

2024 GOVERNMENT AFFAIRS COMMITTEE RESOLUTIONS REPORT

NDSBA's Government Affairs Committee (GAC) met on August 30, 2024, to act on resolutions for consideration by the Delegate Assembly. Participating committee members were: Karl Lembke, Chair (Bismarck); Patti Stedman (West Fargo); Marlana Knudson (May-Port CG); Jason Rohr (Jamestown); Robin Nelson (Fargo); Michelle Orton (Dickinson); LeeAnn Johnston (Devils Lake); Collette Hertz (Harvey); and Mike Lautenschlager (Lewis & Clark).

Resolutions remain as standing resolutions for four years unless significant legislative or staff action prompts an earlier review. At the end of four years, they are dropped unless readopted by the Delegate Assembly. Seven resolutions were recommended for re-adoption as written, one resolution was recommended to be dropped, and one new resolution was submitted in 2024. The following are the recommendations of the GAC:

RESOLUTIONS THAT ARE FOUR YEARS OLD AND RECOMMENDED FOR READOPTION AS WRITTEN:

A. FUNDING

1. STATE AID FOR GROWING SCHOOL DISTRICTS. NDSBA shall support legislation that modifies the Foundation Aid Program to allow the use of fall enrollment to provide adequate state support to districts with increasing enrollment.

Adopted in 2012; readopted in 2016 and 2020.

2. STATE TECHNOLOGY INFRASTRUCTURE MAINTENANCE AND OPERATION.
NDSBA

believes the cost of maintaining, supporting, and enhancing this system should continue to be financed with state dollars and there should be no transfer of the cost associated with this network back to the local school districts.

Adopted in 2004; readopted in 2008, 2012, 2016, and 2020.

3. STATE FUNDING OF SPECIAL EDUCATION AND GIFTED AND TALENTED PROGRAMS. NDSBA supports the state ensuring program funding equity and full funding of special education costs to districts including gifted and talented education and to provide a permanent mechanism for the distribution of any surplus special education dollars.

Adopted in 2004; readopted in 2008 and 2012; amended and readopted in 2016; and readopted in 2020.

D. PERSONNEL

1. BUSINESS MANAGER CERTIFICATION PROGRAM. School boards support the Business Manager Certification Program by providing financial support through the

use of school district funds to encourage business managers to participate in this voluntary professional development opportunity.
Adopted in 2012; readopted in 2016 and 2020.

E. NEGOTIATIONS

2. COLLECTIVE BARGAINING. NDSBA shall oppose legislation mandating school boards to collectively bargain with employees other than those currently required by 15.1-16-01: "...public school employee(s) licensed to teach by the ESPB or approved to teach by the ESPB and employed primarily as a classroom teacher."
Adopted in 2008; readopted in 2012, 2016, and 2020.

F. PROGRAM

1. SCHOOL LUNCH PROGRAM. NDSBA shall work with the North Dakota Department of Agriculture, the North Dakota Department of Public Instruction, and the North Dakota Congressional Delegation to encourage the USDA to amend their federal regulations related to the School Lunch Program, School Breakfast Program, and "a la carte" food sales to allow for local control.
Adopted in 2012; amended and readopted in 2016; and readopted in 2020.

G. BOARD AUTHORITY AND BOARD MEETINGS

1. POSTING OF BILLS IN AN ALTERNATE FORMAT. NDSBA shall support state law changes to allow school districts the flexibility to post their bills using an electronic format such as the district's Website.
Adopted in 2004; amended and readopted in 2008; readopted in 2012, 2016, and 2020.

RESOLUTIONS THAT ARE FOUR YEARS OLD AND RECOMMENDED TO BE DROPPED:

E. NEGOTIATIONS

1. DEADLINE FOR NEGOTIATIONS. NDSBA shall support legislation that would require and/or encourage contract negotiations to be pursued in good faith, diligently, and within a reasonable period of time in order to have an agreement reached between the school board and recognized representative organization by a specified deadline or impasse will be automatically declared.
Adopted in 2020.

NEW RESOLUTION RECOMMENDED FOR ADOPTION:

A resolution to support the preservation of public dollars for public schools and opposes legislation diverting public dollars to non-public schools through the implementation of funding mechanisms such as voucher programs, education savings accounts, and tax credit scholarship programs.

WHEREAS, public schools are the backbone of society. A strong public school system contributes to lower unemployment, reduced crime, improved public health, and a strong workforce.

WHEREAS, public schools are democratically controlled. Public school boards are elected by the citizens of the district and accountable to district taxpayers. North Dakota law requires meetings of a public school board to be open and accessible to the public. In addition, members of the public are able to obtain any records of a public entity that are not confidential or exempt as a matter of law. Non-public school board members are not elected by the taxpayer. Similarly, non-public school boards are not required to hold their meetings in public or disclose their records.

WHEREAS, public school districts are open and accessible to all students. Public school districts are required to follow the Americans with Disabilities Act and the Individuals with Disabilities Education Act. As such, public school districts must identify and evaluate students who may have disabilities, vary instruction based on need, employ interpreters, and attend to any other accommodations and modifications required to make schools, facilities, and activities accessible for all students. Non-public schools are not held to these same standards. Similarly, non-public schools have the ability to deny a student admission for any reason.

WHEREAS, public school districts are subject to both state and federal accountability standards. Public school districts must implement high quality, valid, reliable, and fair annual assessments aligned to North Dakota State standards in English language arts, mathematics, and science. Public school districts are expected to demonstrate growth towards meeting and exceeding expected levels of student achievement. Similarly, all North Dakota public schools are required to collaborate with Cognia in the Continuous School Improvement process and create a strategy map of the specific schools' educational priorities. Public schools identified for comprehensive and targeted support are required to create additional plans. All records of a public school district regarding accountability, support, and improvement are available to the public. Information regarding non-public school achievement data does not have to be made available to the public.

WHEREAS, funding for public school districts promotes equity among larger and smaller districts.

THEREFORE, BE IT RESOLVED, NDSBA supports the preservation of public dollars for public schools and opposes legislation diverting public dollars to non-public schools through the implementation of funding mechanisms such as voucher programs, education savings accounts, and tax credit scholarship programs.