prevalence of legislative proposals establishing and funding non-public education systems has grown and the expressed opposition to these proposals now lends itself to a Standing Position because ASBSD opposes public funds being used for non-public education.

5. PRIVATE SCHOOL SCHOLARSHIP PROGRAM (DELETION PROPOSED)

RESOLUTION

~~ASBSD opposes state law allowing tax credits from the insurance company premium and annuity tax or any other private entity to fund a private school scholarship program and permits contributions to remain anonymous.~~

RATIONALE

~~The state law allowing the diversion of public dollars to non-public schools is detrimental to the public education system and, in the opinion of ASBSD, is unconstitutional. In addition, the scholarship program is based on an antiquated school funding system and may result in the program no longer remaining fiscally neutral for the state. Permitting contributions to remain anonymous places their special interests above their tax obligation to the state and undermines transparency established in other state laws. ASBSD supports amending SDCL 13-65 to require contributions to the scholarship fund to become public information. ASBSD also supports amending SDCL 13-65 to require any school receiving funds under SDCL 13-65 to follow all state requirements that public schools follow, including (but not limited to) accepting students under the State's Open Enrollment statutes and requiring the school to continue educating all accepted students until tuition/scholarship dollars are no longer paid or the student is expelled pursuant to State law.~~

~~ADOPTED: 2016~~

~~REVISED: 2024~~

Incorporated in Standing Position: Non-Public Schools or Alternative Education Funding or Establishment of New Non-Public School Systems. The prevalence of legislative proposals establishing and funding non-public education systems has grown and the expressed opposition to these proposals now lends itself to a Standing Position because ASBSD opposes public funds being used for non-public education.

B. Local Governance

6. SCHOOL DISTRICT IDENTIFICATION SYMBOLS and EVENTS

RESOLUTION

ASBSD supports the local control by public school boards, and encourages them to seek input from community stakeholders on matters that involve symbols and events they believe uniquely identify their school.

RATIONALE

Public school districts are sensitive to the representation and depiction of all people through the use of mascots, nicknames, logos or other symbols and school events. Public school boards are open to discussion with local Native American tribes, community organizations and members on the utilization of these symbols and maintain their local control to make determinations on usage based on these discussions and what is best for the district, as a whole.

ADOPTED: 2016

REVISED: 2020

7. DECISION-MAKING AUTHORITY REGARDING TRANSGENDER LEGISLATION

RESOLUTION

ASBSD supports the judgment, integrity and local control of public school boards and school districts to act in the best interest of all their students, school and community and show respect for all students, staff and other individuals, when making decisions on transgender matters that impact their local policies, facilities and other school procedures.

RATIONALE

Local public school boards and districts have been met with these matters previously and have prudently reached a decision that works best for all parties involved.

ADOPTED: 2016

REVISED: 2023

8. LEGAL AND FINANCIAL PROTECTION FOR COMPLIANCE WITH STATE LAW

RESOLUTION

ASBSD supports provisions in law that would require the South Dakota Attorney General's office to represent a public school district, should it face a lawsuit while complying with the state law, and indemnify the public school district for any financial liability incurred by the district rising out of the lawsuit.

RATIONALE

Public school districts respect the letter of the law and implement statutory requirements enacted by the legislature. Should a district face litigation for complying with state law, ASBSD believes a legal and financial partnership with the State of South Dakota is necessary. There is precedent in law related to this request as SDCL 13-67-5, 13-34-25 and 13-24-24 states the attorney general would represent a school district at no cost should it be sued for complying with state statute related to use of textbooks or the display of the national motto and we believe this right should be extended to all laws requiring school district compliance with state law.

ADOPTED: 2016

REVISED: 2023

B. Local Governance

9. BEHAVIORAL and MENTAL HEALTH RESOURCES (DELETION PROPOSED)

RESOLUTION

~~ASBSD supports additional State and Federal resources and funding for schools to support the behavioral and mental health of students and personnel in K-12 public schools.~~

RATIONALE

~~Public schools are experiencing a growing need for support in mental health resources including, behavior specialists and social workers, which most schools cannot afford. An increasing number of students and personnel with behavior and mental health issues have taxed the resources available in schools. Learning and instruction are disrupted and hindered if a student or staff member's behavioral or mental health problems are not addressed. Support from state and federal funds is essential to providing the resources needed.~~

~~ADOPTED: 2018~~

~~REVISED: 2024~~

~~*Incorporated into Standing Position: Health & Wellness. The resolution lends itself to a general statement on the Association's stance on these matters and that fits into the Standing Positions. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics.*~~

10. SAFE SCHOOLS RESOURCES (DELETION PROPOSED)

RESOLUTION

~~ASBSD supports additional State, Federal, and local resources and funding for schools to create a safe learning environment for all students in K-12 public school, so long as the resources and funding are not accompanied by a mandate that bypasses the local control decision making of a school board.~~

RATIONALE

~~School safety plans are continuously evolving and essential to ensuring a safe environment, thus additional resources are needed to:~~

- ~~a. Dedicate more resources to community efforts to "wrap services around" students. This starts at the district and school building level with programs that nurture students' social and emotional needs and growth. Through this support, communities can implement threat assessment and help students in need of intervention;~~
- ~~b. Provide sustained and flexible funding for comprehensive school safety planning and implementation. School boards may consider building improvements and school climate programs to enhance safety which can require capital outlay funds;~~
- ~~c. Fund more collaborative projects between schools and local law enforcement. ASBSD believes the best option to ensure school safety is through partnership with local law enforcement agencies, specifically in the form of school resource officers being in schools.~~

~~ADOPTED: 2018~~

~~REVISED: 2024~~

~~*Incorporated in the Standing Position: Safe and Secure Schools. The resolution now lends itself to a general statement on the Association's stance on these matters and that fits into a Standing Position. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics.*~~

B. Local Governance

11. SCHOOL BOARD AND SCHOOL BOND ELECTIONS

RESOLUTION

ASBSD opposes any legislative mandate which would require public school district annual school board elections, or special elections, or both, be held on any date other than what is determined by the local school board.

RATIONALE

It is important for locally elected school boards to be able to decide, within the parameters of state statute, the date they will hold their school board and school bond elections, in order to maintain the non-partisan nature of these elections. School bond elections should also be left to local control of the school board so the district can meet construction project timelines and favorable interest rates, should the bond be passed by the local voters. Since 1939 the locally elected school board has had the statutory authority to set the date of the annual school election and since 1981 the locally elected school board has had the statutory authority to choose to hold a general school district election in conjunction with a regular municipal election. School elections are a local decision and should remain as such.

ADOPTED: 2020

REVISED: 2022

12. SCHOOL ADMISSION IMMUNIZATION EXEMPTION AND REQUIREMENTS (AMENDMENT PROPOSED)

RESOLUTION

ASBSD opposes the repeal of immunization requirements or expansion of the immunization exemptions for students for public school admission beyond what is currently permitted in state law.

RATIONALE

The current immunization requirements and exemptions for students for school admission in school law provide sufficient personal rights and protection to families and students who fall within those criteria, as well as a safe environment for fellow students and school staff. Expansion or repeal of these exemptions would endanger the health of students and staff and the safe environment provided within the school.

ADOPTED: 2021

REVISED: 2024

The proposed amendment to the resolution focuses on opposition to any repeal to immunization requirements or exemptions in state law.

B. Local Governance

~~13. SCHOOL BOARD POLICY REFERRAL (DELETION PROPOSED)~~

RESOLUTION

~~ASBSD opposes legislation permitting the referral of local school board policy.~~

RATIONALE

~~Local school boards diligently develop and review school board policies, in an open forum with input available from the public during the process, that best fit their district and ensure compliance with state and federal law while also providing the best possible environment for student learning and safety and structure for the many processes that go into operating a school district. Legislation permitting the referral of local school board policy would hinder a school board's right to govern.~~

~~ADOPTED: 2022~~

~~REVISED: 2024~~

Portions of this resolution have been combined with additional ideas from B20. School Board Policy Language in State Law, as well as new concepts and put into new resolution B21. School Board Policy. This resolution's premise is in the new proposal.

~~14. SUPPORT FOR THE SOUTH DAKOTA SCHOOL SAFETY PROGRAM (DELETION PROPOSED)~~

RESOLUTION

~~ASBSD supports the South Dakota School Safety Program, which provides many resources and training opportunities schools can use to keep students and staff safe.~~

RATIONALE

~~Because school safety is always a priority, the creation of the South Dakota School Safety Program through the Department of Public Safety and Homeland Security offers school districts more resources to keep students and staff safe with their capability to provide resources and training for schools, along with the creation of a school safety tip line to inform administrators and law enforcement about potential harm.~~

~~ADOPTED: 2022~~

~~REVISED: 2024~~

Incorporated in the Standing Position: Safe and Secure Schools. The resolution now lends itself to a general statement on the Association's stance on these matters and that fits into a Standing Position. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics.

15. BOARD MEMBER RECALL PROCESS

RESOLUTION

ASBSD opposes legislation implementing a recall process for school board members.

RATIONALE

State law (SDCL 3-17) currently contains a process for the removal of a school board member for multiple reasons making the implementation of a recall process unnecessary.

ADOPTED: 2023

B. Local Governance

16. LOCAL CONTROL OF FACILITIES AND ACTIVITIES

RESOLUTION

ASBSD supports the decision-making ability of local school boards to determine, based on state law and/or their local school board policies, the appropriate use of their facilities and the activities sponsored by the district.

RATIONALE

Local school boards are best equipped to determine the best use of their facilities, as well as the activities the district chooses to sponsor, in accordance with state law and/or their local school board policies.

ADOPTED: 2023

17. PARENT AND GUARDIAN RIGHTS AND RESPONSIBILITIES

RESOLUTION

ASBSD supports the engagement of parents and guardians in education and encourages collaboration between parents or guardians and schools with the goal of supporting student learning, growth and development, so long as it doesn't limit the authority of the local school board or abridge or intrude upon the educational process.

RATIONALE

Parents/guardians have a fundamental right to oversee the care, custody and control of their children. Educators, administrators and school boards want parents and guardians to be invested and involved in their child's education. Schools welcome their input and influence on their child's intellectual development with the understanding between the two parties that an open dialogue be maintained in accordance with school board policy regarding the classroom and its materials, instead of actions that disrupt student learning. Parents have a responsibility to present concerns in a matter that aligns with established board policy and models respectful discourse for all students involved.

ADOPTED: 2023

18. SCHOOL, INSTRUCTIONAL AND LIBRARY MATERIALS REVIEW (AMENDMENT PROPOSED)

RESOLUTION

ASBSD supports adherence to local school board policies for review of school, instructional and library materials for both school district employees and the public.

RATIONALE

Locally elected school board members adopt school board policies that best fit their school district. Policies governing review of school, instructional and library materials have been thoroughly vetted by the school board and administration and are best suited for the review process in the district. These policies should be regularly reviewed by the school board and district's administration to ensure they meet the needs of the district.

ADOPTED: 2023

REVISED: 2024

Added instructional to the resolution so it matches the title.

B. Local Governance

19. NONPARTISAN SCHOOL BOARD ELECTIONS

RESOLUTION

ASBSD supports the provision in state statute (SDCL 13-7-13) maintaining the nonpartisanship of public school board elections.

RATIONALE

The purpose of South Dakota's public school system is to educate children. Education to students is provided in an unbiased and nonpartisan manner for the best possible learning environment to be achieved and successful outcomes to be attained. Locally elected leaders of public schools within the state's public education system must remain unbiased and nonpartisan when making decisions in the best interest of students and school systems. Therefore, local public school board elections should maintain their nonpartisan status, allowing local voters to focus on the individual candidate running and not their political party affiliation.

ADOPTED: 2023

~~20. SCHOOL BOARD POLICY LANGUAGE IN STATE LAW (DELETION PROPOSED)~~

~~RESOLUTION~~

~~ASBSD opposes legislation requiring specific language school boards must implement in their local policies.~~

~~RATIONALE~~

~~Local school boards thoroughly develop school board policies that best fit the needs of their students and staff and represent the interests of the local community, which elected them, and implement the policies through a rigorous process. Legislation seeking to codify one-size fits all language for a school board policy bypasses the policy development process and erodes the community connection and local control of a school board.~~

~~ADOPTED: 2023~~

Portions of this resolution have been combined with additional ideas from B13. School Board Policy as well as new concepts and put into new resolution B21. School Board Policy.

21. SCHOOL BOARD POLICY (ADOPTION PROPOSED)

RESOLUTION

ASBSD supports the local control of school boards in creating, reviewing, adopting, implementing and maintaining their school board policies.

RATIONALE

Local school boards thoroughly develop school board policies that best fit the needs of their students and staff and represent the interests of the local community, which elected them, and implement the policies through a rigorous process. School boards complete the policy process in an open forum with input available from the public throughout the policy adoption proceedings. Finally, school boards are well aware of educational and societal issues that affect their district and develop school board policies promptly to address these matters. A mandate removing the local control of school boards in the policy process would hinder its right to govern.

ADOPTED: 2024

Encompasses the thoughts of B13. School Board Policy Referral & B20. School Board Policy Language in State Law while also focusing on the local control of school boards on their policies and process.

B. Local Governance

22. MANDATES ON DISPLAYS IN SCHOOL BUILDINGS (ADOPTION PROPOSED)

RESOLUTION

ASBSD opposes mandate requiring or limiting displays in any area of public school buildings beyond what is currently required in state statute.

RATIONALE

Beyond what is currently required in state law, mandates that require or limit displays, in any manner, are unnecessary. Local school leaders can decide what should or should not be displayed in common areas in school buildings and classrooms. Local school boards have the authority to implement policies managing displays in their buildings and are trusted to do so by their communities. Further laws diminishing this power are an erosion of local control.

ADOPTED: 2024

Should legislation requiring certain displays in classrooms be introduced in upcoming session this resolution provides ASBSD with the cover to oppose a mandate of this nature.

C. School Finance

1. CONSISTENT SPARSITY FUNDING (AMENDMENT PROPOSED)

RESOLUTION

ASBSD supports consistent ~~district-level~~ funding provided by the state for sparse public 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, since the funding has been instituted, the amount of funding delivered to districts has declined and has been threatened for repeal. Given that sparsity 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

Removes district level from the resolution to center the focus on the funding portion of it.

2. SCHOOL FUNDING – ~~TWO-YEAR ENROLLMENT AVERAGING~~ (AMENDMENT PROPOSED)

RESOLUTION

ASBSD supports ~~reinstating two-year the implementation of~~ enrollment averaging or current enrollment, whichever is larger, in place of the singular use of the fall enrollment count for the state aid formula calculation.

RATIONALE

The provision in the state aid formula that allowed for two-year averaging of school district enrollment was eliminated ~~in 2016, but—W~~with year to year fluctuations in student enrollment, public schools ~~depend on two-year would benefit from enrollment~~ averaging to provide stability in their budgeting process.

ADOPTED: 2016

REVISED: 2024

The amendment to the resolution expands our support of any implementation of enrollment averaging being reintroduced in the funding formula.

3. CAPITAL OUTLAY ADJUSTMENTS

RESOLUTION

ASBSD supports legislation amending Capital Outlay fund caps in SDCL 13-16-7.2 to allow a school district flexibility within the levy.

RATIONALE

Since the implementation of the Capital Outlay growth caps, schools have experienced growing pressure on the Capital Outlay fund. Inflation has led to rising costs and resulted in schools having to postpone projects due to the inability to raise the needed funds because of the caps imposed on the Capital Outlay levy. Legislation amending the caps and providing more flexibility to districts would benefit fiscally responsible building projects.

ADOPTED: 2018

REVISED: 2023

C. School Finance

4. GENERAL OBLIGATION BOND ELECTION

RESOLUTION

ASBSD supports legislation allowing a school bond to be approved by a simple majority vote.

RATIONALE

With the growth caps placed on Capital Outlay, schools are finding it increasingly difficult to fund major Capital Outlay projects, such as facility construction. School districts need the ability to pass bonds on local construction whereby a majority vote of the electorate is enough for it to pass. Under current law SDCL 7-24-2 county bonds only require a simple majority, while school related bonding requires a 60 percent vote to pass. Thus, the change would be consistent with another government subdivision requirement.

ADOPTED: 2018

5. PROPERTY TAX EXEMPTION FOR HOME SCHOOL INSTRUCTION (DELETION PROPOSED)

RESOLUTION

~~ASBSD opposes legislation exempting parents or guardians who provide home school instruction from property taxes.~~

RATIONALE

~~Exempting specific taxpayers from the need to pay for public education defeats the purpose of taxation of the general public to provide the constitutionally mandated support for public schools. Parents and guardians utilizing home school instruction have made a choice when it comes to exempting out of the public school system and that choice should be respected, however, forgiving their tax obligation to fund public education is a dangerous precedent that would lead to any government service being provided on a use basis. Government cannot function in that model.~~

ADOPTED: 2018

REVISED: 2021

Incorporated in Standing Position: Non-Public Schools or Alternative Education Funding or Establishment of New Non-Public School Systems. The prevalence of legislative proposals establishing and funding non-public education systems has grown and the expressed opposition to these proposals now lends itself to a Standing Position because ASBSD opposes public funds being used for non-public education.

C. School Finance

6. INCREASING STATE AID (AMENDMENT PROPOSED)

RESOLUTION

ASBSD supports an annual increase to State Aid without a growth cap, but rather a focus on public school districts receiving the maximum amount of state budget dollars available. ~~The Governor and the Legislature have a constitutional obligation to maintain a state education funding system that provides for public schools to deliver a high-quality education and competitively compensate district employees. To accomplish that, an annual increase in state aid must be provided without a percentage limit.~~

RATIONALE

The Governor and the Legislature have a constitutional obligation to maintain a state education funding system that provides for public schools to deliver a high-quality education and competitively compensate district employees. To accomplish that, an annual increase in state aid must be provided without a percentage limit.

Appropriating funds for public schools is a constitutional requirement of South Dakota under Article 8, section 1, and must be a state budget priority. State Aid is critical to schools in order for them to maintain a consistent revenue source and without it, schools would not be able to withstand the inflationary increases of salaries, and operational expenses of schools and thus not meet the standard of education expected. In addition, schools are required by state law to meet accountability rules to maintain teacher salaries. Without State Aid schools could not meet those state mandated requirements.

Schools need State Aid and the Legislature needs to fund it annually with maximum amount of dollars available. School districts must be appropriated the maximum amount of dollars available to pay for the growing needs within school districts to:

- a. provide the best quality education for each student;
- b. provide salary increases to teachers, as well as maintain salaries for all personnel, and remain competitive in regional teacher salaries to attract and retain our best teachers;
- c. meet inflationary increases in the operation of the schools;
- d. maintain safety and health related services;
- e. provide current technology and instructional materials.

ADOPTED: 2018

REVISED: 2024

Moved second and third sentence in the resolution to the rationale and minor updates in language were also made.

C. School Finance

7. ACCOUNTABILITY WAIVERS (AMENDMENT PROPOSED)

RESOLUTION

ASBSD supports the waiver process option for school districts to seek relief from accountability requirements, including, but not limited to, meeting the target average teacher compensation, minimum teacher salary and the general fund reserve cash caps. In a fiscal year where school districts are not provided the statutorily required increase in state aid, waivers from accountability requirements should be considered.

RATIONALE

There must be a balance between accountability and flexibility regarding funds for enhancing teacher salaries and general fund cash reserves. Each school district faces unique challenges and situations and the waiver process is an important component in guaranteeing flexible options for schools to meet the teacher salary targets and general fund cash reserve caps.

ADOPTED: 2018

REVISED: 2024

Changes target to average teacher compensation to match state law and adds the minimum teacher salary accountability, which will become an accountability in 2026-27.

8. PROTECTING SCHOOL DISTRICT VALUATIONS (AMENDMENT PROPOSED)

RESOLUTION

ASBSD opposes legislation that would reduce or cap any property valuations without the inclusion of a hold harmless clause for school districts.

RATIONALE

ASBSD believes protecting property valuations to support school funding must be a priority in South Dakota. Any legislation that significantly reduces or implements a cap on property valuations without a hold harmless for schools would have a drastic negative effect on school finance.

ADOPTED: 2019

REVISED: 2024

Adds a provision to oppose putting a cap on property taxes, which was introduced in legislation during the previous session.

C. School Finance

~~9. IMPLEMENTATION OF TEACHER SALARY ACCOUNTABILITY TARGETS (DELETION PROPOSED)~~

RESOLUTION

~~ASBSD supports the implementation of teacher salary accountability targets only if new, ongoing funding, beyond the annual increase in state aid that schools receive, is provided.~~

RATIONALE

~~Public school boards support increasing teacher salaries in order to recruit and retain the quality staff members charged with educating our students on a day-to-day basis. To increase those salaries, school districts need a new, ongoing funding source, beyond what is provided in state aid, which is used cover not only teacher salaries, but also administrator and other staff wages and a variety of other costs within their budgets. Should teacher salary accountability targets exceeding what districts receive in state aid be set, school boards will be unable to meet those targets or be forced into budget cuts in order to reach them. An additional, on-going funding commitment would need to be made in order for teacher salary targets to be met.~~

~~ADOPTED: 2021~~

~~REVISED: 2024~~

~~*The recent addition & change to teacher pay accountabilities changes our need to support any new accountabilities.*~~

~~10. FUNDING FOR SCHOOL SAFETY PROGRAMS (DELETION PROPOSED)~~

RESOLUTION

~~ASBSD supports funding for schools to implement or add school safety measures, which may include school resource officers, physical security improvements, or related student supports.~~

RATIONALE

~~The safety of students and staff is of the utmost importance to school districts. School Safety funding provided to schools for a school resource officers, physical security improvements, or related student supports would enhance the safety of the school environment as an additional resource to the safety policies, procedures and plans already in place.~~

~~ADOPTED: 2022~~

~~REVISED: 2024~~

~~*Incorporated in the Standing Position: Safe and Secure Schools. The resolution now lends itself to a general statement on the Association's stance on these matters and that fits into a Standing Position. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics.*~~

C. School Finance

11. FUNDING FOR CAREER AND TECHNICAL EDUCATION (CTE) PROGRAMS

RESOLUTION

ASBSD supports new funding for public schools for Career and Technical Education (CTE) options and opportunities within their district, and for collaborated efforts with neighboring districts.

RATIONALE

South Dakota has a need to create an expanded and educated workforce. As education needs of students change, we need to adapt and change to create educational opportunities, which will offer resources that help guide students down pathways of success, not just in education, but for success in their future career goals. An expansion and creation of CTE options could provide partnership opportunities for neighboring school districts that could offer expanded educational opportunities. ASBSD supports the state creating grant opportunities for districts, which could be applied for by local districts to create and expand CTE centers by matching those grant funds with local funds.

ADOPTED: 2022

~~C12. STATE-FUNDED UNDERGRADUATE EDUCATION SCHOLARSHIP PROGRAM (DELETION PROPOSED)~~

~~RESOLUTION~~

~~ASBSD supports a state-funded program for an undergraduate scholarship for education majors in each K-12 education certification area who enroll in South Dakota Board of Regent Universities.~~

~~RATIONALE~~

~~There is an insufficient number of undergraduate education majors enrolled in South Dakota Board of Regent Universities to meet the staffing needs of K-12 schools in South Dakota. Notably, in fiscal years 2018-2021, there were only 44 graduates of science education programs from these universities, which is less than twenty-five percent of the number of science teachers needed in South Dakota during that time.~~

~~To combat the teacher shortage in South Dakota public schools, a state-funded scholarship program providing 100 percent of tuition and fees for undergraduate scholarships to education majors in each certification area who enroll in South Dakota BOR Universities that are equal to the number of alternative certification approvals plus the number of K-12 public school educators holding an international exchange teacher permit, should be established and distributed.~~

~~ADOPTED: 2023~~

~~REVISED: 2024~~

~~Incorporated in Standing Position: Investment in Education. The resolution now lends itself to a general statement on the Association's stance on these matters and that fits into a Standing Position. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics.~~

C. School Finance

~~C13. STATE-FUNDED TEACH FOR SOUTH DAKOTA ACADEMY (DELETION PROPOSED)~~

RESOLUTION

~~ASBSD supports the creation of a state-funded Teach for South Dakota Academy, as well as a stipend program, for public school teachers holding a preliminary alternative certification or an alternative certification to assist in their completion of requirements for full certification.~~

RATIONALE

~~Expecting a teacher to take classes to become certified while simultaneously transitioning to a new teaching career is unreasonable and the creation of the Teach for South Dakota Academy, which would take place during the summer and be provided at no cost to public school teachers attending, will benefit their progress in obtaining full certification.~~

~~Providing a transitional stipend may attract those considering a career change into education by reducing financial barriers to career changes. Moreover, providing pedagogical training and fundamentals of teaching experiences will produce better, more productive, and more confident teachers.~~

ADOPTED: 2023

REVISED: 2024

Incorporated in Standing Position: Investment in Education. The resolution now lends itself to a general statement on the Association's stance on these matters and that fits into a Standing Position. Moving the resolution language into a Standing Position still provides the necessary leeway to take a position on legislation dealing with these topics.

14. TRANSFERS FROM CAPITAL OUTLAY TO GENERAL FUND (ADOPTION PROPOSED)

RESOLUTION

ASBSD supports the increase of the percentage amount a school district can transfer from its capital outlay fund to its general fund.

RATIONALE

With the change in teacher pay accountabilities public school districts will need to explore different funding options to ensure they meet what's required in state law. Increasing the percentage amount a school district can transfer from its capital outlay fund to its general fund presents a different option to public school districts to utilize in their general fund to meet the teacher pay accountabilities without having to raise taxes through an opt-out, which would put increased property tax pressure on constituents. Providing this additional funding option benefits the public school districts and, most importantly, their local taxpayers.

ADOPTED: 2024

Increasing the transfer amount from Capital Outlay to the general fund provides school districts to meet the accountabilities required of them without raising taxes and the resolution would allow us to support the legislation.

D. Taxation

1. PROPERTY TAX REDUCTION OR REPEAL

RESOLUTION

ASBSD opposes the reduction or repeal of property tax without a new source of revenue being implemented to replace those dollars lost or a hold harmless clause being included in any proposal.

RATIONALE

Property tax dollars are the main source of local revenue for South Dakota's public school districts and any reduction or repeal of these dollars removes much needed funding from these districts. Any repeal or reduction of a property tax must be replaced with a new revenue source or include a hold harmless clause in order for the district to meet its budget obligations.

ADOPTED: 2022

REVISED: 2023

2. TAX COLLECTION ADMINISTRATION FEE

RESOLUTION

ASBSD opposes legislation imposing a fee on local school districts to be paid to another local government entity for collecting and distributing property taxes.

RATIONALE

South Dakota's K-12 public school funding system makes school districts heavily reliant on property taxes to fund the many components in their budget, but within the state's property tax system are not equipped to collect or distribute local dollars. School districts should not be assessed a fee for the collection and distribution of dollars they are dependent upon, but are not allowed to collect themselves (SDCL 10-21-1).

ADOPTED: 2023

3. STATE REVENUE COLLECTION (ADOPTION PROPOSED)

RESOLUTION

ASBSD opposes the repeal or reduction of a state revenue source without the increase to an existing revenue source or implementation of a new revenue source to replace the lost dollars.

RATIONALE

The state aid funding formula relies on two funding sources in local property tax dollars and state revenue collection. If either source of revenue for the state aid funding formula receives a cut the other must make up the loss in funding or, if the revenue is not made up, funding for public schools will be cut. A reduction or repeal of a state revenue source without it being recouped from another or new revenue source would be detrimental to public schools.

ADOPTED: 2024

The resolution permits ASBSD to oppose any repeal or reduction of state revenue without replacement revenue in place, which would put school funding in precarious position.

E. Personnel

1. HUMAN RESOURCE MANAGEMENT

RESOLUTION

ASBSD supports a local public school 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

1. STATE EDUCATION MANDATES

RESOLUTION

ASBSD supports legislative action to review and subsequently require the state to supply the necessary funding for all mandates placed on local public 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 legislature to review and subsequently require the funding necessary to meet the fiscal impact on public school districts and consider providing additional funding, if determined as being needed, prior to the passage of all mandates placed on local public school districts.

ADOPTED: 2008

REVISED: 2023

2. FEDERAL MANDATES

RESOLUTION

ASBSD supports full funding for all federal mandates.

RATIONALE

When federal policymakers enact laws intended to foster higher levels of school performance and academic achievement, Congress must adequately fund federal mandates to avoid causing local school boards to shift local resources to meet the demands of federal education policies.

ADOPTED: 2008

REVISED: 2016

G. Federal Relations

1. MEDICAID SERVICE REIMBURSEMENT

RESOLUTION

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

RATIONALE

Public 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 public school districts provide outreach and coordination services that ultimately helps eligible children receive health services in a timely manner.

ADOPTED: 2008

REVISED: 2012

2. SCHOOL NUTRITION

RESOLUTION

ASBSD supports flexibility in federal law for 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 public 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: 2016

3. 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 public 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 public K-12 schools. Expansion of the federal E-rate program would improve access to technology for public K-12 schools and students.

ADOPTED: 2010

REVISED: 2012

G. Federal Relations

4. EVERY STUDENT SUCCEEDS ACT (ESSA)

RESOLUTION

ASBSD supports the federal education policy emphasizing the importance of local governance, providing states with more control over education standards and strengthening support for local control in managing school administration, budget development and related operations for public school district responsibilities.

RATIONALE

ESSA affirms state control of education standards by allowing them to set their own benchmarks for student achievement in math and reading. In addition, ESSA reaffirms the importance of local governance as state education standards will be up for peer review by public school board members, administrators, parents and other groups. A local governance measure included in the bill strengthens support for local control which will enhance the local district's goal of consistent student achievement.

ADOPTED: 2016