



March 14, 2023

Chairman Klemin and Members of the Judiciary Committee,

My name is Misti Frink. I am providing this testimony on behalf of Bismarck Public Schools in opposition to SB2360. I am a member of the Learning Design and Curriculum team, and the library coordinator for our district. The proposed amendments in this bill are unnecessary, vague, and would cause financial and workforce hardship to schools.

This bill removes language that protects schools and education from criminal charges. As you know, North Dakota educators care deeply about students and their safety and have local policies and procedures in place to select appropriate primary and supplemental educational materials. We hold ourselves to high standards to select print and online materials that are age appropriate, professionally reviewed, research based, connected to standards, and relevant to students. We already filter our networks to protect students online, going beyond what is required by CIPA (Child Internet Protection Act). We have collection development and resource selection policies in place that guide our educational resource selection, and we have policies and procedures that allow stakeholders (parents, students, teachers, community members) to bring items that they feel may not align to these policies back to a committee for reconsideration. These robust checks and balances are already in place for print and digital resource selections.

North Dakota Educators believe parents should be able to review resources and have a voice in what their child select. In our local policies, parents are able to opt their children out of supplementary materials at any time, notes can be added into library software to address specific student

needs, parents must give permission for students to check out books from a higher grade band, and families can login to see what their students have checked out at any time.

This Bill will create unnecessary hardship and expense on staff and schools. North Dakota school libraries are an investment by the local school to reflect the demographics of North Dakota students and to help prepare all students for their chosen futures. Libraries include hundreds and often thousands of books and resources. With such vague language, we would need to review every print and digital resource, by hand, for images and written descriptions to identify areas of concern. This would be a huge undertaking with tens of thousands of print resources and online resources that are changing daily. There would be a financial impact for this work as well as undue stress placed on staff, and ultimately, our students. Especially, since these resources are already peer reviewed and vetted by our local processes.

North Dakota School Boards have jurisdiction over ND school libraries and classrooms. Determining policies and procedures around resource purchases and reconsideration should remain at a local level. This bill is unnecessary, vague, and will not only cause immediate hardship to our schools and libraries, but also opens the door to costly, and unnecessary litigation. Please vote in opposition to SB2360.