

NDSBA STANDING RESOLUTIONS

November 2020

NDSBA Standing Resolutions are adopted by the Delegate Assembly and are uniquely legislative. They are dropped after four years unless brought to the Delegate Assembly for reconsideration. NDSBA Beliefs and Policies are permanent philosophical, legislative, and operational statements established by the Delegate Assembly. They are amended only by the action of that Assembly. In order to view NDSBA's total legislative platform, please access both Standing Resolutions and Beliefs and Policies.

MAJOR CATEGORIES

- A. FUNDING
- B. FINANCE OTHER THAN FUNDING
- C. STANDARDS AND ACCOUNTABILITY
- D. PERSONNEL
- E. NEGOTIATIONS
- F. PROGRAM
- G. BOARD AUTHORITY AND BOARD MEETINGS
- H. PRIVATE SCHOOLS/CHARTER SCHOOLS
- I. ELECTIONS
- J. NDSBA
- K. MISCELLANEOUS

FORMAT TO SUBMIT PROPOSED RESOLUTIONS TO NDSBA

Each resolution is coded to indicate status:

- S** These are less than four years old and **STAND** as a position of NDSBA.
- D** These will be four years old in 2021 and are scheduled to be **DROPPED** from standing resolutions unless brought to the floor by the Governmental Affairs Committee or a delegate and readopted by the 2021 Delegate Assembly.
- L** These have had significant **LEGISLATIVE** or staff action and will be dropped or amended.

A. FUNDING

- S** 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.
- S** 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.

- S** 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; readopted in 2020.
- S** 4. **FEDERAL IMPACT AID FUNDING.** NDSBA shall support full funding by the federal government for federally impacted schools.
Adopted in 2011; readopted in 2015 and 2019.
- S** 5. **NON-EDUCATION FUNDS TO PROVIDE FOR SAFETY ISSUES INCLUDING SCHOOL RESOURCE OFFICERS AND HEALTH AND NURSING SERVICES.** NDSBA shall seek legislation that commits additional non-education resources to provision of these necessary services so school districts may continue to provide for educational needs of students and receive support necessary to continue these very important non-educational services necessary to ensure safety and health of all students in the state of North Dakota.
Adopted in 2007; readopted in 2011, 2015, and 2019.
- S** 6. **K-12 FUNDING ADEQUACY.** NDSBA will take a lead role in discussions on continuing the commitment to "adequate funding" that the state has made to K-12 education.
Adopted in 2003; readopted in 2007 and 2011; amended and readopted in 2015; readopted in 2019.
- S** 7. **COSTS ASSOCIATED WITH ENGLISH LANGUAGE LEARNERS.** NDSBA shall support the state ensuring program funding equity for school districts, including full funding of the costs associated with English language learners.
Adopted in 2014; readopted in 2018.
- S** 8. **SCHOOL CONSTRUCTION LOAN PROGRAM.** NDSBA shall support increasing the total funds available for the School Construction Loan Program.
Adopted in 2014; readopted in 2018.
- S** 9. **TEACHERS' FUND FOR RETIREMENT.** NDSBA shall support any of the following solutions to help address this critical issue:
- 1) A separate state appropriation that gives each school district an annual amount equal to 5% of their certified staff payroll, until such time as the rollback occurs to the pre-2008 contribution levels.
 - 2) A series of catch-up allocations from the state's general fund sufficient to fund the plan to 100%.
 - 3) A rollback to the pre-2008 contribution levels when the TFFR plan is funded at 70% with the post-2008 increased contribution rates paid by state funds until the plan is 100% funded.
 - 4) Agreement to study the present funding system for TFFR and explore other possible solutions with appropriate stakeholders. Comprehensive study should include potential costs considerations, funding sources, legal implications, and impact on employees, employers, and the state.
- Adopted in 2014; readopted in 2018.*

- S** 10. **EARLY CHILDHOOD EDUCATION.** NDSBA shall support separate state funding for preschool programs meeting prescribed standards.
Adopted in 2010; readopted in 2014 and 2018.
- S** 11. **FUNDING ADEQUACY, BOARD TAXING AUTHORITY, AND PROPERTY TAX REDUCTIONS.** NDSBA will support direct state funding of K-12 education at a level adequate to reduce reliance on local property taxes.
Adopted in 2006; readopted in 2010, 2014, and 2018.
- S** 12. **AFTER-SCHOOL PROGRAMMING.** NDSBA will support legislation that will allow all school districts in North Dakota an equal opportunity to participate with after-school programming.
Adopted in 2006; readopted in 2010, 2014, and 2018.
- D** 13. **REGIONAL EDUCATION ASSOCIATIONS.** NDSBA shall support the State of North Dakota providing separate and additional funding to REAs and work toward expanding resources available to these REAs so educational opportunities for students and professional development for staff all across the state can be improved.
Adopted in 2005; amended and readopted in 2009; amended and readopted in 2013; amended and readopted in 2017.
- D** 14. **TAXING AUTHORITY OF THE STATE.** NDSBA shall oppose any attempt to limit the taxing authority of the state.
Adopted in 2005; readopted in 2009, 2013, and 2017.

B. FINANCE OTHER THAN FUNDING

- S** 1. **SALES AND USE TAX EXEMPTIONS OF SCHOOL CONSTRUCTION SUPPLIES AND MATERIALS.** NDSBA will support the state making supplies and materials purchased by school districts through contracts with contractors for construction projects exempt from sales and use tax.
Adopted in 2003; readopted in 2007, 2011, 2015, and 2019.

C. STANDARDS AND ACCOUNTABILITY

- S** 1. **CURRICULUM CONTENT.** NDSBA shall oppose state or national efforts to further define and mandate specific curriculum content.
Adopted in 2011; readopted in 2015 and 2019.
- S** 2. **NORTH DAKOTA STATE STANDARDS.** NDSBA shall support the ongoing implementation of North Dakota State Standards.
Adopted in 2014; amended and readopted in 2018.

D. PERSONNEL

- S** 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

- S** 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.
- S** 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.
- S** 3. **REMOVING COMPENSATION FROM NEGOTIATIONS.** NDSBA shall support legislation amending the collective bargaining law to exclude compensation.
Adopted in 2007; readopted in 2011, 2015, and 2019.

F. PROGRAM

- S** 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; readopted in 2020.

G. BOARD AUTHORITY AND BOARD MEETINGS

- S** 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.
- S** 2. **PUBLISHING MINUTES.** NDSBA will support legislation and seek sponsorship for legislation which would amend the requirement that school boards pay to publish minutes as defined in NDCC 15.1-09-31.
Adopted in 1991, amended and readopted in 1995 and 1999; amended and readopted in 2003; readopted in 2007; amended and readopted in 2011; readopted in 2015 and 2019.

- S** 3. **SCHOOL SAFETY.** NDSBA shall support legislation that would expand the ability of school districts to discuss school safety and security in executive session.
Adopted in 2018.
- D** 4. **TAXING AUTHORITY OF SCHOOL BOARDS.** NDSBA shall oppose any attempts to further limit or eliminate the taxing authority of school districts.
Adopted in 2005; readopted in 2009 and 2013; amended and readopted in 2017.

H. PRIVATE SCHOOLS/CHARTER SCHOOLS

There are no standing resolutions in this category at this time.

I. ELECTIONS

There are no standing resolutions in this category at this time.

J. NDSBA

There are no standing resolutions in this category at this time.

K. MISCELLANEOUS

There are no standing resolutions in this category at this time.

FORMAT TO SUBMIT PROPOSED RESOLUTIONS TO NDSBA:

RESOLUTION SUBMITTED BY THE _____ SCHOOL BOARD

A resolution to [wording of resolution]

WHEREAS,

WHEREAS,

WHEREAS,

[explanatory and rationale statements]

THEREFORE, BE IT RESOLVED that NDSBA [restating of resolution language]

[signature]

[title]

[address]

[city, state, zip]

[phone number]