



## Parkston School District #33-3

102C South Chapman Drive  
Parkston, South Dakota 57366-2017  
TELEPHONE: (605) 928-3368  
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BUSINESS MANAGER: CRAIG BRUENING  
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SECONDARY PRINCIPAL: JOE KOLLMANN  
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ELEMENTARY PRINCIPAL: ROBERT L. MONSON  
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### November Agenda Parkston School Board Meeting November 15, 2011 6:30 P.M. Elementary Conference Room

1. Call to Order
2. Establish a quorum
3. Pledge of Allegiance
4. Approve agenda
5. Approve minutes
6. Accept financial reports
7. Approve claims
8. Visitors and Correspondence
  - a. Meet with legislators
9. Superintendent report
10. Principal Report/ Principal/AD
11. Old Business
12. New Business
  - a. Discuss ImPact testing
  - b. Consider donations
  - c. Consider Law Conference Request
  - d. Discuss student representation to school board
  - e. Discuss delegate assembly packet
  - f. Consider resignation
  - g. Consider rotation of sick leave assistance committee members and appoint
  - h. Executive Session
    - a. Personnel
13. Adjourn

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**November Agenda Attachment**  
**Parkston School Board Meeting**  
**November 15, 2011 6:30 P.M. Elementary Conference Room**

1. Call to Order
2. Establish a quorum
3. Pledge of Allegiance
4. Approve agenda

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

5. Approve minutes

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

6. Accept financial reports

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

7. Approve claims

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

8. Visitors and Correspondence

- a. Meet with legislators – Enclosed, you will find the letter we sent to the legislators requesting their attendance at the meeting. As of today, two have responded despite our request to get back to us one way or another. Tina Rozum told us she could not make it, Ed Van Gerpen told us he could.

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

9. Superintendent report

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

10. Principal Report/ Principal/AD

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

11. Old Business

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

12. New Business

- a. Discuss ImPact testing – Mr. Vanlaeken will discuss ImPact testing for our students. He has invited Ember Dale and the doctors from the hospital to attend. ImPact testing



is a tool that is used to help diagnose recovery from a concussion. We will be recommending that we encourage all of our athletes to get a baseline test that could later be used as a comparison should a student have a concussion.

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

- b. Consider donations - We have a donation of \$52,000 to accept from the estate of Delila Weber. It is my opinion that we should find a way to use this money that Ms. Weber would appreciate. Thus, I will recommend the development of a committee to discuss the utilization of this cash and bring the recommendation to the board. We also have a donation from the athletic booster club for a volleyball blocker.

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

- c. Consider Law Conference Request – Enclosed, you will find the annual request from Mr. Rodney Freeman for a \$130 to pay for a portion of the costs associated with the National School Law conference. In exchange, we receive free telephone conferences for questions that do not require research or correspondence.

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

- d. Discuss student representation to school board - We have had a request to discuss the possibility of having student representation on the school board.

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

- e. Discuss delegate assembly packet – Enclosed, you will find a copy of the Delegate Assembly Packet that has been provided by the Associated School Boards that helps them define their legislative position. I have included my recommendations for the

board to consider. The board will be asked to take a position on each of the questions so that our delegate will have direction in how to vote during the assembly.

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

- f. Consider resignation - We have a resignation of Colleen Mette from JH VB and Julie Wolf from the sick leave assistance committee.

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

- g. Consider rotation of sick leave assistance committee members and appoint – Enclosed is a proposed rotation for the sick leave assistance committee. Tony will have recommendation for staff to appoint.

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

- h. Executive Session
  - a. Personnel

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_

### 13. Adjourn

Comments:

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Action: Motion \_\_\_\_\_ Second \_\_\_\_\_ Vote Y \_\_, N \_\_



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Senator Timothy Rave  
46923 250th St  
Baltic, SD 57003

10/11/11

Dear Senator Rave,

As you may know, the Parkston School District extends from Hutchinson County, into Douglas County, Davison County and Hanson County. With that, we have a number of legislators with whom we would like to become familiar. Thus, the Parkston School District school board would like to invite you to our regular November school board meeting which will be held at 6:30 p.m. Tuesday, November 15, 2011 at the Parkston School.

As you know, schools across the state have faced many challenges over the course of the last year. Parkston is no exception. The reduction in state aid along with declining enrollment, low interest rates, decreased bank franchise taxes and lower gross receipt taxes have placed great strain on the district. Likewise, the attorney general opinion that was released mid September has created an additional burden. If you are unfamiliar with this opinion, the AG states that school districts are not able to charge for preschool or drivers education. Our district had charged for both of these activities prior to the AG opinion. In this opinion, the AG office has stated that in order to allow schools to charge for these activities, the legislature would need to make changes.

The Parkston School Board and I would like to visit with you regarding the upcoming session and what you foresee happening. We would also like to explore with our legislators if there is any interest in sponsoring legislation that would make the necessary changes to statute that would allow schools to charge for the aforementioned activities.

While we realize that it is unlikely that all of you will attend, we would appreciate your thoughts on the matter should you not be able to make it. Thank you for your time and if you could let us know sometime before the 15<sup>th</sup> as to the status of your availability, we would greatly appreciate it.

On behalf of the Board;

Shayne McIntosh  
Superintendent



**THE DAUGAARD PLAN  
FOR EDUCATION**

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**Building a Stronger South Dakota**

*By Dennis Daugaard*

## INTRODUCTION

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Many people have said that South Dakota's most important resource is our young people. It may be a cliché, but it is also the truth. Our young people work hard, take responsibility, and seek out opportunities to achieve.

As Governor, I will work hard to give every student that opportunity. I am proud of the system of schools that we have in South Dakota. Many different measures demonstrate that our schools perform at a high level and produce high quality students. That is a testament to the commitment of our teachers and administrators, and the quality of our students.

But we should always strive to do better. As we consider the economy of the next decade, we must recognize that the old methods and practices may not be sufficient. South Dakotans can compete with anyone in the world, and as Governor, I will ensure that we take steps now to prepare our young people to compete in an increasingly technical and complex global economy. I will carefully monitor how our students compare with others around the nation and around the globe. I will be ever-vigilant that we achieve and maintain the highest competitive position.

Leadership is not about mandates and it is not about a top-down approach. A good leader is first a good listener. Together, we will agree upon our common goals and develop new approaches to achieve them. I have the utmost respect for the educators, administrators, parents and taxpayers at the local level, and I believe that they are usually in the best position to make decisions for their district. The state will not dictate actions to school districts. As Governor, I will work with local leaders to set the goals for which we all will strive – and then make the state a resource and a facilitator for districts to achieve those objectives.

Education is key to economic development, and as your Governor it will be my constant focus. I'm ready to get to work!

A handwritten signature in black ink that reads "Dennis". The signature is written in a cursive, flowing style with a large initial "D".

## I. PREPARING OUR CHILDREN FOR THE FUTURE

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*I believe that South Dakota can compete in the global economy. One of our principal advantages is our young people. As Governor, I will work hard to maintain a system of education that prepares every student for a university, a technical school or the workforce. The foundation of our strong economy will be a workforce of well-educated, hard-working young South Dakotans.*

### Build a strong foundation in science and mathematics

As we shift to a knowledge-based economy, our ability to compete will depend on our ability to create new ideas and commercialize them as products and services. This will require a strong foundation in “STEM” fields – science, technology, engineering and mathematics. As careers in every field of endeavor become more technical, it is crucial that every student has a strong foundation in STEM fields. In addition, we need to ensure that a sufficient number of our young people choose scientific and technical career paths. In South Dakota, we need a new emphasis on strengthening science and math education at every level, and as Governor I will lead that charge.

The development of the Homestake Lab will include programs for educational outreach to our students, so that we can expose them to the exciting opportunities for discovery here in South Dakota. As Governor, my office will seek out and expand opportunities for internships and fellowships, not only at Homestake and university labs, but with private employers and research centers. We will inform educators and school counselors about opportunities for careers in science, technology and math, so they can identify interested students and tell them about these opportunities. Our students need to know that they can participate in innovation and discovery without leaving our state.

We will hold our schools to high standards, so that every student has a strong background in STEM fields. We will also ensure that schools have the tools and resources they need to meet those standards. That may mean considering creative approaches to attract and retain more math and science teachers. We need to give every school district the flexibility to award pay incentives to teachers in areas of need. We should also consider other approaches: scholarships for students who become teachers in critical-need areas, funds for equipment and supplies, and efforts to encourage schools to coordinate and share resources.

We will also make professional development opportunities available for all current middle school and high school teachers in the STEM fields, to provide a setting for educators and the university professors who train new teachers to learn together about best practices in their fields.



Rethink assessment to reinforce Math and Science goals and allow for flexible pathways to graduation.

The primary purpose of testing and assessment should not be to rank schools or to allocate funding – it should be to ensure that our students are learning. I will work with local school districts to establish relevant and rigorous exams that reinforce our focus on Math and Science, and measure academic progress in these areas throughout high school. It is not enough to wait for standardized test results. We need to be certain that our students are on track, and that if they are not, steps are taken to prepare them in key content areas.

Quality end-of-course exams can also provide students with flexible pathways to earn a high school diploma. Students should be allowed to test out of courses in which they demonstrate mastery and move ahead to courses that challenge their abilities and prepare them for life after high school. We need to encourage and expand opportunities for dual-credit courses so that students can continue to earn high school credits as they begin their careers in post-secondary education.

Strengthen our writing curriculum

Even in technical fields, prospective employers rate writing skills as among the most important attributes they look for in new graduates. At every level of our educational system, we must ensure that our students are getting a strong foundation in writing. I support recent state initiatives to examine writing more closely and to try a new approach to teaching and assessing writing skills. As Governor, I will emphasize the importance of writing across the spectrum of education.

Help students make informed choices about their education

As early as seventh grade, students begin to make choices that will affect their career options when they conclude their education. I will work with K-12 and higher education leaders to ensure that our students understand how their course selections in high school can affect their opportunities to continue their education. Current resources like “SD My Life” can help students make these choices. In addition, I will urge schools to require *every* student to adopt a Personal Learning Plan that selects courses to align with career goals.

I will also find ways to inform high school and college students about career opportunities and future workforce needs. The Board of Regents already distributes information to students and parents about the courses they need to take to qualify for college. We will expand these efforts. Students need to know what career opportunities are available in South Dakota, which fields are in high demand, and what education is necessary to qualify. We will utilize annual market surveys to determine the best career opportunities for our high school and university students, and we will share these results with parents and students.

Students are free to decide whether to attend college or enroll in technical school – and they can choose any major. As students make those choices, we need to ensure that they are able to make informed decisions based on practical applications and relevant coursework.



### Expand opportunities for career and technical education

Career and technical education (CTE) is crucial to creating the skilled workforce that underpins an expanding economy. I will work with employers and technical school leaders to identify the skills that South Dakota's workforce needs.

In many cases, new or expanded programs in technical fields require significant investments. I will strongly support funding these needs and look for innovative ways to partner with industry to do so. The key in CTE should be flexibility – so that we can quickly add programs and shift resources to meet changing needs.

I will also seek to dramatically expand opportunities for CTE at the high school level. South Dakota's CTE offerings are limited by a reliance on classroom-based instruction within the walls of the school buildings. We will seek out opportunities for internships and "on-the-job" training, and provide for articulation of these experiences to high school credit. The Department of Labor will work with education leaders to modify the "Dakota Seeds" program, which inventories internship opportunities, to incorporate this approach. We can offer high school students valuable experiences with potential employers and save schools the expense of purchasing duplicative equipment for classroom-based training.

I will also work closely with the four post-secondary technical institutes to expand their programming to high schools in their geographic areas. We will also expand dual credit opportunities to expose more high school students to technical fields and give them a head start on their technical careers.

### Support the South Dakota Opportunity Scholarship

The South Dakota Opportunity Scholarship was created to encourage students to consider their course choices in high school, and to keep more students in South Dakota. The scholarship has succeeded in its aims, because it doesn't just reward the highest-performing students – it targets students who work hard and take a challenging academic program. These hard-working students will be the backbone of our workforce. I will sustain the Opportunity Scholarship so that we can keep more of these students in South Dakota.

There is a growing interest in South Dakota in creating a state scholarship program based on individual need. This is a worthy goal, and I am open to discussing this possibility. During difficult budget times, a new state program may not happen immediately, but I will work with universities and private foundations to explore ways to meet this need.

### Strive for improved Native American achievement

Any discussion of education in South Dakota has to acknowledge the severe disparities in achievement among our Native American populations. Although some Native American students do well in school and go on to remarkable achievements, their overall academic performance lags behind the general population. The causes of this problem go beyond education and involve broken families, drug and alcohol abuse, high crime rates, deep and generational poverty due to high unemployment rates and other societal issues.

As Governor, I will build close relationships with tribal leaders and work closely with them to address the challenges that the tribes face. In every issue – not just education – the state needs to partner with each tribal government to discuss these issues and find common solutions. I will designate a cabinet-level “ambassador” to work every day with tribal leaders, and I will personally be an active participant as well.

As I have said before, no one representing state government should pretend to have all of the answers, or even to be able to diagnose all the challenges. We need to work with tribes to understand what we can do to help, and we need to be more flexible and creative as we do so. Our goal should be that every student in South Dakota, regardless of their race or their geographic location, has an equal opportunity to learn and to achieve.



## **II. LET LOCAL DECISION-MAKERS RUN THEIR SCHOOLS**

*I am strongly committed to local control and local decision-making. State leaders don't like "one-size-fits-all" solutions imposed from Washington, and we should have the same respect for our school districts. The state's role is to clearly articulate the high standards to which we will aspire and to provide relevant services to help districts strengthen their academic programs and reach high objectives. We will allow parents, teachers, administrators, and taxpayers to make choices for their districts, and we will always base our actions on one question: "What is best for our students?"*

### Repeal the 100 student minimum

The current state funding formula cuts off funding to school districts with K-12 enrollments of less than 100 students. I certainly acknowledge that a school can become so small that it is no longer able to efficiently provide a quality education to its students. The state should not set an arbitrary line, however, to define when that point is reached. Local decision-makers are in a far better position to judge whether our young people are well-served by their school district. As Governor, I will propose legislation to repeal the 100 student minimum.

### Repeal restrictions on school district budget reserve fund balances

The budget reserve fund balances of school districts have become a political football over the years, and this is unfortunate. Overall, the state provides a majority of the funding to our schools, but we need to trust local administrators and school board members to make good decisions about how that funding is used. Certainly, we expect that state funds will be used to fund education and benefit our young people. But in many cases, it may be prudent to set aside some funding to allow for budget needs in the future. School board members are already accountable – at the ballot box – for their decisions, and they should have the flexibility to make these decisions themselves. As Governor, I will propose legislation to repeal restrictions on reserve accounts.

### Support resources like the South Dakota Virtual High School and the NSU Center for e-Learning

Every school needs to offer its students the opportunities to be adequately prepared for college, tech school or the workplace. For some smaller schools, it is simply not possible to employ enough qualified educators to teach these courses. That's why the state needs to support resources like the South Dakota Virtual High School and the NSU Center for e-Learning. These programs, and others like them, allow students in small schools to take courses via distance that are not offered in their schools. Small schools can continue to operate and serve their young people by taking advantage of these courses. And students in smaller districts can enjoy the same variety of course offerings as their peers in larger schools.

### Give schools flexibility to respond to market forces in hiring teachers

Our schools continue to struggle to find qualified applicants for certain teaching disciplines, such as math, science and foreign language. As I have said, we need to encourage young people who are considering teaching careers to go into these high-demand areas. One of the most effective ways to draw more people into these fields is to allow the normal market forces of supply and demand to operate. School administrators should have the flexibility to offer

higher salaries and pay incentives to hire qualified teachers in areas of need. Paying some disciplines more than others does not mean that these disciplines are inherently more important. It simply recognizes that teachers in these areas have other, higher-paying opportunities that can draw them away from a career in education. I recognize that this is a departure from our current compensation system, but as Governor, I will place a high priority on working with educational leaders to implement this approach in a way that is fair to teachers and beneficial to students.

#### Let school districts create Pre-K programs that meet their needs

I fully recognize what educators have told us about the importance of early childhood education, whether it is provided by parents or by programs outside the home. I do not believe, however, that South Dakota should mandate Pre-K programs, and in our current budget climate I believe our state should focus on increasing K-12 funding rather than diverting funds for an expanded state function.

That does not mean that Pre-K programs cannot be implemented in South Dakota, however. Local school districts should decide whether they need Pre-K programs, and be allowed to design programs that meet their unique needs. In fact, some districts have already initiated these programs – without state interference, state mandates or state standards. Many students with particular need for Pre-K programs, such as those with low performance in reading and math or those in special education programs, already receive state and federal support through existing programs.

The state's role should be that of a coordinator and a facilitator – to ensure that state regulations do not inhibit creative approaches at the local level, nor displace or undercut quality private sector providers.

#### Repeal unnecessary laws and regulations

I strongly believe that state government regulations should be simple, predictable and consistent. They should also not be over-burdensome or over-intrusive. A commitment to local control means that state leaders need to respect the decisions of local leaders – even if we don't agree with those decisions.

In that spirit, I will initiate a comprehensive review of state regulations and restrictions on schools, with the goal of repealing unnecessary and overly-restrictive regulations. Governor Janklow undertook a similar effort when he returned to the Governor's Office, but I know that government naturally becomes more regulatory over time. Once that initial effort is complete, my office will review every proposed regulation and demand justification, to prevent a renewed growth of unnecessary regulation.



### III. A COMMITMENT TO FUNDING EDUCATION

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*I believe strongly that education is an investment, not an expense. Education is the foundation of economic development, and the future of South Dakota's economy depends upon creating a highly-educated workforce. South Dakota has a built-in advantage over other states, because our children have the Midwestern values of hard work, individual responsibility, and a commitment to individual achievement. Our obligation is to maintain a school system that molds our young people into the leaders and achievers of tomorrow.*

#### **A commitment to the "First Dollar and Last Dollar" for our schools**

I am committed to the principle of "first dollar and last dollar" for funding our schools. The idea is not complicated. Schools are the only area of government that, by statute, receive an automatic funding increase each year. Before the budget discussion even begins, our schools get the "first dollars" through this automatic increase. I recognize that in a difficult budget year, when there is no new money, we have needed to forego even this automatic increase. But as we seek to balance our budget without raising taxes, our highest priority should be to allocate these annual increases to our schools.

I also believe schools should get the "last dollar" each year. This means that, when times are good, and when the state's other needs are met, any leftover funds should be allocated to improving our schools. Near-term budget challenges may frustrate this intention in the immediate future, but I am confident that we will emerge from this recession. When we do, our schools will be the first beneficiaries.

#### **An ongoing commitment to improve the funding formula**

South Dakota's system of funding K-12 education is a sound system at its core. To the degree that there is dissatisfaction with the funding formula, I believe it is largely due to the amount of funds distributed through the formula. When our budget picture improves, I hope to increase the funding that is available. I will always consider new proposals to improve or modify the funding formula itself. The formula has been modified to accommodate small schools, sparse districts, and schools with increasing or decreasing enrollments. Each of these mechanisms should be monitored. The formula should be flexible and responsive to shifting demographics and changing economic conditions. I intend to lead the conversation to ensure that our formula is fair to our schools and provides every student with an opportunity for a quality education.

#### Close scrutiny of capital outlay needs

As I have traveled our state, I have seen an incredible degree of disparity among school facilities, and in the ability of school districts to raise funds for capital projects. While some districts are able to build first-class facilities from existing capital reserve funds, others hold classes in temporary trailers or modular homes as they attempt to raise the funds for better facilities. That is not right.

In the 1990s our state's leaders created a new funding system that lowered property taxes and equalized the funds available to schools for operations. As Governor, I will lead a similar conversation about funding for capital projects. I don't know the answer yet, but I do know that we need to find a way to address these disparities.

## CONCLUSION

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Our schools are an integral part of the fabric of our communities, and it is easy to take them for granted as institutions that do not change. But the future of South Dakota rests on our ability to be creative in our approach to education. When more funding is available, we will commit that funding to our schools. But our efforts cannot rest on more funding – rather, we need to reconsider the status quo and find new approaches. We will create a system that prepares our young people to compete in an increasingly technical global economy. As Governor, I can't make students learn more or read better. What I can do – and what I will do – is forcefully lead an effort to take education in South Dakota to the next level.

STATE OF SOUTH DAKOTA



**OFFICE OF ATTORNEY GENERAL**

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CHIEF DEPUTY ATTORNEY GENERAL

September 14, 2011

Rodney Freeman, Jr.  
Churchill, Manolis, Freeman, Kludt, Shelton & Burns  
P.O. Box 176  
Huron, SD 57350-0176

RE: *Preschool Tuition & Driver's Education Fees*

Dear Mr. Freeman:

You have requested an opinion on the topics below.

QUESTION 1:

If Castlewood School District chooses to provide a pre-kindergarten program, does state law allow the District to charge tuition for the program?

ANSWER:

Only for non-resident students.

IN RE QUESTION:

This Office does not issue opinions on the application or interpretation of federal law. Therefore, this letter does not address whether charging tuition for any student, including but not limited to special education students or at risk students, would violate federal law.

Regarding state law, Article VIII, Section 1 of the South Dakota Constitution provides that "it shall be the duty of the Legislature to establish and maintain a



general and uniform system of public schools wherein tuition shall be without charge..." This does not require the establishment of pre-kindergarten education. Davis v. State, 2011 S.D. 51, ¶ 66. Because the Constitutional provision does not require pre-kindergarten education, it does not apply in this context.

Turning to statutory authority, the Legislature does not require school districts to provide pre-kindergarten. SDCL 13-26-2. Pre-kindergarten is addressed, however, by the following statutes.

The privileges of the public schools of any district shall be free to all persons with school residence within the district until they complete the secondary school program or until they reach the age of twenty-one.

SDCL 13-28-5.

All nursery, kindergarten, elementary, and secondary students not entitled to the free school privileges of the district wherein they are enrolled may be charged tuition.

SDCL 13-28-22.

These statutes, read together, make it clear that if school districts choose to provide pre-kindergarten, then it must be free to resident children. SDCL 13-28-5. Tuition may be charged for children residing outside the district. SDCL 13-28-22; SDCL 13-28-40 (Open enrollment does not apply to pre-kindergarten). If the Legislature intended to authorize pre-kindergarten tuition for resident children, then it would have done so. The Legislature has authorized the charging of fees for programs that are outside of the Article VIII, Section 1 duties. See SDCL 13-8-50 (Allowing fees for before and after school programming); SDCL 13-24-21 (Allowing fees for parking); SDCL 13-28-35 (Allowing tuition for adult education programs); SDCL 13-29-19 (Allowing nominal fees for some busing). If Castlewood School District wants statutory authority to charge resident children for pre-kindergarten, then it must go to the Legislature to obtain it.

QUESTION 2:

Can Castlewood School District charge a nominal fee for driver's education provided to students during the summer months?

Rodney Freeman, Jr.  
September 14, 2011  
Page 3 of 3

ANSWER:

No.

IN RE QUESTION:

Driver's education is not required curriculum. SDCL Chapt. 13-33 and ARSD Chapt. 24:43:11. But if the school district chooses to provide this program, then SDCL 13-28-5 prohibits charging a fee unless the Legislature has specifically authorized it. See AGO 95-06 (SDCL 13-28-5 prohibits school districts from charging for extracurricular activities). The Legislature has not authorized such a fee. If the District wants to charge for driver's education, then it must seek authorization from the Legislature.

Sincerely,



Bobbi J. Rank  
Assistant Attorney General

BJR/rar

lo\_BJR\_Rodney Freeman (br)

CHURCHILL, MANOLIS, FREEMAN, KLUDT, SHELTON & BURNS LLP

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October 11, 2011

**Re: Education Law Association 2011 Annual Meeting**

Dear Superintendent:

The 57<sup>th</sup> meeting of the Education Law Association Annual Meeting will be held November 9, 2011 through November 12, 2011. As in the past, I plan to attend this conference and as always, it appears to be an excellent program with topics including due process, IDEA, first amendment, Title IX, sexual harassment and bullying as well as sexual orientation and many other topics

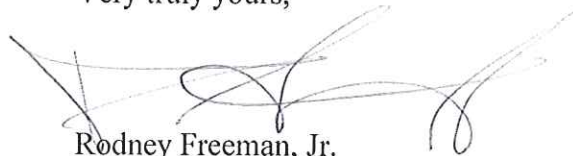
In addition, I will attend a pre-conference seminar dealing with collective bargaining.

While the topics are timely and important, the annual meeting also gives me an opportunity to discuss South Dakota's school districts problems and potential problems with representatives and attorneys from other districts around the country who have confronted these problems in the past. This permits me to render to your district the best legal advice possible based not only upon South Dakota law, but also upon current national trends. Hopefully, this helps your district in avoiding unnecessary and costly litigation.

I would ask your district to pay \$130 toward the cost associated with this national conference. If your district chooses to do so, in exchange for that \$130, your district will receive our annual Memorandum regarding terminations and non-renewal of tenured and probationary teachers. Finally, I intend to continue my office policy of not charging paying districts for telephone conferences relative to school law questions that do not involve research or correspondence.

Thank you for your courtesy and cooperation and I would greatly appreciate it if you would, if necessary, forward this request to the Board of Education.

Very truly yours,



Rodney Freeman, Jr.  
Of Churchill, Manolis, Freeman,  
Kludt, Shelton & Burns LLP

RF/la



# Introduction

## Delegate Information

Friday, November 18, 2011 :: Ramkota Hotel and Convention Center, Pierre :: 1:00 PM  
CONTACT ASBSD: 605.773.2500 (phone) | 605.773.2501 (fax) | [info@asbsd.org](mailto:info@asbsd.org) | [www.asbsd.org](http://www.asbsd.org)

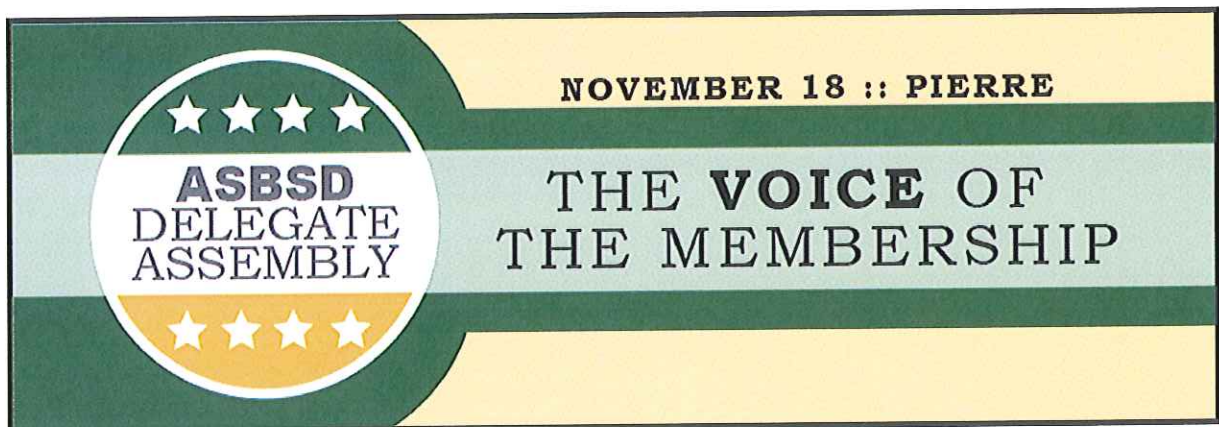
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The ASBSD Delegate Assembly is an annual meeting of school board members from across South Dakota. It serves as ASBSD's annual business meeting, policy-setting session and board of director election caucus. Each public school board appoints, through official local board action, a delegate and alternate to represent the local board at the statewide event.

This information packet contains information school boards and delegates may want to review prior to Delegate Assembly, which is scheduled for November 18, 2011, at the Ramkota Hotel and Convention Center in Pierre. There is no registration fee for Delegate Assembly, but delegates must be certified to participate.

This packet divided into four sections:

- Certifying a Delegate
- Delegate Assembly Agenda and Procedure
- Delegate Assembly Action Items
- Appendix





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## **Certifying a Delegate**

### Delegate Information

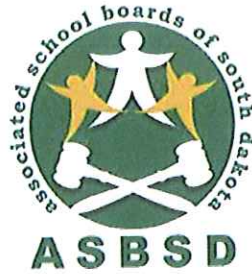
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This section contains information about participating in Delegate Assembly. According to ASBSD's Constitution and Bylaws, delegates must be certified to represent the local school board. If you haven't yet certified your delegate, please take prompt board action.

**Delegate Certification Status:** This chart shows which districts have certified a delegate to ASBSD as of Oct. 26, 2011. If your district has not yet certified a Delegate, please do so by Nov. 8, 2011.

**Delegate Certification Procedures:** A simple explanation of why your district should send a delegate to Delegate Assembly, including how to certify a Delegate

**Delegate Certification Form:** If your district has not certified a delegate, complete this form and return it to ASBSD.



## Delegate Certification Status

### OVERVIEW

The following table lists districts that have certified delegates or alternates for the 2011 Delegate Assembly as of Wednesday, October 26. According to our governing documents, the deadline to certify is 10 days prior to Delegate Assembly. The deadline established in the ASBSD Constitution and Bylaws is Nov. 8.

District Name	Certified	District Name	Delegate
Aberdeen	Yes	Dell Rapids	No
Agar-Blunt-Onida	No	DeSmet	Yes
Alcester-Hudson	No	Deubrook Area	Yes
Andes Central	No	Deuel	Yes
Arlington	No	Doland	No
Armour	No	Douglas	No
Avon	Yes	Dupree	No
Baltic	No	Eagle Butte	No
Belle Fourche	No	Edgemont	Yes
Bennett County	No	Edmunds Central	No
Beresford	Yes	Elk Mountain	No
Big Stone City	No	Elk Point-Jefferson	No
Bison	Yes	Elkton	Yes
Bon Homme	No	Estelline	No
Bowdle	No	Ethan	No
Brandon Valley	No	Eureka	Yes
Bridgewater-Emery	No	Faith	No
Britton-Hecla	No	Faulkton Area	No
Brookings	No	Flandreau	No
Burke	No	Florence	No
Canistota	No	Frederick Area	No
Canton	No	Freeman	No
Castlewood	No	Garretson	Yes
Centerville	Yes	Gayville-Volin	No
Chamberlain	No	Gettysburg	Yes
Chester Area	No	Grant-Deuel	No
Clark	No	Gregory	No
Colman-Egan	Yes	Groton Area	No
Colome Consolidated	No	Haakon	No
Corsica	Yes	Hamlin	No
Custer	No	Hanson	Yes
Dakota Valley	No	Harding County	No

District Name	Delegate	District Name	Delegate
Harrisburg	No	Pierre	Yes
Henry	No	Plankinton	Yes
Herreid	Yes	Platte-Geddes	Yes
Highmore-Harrod	No	Rapid City	No
Hill City	Yes	Redfield	Yes
Hitchcock-Tulare	No	Rosholt	No
Hot Springs	No	Rutland	No
Hoven	No	Sanborn Central	Yes
Howard	No	Scotland	No
Hurley	No	Selby Area	Yes
Huron	Yes	Shannon County	No
Ipswich	No	Sioux Falls	No
Irene-Wakonda	No	Sioux Valley	No
Iroquois	No	Sisseton	No
Jones County	No	Smee	No
Kadoka Area	Yes	South Central	No
Kimball	No	Spearfish	No
Lake Preston	No	Stanley County	Yes
Langford Area	Yes	Stickney	No
Lead-Deadwood	Yes	Summit	No
Lemmon	Yes	Tea Area	No
Lennox	Yes	Timber Lake	No
Leola	No	Todd County	No
Lyman	No	Tripp-Delmont	No
Madison Central	Yes	Tri-Valley	Yes
Marion	Yes	Vermillion	No
McCook Central	No	Viborg	No
McIntosh	No	Wagner	Yes
McLaughlin	No	Wall	No
Meade	Yes	Warner	No
Menno	No	Watertown	No
Milbank	Yes	Waubay	No
Miller Area	No	Waverly	No
Mitchell	No	Webster	No
Mobridge -Pollock	Yes	Wess. Springs	No
Montrose	No	West Central	No
Mount Vernon	No	White Lake	No
New Underwood	Yes	White River	No
Newell	No	Willow Lake	Yes
Northwestern Area	Yes	Wilmot	No
Oelrichs	No	Winner	Yes
Oldham-Ramona	No	Wolsey-Wessington	No
Parker	No	Woonsocket	No
Parkston	No	Yankton	Yes





## **Delegate Certification Procedures**

---

### **OVERVIEW**

To ensure Delegate Assembly business can be conducted accurately and efficiently, ASBSD By-laws stipulate that all delegates and alternate delegates must be certified by the local school board. According to the ASBSD Constitution and Bylaws, the deadline for delegate certification is Nov. 8, 2011.

---

### **SENDING A DELEGATE**

Delegate Assembly sets your association's advocacy positions and priorities, which provides guidance for ASBSD staff, triggers communication efforts and allows your association to inform the membership about action relative to ASBSD positions. ASBSD hopes to host delegates from every school board in South Dakota.

### WHO SHOULD WE SEND AS A DELEGATE?

Delegates can be any board member from a member district in good standing. Because of the role Delegate Assembly plays in establishing our advocacy efforts, your district's Legislative Action Network representative may be a natural fit to be your district's delegate – it allows the LAN Contact to be more familiar with ASBSD positions.

### DELEGATE CERTIFICATION

To certify a delegate, take official board action and complete the Delegate Certification form. Return the Delegate Certification form to:

Postal Mail: Associated School Boards of South Dakota  
P.O. Box 1059, Pierre SD, 57501

Fax: 605.773.2501

Email: [katie@asbsd.org](mailto:katie@asbsd.org)



## **Delegate Assembly Agenda and Procedures**

### **Delegate Information**

---

This section contains general information about the ASBSD Delegate Assembly, including:

- 2011 Delegate Assembly Agenda
- Delegate Assembly Rules and Regulations
- Parliamentary Procedures

# Agenda

## ASBSD Delegate Assembly

Friday, November 18, 2011 :: Ramkota Hotel and Convention Center, Pierre, SD

---

- 1:00 p.m.
- 1. Call To Order**  
ASBSD President Neil Putnam
  - 2. Determination of Quorum**  
Dr. Wade Pogany, serving as Secretary to the Assembly
  - 3. Notice of Approved Minutes**  
ASBSD President Neil Putnam
  - 4. Rules and Procedure Review**  
Dr. Wade Pogany, serving as Secretary to the Assembly
  - 5. State of the Association Report**  
ASBSD President Neil Putnam
  - 6. Presentation of Association Financials**  
ASBSD Chief Financial Officer Bill Lynch
  - 7. Introduction of Advocacy Platform Amendment**  
ASBSD President Neil Putnam
  - 8. Regional Board of Director Nominating Caucuses**  
ASBSD President Neil Putnam
  - 9. Reports from Nominating Caucuses**  
ASBSD President Neil Putnam
  - 10. Consideration of ASBSD Standing Positions and Resolutions**  
ASBSD President Neil Putnam  
ASBSD First Vice-President Bev Banks, Chair of the ASBSD Policy and Resolutions Committee
  - 11. Establishment of ASBSD Advocacy Priorities**  
ASBSD President Neil Putnam  
ASBSD First Vice-President Bev Banks, Chair of the ASBSD Policy and Resolutions Committee
  - 12. Other business**  
ASBSD President Neil Putnam
- 4:00 p.m.
- 13. Adjournment**  
ASBSD President Neil Putnam





## **Rules and Regulations for Delegate Assembly**

### **I. Admission**

- A. Badges are required for admittance to all sessions.
- B. Delegates are requested to be seated before the opening of each session.
- C. Admission to the assembly hall will be granted between items of business.
- D. When the Delegate Assembly is participating in a counted vote, admission will be granted only at the end of the vote when the chair has announced the result of the vote.

### **II. Speaking Procedures**

- A. During the business meetings, voting delegates will be seated in designated sections.
- B. Voting delegates must wear their name badge/ribbon and present their voting card for the privilege of making motions, debating, and voting.
- C. Voting delegates wishing to speak will go to the microphone, and await recognition by the chair. When recognized, delegates shall give their name and the board they represent.
- D. A voting delegate may speak for only three (3) minutes at one time on any question under discussion and only twice on the same question. No member will speak for a second time until all delegates seeking recognition have had the opportunity to speak.
- E. No resolution may be on the floor for more than thirty (30) minutes (inclusive of all points of order and points of information).
- F. Members of the ASBSD Board of Directors shall have the right of expression in the Delegate Assembly.

### **III. Bylaws**

- A. Bylaws amendments shall require, for their approval, a two-thirds (2/3) vote of the delegates present and voting.
  1. Amendments to the Bylaws of the Association shall be proposed in writing and filed with the Secretary, in accordance with the procedures outlined in the Bylaws.
  2. Amendments to ASBSD Bylaws shall go into effect immediately upon adoption by the Delegate Assembly, unless otherwise specified in the amendment.

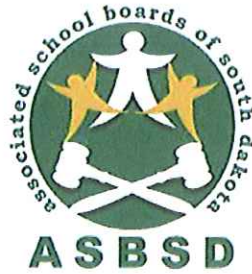
### **IV. Standing Positions**

- A. Positions are statements of policy and purpose of ASBSD.
  1. Standing Positions, once adopted, remain in effect until repealed or amended.
  2. Standing Positions may be submitted by member boards or by any director of the Association to the Resolutions Committee.
  3. The Resolutions Committee shall study all proposals submitted and make recommendations regarding such proposals.
  4. The Resolutions Committee recommendations shall be distributed to the membership prior to the annual meeting of the Delegate Assembly and presented to the ASBSD Board of Directors for recommendations to the Delegate Assembly.

- B. Proposed standing positions which are not submitted in accordance with these provisions of ASBSD, or which have been submitted but are not recommended by the Board of Directors, may be considered by the Delegate Assembly if more than one-half of the delegates present vote to consider such proposed standing positions.

## V. Resolutions

- A. Resolutions are statements of intended and desired legislative action on items of current needs or problems.
  - 1. Resolutions are in effect for one (1) year, or until the next annual Delegate Assembly, and direct the organization and its staff in their legislative efforts with each annual session of the Legislature.
  - 2. Resolutions shall be formulated by the Resolutions Committee.
  - 3. Resolutions, which indicate the sponsor, may be submitted by member boards or by any director of the Association to the Resolutions Committee.
  - 4. The Resolutions Committee shall study all proposals submitted and make recommendations regarding such proposals to the ASBSD Board of Directors.
  - 5. The Committee recommendations, shall be distributed to the membership prior to the annual meeting of the Delegate Assembly.
- B. Proposed resolutions which are not submitted in accordance with these provisions of ASBSD, or which have been submitted but are not recommended by the Board of Directors, may be considered by the Delegate Assembly if more than one-half of the delegates present and voting, vote to consider such proposed resolutions.



## **Parliamentary Procedures for Delegates**

To expedite the business of the Delegate Assembly, the following procedures are being used.

- I. Microphones are provided for use by the delegates. Delegates may address the chair to:
  - A. Speak for or against a motion
  - B. Propose motions of higher rank
  - C. Call the question (close debate and take the vote; a two-thirds rising vote is required to approve this action)
  - D. Make requests, inquires, points of order and appeals
    1. These can interrupt a delegate speaking in debate if urgency requires it (no second is required except in the case of appeal or division of the question)
      - a) Raise a Question of Privilege
        - Used to protect the rights and privileges of the assembly or any delegate
        - Used for the comfort of the assembly (temperature or ventilation, audio problems, disturbances)
        - Granted by the presiding officer
      - b) Ask for a point of information or parliamentary inquiry
        - Used to obtain information about the subject or about procedure
        - Used to determine whether a certain motion is in order
        - Used to learn specific information not yet available from discussion
        - Responded to by the presiding officer
      - c) Request a withdrawal of a motion
        - Used to remove a motion from consideration
        - Granted by the presiding officer if requested before a motion is placed before the Assembly by the President
        - Granted by the Assembly if a motion is placed before the delegates of the Assembly
      - d) Call for a division
        - Used to request that the vote be taken again: this would be a standing vote (The motion may be made without going to the microphone.)
      - e) Call for a division of the question
        - Can be made if any part of the pending question is capable of standing alone to be discussed and voted upon
        - Requires a second
        - A delegate making the motion may offer an explanation (not to exceed one minute) of the rationale for dividing the question
        - Is not debatable



- f) Raise a point of order
  - Raised by a member who calls attention to a violation of the rules
  - Ruled on by the Chair
  
- g) Appeal
  - Made when the delegate does not agree with the ruling of the Chair
  - Must be made immediately at the time of the ruling from the Chair
  - A majority vote or tie vote sustains the Chair's decision
  - Requires a second

II. Amendments are made to modify the wording of the pending motion before the pending motion is voted upon. Delegates should use the proper terminology and identify the position in the motion where the amendment should be placed. The processes of amending are:

- Insert a word or words;
- Add a word or words at the end of the motion;
- Strike out a word or words;
- Strike out and insert a word or words;
- Substitute not less than one paragraph.

A. Two Amendments may be pending at one time.

1. The first amendment must be germane to the original motion.
2. The second amendment must be germane to the first amendment.
3. Amendments require a majority vote; any amendment to a standing position or legislative resolution requires majority vote.

III. All motions must be presented in writing on forms provided.

# Delegate Assembly Action Items

## Delegate Information

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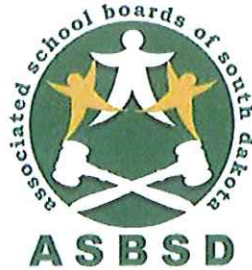
This section contains background information on those agenda items that are action items – meaning Delegates will have to vote on these items.

**Board of Director Elections:** The Delegate Assembly holds the power to nominate candidates for the ASBSD Board of Directors. This section includes a breakdown of districts by ASBSD region, as well as a list of Board of Director vacancies for 2011, complete with the names of school board members who have filed an announcement of candidacy. The Delegate Assembly can declare a candidate elected if a position is uncontested.

**Recommended ASBSD Standing Positions:** All ASBSD Standing Positions are included, but only one is recommended for Delegate Assembly action.

**Recommended ASBSD Resolutions:** All resolutions recommended by the ASBSD Policy and Resolutions Committee and ASBSD Board of Directors are included. These recommendations have been previously published and were first read during the ASBSD Region Meetings. Resolutions must be voted on each year, but the recommended resolutions contain a number of policy statements labeled as “continuing resolutions,” which means they are recommended to stay in place without change. Recommended resolutions that are new or marked for changes are presented separately.

**Advocacy Platform Amendment:** The Advocacy Platform Amendment contains resolutions and action items that have been added since the ASBSD Board of Directors approved a recommended platform in August. In many cases, these new policy considerations are in response to member resolutions or other feedback received from the membership.



## **ASBSD Board Member Representation Areas**

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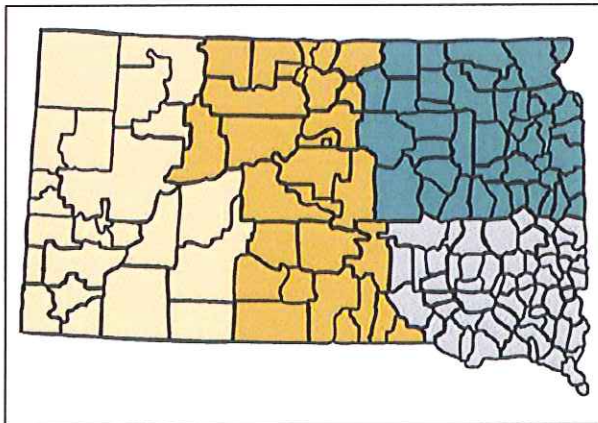
### **OVERVIEW**

The ASBSD Board of Directors is an 18-member board consisting of duly elected school board members from four different regions (Western, Central, Northeast and Southeast) and five district size categories (265 and under; 266 to 699; 700 to 1,399; 1,400 to 9,999; and more than 10,000).

The regional structure is designed to allow board members to gather in regions to network and discuss issues, and to allow school districts of varying size and geographic areas to offer their input at the board table, providing for a more diverse set of ideas and a more cohesive direction for Associated School Boards of South Dakota.

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### **ASBSD REGIONS**



#### WESTERN REGION

Belle Fourche, Bennett County, Bison, Custer, Douglas, Edgemont, Elk Mountain, Faith, Haakon, Harding County, Hill City, Hot Springs, Kadoka Area, Lead-Deadwood, Lemmon, Meade, New Underwood, Newell, Oelrichs, Rapid City, Shannon County, Spearfish, Wall.

#### CENTRAL REGION

Agar-Blunt-Onida, Bowdle, Burke, Chamberlain, Colome Consolidated, Dupree, Eagle Butte, Edmunds Central, Eureka, Gettysburg, Gregory, Herreid, Highmore-Harrod, Hoven, Jones County, Lyman, McIntosh, McLaughlin, Mobridge-Pollock, Pierre, Selby Area, Smee, South Central, Stanley County, Timber Lake, Todd County, White River, Winner.

#### NORTHEAST REGION

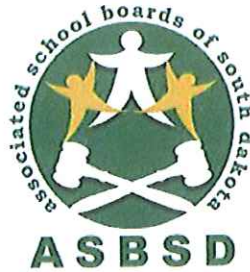
Aberdeen, Arlington, Big Stone City, Britton-Hecla, Brookings, Castlewood, Clark, Deubrook Area, Deuel, DeSmet, Doland, Elkton, Estelline, Faulkton Area, Florence, Frederick Area, Grant-Deuel, Groton Area, Hamlin, Henry, Hitchcock-Tulare, Huron, Ipswich, Iroquois, Lake Preston, Langford Area, Leola, Milbank, Miller, Northwestern Area, Redfield, Rosholt, Sisseton, Sioux Valley, Summit, Warner, Watertown, Waubay, Waverly-South Shore, Webster Area, Willow Lake, Wilmot, Wolsey-Wessington.

#### SOUTHEAST REGION

Alcester-Hudson, Andes Central, Armour, Avon, Baltic, Beresford, Bon Homme, Brandon Valley, Bridgewater-Emery, Canistota, Canton, Centerville, Chester Area, Colman-Egan, Corsica, Dakota Valley, Dell Rapids, Elk Point-Jefferson, Ethan, Flandreau, Freeman, Garretson, Gayville-Volin, Hanson, Harrisburg, Howard, Hurley, Irene-Wakonda, Kimball, Lennox, Madison Central, Marion, McCook Central, Menno, Mitchell, Montrose, Mount Vernon, Oldham-Ramona, Parker, Parkston, Plankinton, Platte-Geddes, Rutland, Sanborn Central, Scotland, Sioux Falls, Stickney, Tea Area, Tri-Valley, Tripp-Delmont, Vermillion, Viborg, Wagner, Wessington Springs, West Central, White Lake, Woonsocket, Yankton

UPDATED: SEPTEMBER 2011





## **2011 ASBSD Board of Director Elections**

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### **OVERVIEW**

Members of the ASBSD Board of Directors are elected by local school boards to represent four different geographic regions and five separate school enrollment categories. This document briefly outlines the election process and presents information relevant to vacancy and candidate announcements.

### **ELECTION PROCESS**

1. **Vacancy Announcement:** Open positions on the ASBSD Board of Directors are announced following the ASBSD Board of Director's meeting in August.
2. **Candidacy Announcement:** Interested school board members must file an announcement of candidacy 21 days prior to the ASBSD Delegate Assembly. This year, the deadline is Oct. 28, 2011. If ASBSD does not receive an announcement of candidacy for a vacant position by the deadline, the vacancy is filled through an appointment by the ASBSD President.
3. **Candidate Selection:** During the ASBSD Delegate Assembly, delegates gather into regional caucuses to determine two names that will be placed on ballots sent to schools in the region. If there is only one candidate for a particular position, the caucus can recommend to declare the candidate elected.

---

### **WESTERN REGION**

The following information relates to positions serving the Western Region.

#### **VACANCY: ENROLLMENT BETWEEN 700-1,399**

This vacancy is created through ASBSD's routine election cycle. The successful candidate will serve a four-year term. The incumbent is eligible to run.

#### **ELIGIBLE DISTRICTS:**

Belle Fourche, Custer, Hot Springs, Lead-Deadwood, Shannon County

#### **ANNOUNCEMENT:**

Bev Banks, a member of the Belle Fourche School Board and a current member of the ASBSD Board of Directors, has filed an announcement of candidacy pursuant to the procedures outlined in the ASBSD Constitution and Bylaws.

---

### **CENTRAL REGION**

The following information relates to positions serving the Central Region.

#### **VACANCY: ENROLLMENT BETWEEN 700-1,399**

This vacancy is created through ASBSD's routine election cycle. The successful candidate will serve a four-year term. The incumbent is eligible to run.

#### **ELIGIBLE DISTRICTS:**

Chamberlain, Eagle Butte, Winner

**ANNOUNCEMENT:**

No one has filed an announcement of candidacy for this vacancy. If an announcement is not received by Oct. 28, the position will be filled via appointment by the ASBSD President.

---

**NORTHEAST REGION**

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The following information relates to positions serving the Northeast Region.

VACANCY: ENROLLMENT UNDER 265

This vacancy is created through ASBSD's routine election cycle. The successful candidate will serve a four-year term. The incumbent is eligible to run.

**ELIGIBLE DISTRICTS:**

Big Stone City, Castlewood, Doland, Estelline, Florence, Frederick Area, Grant-Deuel, Henry, Hitchcock-Tulare, Iroquois, Lake Preston, Langford Area, Leola, Rosholt, Summit, Waubay, Waverly, Willow Lake, Wilmot.

**ANNOUNCEMENT:**

Denise Lutkemeier, a member of the Wilmot School Board and a current member of the ASBSD Board of Directors, has filed an announcement of candidacy pursuant to the procedures outlined in the ASBSD Constitution and Bylaws.

VACANCY: ENROLLMENT BETWEEN 265-699

This vacancy is created either through a retirement or election in the local school district. The successful candidate will serve the remaining three years of a four-year term.

**ELIGIBLE DISTRICTS:**

Arlington, Britton-Hecla, Clark, DeSmet, Deubrook, Deuel, Elkton, Faulkton Area, Groton Area, Hamlin, Ipswich, Miller, Northwestern Area, Redfield, Sioux Valley, Warner, Webster Area, Wolsey-Wessington.

**ANNOUNCEMENT:**

No one has filed an announcement of candidacy for this vacancy. If an announcement is not received by Oct. 28, the position will be filled via appointment by the ASBSD President.

---

**SOUTHEAST REGION**

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The following information relates to positions serving the Southeast Region.

VACANCY: ENROLLMENT UNDER 265

This vacancy is created through ASBSD's routine election cycle. The successful candidate will serve a four-year term. The incumbent is eligible to run.

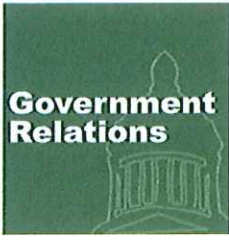
**ELIGIBLE DISTRICTS:**

Armour, Avon, Canistota, Centerville, Colman-Egan, Corsica, Ethan, Gayville-Volin, Hurley, Kimball, Marion, Montrose, Mount Vernon, Oldham-Ramona, Rutland, Sanborn Central, Scotland, Stickney, Tripp-Delmont, Viborg, White Lake, Woonsocket.

**ANNOUNCEMENT:**

Lloyd Gundvaldson, a member of the Colman-Egan School Board, has filed an announcement of candidacy pursuant to the procedures outlined in the ASBSD Constitution and Bylaws.





## ASBSD Standing Positions

**\*\* FOR CONSIDERATION BY THE ASBSD DELEGATE ASSEMBLY \*\***

### OVERVIEW

Standing positions are broad policy statements that reflect the core beliefs of South Dakota’s locally elected school board members. Standing positions provide your school board association with general direction and guidance on a range of education policy issues.

### DEVELOPMENT AND ADOPTION

1. The ASBSD Policy and Resolutions Committee, a subcommittee of the ASBSD Board of Directors, makes recommendations to the ASBSD Board of Directors.
2. All recommendations of the subcommittee are considered by ASBSD Board of Directors prior to submission to the ASBSD Delegate Assembly.
3. Final action is reserved for the ASBSD Delegate Assembly. Once adopted, standing positions remain in place until repealed or amended by the ASBSD Delegate Assembly.

### NO RECOMMENDED ACTION

The ASBSD Board of Directors recommends that the following standing positions remain in effect. Unless specifically requested by a school district delegate, these standing positions are not acted upon by the full Delegate Assembly.

- Student Achievement
- Indian Education
- School Wellness
- School Facilities
- Technology in Education
- Local Governance
- School Reorganization
- School Choice
- Open Government and Transparency
- School Finance
- Safe and Secure Schools

### RECOMMENDED ACTION

The ASBSD Board of Directors recommends changes to the following ASBSD standing position. Since the standing position will be an action item for consideration by the ASBSD Delegate Assembly, lines are numbered and changes are clearly marked (additions are underlined and deletions are displayed with ~~overstrikes~~).

- Investment in Education



No objection to any of the standing points

## **ASBSD STANDING POSITIONS**

**\*\*NO RECOMMENDED ACTION\*\***

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### **STUDENT ACHIEVEMENT**

One of a local school board's core responsibilities is to develop, adopt and oversee policies focused on improving student achievement and eliminating achievement gaps between low achieving students and students performing at or above grade level. While students have diverse educational needs, every student, regardless of their differences, can achieve at high levels when the state, local school boards and communities establish high expectations for students and provide necessary resources and support. As community leaders, school board members focus on providing programs and working collaboratively with other agencies to secure necessary services.

ASBSD urges policymakers at all levels to support programs that promote digital literacy, inventive thinking, interactive communication and the other high-level 21st century skills that students must possess to succeed in today's highly competitive, global economy.

Student achievement should be gauged using an accountability system based on multiple assessments that are defensible, credible and diagnostically meaningful to a variety of stakeholders.

Adopted: 2010

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### **INDIAN EDUCATION**

South Dakota's public education system, for all its successes, consistently struggles to serve American Indian students.

A range of statistical indicators reveal persistent and dramatic achievement gaps between American Indian students and their peers, depriving a significant portion of South Dakota's children with an equal opportunity to claim a more prosperous personal, social and economic future.

All students can face barriers to learning, but many of South Dakota's American Indian children are surrounded by a concentrated and generationally pervasive poverty that jeopardizes an individual's health, safety and personal belief in the value of education.

ASBSD believes all students can learn and achieve. South Dakota's American Indian students deserve the attention of federal, state, local and tribal leaders who are willing to deliver on the promise of public education. South Dakotans must work toward solutions while embracing the pride, heritage and dignity of American Indian culture.

ASBSD supports South Dakota's recent efforts to make Indian education a priority, including the passage of the Indian Education Act and the creation of an Indian education coordinator within the Department of Education. ASBSD encourages state policies that foster collaboration and establish long-term commitments to improving educational outcomes for American Indian students.

While grant funding can be a powerful incentive, state leaders must recognize that effective programs deserve reliable funding streams. ASBSD believes state aid formula funding needs to address the unique learning challenges of at-risk students to allow local districts to better serve American Indian students by integrating instructional curriculum that focuses on student results.

Adopted: 2010

## **ASBSD STANDING POSITIONS**

**\*\*NO RECOMMENDED ACTION\*\***

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### **SCHOOL WELLNESS**

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ASBSD believes that wellness is related to students' overall well-being and their readiness to learn. A growing body of research links student wellness to positive academic results, affirming the important role school wellness plays in student achievement.

Local school boards should work with community stakeholders to promote policies and practices that encourage and enable wellness, including healthy food choices, nutrition education, regular physical activity, and a coordinated approach to addressing health. Comprehensive local policy includes multiple aspects of student well-being, including drug resistance, suicide prevention, violence prevention and all forms of bullying.

ASBSD urges local school boards to adopt policy that promotes healthy lifestyles and student safety, but opposes state mandates, whether funded or unfunded, which would limit the authority of local school districts to design appropriate wellness programs that reflect school and community standards.

Adopted: 2008

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### **SCHOOL FACILITIES**

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A growing body of research has linked student achievement and behavior, as well as staff morale, to physical building conditions. Because school facilities are important educational tools, every child deserves a safe, technologically-ready school facility designed for student learning.

School infrastructure in South Dakota has historically been considered a local issue, with nearly all capital funding coming from local property taxes. Reliance on local property taxes to fund capital construction and improvements causes disparities in the local ability to generate capital revenue, creating an inequitable system that prevents some property-poor districts from updating or maintaining facilities.

The state has an important role to play in ensuring equity in the ability of school districts to provide adequate school facilities, but South Dakota is one of a handful of states that has yet to develop statewide policy to address school facility needs. ASBSD supports legislation that improves access to safe, healthy and adequate learning environments by financially assisting property-poor districts with capital projects.

In cases where local communities are able to fund capital projects, local school boards and communities are in the best position to make capital project decisions. Local school boards, as locally elected leaders representing the students, district and tax payers, must maintain the authority to raise or lower the capital outlay levy to meet the needs of the local district and community. ASBSD supports legislation that allows for a simple majority for a bond issue, rather than the 60 percent majority currently required.

ASBSD encourages local districts to construct energy-efficient school facilities, making use of green energy whenever practical. ASBSD supports state financial incentives that enable local districts to construct or update facilities to energy efficiency standards.

Adopted: 2008



## ASBSD STANDING POSITIONS

**\*\*NO RECOMMENDED ACTION\*\***

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### TECHNOLOGY IN EDUCATION

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Technology has an essential and expanding role in our global society. Emerging information and communication technologies will reshape how students learn and how they apply their knowledge, skills and abilities later in life.

Technology is a powerful, important tool to be used in combination with proven learning strategies to ensure a high-quality education. ASBSD supports technology initiatives that are focused on improved student outcomes and that reflect the need for ongoing support and renewal in the ever-changing technological landscape. Virtual learning strategies, whether to provide remediation, enrichment or alternative scheduling, should be approved under the authority of local school boards.

Both the state and federal governments have a vested interest in ensuring equitable access to technology resources to support district-level technology plans. South Dakota's public school students deserve school systems that leverage technology to promote meaningful, engaged learning. All students must have equal access to learning environments complete with the technology infrastructure, bandwidth, and trained personnel necessary to support 21st century learning.

South Dakota's public school systems should embrace technology as a catalyst to improve learning through the collection, distribution and use of assessment data. School district staff need support, through high-quality, embedded professional development, to integrate technology into both instructional and planning time.

Adopted: 2010

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### LOCAL GOVERNANCE

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School districts are governed by boards that, as elected leaders, must be responsive and accountable to local citizens. An informed, active citizenry is essential to our democratic and representative form of government.

Local boards, within guidelines established by state law, are vested with authority to make local education decisions. Local board members, as the elected representatives closest to the students, families and communities in which they live, are best positioned to understand student needs and identify effective solutions. A local school board cannot delegate statutory duties and responsibilities. State law must allow governance flexibility to ensure all school boards are positioned to meet the needs of their community and the changing public school environment.

School boards are accountable to students, citizens and staff for: providing education programs; striving for excellence; identifying needs; adopting clearly defined written policies; measuring program success; and interpreting and disseminating information to the public.

School boards function best in a non-partisan, broadly representative, team-spirited manner while putting district needs ahead of partisanship and special interest - be they political, racial, religious, geographic, economic, social, civic or any other form.

The board and superintendent, along with other key personnel, serve as a local governance leadership team that works together to effectively and efficiently operate a school district.

Adopted: 2007



## **ASBSD STANDING POSITIONS**

**\*\*NO RECOMMENDED ACTION\*\***

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### **SCHOOL REORGANIZATION**

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School district reorganization, resource sharing and cooperative arrangements are in the best interest of South Dakota's public school students when:

- Educational outcomes, measured in expanded educational opportunities with expectations for improved achievement, is the most important consideration; and
- Geographical issues are considered, including the amount of student travel time and allowing for continued community participation; and
- The state provides incentives to make reorganization financially feasible for school districts; and
- Reorganization is voluntary – initiated and voted upon by the citizens of the school districts involved.

Adopted: 2006

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### **SCHOOL CHOICE**

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ASBSD supports school choice with accountability. South Dakota's parents and taxpayers deserve transparency in the use of public funds. Individuals or entities receiving tax dollars to support elementary and secondary education – including funds provided to charter schools or to individuals through vouchers or tax credits - should meet the same legislatively established standards and accountability requirements as public schools.

Education entities receiving public funds should uphold the promise of public education, ensuring equal access to a quality public education without charge for tuition. Public funds should support schools that operate as nonsectarian entities open to all students regardless of ethnicity, national origin, gender or disability. To ensure the safety of students and staff, publicly funded education entities must maintain appropriate health and safety standards.

South Dakota's public education system, through South Dakota's open enrollment laws, provides parents and students the choice to attend any of South Dakota's high quality public schools. Local school boards have the responsibility to respond to the needs of their community by authorizing innovative programs and initiatives designed to enhance student outcomes. Charter schools, whether traditionally structured or technologically driven, should only be established under the authority of local school boards.

Adopted: 2007

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### **OPEN GOVERNMENT AND TRANSPARENCY**

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As public bodies, school boards should operate in a transparent manner that promotes active civic engagement and public discourse. Effective and efficient governance respects the public's right to observe and petition government while operating under the legal framework of state and federal policy. It is incumbent upon each school board member to have a working knowledge of both transparency and privacy laws.

Public school boards, as government entities closest to citizens, provide a wealth of public information, including thorough financial records. ASBSD supports state policies that will broaden access to government records, including allowing school boards the local option to post official minutes and public notices online, provided the laws appropriately balance the public's right to know with the efficient use of taxpayer resources and school personnel.

Expenditure of public funds requires that public officials adhere to state conflict of interest laws. ASBSD supports the judgment and integrity of South Dakota school board members and opposes initiatives or legislation that impedes a school board's ability to govern.

Adopted: 2009

## **ASBSD STANDING POSITIONS**

**\*\*NO RECOMMENDED ACTION\*\***

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### **SCHOOL FINANCE**

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School finance decisions - whether at the local, state or federal level - should build the capacity of the public education system to expand learning opportunities for students. Positive school finance reform does not shift existing resources away from or between school districts. Policy makers at all levels should fulfill commitments and obligations to public schools before providing financial support to non-public schools.

South Dakota's public school students deserve a comprehensive school finance system. ASBSD supports a school finance system that:

- Provides adequate, equitable, predictable and timely funding;
- Provides equal opportunities to all students while addressing South Dakota's diverse student needs;
- Provides relief for enrollment fluctuations; and
- Is fair and equitable to all students and taxpayers irrespective of their school district of residence.

State funding must support local governance. Locally elected school boards should have authority and responsibility to prioritize and allocate funding to best meet student needs.

Adopted: 2007

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### **SAFE AND SECURE SCHOOLS**

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South Dakota public school students deserve to learn in a safe and secure school environment. ASBSD urges parents, businesses and communities to work with local school boards to provide safe, crime-free schools.

Local school boards are responsible for the development of plans to prevent and respond to situations that threaten the safety or well-being of students and staff. School districts are encouraged to work with government agencies, public safety officials and other first-responders to prepare effective emergency response plans.

School districts need flexibility to address behavior that disrupts the learning environment. Local school boards, acting in compliance with federal and state law, must have the authority to enact and implement policies and procedures that maintain safe, orderly schools and create supportive learning cultures.

ASBSD supports current laws designed to keep convicted criminals from employment in schools and illegal drugs and weapons away from school buildings.

Adopted: 2010



## ASBSD STANDING POSITIONS

### \*\*RECOMMENDED ACTION\*\*

#### INVESTMENT IN EDUCATION \*\*\* AMENDMENT PROPOSED

1 Devoting public funds to elementary and secondary education is an investment in the social and  
2 economic future of our children, our communities, our state and our nation.

3 The data is indisputable: The personal and economic benefits of a quality education have a direct  
4 and dramatic impact on individuals, families and communities. Investments in the public  
5 education system serve multiple ends, but none are more important to the economic future of our  
6 country than ensuring every child graduates from high school ready for the postsecondary  
7 education or the workplace. Personal earning power is closely linked to educational attainment,  
8 and the academic foundations created through elementary and secondary education are  
9 essential to long-term economic prosperity, both for individuals and for our society.

10 A growing body of research makes clear that increased investments in elementary and secondary  
11 education leads to improved student outcomes, particularly when investments strengthen teacher  
12 quality, improve access to high quality pre-kindergarten programs and provide extended learning  
13 opportunities for students at-risk of dropping-out.

14 In South Dakota, public schools deliver an outstanding return on investment. South Dakota's  
15 locally elected school boards should be entrusted to allocate new investments in education that  
16 empower the state's already strong public schools.

17 ~~Despite having the lowest level of state investment in public education in the nation, students~~  
18 ~~continue to perform well on state assessments. Though South Dakota students compare~~  
19 ~~favorably to their peers on national assessments, the performance of American public school~~  
20 ~~students lags behind education systems around the world.~~

21 ~~Given that South Dakota schools continue to perform with limited resources, it's clear that South~~  
22 ~~Dakota's locally elected school boards can be entrusted to allocate new investments in education~~  
23 ~~that would empower the state's already strong public schools, creating an education system that~~  
24 ~~would serve as a model for restoring America's economic competitiveness.~~

Adopted: 2009

#### CONSIDERATIONS OF THE POLICY AND RESOLUTIONS COMMITTEE

RECOMMENDED ACTION: AMEND AS SHOWN

Recommend amendment

NOTES: The purpose of the change is to set a more positive tone.





## **2012 ASBSD Resolutions**

**\*\* FOR CONSIDERATION BY THE ASBSD DELEGATE ASSEMBLY \*\***

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### **OVERVIEW**

ASBSD Resolutions are targeted policy statements that provide direction on specific education policy issues at the state and federal levels.

### **DEVELOPMENT AND ADOPTION**

1. The ASBSD Policy and Resolutions Committee, a subcommittee of the ASBSD Board of Directors, makes recommendations to the ASBSD Board of Directors.
2. All recommendations of the subcommittee are considered by ASBSD Board of Directors prior to submission to the ASBSD Delegate Assembly.
3. Final action is reserved for the ASBSD Delegate Assembly. Once adopted, resolutions are in effect for one year or until the next ASBSD Delegate Assembly.

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### **RECOMMENDED FOR CONTINUATION**

Continuing resolutions have been previously adopted, remain relevant to ASBSD's advocacy efforts, and are recommended to stay in effect without amendment. The ASBSD Delegate Assembly will consider continuing resolutions with a single vote of the Delegate Assembly, much like a local school board votes on items on a consent agenda.

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### **RECOMMENDED FOR AMENDMENT OR ADOPTION**

Newly recommended resolutions and existing resolutions marked for amendment will be considered individually by the ASBSD Delegate Assembly. The ASBSD Board of Directors recommends:

- Amendment of resolution A5: Common Core Academic Standards
- Amendment of resolution B3: Fund Balances
- Amendment to resolution C1: Adequate Funding
- Adoption of a new resolution C3: Per-Student Allocation
- Amendment of resolution C6: Use of Capital Outlay Funds
- Adoption of a new resolution C7: Initiated Measure X
- Amendment of resolution F1: State Board of Education Mandates

# ASBSD RESOLUTIONS

**\*\*RECOMMENDED FOR CONTINUATION\*\***

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## **A. Achievement and Equity**      Recommend approving

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### **1. PRE-KINDERGARTEN STANDARDS**

ASBSD supports the development and adoption of statewide content and accreditation standards for voluntary pre-kindergarten education programs.

### **2. REORGANIZATION – INCENTIVES – GRADE SHARING**

ASBSD supports legislation that offers sufficient incentives and assistance to encourage expanded academic opportunities and program efficiencies through voluntary reorganization, program sharing, grade-sharing and sharing of administration.

### **3. COMPULSORY SCHOOL ATTENDANCE**

ASBSD supports compulsory attendance in public school to age 18 or until a student graduates.

### **4. OPEN ENROLLMENT – DATE FOR APPROVAL**

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

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

ASBSD supports co-curricular activities as an important component of South Dakota's system of public education and opposes legislation that will in any way establish fees for access to co-curricular offerings.

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## **B. Local Governance**      Recommend approval

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### **1. APPOINTMENTS TO COMMISSIONS**

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

### **2. TECHNICAL INSTITUTE GOVERNANCE**

ASBSD supports local governance of the state's technical institutes.

### **4. BULLYING PREVENTION**

ASBSD supports legislation that requires local school boards to adopt written bullying prevention policies that prohibit student bullying, provided the legislation recognizes the need to provide local school boards with flexibility to respond to district's unique circumstances and student populations.

### **5. EMPLOYEE HEALTH INSURANCE PLANS**

ASBSD supports health insurance options that allow local school boards to choose from a range of competitive options and opposes mandates requiring all schools to participate in a single health insurance plan.

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## **C. School Finance**      Recommend approval

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### **2. INDEX FACTOR**

ASBSD supports legislation to provide South Dakota's public schools with the statutorily required per-student funding increase.

### **4. EDUCATION SERVICE AGENCIES**

ASBSD supports the reinstatement of full funding for Educational Service Agencies.

### **5. CONSISTENT SPARSITY FUNDING**

ASBSD supports consistent district-level funding provided by the state for sparse school districts as defined in SDCL 13-13-78.



# ASBSD RESOLUTIONS

**\*\*RECOMMENDED FOR CONTINUATION\*\***

## **D. Taxation**

Recommend approval

### **1. 150% RULE**

ASBSD supports a gradual repeal of the "150% Rule" that holds South Dakota school districts harmless from any adverse impact on a local school district's ability to raise needed revenue through the capital outlay, special education and pension levies.

### **2. OTHER REVENUE**

ASBSD supports current state law that allows "other revenue" to be used exclusively by the school district in which the revenue is generated.

### **3. GENERAL FUND LEVY ADJUSTMENT**

ASBSD supports legislation that reduces the burden on local property tax payers by annually adjusting the property tax levies for the school district general fund.

## **E. Personnel**

Recommend approval

### **1. DIFFERENTIAL PAY FOR SCHOOL EMPLOYEES**

ASBSD supports legislation that preserves a local school board's ability to develop performance and market-based compensation mechanisms.

### **2. CONTINUING CONTRACT**

ASBSD supports legislation to extend the probationary period in existing continuing contract law by an additional year.

### **3. SOUTH DAKOTA RETIREMENT SYSTEM**

ASBSD supports actuarially sound efforts to strengthen the long-term viability of the South Dakota Retirement System, provided the changes, to the greatest extent possible, preserve benefits for school employees and provide local school boards with the flexibility to make effective hiring decisions.

### **4. HUMAN RESOURCE MANAGEMENT**

ASBSD supports state policy that maintains a local district's ability to develop hiring, evaluation and compensation policies that support local efforts to recruit and retain quality staff.

## **F. Unfunded Mandates**

Recommend approval

### **2. FEDERAL MANDATES**

ASBSD supports full funding for all federal mandates, including the Individuals with Disability Education Improvement Act (IDEA) and the No Child Left Behind Act (NCLB/ESEA).

## **G. Federal Relations**

Recommend approval

### **1. ESEA/NCLB – REAUTHORIZATION**

ASBSD supports a fully funded federal education policy for elementary and secondary education that focuses on improving learning outcomes for every child, provides for public school accountability and gives local school boards flexibility to develop education programs reflective of the local student population and community.

### **2. MEDICAID SERVICE REIMBURSEMENT**

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

### **3. PAYMENT IN LIEU OF TAXES**

ASBSD supports legislation to develop guidelines for disbursements of PILT (payment in lieu of taxes) fund from the county level to the school districts within the counties.



## ASBSD RESOLUTIONS

**\*\*RECOMMENDED FOR CONTINUATION\*\***

### **4. SCHOOL NUTRITION** Approve

ASBSD supports the reauthorization of the Child Nutrition Act, provided Congress appropriates adequate resources to improve school nutrition, fully funds any expansion of school lunch and breakfast programs, and does not impose burdensome regulation or mandates on schools outside of the federally subsidized meal programs.

### **5. E-RATE** Approve

ASBSD supports action by Congress and the Federal Communications Commission to strengthen the E-Rate program and improve the quality and speed of Internet connectivity in our nation's K-12 schools; however, ASBSD opposes efforts to expand the E-Rate program to other entities until the needs of K-12 schools have been met.

## ASBSD RESOLUTIONS

**\*\*RECOMMENDED FOR AMENDMENT OR ADOPTION\*\***

### A. Achievement and Equity

#### 5. COMMON CORE ACADEMIC STANDARDS \*\*\* AMENDMENT PROPOSED RESOLUTION

- 1 ASBSD supports ~~state adoption of~~ common core academic standards, provided the state has a
- 2 workable plan, complete with sufficient financial resources and professional development for school
- 3 staff, to facilitate implementation of the standards.

#### RATIONALE

The South Dakota State Board of Education adopted Common Core Standards in math and English language arts, joining 43 states in the adoption of new standards designed to prepare students for success in college and careers. Following our state's adoption of the new standards, the Department of Education has moved forward with a plan to implement the standards by the 2014-15 school year. As the state moves to implement Common Core, policymakers need to be aware of the costs of making such a large change to our state's education system and need to avoid creating unfunded mandates for local school districts.

While some may view adopting common academic standards as contrary to local control, it's important to remember that the South Dakota State Board of Education, and not local school boards, establishes minimum content standards for all academic subjects.

The adoption of common core standards will establish important national benchmarks to help students succeed in a global economy and a technologically advanced society. Common standards could also save the state money on assessments and other fixed costs associated with our modern system of standards-based education. Most importantly, the establishment of common math and language arts standards across the nation would mean all teachers are attempting to move students toward the same goal – a fact that will likely contribute to greater innovation in best practices and increased collaboration.

SUBMITTED BY: ASBSD Board of Directors

#### **CONSIDERATIONS OF THE ASBSD POLICY AND RESOLUTIONS COMMITTEE**

RECOMMENDATION: ADOPT AS AMENDED

Recommend approval

NOTES: The resolution has been updated to reflect state adoption, and focuses advocacy efforts on the implementation process.

# ASBSD RESOLUTIONS

**\*\*RECOMMENDED FOR AMENDMENT OR ADOPTION\*\***

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## **B. Local Governance**

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### **3. FUND BALANCES \*\*\* AMENDMENT PROPOSED**

#### RESOLUTION

- 1 ~~ASBSD supports local governance in the management of district funds and supports the repeal of~~
- 2 ~~statutory caps on school district general fund balances and any resulting financial penalties.~~
- 3 ASBSD supports local governance in the management of school district funds, including allowing
- 4 local schools to determine appropriate fund balance levels.

#### RATIONALE

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

SUBMITTED BY: ASBSD Board of Directors

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### **CONSIDERATIONS OF THE POLICY AND RESOLUTIONS COMMITTEE**

RECOMMENDATION: ADOPT AS AMENDED

Recommend Approval

NOTES: Though legislation has passed to remove fund balance caps, the issue may resurface. The amendment reflects passage of the law and allows ASBSD to continue to support the local school board's ability to appropriately manage district finances.



# ASBSD RESOLUTIONS

**\*\*RECOMMENDED FOR AMENDMENT OR ADOPTION\*\***

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## **C. School Finance**

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### **1. ADEQUATE FUNDING \*\*\* AMENDMENT PROPOSED**

#### RESOLUTION

- 1 ASBSD supports legislation based upon South Dakota's adequacy study to increase per-student
- 2 funding to adequate levels to allow South Dakota districts to meet the diverse learning needs of every
- 3 South Dakota student.

#### RATIONALE

As the governing bodies charged with providing quality public schools, school boards must be provided with the financial resources necessary to implement state education policy. ASBSD urges policymakers to examine the cost of providing the level of education required by state standards and to provide adequate resources to ensure success for all students.

SUBMITTED BY: ASBSD Board of Directors

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### **CONSIDERATIONS OF THE POLICY AND RESOLUTIONS COMMITTEE**

RECOMMENDATION: ADOPT AS AMENDED **Recommend Approval**

NOTES: South Dakota's adequacy study is based on providing adequate funding to enable school districts to meet student proficiency and school accountability benchmarks. Those state requirements, which were adopted in response to the passage of the No Child Left Behind Act, are now changing, making the framework of South Dakota's adequacy study obsolete. The need for adequate funding has not changed, but the assessment of adequacy will depend largely on the new public school accountability framework.

# ASBSD RESOLUTIONS

**\*\*RECOMMENDED FOR AMENDMENT OR ADOPTION\*\***

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## C. School Finance

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### 3. PER-STUDENT ALLOCATION \*\*\* NEW RESOLUTION RESOLUTION

- 1 ASBSD supports legislation to ensure the state's school finance formula contains a base per-student
- 2 allocation that provides school districts with sufficient and predictable per-student funding.

#### RATIONALE

South Dakota's funding formula is based on a per-student amount established in state law. The dollar figure is set each year, and is required to increase each year to ensure school funding keeps up with inflation. In 2010, the per-student allocation was frozen. A year later, the base per-student allocation was decreased and a new baseline was established.

In order to appropriately plan to provide a quality education in each community, locally elected school boards need a commitment from lawmakers to establish and maintain a sufficient and predictable per-student allocation.

SUBMITTED BY: ASBSD Board of Directors

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### CONSIDERATIONS OF THE POLICY AND RESOLUTIONS COMMITTEE

RECOMMENDATION: ADOPT      Recommend Approval

NOTES: This resolution was developed in response to the 8.6 percent cut to the per-student allocation. This is a new resolution for the 2011-12 school year.

## ASBSD RESOLUTIONS

**\*\*RECOMMENDED FOR AMENDMENT OR ADOPTION\*\***

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### C. School Finance

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#### **6. USE OF CAPITAL OUTLAY FUNDS \*\*\* AMENDMENT PROPOSED RESOLUTION**

- 1 ASBSD supports extending ~~for three (3)~~ years the temporary provisions granted in 2009 that allow
- 2 school districts to use capital outlay funds to pay for some insurance, energy and transportation
- 3 costs.

#### RATIONALE

The flexibility granted in 2009, which will expire on June 30, 2012, is consistent with the purposes of capital outlay, allows for local control over locally generated funds, and frees up much-needed general fund resources.

SUBMITTED BY: Adopted by the 2010 ASBSD Delegate Assembly.

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#### **CONSIDERATIONS OF THE POLICY AND RESOLUTIONS COMMITTEE**

RECOMMENDATION: ADOPT AS AMENDED

Recommend approval

NOTES: Reflects changes made during the 2011 Legislative Session and allows ASBSD to continue to support the temporary flexibility and the eventual sunset of the authority.