



NDSBA
NORTH DAKOTA SCHOOL
BOARDS ASSOCIATION

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HB 1318
House Education Committee
January 19, 2021
Testimony of Alexis Baxley

Good morning Chairman Owens and members of the House Education Committee. My name is Alexis Baxley, and I serve as the executive director of the North Dakota School Boards Association. NDSBA represents the elected school boards of all 175 public school districts and several special education units in North Dakota.

I come to you today in opposition to HB 1318. One of the main services NDSBA provides to its members is policy-related services. School districts come to us for templates for the multitude of policies they use to operate their districts. In addition, we provide maintenance and manual services to some of these districts. As of last month, 109 of the 175 school districts in North Dakota have adopted a restraint and seclusion policy. Many of those districts have used our template, while others have worked with their own legal counsel to draft a policy specific to their district.

While NDSBA does not believe mandating policy is the best approach, that is not the main driver of our opposition. We are concerned with the very specific nature of the policy laid out in this bill and the limitations it may unnecessarily place on districts and their ability to work with students. In this regard, we agree with the amendments proposed earlier today.

Additionally, we are concerned by the lack of agility that is created when a policy is codified in this way. I believe most of the individuals in this room would agree that the science and best practices surrounding the behavior interventions, management, and practices that we are talking about today are continually evolving and getting better. By codifying a policy, we are locking ourselves into that language for at least a biennium, rather than being able nimbly adopt a policy change at the local level that might better serve students or teachers. We believe districts are best positioned to adopt policy specifics appropriate for their students, staff, and schools.

Finally, we are opposed to the professional development required on page 2, subsection d. While these are worthwhile subjects for pd, we can reasonably estimate that a single day of professional



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development statewide costs \$8 million. The trainings referenced in this section, if available, can take multiple days each. If the state wishes to mandate this training, it should also provide adequate funding to districts to do so.

It is for these reasons Mr. Chairman that we oppose HB 1318. I would be happy to stand for any questions.