

## SASD LEGISLATIVE POSITIONS 2009-2010

### INVESTMENT IN THE FUTURE

**BELIEF STATEMENT** – SASD believes the investment in the education of our youth is vital to South Dakota's future.

1. **SUPPORT** the use of public funds exclusively for students enrolled in public schools.

***RATIONALE:** Resources to adequately support public education are limited and must be protected and utilized efficiently.*

2. **OPPOSE** the implementation of a voucher system.

***RATIONALE:** A voucher system would only tend to polarize student populations. Money and jurisdiction of alternative forms of education must remain under the control of the local school board for the benefit of all children – not select groups of students.*

3. **SUPPORT** legislation that would change the number of votes necessary to pass a bond issue from the current sixty percent to a simple majority of those voting. (SDCL 6-8B-2)

***RATIONALE:** A shift in demographics means that approximately 20% of school district patrons have students in school vs. approximately 80% of patrons having children in school at the time SDCL 6-8B-2 was adopted. Therefore, a simple majority vote is more reflective of the school district's patrons at large.*

4. **SUPPORT** that the portion of special education state aid set aside for extraordinary expenses be adequately funded.

***RATIONALE:** Without adequate set-aside funds in the special education extra-ordinary expense fund, school districts will be subject to pro-rata distributions for extra-ordinary special education expenses.*

5. **OPPOSE** any statewide tax limitation measures which do not identify and secure replacement revenue sources.

***RATIONALE:** Limiting or eliminating tax revenues without securing other equitable funding sources leads to deficit spending and less revenue for school programs.*

6. **SUPPORT** incentives for school districts to consolidate and/or enter into collaborative agreements with other education entities in order to improve educational opportunities for students.

**RATIONALE:** *Financial incentives encourage communities to deal with the difficult issues that emerge when they engage in consolidation and/or cooperative ventures.*

- SUPPORT** continued funding of the Education Service Agencies (ESA) delivery from the ESA that is equitable and evenly proportioned to South Dakota schools.

**RATIONALE:** *The ESA provide valuable services to school districts by offering quality research-based professional development opportunities through regional and site-based programs. Programs specifically designed to increase student achievement and to improve instructional strategies and leadership are especially beneficial.*

*ESA staff work jointly with the DOE to provide specific assistance and support for schools that have been identified for school improvement and in the development of the mandated consolidated applications. ESA also offer customized services based on needs identified by school districts.*

- SUPPORT** a 1.2% minimum increase in State Aid.

**RATIONALE:** *During these difficult economic times with low revenue projections and structural deficits that the state will need to address during the 2010 legislative session, SASD might be well served to ask only for the 1.2% increase.*

- SUPPORT** local control in the management of district funds and to support the repeal of statutory caps on school district general fund balances and any resulting financial penalties.

**RATIONALE:** *Fund balances have continued to fall during recent years. With the current economic challenges facing school districts, let local communities through their school boards make budget decisions regarding fund balances. This is another example of local control being the best for education in South Dakota.*

## **SCHOOL OPERATIONS AND MANAGEMENT**

**BELIEF STATEMENT** – Effective public education occurs in consort with local leadership, adequate funding and state support.

- OPPOSE** legislation that removes local control from school districts.

**RATIONALE:** *Schools share many common concerns and issues. Each district's community has an autonomous approach to educating its children, especially in curricular decision-making. Unfunded mandates, unsolicited directives, general fund cash reserves and mandated curricula from the state inhibit a district's ability to be responsive to local values and preferences.*

2. **OPPOSE** legislation that creates new mandates or reinstates former mandates without full funding.

***RATIONALE:** Per the requirements of SDCL 6-15-1 & 2 and the fact that school district budgets are already limited, it is imperative that any mandate has full funding as a backing to insure that educational programs are not adversely affected.*

3. **OPPOSE** the use of binding arbitration as a final solution in negotiations.

***RATIONALE:** School policies, priorities and expenditures are the responsibility of the local school board, not a third party arbitrator.*

4. **OPPOSE** the 65% rule.

***RATIONALE:** School districts ought to spend as much as they can afford on instruction and support of instruction; however, the differences among school districts in enrollment, geographic size, population density, climate, etc. dictate that there is no single template for school district spending patterns.*

*State or national mandates regarding school district spending patterns violates local control of schools to govern their schools in ways that fit local needs as well as the larger national interests.*

*The definition of instruction promoted by the backers of the 65 Percent Rule is not prioritized correctly. For example, direct therapeutic services, such as those provided by speech therapists, school psychologists and school nurses are not included, but voluntary recreational activities supported by athletic coaches are.*

*There is no evidence that the percentage spent on a very narrow definition of instruction has any effect on student achievement.*

5. **SUPPORT** the adoption of early learning standards.

***RATIONALE:** The adoption of content standards for Pre-K Programs encourages accountability in preparing South Dakota's children who will soon enter kindergarten. Access to quality Pre-K programs which are established with high standards assist children in elementary school to meet learning benchmarks. Thirty-eight states have already adopted minimum quality standards as a means to promote quality Pre-K programs.*

6. **SUPPORT** continued funding of K-12 projects provided outside the formula.

***RATIONALE:** Many schools rely on these programs to provide special opportunities to their students and staff.*

7. **PROMOTE** modifications to SDCL 13-8-47, SDCL 13-13-38 and SDCL 13-16-33 that would modify the date when the annual financial reports of school districts are considered past due. The proposed modification would move the deadline from August 15 to August 30. Other provisions in the laws would remain intact.

13-8-47. Annual report to Division of Education Services and Resources--Contents, filing and auditing--Past-due reports. Before the first day of August every school board shall file an annual report with the Division of Education Services and Resources. The report shall contain all the educational and financial information and statistics of the school district as requested in a format established by the Division of Education Services and Resources. The business manager with assistance of the secretary of the Department of Education shall make the annual report, and it shall be approved by the school board. The business manager shall sign the annual report and file a copy with the Division of Education Services and Resources as provided in § 13-13-37. The division shall audit the report and return one copy to the school district.

Reports not filed prior to August ~~fifteenth~~ **thirtieth** are considered past due and are subject to the past-due provisions of § 13-13-38.

13-13-38. Determination of foundation program funds due school districts--Information required from counties and districts--Delinquency--Forfeited funds. The Division of Education Services and Resources shall determine on December first, or as soon thereafter as practicable, of each school fiscal year the amount of foundation program funds to which each school district within the state is eligible. The division shall require from any county or school district officer any information which is necessary in order to apportion foundation program funds. If complete and accurate information is past due according to the reporting dates specified in § 13-8-47, the secretary of the Department of Education **on August ~~fifteenth~~ thirtieth shall declare the school district to be fiscally delinquent.** The school district, unless granted an extension, shall forfeit from its entitlement one hundred dollars for each day that the data is past due for seven days and two hundred dollars for each day past due thereafter starting with the eighth day. Forfeited funds shall be deposited in the foundation program fund established by § 13-13-12.

Reports not filed prior to August ~~fifteenth~~ **thirtieth** are considered past due and are subject to the past-due provisions of § 13-13-38.

***RATIONALE:*** *The complexity of school accounting, record keeping and reporting continues to increase with added requirements related to the receipt and expenditures of Federal dollars along with the additional requirements placed on schools to remain in compliance with added rules and regulations established by the Governmental Account Standard Board, GASB.*

*The proposed change would assist the Department of Education in reducing the number of requested changes that occur between the time the annual financial report is filed and the date it receives certified approval.*

8. **PROMOTE** the modification to SDCL 4-11-6 which would eliminate the language that requires each county, municipality, and school district to purchase a copy of the accounting manual.

4-11-6. Accounting manual for counties, municipalities, school districts, and their agencies. The Department of Legislative Audit shall prepare and distribute an accounting manual for counties, municipalities, school districts, and their agencies and update such manual periodically. ~~Each~~

~~county, municipality, and school district shall purchase at least one copy of such manual at a price to be determined by the auditor general.~~

**RATIONALE:** *The Department of Legislative Audit and the Department of Education work jointly in having the accounting manual and the period modifications available on the web-sites of each agency, thus eliminating the need for the purchasing of the manual.*

## **PROFESSIONAL ISSUES**

**BELIEF STATEMENT** – SASD believes that administrative leadership and educator competence are critical to educational excellence.

1. **SUPPORT** the employment of certified education administrators and teachers in each local school district.

**RATIONALE:** *All effective schools research supports the important role appropriately trained and certified school administrators and teachers play in providing quality educational opportunities for all children. NCLB requires schools to hire highly qualified and certified administrators and teachers.*

*We support this concept for all students and all schools in South Dakota.*

2. **SUPPORT** programs designed to assist educational leaders in their professional development and school improvement efforts.

**RATIONALE:** *Quality professional development activities for South Dakota's educational leaders must be promoted and financially supported.*

3. **SUPPORT** actuarially sound improvement to the South Dakota Retirement System (SDRS) and oppose unfunded liability to the South Dakota retirement system.

**RATIONALE:** *Recommendations to improve the retirement system should be made by the SDRS Board of Trustees and supported by members. The balances within the SDRS were accumulated for the specific purpose of providing an adequate income for retired members. Any use of these funds in a manner not consistent with the original intent could erode the SDRS and member benefits.*

4. **SUPPORT** the continuation of an active public school administrator, a public school teacher and public school board member on the South Dakota State Board of Education.

**RATIONALE:** *The education of South Dakota's children must remain a high priority item for all South Dakota citizens. A benefit to the State Board of Education would be to include a school administrator, teacher and local school board member who have education, expertise and experience to aid in the decision making process.*

5. **SUPPORT** proposals that involve differential pay as long as local control is maintained and funding follows.

***RATIONALE:** Schools currently have the ability and authority to utilize differential pay. We currently have a few schools that have developed plans and policies addressing this issue. If state legislative action seeks to address this concept, SASD supports the concepts that provide local control and funding for this issue.*

### **STUDENTS AND LEARNING**

**BELIEF STATEMENT** – SASD believes that international developments and advanced technologies require an educational system that enables students to compete globally in the information age.

1. **SUPPORT** early childhood education programs if funding for the program comes from a new funding source and does not affect K-12 funding of current education programs.

***RATIONALE:** Early childhood education is needed for South Dakota's youth. Educational research clearly demonstrates the value of early childhood education, particularly when teachers are certified and age appropriate curriculum and activities are provided for students in a proper educational environment. Schools support the addition of early childhood educational programs in public school if the necessary new sources of funding are provided to schools to cover the cost.*

### **SCHOOL ACCOUNTABILITY**

**BELIEF STATEMENT** – SASD believes that accountability for student performance is an important and complex policy issue. Growth model assessments are fair for all groups of students and measures learning progress.

1. **SUPPORT** an appropriate statewide accountability system that includes participation and input from the education community.

***RATIONALE:** Schools, educators, parents and students should be held accountable for continued student achievement. The statewide accountability system must be reviewed on a regular basis with input provided by the entire education community.*

