

SB 2307 - Testimony in opposition



March 17th, 2025

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 SB2307. I am a coordinator on our Learning Design and Curriculum team and hold the library and resource portfolios for our district. The proposed amendments in this bill are unnecessary, vague, and would cause financial and workforce hardship to schools.

This bill removes existing legal protections for schools and educators, exposing them to potential criminal liability for providing educational resources. BPS educators prioritize student safety and adhere to strict local policies to select appropriate primary and supplemental materials. Our selection process ensures resources are age-appropriate, professionally reviewed, research-based, and standards-aligned. Additionally, we exceed federal CIPA (Child Internet Protection Act) requirements by filtering online content to protect students. Comprehensive collection development and resource selection policies ensure responsible material selection, and established reconsideration procedures allow parents, students, teachers, and community members to raise concerns for review. These robust checks and balances are already in place for both print and digital resources.

BPS believes parents have a right to review resources and guide their child's selections. In our district, parents can opt their child out of supplemental materials, add notes in library software to address specific needs, require permission for higher-grade checkouts, and monitor their child's checkouts online. These policies provide families with flexibility and transparency while ensuring students retain access to a broad and diverse range of educational materials.

This bill will create unnecessary hardship and expense for staff and schools, despite the fact that districts like BPS already have comprehensive policies in place to ensure responsible resource selection and parental oversight. The proposed mandates place an unreasonable burden on schools by requiring them to verify that all digital library resources comply with broad and ambiguous filtering requirements. Many reputable educational databases do not have the capability to implement these restrictions without also blocking valuable academic content, limiting students' ability to conduct research and develop critical literacy skills. Additionally, the threat of withheld payments and breach of contract penalties creates financial and legal risks for districts, potentially forcing them to discontinue essential resources. The administrative reporting requirements further strain school personnel, diverting time from direct student support. Rather than protecting students, this bill undermines their access to quality educational materials and hinders their academic growth.

North Dakota School Boards have jurisdiction over school libraries and classrooms, ensuring local decision-making aligns with community values. Policies governing resource selection and reconsideration should remain at the local level. SB2307 is unnecessary, vague, and imposes undue burdens on schools while limiting student access to essential academic resources. Rather than enhancing student safety, it disrupts education and creates financial and legal risks. I urge you to oppose SB2307 to protect local control and maintain equitable access to high-quality learning materials.