

Sixty-fourth
Legislative Assembly
of North Dakota

**ENGROSSED 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, recognize
2 states' rights in the role of education of our children, and encourage greater flexibility and
3 cooperation between the United States Department of Education and the states.

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

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

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

12 **WHEREAS**, having a department budget that has increased six-fold during the past four
13 decades; and

14 **WHEREAS**, education is indisputably a pillar of a free society, it is incumbent upon us to
15 call for a reversal of the educational trends that interfere with our control of education by the
16 states, in the manner envisioned by our founding fathers;

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

19 That the Sixty-fourth Legislative Assembly urges the Congress of the United States to take
20 a more pro-education position, recognize states' rights in the role of the education of our
21 children, and encourage greater flexibility and cooperation between the United States
22 Department of Education and the states; and

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