

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.~~urging
4 Congress to redefine the role and mission of the United States Department of Education and to
5 clarify the department's relationship with the states.

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

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

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

14 ~~— **WHEREAS**, having a department budget that has increased six-fold during the past four~~
15 ~~decades; 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 interfere with our control of education by the~~
18 ~~states, in the manner envisioned by our founding fathers;~~

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

22 — **WHEREAS**, the Tenth Amendment to the United States Constitution states that any powers
23 not delegated to the United States by the Constitution, nor prohibited by it to the states, are
24 reserved to the states respectively, or to the people; and

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

3 WHEREAS, education is indisputably a pillar of a free society, it is incumbent upon the
4 federal government to recognize that the states are constitutionally responsible for the provision
5 of education and it is incumbent upon the states to recognize that the challenges of the 21st
6 Century are not local, regional, or even national, but global in scope and therefore require that
7 states and the United States Department of Education work in concert with each other to ensure
8 that children from every state in the union and all walks of life have access to a world class
9 curriculum, taught by world class teachers, in a safe and secure environment that allows them
10 to challenge their imaginations, to explore the world of knowledge, and to reach higher and
11 farther than they or their parents ever dreamed possible;

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

14 ~~—That the Sixty-fourth Legislative Assembly urges the Congress of the United States to take~~
15 ~~a more pro-education position, recognize states' rights in the role of the education of our~~
16 ~~children, and encourage greater flexibility and cooperation between the United States~~
17 ~~Department of Education and the states; and~~

18 ~~—**BE IT FURTHER RESOLVED**, that the Secretary of State forward copies of this resolution~~
19 ~~to the President of the United States, the Secretary of the United States Department of~~
20 ~~Education, and to each member of the North Dakota Congressional Delegation.~~

21 That the Sixty-fourth Legislative Assembly urges the Congress of the United States to
22 redefine the role and mission of the United States Department of Education so that it will
23 function as a collaborating partner with the states in order to harness the maximum fiscal
24 resources and to ensure that those resources are used effectively and efficiently at the state
25 and local levels for the provision of educational services and opportunities to all children, as
26 envisioned by the founding fathers, as supported by the residents of this and the other states,
27 and as required by circumstances so that this great country is once again and unequivocally the
28 global leader in educational achievement; and

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