



2024 ASBSD Legislative Resolutions

(Revised: 8/2/2023)

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

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.

ADOPTED: 2008

REVISED: 2019

A. Achievement and Equity

3. SOUTH DAKOTA ACADEMIC CONTENT STANDARDS, GRADUATION REQUIREMENTS AND STATE ASSESSMENT EXAMS

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: 2022

4. STATE TESTING REQUIREMENTS (PROPOSED DELETION)

Reason for Deletion: Students receiving alternative instruction are currently exempt from taking state assessments and additional exemptions have not been proposed, recently, in the legislature.

RESOLUTION

~~ASBSD opposes legislation that would exempt any student in a public, private or alternative instruction from state assessments.~~

RATIONALE

~~ASBSD believes all students should be included in testing required by the South Dakota Department of Education. All groups of students, whether in public, private or alternative instruction education programs, should be required to demonstrate knowledge at a similar level to that of their peers residing in a different educational path.~~

~~ADOPTED: 2019~~

~~REVISED: 2023~~

5. CURRICULUM ADOPTION

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 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: 2022

A. Achievement and Equity

6. CONTENT STANDARDS (PROPOSED DELETION)

Reason for Deletion: ASBSD's position on content standards is covered in subsequent resolutions A7 & A8.

RESOLUTION

~~ASBSD supports changes to the state statute governing content standards revision cycle that standards only be reviewed and revised at the request of the State Board of Education Standards.~~

RATIONALE

~~The South Dakota State Board of Education Standards is best suited to decide which content standards need to be reviewed and when a revision to them is necessary. BOE should independently make the determination of which content standards should be reviewed and when that should take place, task the Department of Education to conduct the review with collaboration from South Dakota educators and other appropriate professionals and then follow the public hearing process before making their decision on final approval of the proposed content standards.~~

~~ADOPTED: 2022~~

~~REVISED: 2023~~

7. CONTENT STANDARDS INTERVENTION (PROPOSED ADOPTION)

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: 2023

8. STATE BOARD OF EDUCATION STANDARDS MEMBERSHIP AND APPOINTMENT (PROPOSED ADOPTION)

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: 2023

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

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: 2012

3. CHARTER SCHOOLS OR OTHER SCHOOL SYSTEMS

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: 2021

B. Local Governance

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

RESOLUTION

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

RATIONALE

Legislation that diverts or subsidizes taxpayer public dollars, ~~in any manner,~~ to non-public education would be detrimental to ~~the public~~ y education educated system, students, and utilizes funding that is not accountable to taxpayers.

ADOPTED: 2015

REVISED: 2023

5. PRIVATE SCHOOL SCHOLARSHIP PROGRAM

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: 2021

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

B. Local Governance

7. DECISION-MAKING AUTHORITY REGARDING TRANSGENDER LEGISLATION (PROPOSED AMENDMENT)

RESOLUTION

ASBSD supports the judgment, ~~and integrity~~ and local control of ~~local~~ 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, ~~including transgender persons, within the parameters of existing law and the South Dakota High School Activities Association's former policy and procedure on participation when making decisions on transgender matters that impact their local policies, facilities and other school procedures.~~

RATIONALE

Local public school boards and districts, ~~as well as SDHSAA,~~ 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 (PROPOSED AMENDMENT)

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 ~~handed down to them~~ 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

9. BEHAVIORAL and MENTAL HEALTH RESOURCES

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: 2022

B. Local Governance

10. SAFE SCHOOLS RESOURCES

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 schools.

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: 2022

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

B. Local Governance

~~12. GOVERNANCE WHEN DEALING WITH COVID (PROPOSED DELETION)~~

Reason for Deletion: Local school boards and school districts have the authority to make the necessary decisions when dealing with COVID in their schools.

RESOLUTION

~~ASBSD supports school districts' maintaining high expectations for learning and recognizes local decision-making is essential when dealing with COVID issues in their schools.~~

RATIONALE

~~Decisions are best made at the local level for the students and staff in each school district, including those dealing with the method of instruction that best meets the needs of students and can be delivered by staff, when COVID issues arise. The local school district needs guidance as to how to deal with issues, but does not need mandates from either the state or federal level.~~

~~ADOPTED: 2020~~

~~REVISED: 2023~~

13. SCHOOL ADMISSION IMMUNIZATION EXEMPTION

RESOLUTION

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

RATIONALE

The current immunization 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 of these exemptions would endanger the health of students and staff and the safe environment provided within the school.

ADOPTED: 2021

~~14. STATE OPERATED WEBSITE FOR NOTICES OR MEETING INFORMATION POSTING (PROPOSED DELETION)~~

Reason for Deletion: Information posting requirements in state law have not been adapted towards this platform and the additional responsibilities that come with posting on this website are onerous for school districts.

RESOLUTION

~~ASBSD supports a website hosted and operated by the state of South Dakota on which local governments could post any required notices or meeting information.~~

RATIONALE

~~A state-run website, replacing the current posting requirements in state law, would provide a centrally located platform for local governments to post notices and meeting information, save public funds currently needed to pay for posting requirements and provide South Dakota residents with an easily accessible location to stay up-to-date on the actions of their local government bodies.~~

~~ADOPTED: 2021~~

~~REVISED: 2023~~

B. Local Governance

15. SCHOOL BOARD POLICY REFERRAL

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

16. SUPPORT FOR THE SOUTH DAKOTA SCHOOL SAFETY PROGRAM

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

17. BOARD MEMBER RECALL PROCESS (PROPOSED ADOPTION)

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

18. LOCAL CONTROL OF FACILITIES AND ACTIVITIES (PROPOSED ADOPTION)

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

B. Local Governance

19. PARENT AND GUARDIAN RIGHTS AND RESPONSIBILITIES (PROPOSED ADOPTION)

RESOLUTION

ASBSD supports the engagement of parents and guardians in education and encourages collaboration between parents 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

20. SCHOOL, INSTRUCTIONAL AND LIBRARY MATERIALS REVIEW (PROPOSED ADOPTION)

RESOLUTION

ASBSD supports adherence to local school board policies for review of school 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

21. NONPARTISAN SCHOOL BOARD ELECTIONS (PROPOSED ADOPTION)

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

C. School Finance

1. CONSISTENT SPARSITY FUNDING

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

2. SCHOOL FUNDING – TWO YEAR ENROLLMENT AVERAGING

RESOLUTION

ASBSD supports reinstating two-year enrollment averaging or current enrollment, whichever is larger, in place 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. With year to year fluctuations in student enrollment, public schools depend on two-year averaging to provide stability in their budgeting process.

ADOPTED: 2016

REVISED: 2019

3. CAPITAL OUTLAY ADJUSTMENTS (PROPOSED AMENDMENT)

RESOLUTION

ASBSD supports legislation amending ~~the \$3,400 cap on~~ Capital Outlay funds ~~s caps~~ in SDCL 13-16-7.2 ~~and setting the maximum limits in SDCL 13-16-7,~~ to allow a school district flexibility to within the levy ~~up to \$3-~~ per \$1,000 of valuation.

RATIONALE

Since the implementation of the Capital Outlay growth caps, schools have experienced growing pressure on the Capital Outlay fund. ~~Amending the additional \$3,400 cap on the fund and allowing school districts to levy up to the \$3 per \$1,000 of valuation would help minimize the pressure. 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

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

C. School Finance

6. INCREASING STATE AID (PROPOSED AMENDMENT)

RESOLUTION

ASBSD supports an annual increase to State Aid without a growth cap, but rather a focus on the maximum amount of state 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

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: 2023

C. School Finance

7. ACCOUNTABILITY WAIVERS

RESOLUTION

ASBSD supports the waiver process option for school districts to seek relief from accountability requirements, including, but not limited to, meeting the target teacher compensation 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: 2021

8. PROTECTING SCHOOL DISTRICT VALUATIONS

RESOLUTION

ASBSD opposes legislation that would reduce 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 property valuations without a hold harmless for schools would have a drastic negative effect on school finance.

ADOPTED: 2019

~~9. FUNDING FOR PARTICIPATION OF HOMESCHOOL STUDENTS IN PUBLIC SCHOOL DISTRICT INTERSCHOLASTIC ACTIVITIES (PROPOSED DELETION)~~

Reason for Deletion: Legislation related to this resolution was passed in 2022.

RESOLUTION

~~ASBSD supports state funding for public school districts for each homeschool student who participates in any state sanctioned extracurricular activity or local district co-curricular activity.~~

RATIONALE

~~Senate Bill 177, which was passed during the 2021 legislative session, removed the local school board's decision-making on the participation eligibility of homeschool students in local activities. The requirement will increase student participation in interscholastic activities, as defined by the South Dakota High School Activities Association, and impose an unfunded mandate for the 2021-22 school year. Public school districts are not compensated for homeschool students not enrolled in the district and to avoid the costs associated with an increase in student participation continuing to compound, additional state funding should be provided.~~

ADOPTED: 2021

REVISED: 2023

C. School Finance

10. IMPLEMENTATION OF TEACHER SALARY ACCOUNTABILITY TARGETS

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: 2022

11. FUNDING FOR SCHOOL SAFETY PROGRAMS

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

12. 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

D. Taxation

~~1. COMMITMENT TO THE HALF PENNY SALES TAX RATIO (PROPOSED DELETION)~~

Reason for Deletion: The funds from the initial increase to the sales tax were met proportionally for schools and with the recent decrease to the sales tax, the resolution is no longer needed.

RESOLUTION

~~ASBSD supports continued adherence to the original ratio of funds from the half penny sales tax established in HB 1182 (SDCL 10-58-7) in 2016 dedicated to funding teacher salaries.~~

RATIONALE

~~ASBSD believes the State must continue the revenue distribution ratio implemented when the half-cent sales tax was approved in order for schools to maintain funding teacher salaries at the rate required by state mandates attached to the additional dollars and to fulfill the purpose the original statute intended.~~

ADOPTED: 2018

REVISED: 2023

~~2. SCHOOL FUNDING — PARTRIDGE AMENDMENT (PROPOSED DELETION)~~

Reason for Deletion: The Partridge Amendment was repealed during the 2023 legislative session and the resolution is no longer relevant.

RESOLUTION

~~ASBSD opposes reducing the state's sales tax rate should the revenue collected from the remote seller's tax — the tax collected by the state on Internet sales — exceed the previous calendar year's revenue collection from the tax by \$20 million.~~

RATIONALE

~~Revenue collections must be suitable in order for the state to meet its financial obligations, such as providing the statutorily required increase in state aid to education, while balancing the state budget. Tax dollars, especially sales tax dollars, are the main source of revenue for South Dakota and in order to meet the state's financial obligations to public education, as well as other government related entities, while also balancing the budget, the state needs an expansive source of revenue.~~

ADOPTED: 2019

REVISED: 2023

3. PROPERTY TAX REDUCTION OR REPEAL

RESOLUTION

ASBSD opposes the reduction or repeal of a 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 state's coffers 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 state district to meet its budget obligations.

ADOPTED: 2022

REVISED: 2023

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 ~~require the State to adopt a fiscal note associated with and providing funding~~ review the fiscal impact 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 ~~State Department of Education legislature to adopt~~ review the fiscal notes and request funding from the legislature 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