

**SENATE CONCURRENT RESOLUTION NO. 4011**

Introduced by

Senators Cook, Poolman, Schaible

Representatives Meier, Nathe, Toman

1 A concurrent resolution urging Congress to take a more pro-education position, ~~extricate the~~  
2 ~~federal government from any role it has unconstitutionally usurped with respect to the~~recognize  
3 states' rights in the role of education of our children, and ~~eliminate~~encourage greater flexibility  
4 and cooperation between the United States Department of Education and the states.

5 **WHEREAS**, while Section VIII of Article I of the United States Constitution sets forth the  
6 enumerated powers given to Congress, the power to control or direct the education of this  
7 nation's children is not included therein; and

8 **WHEREAS**, the Tenth Amendment to the United States Constitution states that any powers  
9 not delegated to the United States by the Constitution, nor prohibited by it to the states, are  
10 reserved to the states respectively, or to the people; and

11 **WHEREAS**, neither the words "education" nor "school" nor any of their derivatives are  
12 found in the United States Constitution; and

13 **WHEREAS**, having a department budget that has increased six-fold during the past four  
14 decades ~~has convinced many that the United States Department of Education is a costly,~~  
15 ~~inefficient, and ineffective federal bureaucracy; and~~

16 **WHEREAS**, education is indisputably a pillar of a free society, it is incumbent upon us to  
17 call for a reversal of the educational trends that ~~threaten~~interfere with our ~~very future as a nation~~  
18 ~~and to return the~~ control of education ~~to~~by the states, in the manner envisioned by our founding  
19 fathers;

20 **NOW, THEREFORE, BE IT RESOLVED BY THE SENATE OF NORTH DAKOTA, THE**  
21 **HOUSE OF REPRESENTATIVES CONCURRING THEREIN:**

22 That the Sixty-fourth Legislative Assembly urges the Congress of the United States to take  
23 a more pro-education position, ~~extricate the federal government from any role it has~~  
24 ~~unconstitutionally usurped with respect to~~recognize states' rights in the role of the education of

1 | our children, and ~~eliminate~~encourage greater flexibility and cooperation between the United  
2 | States Department of Education and the states; and

3 |       **BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution  
4 | to the President of the United States, the Secretary of the United States Department of  
5 | Education, and to each member of the North Dakota Congressional Delegation.