

5:15 PM
10, 2025

Thursday, April

AGENDA
Meeting of the
BUDGET COMMITTEE
Corvallis School District 509J

Meeting Details: Thursday, April 10, 2025, 5:15 PM in the District Office Board Room, 1555 SW 35th Street, Corvallis, OR 97333.

Accessibility: To request accommodations for board meetings, please contact Kim Nelson at 541-757-5841 or kim.nelson@corvallis.k12.or.us at least 48 hours before the meeting.

If you would like to watch live-streaming of the School Board meeting, please navigate to the District's YouTube channel: <https://www.youtube.com/channel/UC9Jtpte5dmilZI9kySBJbVQ?> A recording of the meeting will also be posted to that channel.

- I. **CALL TO ORDER AND ROLL CALL (5:15 PM)***
- II. **EXECUTIVE SESSION (5:15 p.m.-6:30 p.m.)* Note: this is not part of the public meeting. The Board will meet in Executive (closed) Session under ORS 192.660(2)(b) - complaints against staff members and ORS 192.660(2)(f) - to consider information or records that are exempt by law from public inspection.**
- III. **ACTION ON MATTERS DISCUSSED IN EXECUTIVE SESSION**
- IV. **ACKNOWLEDGMENT OF ARAB AMERICAN HISTORY MONTH**

Corvallis School District 509J

ACKNOWLEDGEMENT OF ARAB AMERICAN HERITAGE MONTH

Resolution Number 22-0302

WHEREAS, the Corvallis School District recognizes and pays tribute to the significant contributions made in our community by Arab Americans, which includes people with ancestry from North Africa to the Persian Gulf; and

WHEREAS the Corvallis School District affirms that students, families, staff, and community members should be valued for all aspects of their identities; and

WHEREAS, Arab American Heritage Month grew out of local efforts in several school districts throughout the nation in the 1900s; and

WHEREAS, Arab American Heritage Month has been proclaimed by several states since; and

WHEREAS, Arab Americans are largely left out of academic discourse; and

WHEREAS, Arab Americans have historically been and continue to be targeted by anti-Arab violence and actions of hate; and

WHEREAS, the U.S. Department of State designated April as Arab American Heritage Month in 2021; and

WHEREAS, Oregon proclaimed April as Arab American Heritage Month permanently in 2021; and

WHEREAS, Arab American Heritage Month has yet to be proclaimed at the national level; and

WHEREAS, Arab Americans have contributed to the history and collective future of Corvallis and Benton County, OR; and

WHEREAS, Arab American History Month provides an opportunity to continue the District's growth in learning about the many contributions of Arab Americans to the nation, world, and local community; and

WHEREAS, education is a necessary component for creating a more equitable and anti-racist community, nation, and world; and

WHEREAS, The Corvallis School District has made a commitment to equity and anti-racism;
and

WHEREAS, The Corvallis School District has a responsibility to honor and respect the diverse histories of our community; and

WHEREAS, the Corvallis School District believes each and every student must be celebrated and appreciated for the distinct and vibrant contributions made by sharing cultures, language, ideas, beliefs and values within a school community.

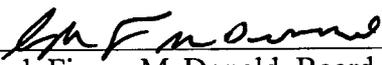
Therefore, let it be resolved by the Board of Education of the Corvallis School District:

does hereby proclaim **April 2022** as well as each April annually, as **Arab American Heritage Month** in the District and strongly encourage students, families, staff, and community members to join in existing local celebrations;

and encourage all schools in the district to help highlight this month in grade appropriate ways as well as highlight the contributions of all Arab American peoples to the local community, nation, and beyond both historically and in current times.

Adopted by the Board of Directors of School District No. 509J (Corvallis) of Benton and Linn Counties, Oregon, at its regular meeting this 17th day of March, 2022.

Signed:



Sarah Finger McDonald, Board Chair

Attested:



Ryan Noss, Superintendent

V. **BOARD MEMBER REPORTS**

VI. **OREGON SCHOOL BOARDS ASSOCIATION (OSBA) AND NATIONAL SCHOOL BOARDS ASSOCIATION (NSBA) UPDATES**



National School Boards Association
1680 Duke St. FL2, Alexandria, VA 22314-3493
Phone: (703) 838.6722 • Fax: (703) 683.7590
www.nsba.org

March 4, 2025

TO: NSBA State Association Presidents and Executive Directors
NSBA Delegate Assembly
NSBA Board of Directors

SUBJECT: NSBA Financial Report

Please see the audited financial statement and year-end dashboard that includes summary financial information from December 31, 2024.



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STATEMENT OF ACTIVITY (in millions)

	2021	2022	2023	2024 (proj)	2025 budget
TOTAL REVENUE	12.6	13.3	7.7	9.1	10.1
TOTAL EXPENSE	12.1	14.1	12.8	9.4	10.0
NET FROM OPERATIONS	0.5	(0.8)	(5.1)	(0.3)	0.1
PENSION EXPENSE	(4.70)	(3.7)	(1.8)	(0.8)	
CHANGE IN NET ASSETS	5.2	2.9	(3.3)	0.5	0.1
PENSION LIABILITY BALANCE	16.3	11.6	7.9	5.1	5.1

2025 Budget Assumptions

- New grant revenue
- Strong meeting attendance
- Membership retention
- Decreased staff head count



INDEPENDENT AUDITOR'S REPORT

Board of Directors
National School Boards Association and Affiliate

Opinion

We have audited the accompanying consolidated financial statements of the National School Boards Association (NSBA) and its Affiliate (collectively, the Association), which comprise the consolidated statements of financial position as of December 31, 2023 and 2022, and the related consolidated statements of activities, functional expenses and cash flows for the years then ended, and the related notes to the consolidated financial statements.

In our opinion, the consolidated financial statements referred to above present fairly, in all material respects, the consolidated financial position of National School Boards Association (NSBA) and its Affiliate as of December 31, 2023 and 2022, and the changes in their consolidated net assets and their consolidated cash flows for the years then ended in accordance with accounting principles generally accepted in the United States of America.

Basis for Opinion

We conducted our audits in accordance with auditing standards generally accepted in the United States of America. Our responsibilities under those standards are further described in the Auditor's Responsibilities for the Audit of the Consolidated Financial Statements section of our report. We are required to be independent of the Association and to meet our other ethical responsibilities in accordance with the relevant ethical requirements relating to our audits. We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Substantial Doubt about the Organization's Ability to Continue as a Going Concern

The accompanying consolidated financial statements have been prepared assuming that the Association will continue as a going concern. As discussed in Note 8 to the consolidated financial statements, the Association has suffered recurring significant reductions in membership dues revenues, has a net deficiency in net assets, which raises substantial doubt about its ability to continue as a going concern as of December 31, 2023. Management's plans regarding those matters are also described in Note 8. The consolidated financial statements do not include any adjustments that might result from the outcome of this uncertainty. Our opinion is not modified with respect to that matter.





Responsibilities of Management for the Consolidated Financial Statements

Management is responsible for the preparation and fair presentation of the consolidated financial statements in accordance with accounting principles generally accepted in the United States of America, and for the design, implementation, and maintenance of internal control relevant to the preparation and fair presentation of consolidated financial statements that are free from material misstatement, whether due to fraud or error.

In preparing the consolidated financial statements, management is required to evaluate whether there are conditions or events, considered in the aggregate, that raise substantial doubt about the Association's ability to continue as a going concern within one year after the date that the consolidated financial statements are available to be issued.

Auditor's Responsibilities for the Audit of the Consolidated Financial Statements

Our objectives are to obtain reasonable assurance about whether the consolidated financial statements as a whole are free from material misstatement, whether due to fraud or error, and to issue an auditor's report that includes our opinion. Reasonable assurance is a high level of assurance but is not absolute assurance and therefore is not a guarantee that an audit conducted in accordance with generally accepted auditing standards will always detect a material misstatement when it exists. The risk of not detecting a material misstatement resulting from fraud is higher than for one resulting from error, as fraud may involve collusion, forgery, intentional omissions, misrepresentations, or the override of internal control. Misstatements, including omissions, are considered material if there is a substantial likelihood that, individually or in the aggregate, they would influence the judgment made by a reasonable user based on the consolidated financial statements.

In performing an audit in accordance with generally accepted auditing standards, we:

- Exercise professional judgment and maintain professional skepticism throughout the audit.
- Identify and assess the risks of material misstatement of the consolidated financial statements, whether due to fraud or error, and design and perform audit procedures responsive to those risks. Such procedures include examining, on a test basis, evidence regarding the amounts and disclosures in the consolidated financial statements.
- Obtain an understanding of internal control relevant to the audit in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the Association's internal control. Accordingly, no such opinion is expressed.
- Evaluate the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluate the overall presentation of the consolidated financial statements.

- 
- Conclude whether, in our judgment, there are conditions or events, considered in the aggregate, that raise substantial doubt about the Association's ability to continue as a going concern for a reasonable period of time.

We are required to communicate with those charged with governance regarding, among other matters, the planned scope and timing of the audit, significant audit findings, and certain internal control related matters that we identified during the audits.

Supplementary Information

Our audits were conducted for the purpose of forming an opinion on the consolidated financial statements as a whole. The consolidating statement of financial position as of December 31, 2023, and the consolidating statement of activities for the year ended December 31, 2023, are presented for purposes of additional analysis and are not a required part of the consolidated financial statements. Such information is the responsibility of management and was derived from and relates directly to the underlying accounting and other records used to prepare the consolidated financial statements. The information has been subjected to the auditing procedures applied in the audit of the 2023 consolidated financial statements and certain additional procedures, including comparing and reconciling such information directly to the underlying accounting and other records used to prepare the consolidated financial statements or to the consolidated financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America. In our opinion, the information is fairly stated in all material respects in relation to the consolidated financial statements as a whole.

Calibre CPA Group, PLLC

Bethesda, MD
November 20, 2024



National School Boards Association
1680 Duke St. FL2, Alexandria, VA 22314-3493
Phone: (703) 838.6722 • Fax: (703) 683.7590
www.nsba.org

March 4, 2025

TO: NSBA State Association Presidents and Executive Directors
NSBA Delegate Assembly
NSBA Board of Directors

FROM: Matthew R. Showalter, Chair

SUBJECT: Report of the 2025 NSBA Constitution & Bylaws Committee

The 2025 NSBA Constitution and Bylaws (C&B) Committee held meetings on September 17, 2024, November 19, 2024, and January 6, 2025, to develop and consider proposed amendments to the NSBA Constitution and Bylaws. The committee received no proposed amendments from NSBA Regions, member state associations, councils, or other groups.

The committee proposes amendments as follows:

- Article V – Delegate Assembly, Section 3
- Article VI – Board of Directors, Section 4
- Article IX — Nominations and Elections, Section 1
- Article XV — Councils, Sections 1 & 2

The specific language and rationale for each proposal developed by the committee is attached. A complete set of the NSBA Constitution and Bylaws, with the proposed amendments shown, also is attached. The committee recommends to the Delegate Assembly the adoption of the foregoing amendments, as explained in the RATIONALE section for each. Language to be deleted is in ~~strikeout~~ format; language to be added is in **UNDERLINED CAPITAL LETTERS**.



2025 CONSTITUTION AND BYLAWS COMMITTEE	
Name	NSBA Region
Matthew Showalter (MI), Chair	Central
Gill Garrett (MI), Chair, CUBE	Central
Leonard Lockhart (CT)	Eastern
Flor Diaz Smith (VT)	Eastern
Lon Garrison (AK), Executive Director, Association of Alaska School Boards Organization of State Association Executive Director Support (OSAED)	Pacific
Haley Percell (OR), COSA Chair, <i>ex officio, non-voting</i>	Pacific
Donald Hubler (MI), NSBA President, <i>ex officio, non-voting</i>	Central
Verjeana McCotter-Jacobs, NSBA Executive Director & CEO, <i>ex officio, non-voting</i>	
NSBA Staff Support: <ul style="list-style-type: none"> • Tammy Carter, Senior Director of Legal Services & NSBA Governance • Jordan Cooper, Senior Staff Attorney • Brittany Larkins, Director, Executive & Board Services • Lenora Johnson, Executive Assistant, Legal Services & Governance • Kimberly Muse, Operations Coordinator 	



PROCEDURES FOR SUBMITTING CONSTITUTIONAL AMENDMENTS

- Subject:** **AMENDMENTS TO NSBA CONSTITUTION & BYLAWS**
- Deadline:** Postmarked by **November 10**.
- Who may submit:** NSBA Executive Committee, Constitution & Bylaws Committee, 5 members of the NSBA Board of Directors, 3 State Association Members, or by an NSBA Region.
- Submit to:** **Lenora Johnson** for the NSBA Executive Director at NSBA address. (Committee Chair, **Matthew Showalter**). Direct questions to **Tammy Carter**, NSBA Senior Director of Legal Services & NSBA Governance.
- Committee composition:** The Constitution and Bylaws Committee consists of one representative from each Region from the Board of Directors, one chair of an NSBA Council in good standing, and a state association executive director of a state association member in good standing of NSBA, who shall be a voting member of the committee, to be appointed by the President.
- Forwarding requirements:** Electronic Mail to ljohnson@nsba.org & tcarter@nsba.org, Registered Mail, Certified Mail, or other method requiring signature.
- Reference:** NSBA Constitution, Article V, Section 10; Article XVIII, Sections 1-4; Board Policy B-26.



PROCEDURES FOR ADOPTING AMENDMENTS TO THE CONSTITUTION & BYLAWS

Subject:	AMENDMENTS TO THE CONSTITUTION & BYLAWS
How Adopted?	By a two-thirds vote of the Delegate Assembly.
How Long in Effect?	The Constitution remains in effect unless amended by the procedures outlined herein.
How Does the Committee Operate?	The Constitution & Bylaws Committee consists of one representative from each Region from the Board of Directors, one chair of an NSBA Council in good standing, and a state association executive director of a state association member in good standing of NSBA, who shall be a voting member of the committee, to be appointed by the President. It reviews all proposed amendments to the Constitution, reports on its meeting, and makes recommendations to the Delegate Assembly. If the Committee recommends modification of a proposal, it shall notify the sponsoring group of the proposed alteration. If the sponsoring group finds the alterations unacceptable, the original proposal, together with the Committee's recommendations shall be submitted to the Delegate Assembly. The Delegate Assembly shall consider all proposals that meet the requirements for amendments to the Constitution & Bylaws. Written notice of proposed amendments shall be sent to each delegate at least 30 days prior to the Delegate Assembly. Board Policy B-26.
Reference:	NSBA Constitution, Article V, Section 10; Article XVIII, Sections 1-4.

Proposed Amendments

The NSBA Delegate Assembly
passed all the following proposed amendments

CB-01
Constitutional Amendment
Article V – Delegate Assembly
Section 3. Composition

1 (d) If at least 10 percent of the aggregate number of persons in a state or area
2 represented by an Association Member is of one or more ~~national racial minority,~~
3 **UNDERREPRESENTED RACIAL AND ETHNIC GROUPS**, the Association Member shall
4 **MAY** designate that at least one of any additional delegates for which that
5 Association Member may qualify shall be a school board member of a ~~national~~
6 ~~racial minority~~ **AN UNDERREPRESENTED RACIAL AND ETHNIC GROUP.**

RATIONALE:

- The term “national racial minority” is confusing. The committee recommends a clearer definition and suggests replacing the existing language with the term “underrepresented racial and ethnic group,” which more accurately reflects the class of delegates this bylaw references.

Submitted by the 2025 Constitution & Bylaws Committee.

Committee Recommendation: The committee recommends adoption.

CB-02
Constitutional Amendment
Article VI – Board of Directors
Section 4. Duration of Office

1 (c) No director elected by the Delegate Assembly shall serve more than two
2 consecutive full terms, except that a Region may extend or reduce a director’s term
3 by one year to maintain staggered terms within the Region. Any person holding a
4 seat as Director through the person’s position as chair of the Council of Urban
5 Boards of Education, chair of the National Black Council of School Board Members,
6 chair of the National Hispanic Council of School Board Members, chair of the
7 National American Indian/Alaska Native School Boards Members, ~~or representative~~
8 ~~of OSAED~~ shall in no event hold the seat for longer than ~~two consecutive years,~~
9 **FOUR CONSECUTIVE YEARS** regardless of the length of the person’s term(s) as chair
10 of the NSBA Council of Urban Boards of Education, chair of the National Black
11 Council of School Board Members, chair of the National Hispanic Council of School
12 Board Members, chair of the National American Indian/Alaska Native Council of
13 School Board Members, ~~or representative of OSAED.~~ **THE REPRESENTATIVE OF**
14 **OSAED SHALL IN NO EVENT HOLD THE SEAT FOR LONGER THAN TWO**
15 **CONSECUTIVE YEARS REGARDLESS OF THE PERSON’S TERM.** However, a person
16 filling an unexpired said chair’s term may hold that respective seat on the NSBA
17 Board until the end of the next Delegate Assembly meeting of NSBA in addition to
18 his/her own two-year term.

RATIONALE:

- The Equity Councils have changed the terms of their operating rules, and this amendment is being made so that the Bylaws are consistent with their rules.

Submitted by the 2025 Constitution & Bylaws Committee.

Committee Recommendation: The committee recommends adoption.

CB-03

Constitutional Amendment

Article IX – Nominations and Elections

Section 1. National Nominating Committee

1 (a) A National Nominating Committee for the nomination of officers of the
2 Association shall be comprised as follows. Each of the Regions shall, according to
3 regional bylaws, elect two qualified school board members **(AT LEAST ONE NSBA**
4 **REGIONAL DIRECTOR)** and two alternates to serve on the National Nominating
5 Committee for the following year. One member from each of the Regions shall be
6 named by the President from a list composed of one nominee selected by each of
7 the state associations from its membership.

1 (d) A member of the National Nominating Committee ~~shall not hold national~~
2 ~~elective office in the Association at the time of election or appointment to the~~
3 ~~National Nominating Committee, nor shall a member of the National Nominating~~
4 ~~Committee **SHALL NOT** be eligible to be a nominee as a member of the Board of~~
5 ~~Directors or nominee for any officer position. A member shall be ineligible upon~~
6 ~~election or appointment to the National Nominating Committee until completion~~
7 ~~of the annual meeting of the Delegate Assembly, unless the member submits a~~
8 ~~written resignation to the President postmarked no later than December 1. Each~~
9 ~~member or alternate of the National Nominating Committee shall be, at the time~~
10 ~~of election or appointment to the National Nominating Committee or election as~~
11 ~~an alternate, a member of a school board belonging to a State Association Member~~
12 ~~and shall not be employed as a staff member of any state association of school~~
13 ~~boards. Moreover, a member of the National Nominating Committee must be a~~

- 14 local school board member belonging to a State Association Member at the time
15 that person serves on the committee.

RATIONALE:

- This amendment changes the regional requirement to include appointing a current director to participate in the process of selecting the NSBA officers since they work directly with them.

Submitted by the 2025 Constitution & Bylaws Committee.

Committee Recommendation: The committee recommends adoption.

CB-04
Constitutional Amendment
Article XV – Councils
Section 1. Formation of Councils

1 The Board of Directors may create Councils whose purpose is to study various areas of
2 public school activities and operations. The objectives of the Councils **ARE TO GATHER**
3 **INFORMATION, DEVELOP RECOMMENDATIONS, AND ADVOCATE FOR CONCERNS**
4 **AND BOARD APPROVAL TO IMPLEMENT RECOMMENDATIONS.** ~~within their specific~~
5 ~~area of concern will be to gather information, to develop recommendations, and to take~~
6 ~~appropriate steps to implement recommendations.~~

RATIONALE:

- The changes aim to better define the purpose of Councils and their role in relation to NSBA and the Board of Directors. It also clarifies that the NSBA Board has oversight authority and that the Councils are meant to extend the NSBA Board's work.

Submitted by the 2025 Constitution & Bylaws Committee.

Committee Recommendation: The committee recommends adoption.

CB-05

Constitutional Amendment

Article XV – Councils

Section 2. Participation

- 1 The Board of Directors **SHALL** ~~may~~ determine who **IS** ~~shall be~~ eligible to participate in
- 2 the activities of any Council that may be created.

RATIONALE:

- Replacing "may" with "shall" removes any ambiguity about who is responsible for determining eligibility to participate in a Council. The Councils are established by the Board of Directors.

Submitted by the 2025 Constitution & Bylaws Committee.

Committee Recommendation: The committee recommends adoption.



National School Boards Association
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www.nsba.org

March 4, 2025

To: NSBA State Association Presidents and Executive Directors
NSBA Delegate Assembly
NSBA Board of Directors

From: Marnie Maraldo, Chair

SUBJECT: Report of the 2025 Beliefs & Resolutions Committee

The Beliefs and Resolutions Committee presents to the Delegate Assembly its 2025 report of proposed resolutions and amendments to NSBA Beliefs. The committee's recommendations on the submitted proposals appear in this report.

The proposed beliefs and resolutions will be presented formally in the Delegate Assembly business session Friday, April 4, 2025. Additional resolutions, as well as additional amendments to NSBA Beliefs, may be considered by the Delegate Assembly upon the concurrence of two-thirds of the delegates present and voting to suspend the rules for the consideration of late proposals. (See Article V, Section 9(c) of the NSBA Constitution and Bylaws). The Beliefs and Resolutions Committee will hold a hearing for all interested parties Thursday, April 3, 2025, from 3:00-4:30 p.m. at the Georgia World Congress Center in Georgia Ballroom 1, Building C, Level 3.

The report has two parts this year.

- **Part One** sets forth 2025 Proposed Amendments to the NSBA Beliefs. Proposed amendments contain new language, thus are in ALL CAPITAL LETTERS. A two-thirds vote is required for amending the NSBA Beliefs.
- **Part Two** sets forth the 2025 Proposed Resolutions to be considered. The language of every resolution is considered "new," as resolutions must be readopted each year. All Resolution proposals submitted in accordance with Article V Sections 9(a) appear with the original rationale submitted by the State Association member, NSBA Board of Directors, governing bodies of the regions, or by delegates to the Delegate Assembly, and a statement of the Beliefs and Resolutions committee recommendation of either "do adopt" or "do not adopt." Any proposed resolution amended or rejected by the committee, together with the committee's recommendations, must be submitted to the Delegate Assembly for action. Resolutions require a simple majority for passage.

Transforming public education, board by board

Proposed “Rules for Delegate Assembly Operation” will be submitted for the Delegate Assembly’s adoption along with other rules of procedure at the beginning of the business session of the Delegate Assembly.

We sincerely appreciate the time and effort spent by all the members of the committee in developing NSBA’s proposed policy positions for 2025. Committee members’ names appear elsewhere in the report.

If you wish to refer to the Beliefs and Resolutions as adopted by the 2024 Delegate Assembly, they are included in **TAB 10** of the handbook.



2025 NSBA Beliefs & Resolutions Committee

***Marnie Maraldo**, Chair
Issaquah School District
New Castle, WA

***Gill Garrett**, *Subcommittee Chair #1*
Chair, Council of Urban Boards of Education
Pontiac School District
Pontiac, MI

***Lydia Tedone**, *Subcommittee Chair #2*
Chair, National American Indian/Alaska Native Council of School Board Members
Simsbury Public Schools
Weatogue, CT

Charmise Desire
Uniondale Union Free School District
Uniondale, NY

Rick Gowin
North Rock Creek School District
Shawnee, OK

***Michael Jaime**
Chair, National Black Council of School Board Members
Elmont Union Free School District
Elmont, NY

Pauline Jaramillo
Socorro Consolidated School District
Socorro, NM

***Mildred Lefebvre**
Chair, National Hispanic Council of School Board Members
Holyoke Public Schools
Holyoke, MA

Teri Rhodes
Cache County School District
North Logan, UT



Nancy Russell
Hartford School District
Hartford, VT

***Flor Diaz Smith**
Washington Central Unified Union School District
Montpelier, VT

Eric Stroeder
Mobridge-Pollock School District
Glenham, SD

Mike Walker
Carson City School District
Carson City, NV

Don Wotruba, Executive Director
Michigan Association of School Boards &
Organization of State Association Executive Directors (OSAED)
Lansing, MI

Ex officio

***Donald R. Hubler**, NSBA President
Macomb Intermediate School District
Clinton Township, MI

***Verjeana McCotter-Jacobs, Esq.**, Executive Director & CEO
National School Boards Association
Alexandria, VA

NSBA Executive Staff Resources

Tammy Carter, Senior Director of Legal Services and NSBA Governance
Jordan Cooper, Senior Staff Attorney
Brittany Larkins, Director, Executive & Board Services
Lenora Johnson, Executive Assistant, Legal Services & Governance
Kimberly Muse, Operations Coordinator

***NSBA Board of Directors**



PROCEDURES FOR SUBMITTING PROPOSALS AFFECTING BELIEFS AND RESOLUTIONS

- Subject:** BELIEFS AND RESOLUTIONS
- Deadline:** Postmarked by **November 10**.
- Who may submit:** State Association Members, NSBA Board of Directors, NSBA Regions, Delegates, NSBA Executive Director, Beliefs & Resolutions Committee and Steering Committees of Councils.
- Submit to:** **Lenora Johnson** for **Marnie Maraldo** Committee Chair, NSBA Beliefs and Resolutions Committee at the NSBA address. Direct questions to NSBA Senior Director of Legal Services & NSBA Governance, **Tammy T. Carter**.
- Committee composition:** One member from each region elected by the region, one member from each region from the Board of Directors appointed by the President, one member at large from each region appointed by the President, plus the chairs of the Council of Urban Boards of Education, the National Black Council of School Board Members, the National Hispanic Council of School Board Members, the National American Indian/Alaska Native Council of School Board Members, and a state association executive director.
- Board Policy B-25.
- Forwarding requirements:** Electronic Mail to ljohnson@nsba.org & tcarter@nsba.org, or USPS Mail.
- Reference:** NSBA Constitution, Article V, Section 8.



CONSTITUTIONAL PROCEDURES FOR THE ADOPTION OF NSBA BELIEFS AND RESOLUTIONS

Subject:	BELIEFS
How Adopted?	By a two-thirds vote of the Delegate Assembly.
How Long in Effect?	Beliefs are permanent and remain in effect until changed.
How Does the Committee Operate?	All Beliefs are considered first by the Beliefs and Resolutions Committee. It reviews all proposed Beliefs; it makes an official report of its meeting at least 30 calendar days before the Beliefs are to be voted upon; and it holds an open hearing at the Conference on its recommendations. It may amend its report as a result of the hearing.

Subject:	RESOLUTIONS
How Adopted?	By a simple majority vote of the Delegate Assembly.
How Long in Effect?	Resolutions remain in effect for one year.
How Does the Committee Operate?	All resolutions are considered first by the Beliefs and Resolutions Committee. It reviews all proposed resolutions; it makes an official report of its meeting at least 30 calendar days before the resolutions are to be voted upon; and it holds an open hearing at the Conference on its recommendations. It may amend its report as a result of the hearing.



WHAT HAPPENS IF A PROPOSAL IS NOT SUBMITTED BY NOVEMBER 10?

BELIEFS and RESOLUTIONS

Even if Beliefs or Resolutions have not been submitted by November 10, a delegate may appear before the Beliefs and Resolutions Committee at its public hearing prior to the first meeting of the Delegate Assembly and try to convince the Committee to amend its report. If this fails, proposed Beliefs or Resolutions not submitted by November 10 may be considered by the Delegate Assembly in the following manner:

- A delegate (or alternate serving as delegate) must ask the Delegate Assembly to suspend its rules.
- The details or merits of the Belief or Resolution may not be discussed until the rules are suspended. (Copies of the proposal should be made available to each delegate to facilitate the decision to suspend the rules.)
- The Delegate Assembly suspends the rules to consider Beliefs or Resolutions by a two-thirds vote.
- The delegate then moves the new Belief or Resolution (requires a second).
- General debate on the Belief or Resolution is now in order (may be amended).
- A **two-thirds vote** of the Delegate Assembly is required for adoption of a **Belief**.
- A **simple majority vote** is necessary for the adoption of a proposed **Resolution**.



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2025 NSBA Beliefs & Resolutions Committee

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PART 1

2025 PROPOSED BELIEFS

COMMITTEE RECOMMENDS: DO ADOPT

The NSBA Delegate Assembly
passed all the following proposed beliefs

B-01

ARTIFICIAL INTELLIGENCE IN EDUCATION

1 NSBA BELIEVES THAT ARTIFICIAL INTELLIGENCE HAS TRANSFORMATIVE POTENTIAL
2 IN EDUCATION, OFFERING OPPORTUNITIES TO ENHANCE TEACHING, PERSONALIZE
3 LEARNING, AND STREAMLINE ADMINISTRATIVE TASKS. AT THE SAME TIME, WE ARE
4 COMMITTED TO ITS ETHICAL AND EQUITABLE USE, ENSURING TRANSPARENCY,
5 SAFEGUARDING PRIVACY, AND ADDRESSING RISKS LIKE BIAS AND OVER-RELIANCE
6 ON TECHNOLOGY TO CREATE A FUTURE-READY, HUMAN-CENTERED EDUCATIONAL
7 ENVIRONMENT.

RATIONALE:

- This is a proposal for a new belief.
- Artificial Intelligence is a relatively new tool available to students, educators, and policy-makers. As we learn more about this tool, it is important to establish fundamental policies and guidelines for its use.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-02

Article I Control and Support of Public Education
Section 1.9 School Governance Takeovers – Bullet 2

1 ...

2 NSBA recognizes the essential connection between schools and their communities.

3 Communities must consider becoming partners with public school districts and

4 support local initiatives for dropout prevention, at-risk students, early childhood

5 learning, and to assist schools by providing children with safe housing, proper

6 nutrition and quality healthcare, to ensure that these out-of-school factors support

7 children’s abilities to learn. NSBA believes such issues provide a role for civic leaders

8 and elected or appointed officials and/or policy makers in the education system.

- 9 • assist in providing students with access to healthcare and other support
10 services, including the expansion of community and parent outreach centers to
11 help parents/GUARDIANS access services;

RATIONALE:

- The Beliefs and Resolutions Committee included “guardians” throughout the *Beliefs* document to be sensitive to other parent like relationships.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-03

Article II Responsibility of School Boards

Section 1.2 Key Work of School Boards

- 1 NSBA urges all levels of government, parents/GUARDIANS, community groups,
- 2 business leaders, and the media to support the efforts of local school systems to
- 3 enable each child to achieve at the child's full potential. Local public school boards
- 4 are encouraged to demonstrate excellence in governance and to provide strong
- 5 leadership in order to raise student achievement.

RATIONALE:

- The Beliefs and Resolutions Committee included "guardians" throughout the *Beliefs* document to be sensitive to other parent like relationships.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-04

Article II Responsibilities of School Boards

Section 2 Professional Staff Development and Employee Relations

2.6 Teacher Tenure Reform

- 1 NSBA supports tenure reform with the goal of teacher employment based on high
- 2 standards and improved student performance. Standards should be developed by
- 3 boards of education in conjunction with administrators, teachers,
- 4 parents/GUARDIANS, and community members.

RATIONALE:

- The Beliefs and Resolutions Committee included “guardians” throughout the *Beliefs* document to be sensitive to other parent like relationships.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-05

Article III Federal Assistance to Education

Section 2 (e) Federal Funding for Public Education

1 ...

2 (e) ensuring that school districts serving immigrant students or Limited English
3 Proficient/~~English~~ MULTI Language Learners (LEP/MLL ~~ELL~~) are provided with the
4 necessary resources for those students as they make the transition into our society;

RATIONALE:

- The Beliefs and Resolutions Committee recommends the language “English Language Learners” be changed to read “Multi Language Learners (MLL)” throughout the *Beliefs* document.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-06

Article IV The Educational Program

Section 2 Maintaining a Safe and Supportive School Climate

1 NSBA believes that students must have safe and supportive climates and learning
2 environments that support their opportunities to learn and that are free of abuse,
3 violence, bullying, weapons, and harmful substances including alcohol, tobacco,
4 and other drugs. NSBA urges federal, state, and local governments, as well as
5 parents/GUARDIANS, business, and the community, to cooperate fully with local
6 school boards to eliminate violence, weapons, neglect, negative expectations, and
7 harmful substances in schools and to ensure safe, crime-free schools. NSBA urges
8 local school boards to incorporate into their policies and practices approaches that
9 encourage and strengthen positive student attitudes in, and relationship to, school.

RATIONALE:

- The Beliefs and Resolutions Committee included “guardians” throughout the *Beliefs* document to be sensitive to other parent like relationships.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-07

Article IV The Educational Program

Section 2 Maintaining a Safe and Supportive School Climate

2.2 Collaboration with Law Enforcement and/OR School Resource Officers

1 NSBA encourages school boards to foster collaboration and communication with
2 law enforcement agencies. NSBA encourages school boards that place resource
3 officers in schools to create a culture of restorative justice practices. DISTRICTS
4 SHOULD REQUIRE ANNUAL TRAINING DESIGNED TO PREPARE SCHOOL RESOURCE
5 OFFICERS SUCH AS PROVIDED BY THE NATIONAL ASSOCIATION OF SCHOOL
6 RESOURCE OFFICERS and consider and evaluate the roles and responsibilities of
7 such officers.

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.
- The Beliefs and Resolutions Committee recommends adding new language to the existing belief.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-08

Article IV The Educational Program

Section 2 Maintaining a Safe and Supportive School Climate

2.8 Student Discipline (~~Out of School~~) AND EXCLUSIONARY PRACTICES

1 NSBA urges local school boards to continue to analyze data with regard to student
2 discipline. NSBA further urges school boards to 1) increase the use of other proven
3 intervention and prevention strategies to maximize the opportunities for all
4 students to have a safe and successful in-school experience; 2) consider out of
5 school disciplinary practices as a last resort to address behavioral issues in schools
6 to the extent school safety is not jeopardized; and 3) work toward reducing
7 suspension and expulsion of students by using strategies such as restorative
8 practices.

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-09

Article IV The Educational Program

Section 2 Maintaining a Safe and Supportive School Climate

2.11 CIVIC ENGAGEMENT ~~Character Development and Democratic Values Education in the Public Schools~~

1 NSBA BELIEVES THAT LOCAL SCHOOL BOARDS PLAY A CRITICAL ROLE IN FOSTERING
2 CIVIC ENGAGEMENT TO STRENGTHEN THE FOUNDATIONS OF OUR DEMOCRACY.
3 SCHOOL BOARDS SHOULD ESTABLISH POLICIES THAT PROMOTE PROGRAMS
4 EMPHASIZING CIVIC EDUCATION AND DEMOCRATIC PARTICIPATION, ENSURING
5 THESE INITIATIVES ARE TAILORED TO REFLECT THE UNIQUE VALUES OF THEIR
6 COMMUNITIES WHILE UPHOLDING PRINCIPLES CENTRAL TO A DEMOCRATIC
7 SOCIETY.

~~NSBA believes that local school boards should establish policies to promote character education programs, the structure and content of which should be locally determined and consistent with family and community values. As a vital link between communities and their schools, school boards must help create an environment in which values that are central to a democratic society are practiced.~~

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.
- All school boards should lead by example in fostering high level discussions which encourage civic engagement with respect to all points of view.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-10

Article IV The Educational Program

Section 2 Maintaining a Safe and Supportive School Climate

2.14 (a) Comprehensive Tobacco-Free School Policies

1 NSBA urges local school boards to enact and enforce Comprehensive Tobacco-Free

2 School Policies that include:

3 (a) prohibition of the use of tobacco products, e-cigarettes, and other vaporizing

4 devices by students, school staff, parents/GUARDIANS, and visitors on school

5 property, in school vehicles, and at school-sponsored functions;

RATIONALE:

- The Beliefs and Resolutions Committee included “guardians” throughout the *Beliefs* document to be sensitive to other parent like relationships.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-11

Article IV The Educational Program

Section 3 Curriculum, Instruction, and Assessment

3.3 High Academic Standards

1 NSBA supports high academic standards for all students, ~~including Common Core~~
2 ~~standards~~, that are voluntarily adopted by states with local school board input, and
3 free from federal direction, federal mandates, funding conditions or coercion. Local
4 school boards are responsible for the implementation of any new academic
5 standards which includes locally approved instruction and materials in a manner
6 that reflects community needs. School boards are encouraged to offer rigorous
7 course work at every school and to promote and to support at all grade levels the
8 participation of all students, including under-served student populations, in such
9 challenging course work. NSBA urges states to provide financial and technical
10 support to enable school districts to innovate while implementing voluntarily
11 adopted rigorous standards in an effective and timely manner.

RATIONALE:

- The Beliefs and Resolutions Committee recommends deleting the outdated reference to Common Core Standards.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-12

Article IV The Educational Program

Section 3 Curriculum, Instruction, and Assessment

3.5 Controversial Issues

1 NSBA urges local school districts to present a balance of factual materials relating
2 to any controversial issue. Appropriate policies for the evaluation, selection, use,
3 and removal of instructional materials should be developed, including a process for
4 handling complaints. SCHOOL BOARDS MUST CULTIVATE AN ENVIRONMENT
5 WHERE ACTIVE CITIZENSHIP, ETHICAL LEADERSHIP AND THE PRACTICE OF
6 DEMOCRATIC VALUES ARE INTEGRAL TO THE EDUCATION EXPERIENCE.

RATIONALE:

- The Beliefs and Resolutions Committee recommends adding new language to the existing belief.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-13

Article IV The Educational Program

Section 3 Curriculum, Instruction, and Assessment

3.10 ~~Distance~~ REMOTE Learning and Online Courses

1 NSBA supports the authority of local school boards to determine credit for courses
2 taken online through the creation of distance learning policies, guidelines, and
3 teacher certification rules that allow maximum flexibility to schools to use
4 technology for student instruction, training of educators and others, distance
5 learning, and data transmission. NSBA supports local school board authority to
6 establish online courses and schools.

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-14

Article IV The Educational Program

Section 3 Curriculum, Instruction, and Assessment

3.21 ~~English Language Acquisition~~ MULTI LANGUAGE LEARNING

- 1 NSBA believes local school districts must have the authority and flexibility to
2 develop, design, and implement a broad range of Limited English Proficient/~~English~~
3 MULTI Language Learner (LEP/MLL ~~ELL~~) programs, including bilingual education,
4 dual language programs, English immersion, and other research-based programs
5 and instruction that respond to each child’s educational needs while meeting high
6 academic standards. Model programs should include:
- 7 • provisions for timely parent/GUARDIAN notification and opportunity to direct
 - 8 the placement of their children; and,
 - 9 • effective communication regarding opportunities for LEP/MLL ~~ELL~~ students and
 - 10 their families to participate.

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.
- The Beliefs and Resolutions Committee recommends the language “English Language Learners” be changed to read “Multi Language Learners (MLL)” throughout the *Beliefs* document.
- The Beliefs and Resolutions Committee included “guardians” throughout the *Beliefs* document to be sensitive to other parent like relationships.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-15

Article IV The Educational Program

Section 3 Curriculum, Instruction, and Assessment

3.22 ~~International~~ WORLD Language Instruction

- 1 NSBA encourages school policies and programs that promote K-12 opportunities
- 2 for ~~international~~ WORLD language study to ALSO teach students about other
- 3 cultures and countries so ~~that they can be~~ ARE prepared to communicate and
- 4 participate in a global society.

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.
- The Beliefs and Resolutions Committee recommends the language “International Language Instruction” be changed to read “World Language Instruction” throughout the *Beliefs* document.
- The Beliefs and Resolutions Committee recommends editorial changes for clarity.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-16

Article IV The Educational Program

Section 3 Curriculum, Instruction, and Assessment

3.23 (c) and (e) Physical Fitness EDUCATION and Healthy Eating

1 NSBA supports locally determined school policies and programs that promote
2 lifelong WELLNESS THROUGH physical activity and healthy eating habits as
3 necessary strategies for improving student achievement and preventing health
4 problems. NSBA believes that local school boards should:

5 ...

6 (c) offer healthy food and beverage items at school, and ~~limit the availability of~~
7 ~~low-nutrition foods~~ ENCOURAGE NUTRITION DENSE FOODS, and consider the use
8 of locally-grown, fresh products;

9 (e) engage parents/GUARDIANS and community members in the process of
10 reducing childhood obesity.

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.
- The Beliefs and Resolutions Committee recommends adding new language to the existing belief.
- The Beliefs and Resolutions Committee included “guardians” throughout the *Beliefs* document to be sensitive to other parent like relationships.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-17

Article IV The Educational Program

Section 5 The Public School – A Community Responsibility

**5.10 Recruiting and Retaining Effective Teachers and Leaders for ~~Low-~~
UNDER-Performing Schools that Serve Economically Disadvantaged
Students**

1 NSBA urges all educational leaders to support policies and practices that help ~~low~~
2 UNDER performing schools that serve economically disadvantaged students to
3 recruit and retain effective teachers and leaders. NSBA URGES EDUCATIONAL
4 LEADERS TO RECRUIT, PREPARE, HIRE, RETAIN AND PROMOTE RACIALLY,
5 ETHNICALLY, AND LINGUISTICALLY DIVERSE EDUCATORS. This initiative must be
6 collaborative and requires the long-term ~~effort~~ commitment of teachers, ~~English,~~
7 community leaders, school board members, school administrators, and institutions
8 preparing teachers and principals, as well as the organizations representing these
9 essential partners.

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.
- The Beliefs and Resolutions Committee recommends adding new language to the existing belief.

Submitted by the 2025 Beliefs and Resolutions Committee.

B-18

Article VI Relationships With Other Groups

Section 3 Other Groups

3.2 Pre-Kindergarten-POST SECONDARY ~~16 Seamless~~ Education

- 1 NSBA supports pre-kindergarten-~~16~~ POST-SECONDARY collaboration among the
- 2 various sectors of education and with business, industry, and government to
- 3 enhance teaching and learning opportunities so that all students are prepared to
- 4 live in and contribute to a vibrant society.

RATIONALE:

- The Beliefs and Resolutions Committee is recommending a change in the title.

Submitted by the 2025 Beliefs and Resolutions Committee.

PART 2

2025 PROPOSED RESOLUTIONS

COMMITTEE RECOMMENDS: DO ADOPT

The NSBA Delegate Assembly
passed all the following proposed resolutions

1.1 School Safety and Crime Prevention

1 NSBA urges Congress and the Administration to provide greater and sustained
2 resources for locally determined programs that are critical to school safety, such as
3 school resource officers, school counseling, emergency preparedness and response
4 training, interagency coordination, and a federal school safety technical assistance
5 center to serve as a resource and clearinghouse of federal guidance and training
6 resources. NSBA also urges greater and sustained federal resources that expand
7 access to mental health services and support comprehensive “wrap-around”
8 services to schools that include a range of community resources to address safety
9 and intervention. Further, NSBA reaffirms the purpose of the Gun-Free School
10 Zones Act to ensure the safety of our nation’s schoolchildren.

RATIONALE:

- As school shootings continue across the country, schools are in need of greater resources to help maintain the safety of their school communities.
- Federal resources for school safety and other services that help prevent students from becoming perpetrators or victims of crime and violence are disparate; and, many school districts may not know about federal resources that are available for disaster preparedness and emergency response.
- Federal funding for school resource officers and school counseling has been reduced, thereby limiting its effectiveness.
- Federal funding would ensure that school resource officer programs, school counseling and other school safety programs can survive budget cuts and provide the infrastructure to support the safety and security that school board members want for the public school children they serve.
- The Gun Free School Zones Act should not be confused with The Gun Free Schools Act. The Gun Free School Zones Act (“GFSZA”), 18 U.S.C. § 922(q) is a federal criminal statute originally passed in 1990 that prohibits an individual from knowingly possessing a firearm that has moved in or that otherwise affects interstate or foreign commerce at a place that the individual knows, or has reasonable cause to believe, is a “school zone” as defined by 18 U.S.C. § 921(a)(25). [It was found unconstitutional in *U.S. v. Lopez*, 514 U.S. 549 (1995), but was substantially revised in 1995 to include references to interstate commerce, and now passes Constitutional muster.] GFSZA provides an exception for, among other circumstances, “if the individual possessing the firearm is licensed to do so by the State in which the school zone is located or a political subdivision of the State...,” but this exception only applies in the State that physically issued the permit. 18 U.S.C. § 922(q)(2)(B)(ii). There are other exceptions for law enforcement, firearms that are unloaded and locked up, individuals participating in school-sponsored programs, and more.

- The Gun Free Schools Act, 20 U.S.C. § 7961, requires schools to have a zero-tolerance policy for guns as a condition of receiving Elementary and Secondary Education Act funds. Schools must adopt a policy mandating a one-year expulsion for students who bring firearms to school. Exceptions are allowed on a case-by-case basis.
- SchoolSafety.gov, an interagency website, was launched in 2020. It is designed to provide schools and districts with actionable recommendations to create safe and supportive learning environments for students and educators. The site is intended to “serve as a one-stop access point for information, resources, guidance, and evidence-based practices on a range of school safety topics. Through the site, members of the kindergarten through grade 12 (K-12) academic community can also use tools to prioritize school safety actions, find applicable resources and funding opportunities, connect with state and local school safety officials, and develop school safety plans. SchoolSafety.gov is the public-facing vehicle of the Federal School Safety Clearinghouse (Federal Clearinghouse on School Safety Evidence-Based Practices), an interagency effort among the Departments of Education, Health and Human Services, Homeland Security, and Justice. The Clearinghouse serves as an ongoing and coordinated effort that includes regular interagency review of evidence-based content and recommended best practices to keep schools safe, as well as the curation and distribution of resources, guidance, and tools for school communities across the country.”

Submitted by the Connecticut Association of Boards of Education.

1.2 Trauma Informed/Trauma Responsive Practices

1 NSBA urges Congress and the Department of Education to provide funding and
2 programmatic resources for states and districts to support trauma responsive and
3 trauma informed teaching and learning through high quality, culturally responsive
4 curriculum and instruction in a wide range of content areas of instruction, including
5 the arts, health and physical education, and teacher and principal professional
6 learning and student enrichment, enacted as part of the Every Student Succeeds
7 Act (ESSA). Congress must make significant investments in sustained, long-term
8 care to help address the trauma of the pandemic as well as implement immediate
9 solutions that can serve students remotely. Further, NSBA supports and advocates
10 for evidence-based policy and services that are aimed at developing approaches to
11 be used in schools that are geared towards creating opportunities for students to
12 cope with trauma in order to have success academically and in life.

RATIONALE:

- The CDC reports that about 64% of U.S. adults reported they had experienced at least one type of Adverse Childhood Experience (ACE), a traumatic event (e.g., witnessing or being a victim of violence; experiencing sexual, physical, or emotional abuse; suffering a serious injury or medical condition; death of a parent or sibling) before the age of 18, and nearly 1 in 6 (17.3%) reported they had experienced four or more types of ACEs.
- As there are racial disparities in ACEs and the negative outcomes of ACEs in student achievement, implementing trauma-informed and culturally relevant practices, disciplinary policies, interactions, and environments, will positively affect student achievement.
- These students require a supportive environment to heal and achieve academic and social success.
- These childhood traumas, if not properly addressed, can lead to heart disease, obesity, liver and kidney disease, depression, substance abuse, suicidality, early death and numerous other serious health concerns.
- When students are punished or shamed for behaviors that result from their exposure to trauma, this can lead to increased risk of dropping out of school and worse job prospects.
- Our schools have an opportunity to help students heal and grow after traumatic experiences, but only with modifications to the current school climates, practices, and policies. Additionally, actions and activities that may be necessary to help traumatized students will benefit all students socially, emotionally, and academically.
- NSBA understands the importance of meeting the needs of students who have experienced childhood trauma.

Submitted by the 2025 Beliefs and Resolutions Committee.

1.3 Supporting Students' Social and Emotional Needs

1 NSBA urges Congress and the Administration to provide increased funding and
2 additional resources to support local school districts' efforts to address students'
3 mental health, safety, and social needs. NSBA urges Congress and the
4 Administration to expand funding for the purpose of supporting school districts in
5 hiring health professionals, including school nurses, counselors, social services
6 managers, and mental health professionals, to support the health and well-being of
7 America's students, thereby creating comprehensive mental health resources to
8 address this barrier to education of America's students.

RATIONALE:

- As educational advocates and policymakers, we must support and demand that Congress and State legislatures place a priority on students' mental health needs. First steps include evaluating programs and partnerships and developing a curriculum to address the social and emotional needs of all students.
- The COVID-19 pandemic created an even greater need for mental health supports for students in public schools. These health issues have added to even greater stress on students.
- School districts urgently need adequate resources to address effectively the mental health and emotional needs of students. School boards must continue to lobby and urge Congress to increase funding to benefit all students.
- **According to the Harvard University Center on the Developing Child: "Toxic stress response** can occur when a child experiences strong, frequent, and/or prolonged adversity—such as physical or emotional abuse, chronic neglect, caregiver substance abuse or mental illness, exposure to violence, and/or the accumulated burdens of family economic hardship—without adequate adult support. This kind of prolonged activation of the stress response systems can disrupt the development of brain architecture and other organ systems and increase the risk for stress-related disease and cognitive impairment, well into the adult years. When toxic stress response occurs continually, or is triggered by multiple sources, it can have a cumulative toll on an individual's physical and mental health—for a lifetime. The more adverse experiences in childhood, the greater the likelihood of developmental delays and later health problems, including heart disease, diabetes, substance abuse, and depression. Research also indicates that supportive, responsive relationships with caring adults as early in life as possible can prevent or reverse the damaging effects of toxic stress response."
- According to Education Week, as of December 29, 2022, there had been 51 school shootings in 2022 that resulted in injuries or deaths, "the most in a single year since Education Week began tracking such incidents in 2018. There have been 144 such shootings since 2018. Prior to 2022, the highest number of school shootings with injuries or deaths was [2021] when there were 35. There were 10 in 2020, and 24 each in 2019 and 2018."

- According to the Centers for Disease Control and Prevention, suicide is the third leading cause of death for young people, accounting for 6,643 deaths. For youth ages 10-14, suicide is the second leading cause of death. Recently, the CDC reported a 22.3 percent increase in emergency room trips for potential suicides by children aged 12 to 17 in summer 2020 compared to 2019, according to findings published in its “Morbidity and Mortality Weekly Report.” Between February 21, 2021 and March 20, 2021, the CDC reported that emergency department visits for potential suicide attempts were up 50.6 percent compared to the same period in 2019.
- Profiling is the act or process of extrapolating information about a person based on known traits or tendencies; specifically, it is the act of suspecting or targeting a person on the basis of observed characteristics or behavior. Profiling can negatively impact students by inducing inappropriate responses of school officials to individuals based on group generalizations or suspicions that may not accurately reflect the individual’s actual qualities or characteristics.
- Rationale for wording change (Line 3): NSBA’s over-arching belief that education decisions are best when made at the local level can sometimes be in conflict with the need for funding to support students at the local level. This change recognizes that additional resources are needed but eliminates the request for “dedicated” funding. This leaves decisions about how and why to use additional funds up to the local board of education.
- Students often arrive at school with varying levels of trauma. We have come to realize the impossibility of teaching hungry children and have implemented breakfast and lunch programs to mitigate hunger. We need to do the same with mental health instruction.
- Mental health intervention and instruction is not intended to supplant parental responsibilities but instead to supplement and reinforce those values learned in the home.
- The pandemic has exacerbated the mental health problems in a great number of students with the isolation, family stress over loss of jobs, hunger issues, social interactions, health fears, family deaths, etc.
- Almost every school has inadequate numbers of counselors and school psychologists on staff who monitor mental health and provide resources and referrals for students in need of additional health supports.
- Mental health providers need to take a “trauma-informed approach” in addressing the needs of historically underrepresented students who have experienced a feeling of alienation from incidents of discrimination and racism, exacerbating the trauma and affecting their education. This approach can have a positive impact on the mental health of students facing unprecedented mental health challenges.
- School districts can no longer afford to ignore the intersections of mental health, equity and education. Board members need to become mental health champions who use their budget and policy work to create school and district cultures that promote inclusion and belonging, consequently fostering emotional wellness for students, staff, and educators.

Submitted by the 2025 Beliefs and Resolutions Committee.

1.4 School Based Medicaid and Affordable Care Act Penalties

1 NSBA supports the following legislative priorities to ensure students in greatest
2 social, economic, and emotional need will be supported through: a) Sustaining all
3 federal programs that ensure access to healthcare for children and families, which
4 include but are not limited to Medicare, Medicaid, the State Children’s Health
5 Insurance Program, the Department of Defense Tricare and Tricare for Life
6 programs, the Veteran’s Health Administration Program, the Indian Health Services
7 Program and any other school-based healthcare service that may be authorized by
8 federal law that ensures access to health insurance for children and families. NSBA
9 also supports the expansion of Medicaid services to support access to health care
10 for the most economically disadvantaged students; and b) Federal policies that
11 provide equal access to public programs, accommodations, and social and health
12 services to support all students who are lesbian, gay, bisexual, transgender, or
13 otherwise questioning their own sexual identity. Further, NSBA shall advocate for
14 changes in the Affordable Care Act and through other means that support school
15 districts and other governmental employers to help them keep health insurance
16 coverage costs affordable.

RATIONALE:

- The National School Boards Association is committed to the wellbeing of children through the delivery of quality educational services and the support of the social and economic programs that confront poverty, help overcome the effects of economic disadvantage and raise student achievement.
- In recent years, efforts by Congress to reform healthcare could have negatively affected school-based Medicaid services, including healthcare resources for our nation’s most vulnerable students, such as those educated under the Individuals with Disabilities Education Act (IDEA). Because of grassroots and direct advocacy efforts through our state school boards associations, NSBA and other education stakeholders, healthcare reform efforts affecting Medicaid were tabled; however, these efforts could be raised again during the next convening in 2023.

Submitted by the 2025 Beliefs and Resolutions Committee.

1.5 Medicaid

- 1 NSBA urges Congress and the Department of Education to fully support school-
- 2 based Medicaid services which support the health and well-being of every child
- 3 attending public schools helping ensure they receive a high-quality education.

RATIONALE:

- Currently, the Early Periodic Screening Diagnostic and Treatment (EPSDT) benefit of Medicaid ensures that children and adolescents under the age of 21 have guaranteed access to a robust set of comprehensive and preventive health services, including regular well-child exams; hearing, vision, and dental screenings; and other services to treat physical, mental, and developmental illnesses and disabilities.
- Medicaid provides affordable and comprehensive health coverage to over 30 million children, improving their health and their families' financial well-being.
- Children covered by Medicaid experience long-term health and economic gains as adults.
- Medicaid ensures that students with identified special needs are able to participate in a free, appropriate, public education by ensuring their health care needs are met.
- Medicaid supports the general well-being as well as vision, dental, and hearing support that are essential for a student to be prepared to learn in school.
- Attacks on Medicaid, without a viable alternative, are a threat to public education and the academic future of all students but especially urban and rural learners.
- The COVID-19 pandemic created an unprecedented moment for public schools and placed additional health related and economic stress on many students and their families. The economic collapse has made Medicaid an even more important program for many students and their families.

Submitted by the 2025 Beliefs and Resolutions Committee.

1.6 Restorative Justice/Practices

- 1 NSBA urges Congress to support state and local educational agencies' efforts to
- 2 institute school behavior management policies and fund programs that utilize
- 3 restorative practices that help resolve conflict, repair harm, and reduce disciplinary
- 4 incidents for all students.

RATIONALE:

- Promoting awareness and educating local school districts, school board members, superintendents, professionals working with at-risk populations, key community stakeholders, and the general public on the necessity of local practices to prevent disparity with respect to out-of-school suspensions and to engage in restorative justice practices is beneficial to student and the educational mission of schools.
- Supporting and advocating for evidence-based policy and services, an analysis of current policies, development of a transformative justice committee which may include a transformative justice program, and/or restorative justice programming in school districts nationwide also supports the educational mission of schools.
- Restorative justice has been conceptualized as a shift from punitive and punishment-orientated consequences to those offering opportunities for all people affected by an action to engage in dialogue and measures seeking to restore the classroom and school community.
- “Restorative practices” is a social science concept that studies how to build social capital and achieve social discipline through participatory learning and decision making, to include, but not limited to, reducing crime, violence, and bullying; improving human behavior; strengthening civil society; providing effective leadership; restoring relationships; and repairing harm.
- “Restorative practices” is an effort to prevent problems from occurring, with a specific priority placed on relationship-building and a sense of community to prevent conflict and wrongdoing; and “restorative justice” measures are introduced after the problem has occurred, with the intention of avoiding reoccurrences.
- Data gathered by the National Center for Education Statistics indicates that 49.5 million children attended public schools in the fall of 2021. According to *The Conversation*, nearly **3 million** of these students are suspended each year and over **100,00** are expelled.
- Students suspended or expelled for a discretionary violation are nearly 3 times more likely to be in contact with the juvenile justice system the following year.
- A commitment to addressing factors leading to suspensions, expulsion referrals, and expulsions, all of which result in lost instructional time, and to taking affirmative steps to support its school-site leadership, teachers, staff, and parents to support students in the classroom is crucial to the educational mission of schools.
- To effectively reduce the number of out of classroom referrals and suspensions, it is imperative to provide targeted support that empowers teachers and staff to build effective instructional, classroom management, and interpersonal relationship tools that can be exhausted before referring a child out of the classroom.

- Without restorative justice practices, issues may begin in preschool with many discretionary suspensions and arrests for subjective, tough-to-define offenses, like "insubordination" or "willful defiance," which can just mean a student has challenged the authority of a teacher or school administrator, being a most common cause for suspensions.
- Research suggests that a subset of suspensions and expulsions are due to implicit biases held by school staff; and discipline policies with minor, often subjectively defined, offenses (e.g., insubordination and willful defiance). These are complex challenges that merit continued analysis and leadership to ensure that discipline practices are fair and equitable with the intention of rehabilitating the child, restoring classroom and school culture, and limiting recurrence.
- Students who are suspended are more likely to repeat a grade or twice as likely to drop out of schools, are also more likely to end up in the juvenile justice system, and three times more likely to encounter the juvenile probation system the following year. Furthermore, research suggests that out-of-school suspensions or expulsions don't do anything to improve a student's academic standing, or to monitor behavior or improve safety.
- The National School Boards Association has resolved to support strategies and programs that cultivate an implementation of restorative practices to emphasize rehabilitation, limit recurrence and promote the importance of learning in the classroom.
- The National School Boards Association aims to support school districts where students love to learn, educators inspire, families engage, and the community trusts the system. Therefore, NSBA supports the creation of schools that implement restorative practices and restorative justice initiatives to increase student learning, and social and emotional skills, and to reduce the number of infractions within schools.

Submitted by the 2025 Beliefs and Resolutions Committee.

2.1 Individuals with Disabilities Education Act (IDEA)

- 1 NSBA urges Congress to reauthorize and fully fund the Individuals with Disabilities
2 Education Act to:
- 3 (a) limit responsibilities for child find and evaluation of students with disabilities to
4 only those students who reside within the boundaries of the local school district;
 - 5 (b) prohibit any court, administrative body or other entity from requiring a school
6 board or state within the United States to provide for a child's education, residential
7 cost or the cost of any other services provided outside the United States;
 - 8 (c) prohibit tuition reimbursement for students with disabilities unilaterally placed
9 by their parents/guardians in private schools;
 - 10 (d) ensure the due process provisions are collaborative, effective, and efficient, and
11 require the parties to engage in mediation before a hearing;
 - 12 (e) always place the burden of proof in challenges to a student's Individualized
13 Education Program (IEP) upon the party bringing the challenge;
 - 14 (f) eliminate unnecessary and overburdening requirements for local school districts
15 that do not directly impact educational outcomes for students;
 - 16 (g) establish a reasonable cap on plaintiff attorney's fees;
 - 17 (h) allow school districts flexibility to apply Maintenance of Effort (MOE) under
18 IDEA;
 - 19 (i) continue to enhance the success of early intervention and response to
20 intervention (RTI) programming;
 - 21 (j) promote informed and informal collaboration between parents and schools in
22 developing appropriate IEPs;
 - 23 (k) retain the prohibition of general damages awards by hearing officers, and refrain
24 from expanding remedies to parents or school districts;

25 (l) retain the two-year limit to awards of compensatory services and create a shorter
26 statute of limitations period for appeals in order to assure the speedy resolution of
27 disputes;

28 (m) refrain from federal mandates regarding seclusion and restraint, so that the
29 state and local standards can be applied by the IEP team;

30 (n) make clear that a student’s “stay put” placement during a dispute is the last
31 agreed-upon placement; and limit a school district’s financial obligation once a
32 court has determined the district’s placement to be appropriate; ~~and,~~

33 (o) create alignment with other federal statutes directly impacting LEAs’ provision
34 of resources and services to students with disabilities, including Section 504 of the
35 Rehabilitation Act of 1973, the Americans with Disabilities Act and its amendments,
36 and the Elementary and Secondary Education Act, as amended by the Every Student
37 Succeeds Act;

38 (p) allow an LEA to place a child with a disability who causes or attempts to cause
39 serious bodily injury to himself or herself in an alternative educational setting
40 without an evaluation for not more than 45 days if the behavior is a manifestation
41 of the child’s disability and the child’s original individualized education program
42 (IEP) does not provide for an alternative educational setting.

RATIONALE:

- The Beliefs and Resolutions Committee included “guardians” throughout the Resolutions to be sensitive to other parent like relationships.
- Today, over six million students with disabilities have access to free public education in the least restrictive environment. As a general matter, families whose students with disabilities are served in public schools work collaboratively with the school district to provide adequate services to their children. However, IDEA has grown to provide increasingly detailed requirements for states and school districts on issues such as discipline, placement and due process procedures. Although the most recent reauthorization in 2004 saw some changes focused on improving student outcomes, the law and courts interpreting it generally have focused on compliance. Also, IDEA's dispute resolution process has become contentious and adversarial atmosphere between some families and the schools serving their children.

- Local school districts continue to struggle with the costs to meet the needs of students with disabilities requiring extraordinary costs as a percentage of their total budgets. The numbers of students with certain categories of disabilities continue to increase, resulting in the need to realign very limited resources.
- Currently, a school district or state can be required to fund a special education placement outside the United States when comparable programs exist within the United States that are less expensive forcing local school districts to incur substantial costs.
- The IDEA places a disproportionate burden of responsibility on school districts for child find and evaluation functions since these non-public schools located within geographical boundaries of the public school district enroll significant number of students who resided outside the public school district.
- The reauthorization of IDEA is long overdue, resulting in outdated and irrelevant requirements on local school districts and the need to address current challenges facing students with disabilities and their local school districts.
- IDEA reauthorization should:
 - Focus on progress and demonstrably positive outcomes for all students;
 - Promote collaboration and trusted relationships between parents and schools;
 - Reduce complexity of compliance and to provide guidelines and flexibility to schools so they can improve student success by focusing on teaching/learning for all students; and,
 - Urge Congress to fully fund IDEA at the level (40%) promised. Special education cost estimates range from \$80 billion to \$110 billion per year. The federal contribution has been less than 20% with the states and local school districts assuming the balance of the funding burden.
 - Allow flexibility in Maintenance of Effort requirements similar to those allowed under Title I, Elementary and Secondary Act of 1965.
- Under IDEA, if a child with a disability attempts to inflict self-harm (i.e., serious bodily injury to himself or herself) and the behavior is a manifestation of the child’s disability, in cases where the original IEP does not provide for an alternative educational setting, a school district must do an evaluation of the child to change the setting before the child can be placed in an interim alternative setting. This evaluation can take days or weeks, potentially placing the pupil and or school personnel at risk.

On the other hand, if the same child tried to cause serious bodily injury to another person at school, the placement could be changed under the IDEA. (See 20 U.S.C. § 1415(k)(1); 34 C.F.R. §§ 300.530-300.533.) Federal regulations state:

“School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child's disability, if the child... has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or an LEA.” [34 C.F.R. 300.530 (g)]

- In these sorts of situations where the child is a threat to himself or herself, current law not only puts the child at continued risk of harming himself or herself, it often also places school personnel at risk. Consider the case where a child tries to run in front of a bus in an attempt to commit suicide and has to be rescued (pulled back) by a teacher or aide or, similarly, where a child tries to stab himself or herself with a sharp object. If the child has a penchant for such behavior, school personnel could be placed at risk... repeatedly.
- The term “serious bodily injury” is defined in Section 1365(h)(3) of Title 18, U.S. Code, to mean

a bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty.

- Under the current IDEA, if a child with a disability causes serious bodily injury to another person at school, the child’s placement may be changed under the IDEA. (See 20 U.S.C. § 1415(k)(1); 34 C.F.R. §§ 300.530-300.533.) Current federal regulations state: “School personnel may remove a student to an interim alternative educational setting for not more than 45 school days without regard to whether the behavior is determined to be a manifestation of the child’s disability, if the child... has inflicted serious bodily injury upon another person while at school, on school premises, or at a school function under the jurisdiction of an SEA or an LEA.” [see 34 C.F.R. 300.530 (g)]
- The term “serious bodily injury” is defined in Section 1365(h)(3) of Title 18, U.S. Code, to mean a bodily injury that involves a substantial risk of death, extreme physical pain, protracted and obvious disfigurement, or protracted loss or impairment of the function of a bodily member, organ, or mental faculty. This is a very high threshold to meet and it leaves many school personnel and other students at risk of significant injury before action may be taken by the District to change the placement of a child with disabilities.
- States should be able to define at what level of harm to staff (teachers, aides, etc.) or other students a child with a disability may be temporarily placed in an alternative educational setting regardless of whether the behavior is a manifestation of the child’s disability. Too many school personnel are being needlessly injured or demoralized by dangerous behavior of children with disabilities, many of whom have the strength of adults, and schools have no recourse under current law to remedy this situation in the interim period. Children with disabilities would retain due process rights under this proposal but school personnel and other students would be protected under this approach to a much greater degree than they are under current law.

Submitted by the Connecticut Association of Boards of Education.

Revisions recommended by the 2025 Belief and Resolutions Committee.

2.2 Full Funding of the Individuals with Disabilities Education Act (IDEA)

1 NSBA urges Congress to pass the IDEA Full Funding Act in order to support the
2 promise of a Free Appropriate Public Education for all students with disabilities by
3 fulfilling the Individuals with Disabilities Education Act with funding to support no
4 less than 40% of the excess cost of educating those students by the federal
5 government.

RATIONALE:

- The cost to educate students with disabilities who qualify for special education services can be an extraordinary burden on the finances of our public schools, impacting the resources available to all students.
- Federal funding through IDEA is currently only providing approximately 13 percent of the extra cost to educate students receiving special education services, far less than the 40% promised in IDEA.
- Sharing the financial burden with states and municipalities, these federal dollars could assist our public schools in their efforts to provide a variety of free, appropriate, and quality services for students with disabilities in the least restrictive environment.
- During past legislative cycles the IDEA Full Funding Act has enjoyed bi-cameral and bipartisan support.

Submitted by the 2025 Beliefs and Resolutions Committee.

2.3 21st Century Skills

- 1 NSBA urges Congress and the Administration to support programs and research that
- 2 focus on problem-solving, creativity, innovation, critical thinking, world-language
- 3 proficiency, civility, soft skills, and other high-level 21st century skills that are
- 4 important for success in a global workplace.

RATIONALE:

- The Strengthening Career and Technical Education for the 21st Century Act (Perkins V; P.L. 115-224) was signed into law by President Trump on July 31, 2018. This bipartisan measure reauthorized the Carl D. Perkins Career and Technical Education Act of 2006 (Perkins IV) and continued Congress' commitment in providing nearly \$1.3 billion annually for career and technical education (CTE) programs for our nation's youth and adults. As school districts work to implement Perkins V, the importance of innovative curricula with a strong academic component, partnerships for work-based learning opportunities, and professional credentialing programs for students is of great concern. Along with concentrated programs of study in Science, Technology, Engineering, and Math (STEM), CTE programs are helping students strengthen their analytical skills and gain a competitive advantage in various disciplines.
- Incorporation of the arts into the curriculum is an important component that will encourage creativity, critical thinking, and awareness.
- Expanding opportunities for our students that increase college-and career-readiness through classroom instruction, public-private partnerships, civic engagement, collaboratives with higher education, exchange programs, apprenticeships and more is beneficial for our students, school districts, employers and the workforce, and for American competitiveness.
- The workforce skills gap has impacted economy, GDP, and employers as more than 6 million jobs were unfilled in 2018 because of the workforce skills gap that has existed. That gap has been exacerbated by COVID-19. More recently, the number of job openings increased to 11.0 million on the last business day of October [2021], the U.S. Bureau of Labor Statistics reported in December 2021. Due to the COVID-19 pandemic and its impact upon various industries and sectors of the economy, the need for greater workforce investment opportunities exists to address skills lost. According to the Organisation for Economic Co-operation and Development (OECD), "Reconstructing a better and more resilient labour market is an essential investment in the future and in future generations."
- The learning gap from the year of remote learning is present in CTE as it is in other areas of public education. NSBA needs to advocate for resources and programs to help students catch up on those skills.

Submitted by the 2025 Beliefs and Resolutions Committee.

3.1 Elementary and Secondary Education Act Implementation (ESEA)

1 NSBA urges Congress to reauthorize the Elementary and Secondary Education Act
2 (ESEA), referred to in the most recent reauthorization as the Every Student
3 Succeeds Act (ESSA), and to fully fund ESSA until ESEA is reauthorized to support
4 states and local school districts in achieving the goals of ESSA, including programs
5 that support student academic enrichment that must be identified and
6 implemented by local education agencies working with local school board
7 oversight. NSBA urges Congress to use its oversight authority to ensure that the
8 Administration upholds the local governance provision in the law and meaningfully
9 engages local school boards during each step of the ESSA implementation process,
10 including to support Local Education Agency (LEA) plan development with local
11 school board governance. NSBA also urges the Administration to implement ESSA
12 in a transparent and collaborative manner that recognizes ESSA's limitation of
13 executive overreach and reaffirms local school board governance.

RATIONALE:

- The latest reauthorization of the Elementary and Secondary Education Act with the signing into law of the Every Student Succeeds Act (ESSA) in December 2015 reaffirms local and community leadership in public education and authorized funding for ESEA programs through Fiscal Year 2020 (or the 2020-2021 school year).
- Accordingly, implementation of ESSA must stay true to the law's aim to properly calibrate the federal government's role in public education in state oversight of the statute, and shift maximum authority to local control, including local school board leadership of local educational agency plans.
- The federal government, in partnership with the states and local school districts, has a critical role to play in advancing STEAM education throughout the nation. ESSA programs that support STEAM education must be funded at the fully-authorized level.

Submitted by the 2025 Beliefs and Resolutions Committee.

3.2 Teacher and Principal Effectiveness

- 1 NSBA urges Congress to provide funding for innovation, research, and
2 implementation of locally developed strategies to improve teacher and principal
3 effectiveness authorized by the Every Student Succeeds Act and the Higher
4 Education Act to increase student achievement through:
- 5 (a) Evidence-based preparation and professional development, including residency
6 programs administered by partnerships of institutions of higher education and local
7 districts;
- 8 (b) Evidence-based evaluation systems;
- 9 (c) Alternative certification programs;
- 10 (d) State and school district flexibility regarding credentials for small and/or rural
11 schools, special education programs, English learners and specialized programs
12 such as science, technology, engineering, arts, and mathematics;
- 13 (e) Locally-determined compensation and teacher and principal assignment
14 policies; and
- 15 (f) NSBA urges Congress to retain federal policies to provide loan forgiveness for
16 teachers and principals who serve in public schools to encourage the simplification
17 and transparency of the loan application process, and to oppose predatory
18 collection processes.

RATIONALE:

- Given teacher shortages in virtually every state, the federal government must provide funding for states and districts to recruit and retain talented teachers and leaders in the field.
- It is often difficult to recruit and retain certified special education staff in small and/or rural schools; for this reason, flexibility in granting credentials would be beneficial.
- Hiring and staffing decisions, as well as compensation and professional development programs, are the responsibility of local school districts. Therefore, personnel decisions, including teacher and principal recruitment, retention, assignment, compensation and evaluation, are local responsibilities carried out in the context of collective bargaining and other local circumstances. It is particularly vital that districts retain local governance in these areas as states implement and promote college and career-ready standards.

- Congress and the Administration should refrain from creating state and local mandates, such as:
 - Mandating certain reforms as a condition of receiving Title II or other federal formula funds, such as comparability;
 - New academic standards, needs assessments or evaluation systems;
 - Professional development for personnel outside K-12 education; or
 - Specific criterion, credentialing, qualifications, or other requirements for teacher and leader evaluation systems.

Submitted by the 2025 Beliefs and Resolutions Committee.

3.3 Federal Impact Aid

- 1 NSBA urges Congress to authorize and fully fund Impact Aid to local districts to help
- 2 support the education of all students whose parents or legal guardians reside
- 3 and/or work on federal tax-exempt property or within local school districts that
- 4 include federal tax-exempt property.

RATIONALE:

- Federal tax-exempt facilities and areas place financial burdens on local school districts.
- Federal Impact Aid (basic support payments), while provided a weighted per-pupil cost, is not available to school districts on a per-pupil basis.
- School districts enrolling federal students must spend existing revenue to educate a greater number of children than that revenue accounts for if they do not meet the existing criteria for federal impact aid.
- Base closings may adversely affect the ability of some school districts to meet the criteria for an impact aid district.
- Federal student enrollment in schools further from military bases, including mega-bases, should be encouraged by having the aid follow the student.

Submitted by the 2025 Beliefs and Resolutions Committee.

4.1 E-Rate and Education Technology Gaps and Open Internet

1 NSBA urges Congress and the Federal Communications Commission (FCC) to
2 continue to modernize and strengthen the E-Rate program to ensure efficient and
3 equitable operation of the program, to improve the capacity, quality and speed of
4 connectivity in our nation's schools, and to address the technology gaps that
5 remain. Congress and the FCC should do no harm to current school and library
6 recipients during the transition to broadband and other high-speed learning
7 options and retain an equity-based method of resource distribution. Moreover,
8 NSBA opposes the previous FCC proposed rule to enact a budget cap on the
9 Universal Service fund and sub-cap on the E-Rate and Rural Health Care Programs.
10 Further the FCC should streamline administration of the E-Rate program, maximize
11 local flexibility to use E-Rate resources to meet technology goals, and continue to
12 safeguard Category 1 funding for Internet access. Congress and the Administration
13 should also implement a permanent exemption or other long-term solutions to the
14 Anti-Deficiency Act. Congress and the FCC should close the education technology
15 gap, commonly called "The Homework Gap," for children in rural and low-income
16 communities who lack access to or cannot afford out-of-school technology and
17 digital connectivity needed for academic success and innovative instruction options
18 such as personalized learning that promotes twenty-first century life and work skills.
19 NSBA urges that Congress and the administration use the E-Rate program to
20 distribute emergency funding for students who lack access to devices and/or the
21 internet since it is an existing program that provides transparency and an efficient
22 organization for distribution to the neediest students. Further, NSBA urges Congress
23 and the FCC to reinstate net neutrality, as it is beneficial to school districts and

- 24 communities for affordable broadband connectivity, especially to those in rural and
25 remote areas.

RATIONALE:

- Since inception of E-Rate in the 1996 Telecommunications Act, most school districts have achieved at least some Internet connectivity. However, rapid changes in available education technologies and increasing demand for bandwidth and broadband services have transformed the field and dwarfed available E-Rate resources.
- COVID-19 and the widespread use of remote learning highlighted the inequities in broadband distribution.
- The E-Rate program is in need of updates that reflect the changing field while protecting services to high-need schools and libraries. In 2014 the Federal Communications Commission (FCC) issued two Report and Order directives that together made the most comprehensive changes in E-Rate since it was enacted in 1996. Changes included an increase in the funding cap of more than \$1.5 billion to the \$2.45 billion fund. Other changes included eliminating eligibility of legacy services, such as telephone designating funding for internal connections (called Category 2) and administering a pilot program to disseminate Category 2 funds on a per-capita basis rather than based on poverty.
- E-Rate is a vital program that aids schools and libraries to connect to high-speed broadband so that students have access to the Internet and the digital tools and adaptive technology essential for successful learning in today's modern world. Thousands of schools are now connected to high-speed broadband thanks to the Commission's modernization and expansion of E-Rate in 2014.
- Seven in ten teachers report that they assign homework that requires digital access to complete. Closing the education technology gap (also referenced as the "homework gap") is essential to ensure that all students are academically successful and acquire 21st century skills. The FCC voted to discontinue its 2015 net neutrality order which could impact the cost, delivery, and availability of digital services to school districts/classrooms, especially those in rural and remote communities.
- Underserved populations, including urban, rural, tribal, and those living in U. S. Territories continue to experience the digital divide. The 2016 Broadband Progress Report from the Federal Communications Commission concluded that deployment in the United States – especially in rural areas – is failing to keep pace with today's advanced, high-quality voice, data, graphics and video offerings. The divide is still greater on Tribal lands, in rural communities, and in U.S. territories, where nearly 2/3 of residents lack access to today's speeds. The Report stated that "While an increasing number of schools have high-speed connections, approximately 41 percent of schools, representing 47 percent of the nation's students, lack the connectivity" to fiber networks capable of delivering the advanced broadband required to support today's digital-learning tools.
- Congress provided a significant down payment on closing the Homework Gap when it passed the American Rescue Plan. But there is more to be done. Additional and reliable funding is needed to ensure that students who have recently been connected don't lose that connectivity.

Submitted by the 2025 Beliefs and Resolutions Committee.

4.2 Federal Support for STEAM Education

1 NSBA urges Congress, the President of the United States, and the United States
2 Department of Education to identify the advancement of Science, Technology,
3 Engineering, Arts, and Math (STEAM) education in the nation’s public elementary
4 and secondary schools as a high priority. Further, NSBA, urges Congress to provide
5 federal funding to enable the states and local school districts to implement
6 integrated STEAM education programs.

RATIONALE:

- The National Commission on Mathematics and Science for the Twenty-First Century has estimated that more than 60 percent of the jobs in this century will require a background in science, technology, engineering, and mathematics.
- Higher education, employers, and the United States military have reported deficiencies among U.S. high school students in the skills related to science, technology, engineering, and mathematics.
- NJSBA believes that the arts are also a vital component to educational programming and enhance students’ acquisition of skills and knowledge in science, technology, engineering, and mathematics.
- Education in science, technology, engineering, the arts, and mathematics (STEAM) provides experiential and problem-solving skills essential for success in college and careers.
- Providing STEAM education in a coordinated manner by integrating it throughout the academic program, rather than approaching it through segregated subject content and teaching strategies, improves student achievement.
- Expanding the capacity and diversity of Integrative STEAM initiatives in local education programs will enable our students to be a part of a productive workforce that will enable the United States to be innovative, secure, and competitive in the global economy.
- The federal government, in partnership with the states and local school districts, has a critical role to play in advancing STEAM education throughout the nation.

Submitted by the 2025 Beliefs and Resolutions Committee.

4.3 Access to Computer Science Education

1 NSBA urges Congress and the Administration to support access to computer science
2 education for all students in the United States. NSBA seeks a greater national
3 strategy for providing computer science education to all students. NSBA urges
4 Congress to fund state and local development of curriculum, support the equitable
5 distribution of materials, and encourage the thorough integration of computer
6 science in all public school systems.

RATIONALE:

- All American students should be exposed to computer science and be equipped with the computational thinking skills they need to be creators in the digital economy, not just consumers, and to be active citizens in our technology-driven world. Our economy is rapidly shifting, and both educators and business leaders, are increasingly recognizing that computer science (CS) is a “new basic” skill necessary for economic opportunity and social mobility.
- In 2020, there were more than 918,000 high-paying tech jobs across the United States that were unfilled, according to the trade group CompTIA. 51 percent of all STEM jobs are projected to be in computer science-related fields. Computer science and data science are not only important for the tech sector, but for so many industries, including transportation, healthcare, education, and financial services. Parents increasingly recognize this need — more than nine of 10 parents surveyed say they want computer science taught at their child’s school. However, by some estimates, just one-quarter of all the K-12 schools in the United States offer high-quality computer science with programming and coding and 22 states still do not allow it to count towards high school graduation, even as other advanced economies are making it available for all students.
- Wide disparities exist even for those who do have access to these courses. In addition to course access challenge, media portrayals, classroom curriculum materials, unconscious bias and widely-held stereotypes exacerbate the problem and discourage many of our students from taking these courses. For example, in 2019 only 32 percent of students taking the AP Computer Science exam were girls and only 7 percent were African-American. These statistics mirror the current makeup of some of America’s largest and more innovative tech firms in which women compose less than one-third of their technical employees, and African-Americans less than 4 percent.
- NSBA should seek a greater national strategy for providing computer science education to all students. The Congress of the United States should incentivize the development of curriculum, support the equitable distribution of materials, and encourage the thorough integration of computer science in all public school systems.

Submitted by the 2025 Beliefs and Resolutions Committee.

4.4 Connectivity for All Students

- 1 NSBA urges Congress to fund and support connectivity as a necessary public utility
- 2 for all students including through the regulation of relevant industries, creative
- 3 incentives for private interests, and direct allocation of resources dedicated to
- 4 addressing this immediate and urgent need.

RATIONALE:

- “Having affordable broadband—it’s not a luxury, it’s a necessity,” said Rep. Mike Doyle (D., Pa.), chairman of the House communications and technology subcommittee.
- 16.9 million children were caught in the homework gap during the COVID-19 pandemic – unable to login to online classes or access lessons and assignments through a home internet connection during remote learning. One out of three Black, Latino, and American Indian/Alaska Native households lack home internet access, far higher rates than for their White peers.
- Roughly one-third (35%) of households with children ages 6 to 17 and an annual income below \$30,000 a year do not have a high-speed internet connection at home, compared with just 6% of such households earning \$75,000 or more a year. These broadband gaps are particularly pronounced in black and Hispanic households with school-age children – especially those with low incomes.
- In another Pew survey, about one-in-five teens ages 13 to 17 (17%) said they are often or sometimes unable to complete homework assignments because they do not have reliable access to a computer or internet connection. Black teens and those living in lower-income households were more likely to say they cannot complete homework assignments for this reason.
- For example, one-quarter of black teens said they often or sometimes cannot do homework assignments due to lack of reliable access to a computer or internet connectivity, compared with 13% of white teens and 17% of Hispanic teens. Teens with an annual family income below \$30,000 were also more likely to say this than teens with a family income of at least \$75,000 a year (24% vs. 9%).
- In the same survey, around one-in-ten teens (12%) said they often or sometimes use public Wi-Fi to do schoolwork because they lack a home internet connection. Again, black and lower-income teens were more likely to do this. Roughly one-in-five black teens (21%) said they use public Wi-Fi to do schoolwork due to a lack of home internet connection, compared with 11% of white teens and 9% of Hispanic teens. And around a fifth (21%) of teens with an annual family income under \$30,000 reported having to use public Wi-Fi to do homework, compared with 11% of teens in families with a household income of \$30,000-\$74,999 and just 7% of those living in households earning at least \$75,000.
- Correcting such inequities will require a national strategy and investment from the federal government.

Submitted by the 2025 Beliefs and Resolutions Committee.

4.5 Artificial Intelligence in Education

- 1 NSBA urges Congress to fully harness the benefits of artificial intelligence, the
- 2 federal government should prioritize policies ensuring safe and ethical
- 3 implementation, universal and equitable access, comprehensive training for
- 4 educators and administrators, and ongoing research and evaluation.

RATIONALE:

- Artificial Intelligence is a relatively new tool available to students, educators, and policy-makers. As we learn more about this tool, it is important to establish fundamental policies and guidelines for its use. The suggested resolution leaves room for flexibility but establishes critical areas of consideration for use going forward.

Submitted by the 2025 Beliefs and Resolutions Committee.

5.1 Childhood Nutrition

1 NSBA urges Congress to reauthorize the Healthy, Hunger-Free Kids Act in way that
2 increases flexibility and relief for school districts to successfully administer school
3 meal programs. A child nutrition reauthorization should: 1) Provide relief for whole
4 grain content and sodium reduction targets; 2) Reduce or eliminate the paid meal
5 price mandate that resulted in unnecessary price increases for certain students; 3)
6 Provide more flexibility for a la carte foods; 4) Restore the five-year administrative
7 review cycle; 5) Increase reimbursement levels and other federal funds to cover the
8 cost of compliance and/or authorize local school districts to make implementation
9 feasible within available federal resources; 6) Streamline the eligibility
10 determination process for enrolling students; 7) provide more flexibility for the
11 offer versus serve policy; and 8) address the well-being of every student by
12 advancing flexible nutrition proposals to assist in delivering nutritious meals to
13 students while addressing childhood hunger, obesity, and student health, and to
14 offer temporary and emergency flexibility around meal delivery during epidemics,
15 pandemics, and other national emergencies. In addition, NSBA urges Congress to
16 ensure meaningful consultation and increase stakeholder engagement by
17 establishing advisory committees that include school board members to provide
18 input and recommendations to the U.S. Department of Agriculture and other
19 federal and state agencies responsible for food safety to improve and coordinate
20 inspection, notification, and other protocols to ensure the nutritional value and
21 safety of foods served in school lunch, breakfast, and snack programs. Additionally,
22 Congress should address program integrity, including threshold eligibility limits to
23 address factors such as local cost of living and concentration of poverty, in a way
24 that balances the needs of families and children most in need.

RATIONALE:

- Since passage of the Healthy, Hunger-Free Kids Act (PL 111-296) in 2010, some of its under-resourced mandates have proven problematic for many schools:
 - National standards for subsidized school meals went into effect for the 2012-2013 school year, and there have been well-publicized reports of increased food waste and insufficient calorie content for some students.
 - Paid meal pricing requirements in PL 111-296 required some schools to increase the price of unsubsidized meals by as much as 10 – 25 cents per meal per day.
 - Standards for education, training and certification for all school food services personnel; and
 - Standards for implementation of local school wellness policies.
- NSBA’s Pulse Poll on Child Nutrition also documented that unintended consequences such as increased costs, lower student participation and increased plate waste are prevalent. Modest flexibility and relief from unfunded and inflexible requirements in PL 111 – 296 would help school districts and Congress has approved temporary waivers and other modest flexibility.
- Lapses in coordination and communication between and among federal and state agencies for food safety have resulted in recalled or other high-risk foods being served in school. U.S. Procedures and policies must be improved to quickly remove these foods from school cafeterias and the delivery systems.
- More than 30 million students participate in the National School Lunch Program. The loss of free- and reduced-price meals for millions of students due to changes in the SNAP program would lead to food insecurity and malnourishment and negatively impact education across the nation, student learning and success.
- As Congress has authorized changed to school meal programs to accommodate the increased need to provide food to children during the COVID-19 pandemic, provisions within the next child nutrition reauthorization should commensurate to help school districts address food insecurity among vulnerable students (such as those to increase reimbursement rates, provide universal meal services, allow meal pattern and meal time flexibilities, and waive area eligibility requirements).

Submitted by the 2025 Beliefs and Resolutions Committee.

5.2 Funding of the Universal School Meals Act of 2023

1 NSBA calls upon Congress to pass the Universal School Meals Program Act of 2023
2 which would amend the Child Nutrition Act of 1966 and the Richard B. Russell
3 National School Lunch Act to make breakfasts and lunches free for all children,
4 without adversely affecting federal formula funding that may use free and reduced
5 lunch rates.

RATIONALE:

- Students who eat free and nutritious meals at school reduce financial strain on the family food budget.
- Kids who participate in school meals are more likely to eat fruits, vegetables, and milk. These nutrient-dense foods contribute to a healthier Body Mass Index (BMI) and lower childhood obesity.
- *National School Lunch Program lunches provide one-third or more of the recommended levels for key nutrients.*
- Research shows a well-nourished child is a better learner, test-taker and participant in school.
- Students experiencing hunger are more likely to have behavior and attention problems and higher rates of suspensions and excessive absences.
- Offering free meals to all children helps to end the stigma associated with needs based free and reduced lunches and eliminates lunch shaming when a student has an overdrawn account.
- Schools would no longer have to foot the bill for unpaid meal fees or try to collect from families.

Submitted by the 2025 Beliefs and Resolutions Committee.

5.3 Free-Reduced Lunch Qualification

- 1 NSBA urges Congress and the Administration to define poverty level requirements
- 2 for the Free and Reduced Lunch Program by utilizing Area Median Income as used
- 3 by the Department of Housing and Urban Development or the national federal
- 4 poverty level, whichever is higher.

RATIONALE:

- The Free and Reduced Lunch Program currently uses the national Federal Poverty Level (FPL) to determine eligibility for the program. In 2022-2023, the FPL is \$27,750 for a family of four. If a family's income is less than 130% of FPL, students are eligible to receive a free lunch, and if the income is between 130% and 185% of FPL, students are entitled to a reduced-price lunch.
- The Department of Housing and Urban Development (HUD) takes the impact of the median income of an area into consideration when determining eligibility for subsidized housing, using a percentage of Area Median Income (AMI) to determine the level of subsidy provided for a family. HUD applies three levels of poverty: 1) Low Income – 80% of AMI, 2) Very Low Income – 50% of AMI and 3) Extremely Low Income – 30% of AMI. In some regions, families could have very low incomes in related to the area median income, but not even qualify for reduced lunch prices. By allowing the use of AMI, schools could better identify students whose families struggle socio-economically in their community.

Submitted by the 2025 Beliefs and Resolutions Committee.

6.1 Use of Public Funds for Non-Public Education

1 NSBA supports strengthening local school board governance and community
2 ownership in public schools and recognizes the many options and choices offered
3 to students in our public schools. NSBA opposes vouchers, tuition tax credits and
4 similar programs, and charter schools not subject to oversight of the local school
5 boards, effectively creating a separate unaccountable system of publicly funded
6 education which: a) diverts public funding to private schools, private home schools,
7 including virtual schools, regardless of whether they are owned or operated by
8 individuals, religious institutions, not for profit entities, or corporations; b) diverts
9 public funds outside of locally elected, locally accountable, representative
10 oversight; and c) often has the effect of re-segregating schools. Public funds should
11 only be used within public schools to advance curricular opportunities, including
12 specialized public school programs authorized by local school boards, such as
13 magnet schools, alternative schools, career and technical education partnerships,
14 advanced placement programs and classes, dual credit programs, post-secondary–
15 high school partnerships and high school-local business partnerships. NSBA urges
16 full accountability of the use of public funds for educational purposes.

RATIONALE:

- NSBA supports Federal programs that strengthen the role and authority of local school boards. True local control is strengthened by local school board governance.
- NSBA urges efforts to “level the playing field” so that all schools that receive public funds are held to the same accountability standards and can be appropriately compared. NSBA urges full accountability of the use of public funds for any educational purpose.
- Maximized resources are needed for our public schools, which are mandated to serve all students regardless of gender, disability, or economic status, and adhere to federal civil rights laws and public accountability standards.
- The use of public, federal funds or incentives for a national voucher program, including any special education vouchers for military children and/or specific subgroups of students, would constitute a disinvestment in our public schools and divert public funds and resources into private institutions that are not required to adhere to the same statutes and mandates as public schools.
- NSBA opposes amendments to make vouchers part of any reauthorization of the Individuals with Disabilities Education Act (IDEA) or other legislation. For example, provisions for Title I portability

were included in earlier bills for ESEA reauthorization that could have threatened resources for public schools and students. Ultimately, such provisions were excluded in the 2015 ESEA law.

- The Every Student Succeeds Act (ESSA) and implementing regulations include increased requirements for financial reporting and require that public charter schools be included in accountability systems.
- The Supreme Court decided in *Trinity Lutheran Church of Columbia, Inc. v. Comer* (2017), *Espinoza v. Montana Department of Revenue* (2020), and *Carson v. Makin* (2022) that a state's exclusion of a religious institution or school from a public funding program based on "sectarian" (religious) status or identity violates the Free Exercise Clause of the First Amendment. States now may be required to include religious options in some public education funding programs.
- The concept of funding designated for public education to follow a student as a means to attend a private school, for-profit charter school not authorized by a local school district, or other private education resource is contrary to good public policy. It suggests that you can place an exact monetary figure on the cost of educating a student without acknowledging that costs of educating students vary on a number of factors including special needs, geographic region of the school, and other specific areas. Diverting public education funds from local community schools creates an uncertainty in budget planning and unequitable outcomes for students in the schools most needing resources and funding such as Title I schools. More than fifty million students attend public schools which account for nine out of ten students; diverting funds away from the public-school system takes the focus off helping the greatest number of students.
- Efforts that encourage disinvestment in the success of our local public-school districts and communities as a way to offer students more options in their learning through private education is contrary to the intent of Congress in the Every Student Succeeds Act (ESSA) and bad policy. The reality is that most public school districts already offer students a wide range of choices within their district, with concentrations in specific areas such as the arts or STEM subjects, advanced placement courses, magnet schools, charter schools authorized by local school boards, personalized learning, and other public specialty schools.

Submitted by the 2025 Beliefs and Resolutions Committee.

6.2 Protection of 529 Savings Programs for Children and Students

1 NSBA supports legislation at the federal and state levels to restrict the use of 529
2 accounts to post-secondary education. NSBA supports the establishment of a
3 means of educating parents/guardians and students of the risks inherent in
4 drawing down college savings for use in paying tuitions for elementary, middle and
5 secondary schools. NSBA urges a repeal of the provisions of 26 U.S.C.A. Section 529
6 that currently allow the use of 529 savings plans for vouchers to private elementary
7 and secondary schools and supports the use of 529 plans for tuition costs for
8 apprenticeships.

RATIONALE:

- The Beliefs and Resolutions Committee included “guardians” throughout the Resolutions to be sensitive to other parent like relationships.
- The federal 529 program, administered and regulated on a state basis, but operating under the framework of federal law, was created to allow students and their parents, grandparents, guardians, and benefactors to contribute to tax deferred accounts.
- The goal of 529 plans was, originally, to allow tax-exempt savings to accumulate in order to pay for the cost of post-secondary education, including two-and four-year colleges.
- The Tax Cuts and Jobs Act of 2017 (Public Law 115-97) changed the options for using contributions to 529 plans to allow for payment of tuition for students in grades K-12.
- Although up to 2018, funds could only be used for the cost of post-secondary education, after 2018, up to \$10,000 may be drawn from these accounts and used for tuition each year for students in K-12 programs.
- Parents, guardians, or students are now tempted to use funds originally intended for college to pay for private elementary, middle and high school tuitions when public schools remain free and open to all students.
- Availability of tax exempt savings for pre-higher education incentivizes private schools to raise tuitions or to reduce scholarship assistance to students, who are pressured to utilize funds originally targeted for college.
- Over 42.2 million college students, alumni, and their families are already in debt for college loans in the amount of \$1.41 trillion.
- Tempting students and their families to draw prematurely from their 529 accounts undermines their ability to use these funds to pay college expenses, and, subsequently, increases student debt among future generations.
- Pursuant to NSBA’s *Beliefs*, Article III, Federal Assistance to Education, Section 4 – Federal Policies, “4.3 Specifically, NSBA opposes vouchers, tax credits, and tax subsidies for use at non-public K-12 schools. 4.4 Intergovernmental Tax Policy -- NSBA urges Congress to support federal tax legislation to strengthen state and local efforts to fund public education, and to reject proposals that would negatively affect those efforts.”

Statutory Reference: 26 U.S.C. §529

(c)(7) Treatment of elementary and secondary tuition -- Any reference in this subsection to the term "qualified higher education expense" shall include a reference to expenses for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school.

(e)(3)(A)(iii) expenses for the purchase of computer or peripheral equipment (as defined in section 168(i)(2)(B)), computer software (as defined in section 197(e)(3)(B)), or Internet access and related services, if such equipment, software, or services are to be used primarily by the beneficiary during any of the years the beneficiary is enrolled at an eligible educational institution. Clause (iii) shall not include expenses for computer software designed for sports, games, or hobbies unless the software is predominantly educational in nature. The amount of cash distributions from all qualified tuition programs described in subsection (b)(1)(A)(ii) with respect to a beneficiary during any taxable year shall, in the aggregate, include not more than \$10,000 in expenses described in subsection (c)(7) incurred during the taxable year.

Submitted by the 2025 Beliefs and Resolutions Committee.

7.1 Student Data Privacy

- 1 NSBA urges Congress and the Administration to modernize the more than forty-
2 year-old Family Educational Rights and Privacy Act (FERPA) to address the 21st
3 Century needs of students, school districts, parents, state education agencies, and
4 federal education policies without compromising the protection of stakeholders.
5 Specifically, NSBA urges Congress and the Administration to do the following in
6 future law and guidance addressing data privacy and security:
- 7 (a) Reconcile and update definitions of “education records,” “directory information”
8 and “personally identifiable information”;
 - 9 (b) Explicitly include student data maintained in electronic media in the definition
10 of “education records,” and exclude address, telephone listing, and date and place
11 of birth from the definition of “directory information”;
 - 12 (c) Refrain from adopting a broad definition of the term “education records” to
13 incorporate, for example, “metadata” and “de-identified” data;
 - 14 (d) Consult meaningfully with school boards, administrators, and school attorneys
15 to address implementation specifics, effects on existing contracts and agreements
16 with service providers, and related requirements, to avoid undue disruption and
17 administrative burden;
 - 18 (e) Make any update to FERPA or other laws and regulations affecting school district
19 management of student data consistent with those affecting online educational
20 service providers;
 - 21 (f) Limit the role of the U.S. Department of Education with respect to student data
22 privacy to that of technical support and training, not enforcement;

23 (g) Incorporate balanced provisions for parental consent that do not compromise
24 student achievement and do not impose significant (and/or disproportionate)
25 administrative burdens on school districts; and,
26 (h) Support school district and state policies as well as effective training regarding
27 data usage, privacy, and security protections for administrators, teachers and
28 related personnel/stakeholders.

RATIONALE:

- Because 21st century technologies gather data at a pace and scale not anticipated in 1974 when the Family Educational Rights and Privacy Act (FERPA) was first enacted, a reauthorized law must address which student data should remain covered under the law and how schools' responsibilities may have changed.
- The right of parents/guardians to opt their students out of data collection practices may inhibit student achievement and related analyses (such as summative scores) that help determine academic progress for school districts and their communities, states and the nation. Hence, a modernized FERPA should address a balance between these two needs.
- Most school systems are not currently equipped with the capacity (in personnel, time, and/or expertise) to police actively online educational service providers' maintenance and use of data collected through apps and programs provided to school districts. Likewise, most school districts may not be equipped with the expertise needed in securing and negotiating contractual agreements regarding data warehousing and related safeguards.
- Identity theft and data breaches have become pervasive nationwide. School districts, businesses, credit reporting agencies and even the federal government continue to experience cyber-attacks on a regular basis. School districts hold a wealth of personal information on students, much of which falls under the current definition of directory information contained in the Family Educational Rights and Privacy Act (FERPA). 20 U.S.C. § 1232g. This information potentially may be released to virtually anyone that requests it and under the current law parents must proactively opt-out if they wish to prevent student data from being shared. This data includes information helpful to a "hacker" attempting to steal the identify of a student. It includes address, phone number, and date and place of birth. Eliminating these items from the definition of directory information will increase security, help protect student data, and reduce identity theft.

Submitted by the 2025 Beliefs and Resolutions Committee.

8.1 Testing

1 NSBA urges the Administration to implement the Every Student Succeeds Act (ESSA)
2 in a way that restores local governance of public education to local school districts
3 and fully allows districts to utilize the flexibilities in the law relating to the
4 implementation and administration of academic assessments. NSBA encourages
5 the U.S. Department of Education to:

6 (a) support state and local efforts to provide students with an education that is
7 appropriately focused on the skills and knowledge needed for success in the global
8 and technological world of the 21st century by funding appropriate education
9 entities to adopt model standards for voluntary adoption;

10 (b) ensure that the National Assessment of Educational Progress (NAEP) and other
11 national assessments as well as international tests do not exceed their current use
12 of providing comparative data through sampling; and refrain from requiring or
13 coercing the use of these assessments by states in developing their own standards
14 or for high stakes accountability purposes;

15 (c) foster, through formal regulations and non-regulatory guidance, an environment
16 that encourages the development of innovative statewide and local assessment
17 systems, as permitted under ESSA, that measure the skills and knowledge that
18 students will need in the 21st century; and,

19 (d) limit the punitive use of high-stakes testing results during and for two years
20 following the COVID-19 pandemic.

RATIONALE:

- The federal government must recognize that states and local communities have needs that must be addressed, and that a “one-size-fits-all” approach will not work.
- The efforts over the previous decade to employ a “top-down approach” have not worked and must be replaced by the recognition that educating our children must remain a principle function of states and local communities.

- States must be incentivized to differentiate assessment systems and support local districts to implement accountability and assessment systems according to the local context.

Submitted by the Connecticut Boards of Education, Inc.

8.2 Early Learning

1 NSBA urges Congress and the Administration to affirm local school district
2 governance in early learning programs and to refrain from imposing mandates on
3 states or school districts with regard to Pre-K and K-3 education such as teacher and
4 principal training and credentials, compensation, instruction, standards, or other
5 areas of local decision making.

RATIONALE:

- The need for effective early childhood education programs is critical to increasing student achievement and closing the achievement gap in public schools. Programs that provide children developmentally appropriate stimulation early on can help to improve their school readiness as well as academic performance in the later grades. Research has also shown that children who participate in high-quality preschool programs demonstrate greater interest in learning, are less likely to repeat a grade or require special education classes and are more likely to graduate from high school and attend post-secondary institutions.
- School boards have called for a new investment in pre-kindergarten programs so as not to reduce resources for current services to disadvantaged students.
- As the U. S. Department of Education implements the new Preschool Development Program in the Every Student Succeeds Act, there is a risk that the Administration will impose standards or other requirements on states and school districts to implement early learning with inadequate funding, or re-direct funding from Title I or other existing funding streams. While preschool has emerged as an effective strategy to narrow achievement gaps before children attend kindergarten and to ensure that every child who enters kindergarten will be well prepared to undertake a challenging curriculum and meet high standards, it is vital that federal policy not rob Peter to pay Paul, even for laudable programs such as Pre-K. It is also important that federal policy restrict states from imposing mandates regarding early childhood education on local school districts without providing commensurate resources and funding.
- Many local school districts administer or collaborate in their communities to provide Head Start programs. With reauthorization of Head Start pending, Congress should recognize the local school district role.

Submitted by the 2025 Beliefs and Resolutions Committee.

8.3 Educational Opportunity for Undocumented Students

1 NSBA urges Congress to pass legislation to authorize the cancellation of removal for
2 undocumented students who are United States residents, resolve their immigration
3 status, and work toward United States citizenship. Further, NSBA urges the
4 administration to provide all of the support possible, as permitted by local and
5 federal law, to serve all students, including undocumented students.

RATIONALE:

- Many undocumented students were brought to the United States by undocumented parents when they were younger than six. Therefore, the United States is the only home they have ever known. They have been educated in the United States and have become an integral part of the communities in which they live. Yet, these long-term residents are subject to removal because of their undocumented status. NSBA urges Congress to develop legislation that prevents these innocent young people from being removed from the only home they have ever known and develops a path to citizenship for them.

Submitted by the 2025 Beliefs and Resolutions Committee.

8.4 Migrant Education Program Funding

1 NSBA urges Congress to amend the Migrant Education Program (MEP) to make
2 funding available to school districts to help them fulfill their legal obligation to
3 educate children of migrant workers regardless of their immigration status or the
4 availability of employment documentation. In order to give migrant children the
5 opportunity to reach their full potential, NSBA also urges Congress to fully fund
6 MEP.

RATIONALE:

- Although federal law requires school districts to educate students regardless of immigration status, MEP funding currently is available to school districts only to support the education of legal migrant workers or their children for whom the district is able to document their employment status.
- The federal government has the primary responsibility to identify the national interest in education and should help fund and support efforts to protect and promote that interest.
- The federal government's role includes functions of national consequence that states and localities alone are unlikely to be able to meet.
- The federal government, in cooperation with states and localities, should help meet the needs of key groups of students such as migrant children.
- Student mobility affects the educational achievement of students and has a financial impact on school districts striving to provide a thorough and efficient education for mobile students.

Submitted by the 2025 Beliefs and Resolutions Committee.

8.5 Graduation Rate

- 1 NSBA urges Congress to amend the Elementary and Secondary Education Act to
- 2 recognize all authorized diplomas in the state and district graduation rate.

RATIONALE:

- Each year, high schools across the country graduate students that have completed state authorized training courses or other state certifications. These students receive a state diploma that indicates they have the skills needed to succeed. In many cases, these students have special needs or circumstances that school districts work tirelessly to address. Despite these efforts, federal law prohibits these children from being counted in the state and district's graduation rate because they do not receive a "regular high school diploma."
- A "regular high school diploma" is defined in the Elementary and Secondary Education Act (ESEA), codified in 20 U.S.C. § 7801(43), as "the standard high school diploma awarded to the preponderance of students in the State that is fully aligned with State standards, or a higher diploma, except that a regular high school diploma shall not be aligned to the alternate academic achievement standards described in § 6311(b)(1)(E) of [ESEA]." The law further states that a regular high school diploma "does not include a recognized equivalent of a diploma, such as a general equivalency diploma, certificate of completion, certificate of attendance, or similar lesser credential."
- Districts work to provide their students with the best education possible and any diploma authorized by a state should not be considered a "lesser credential." The students that fall into this category need additional skills to be successful in life, and not including their accomplishments in the graduation rate serves to lessen their efforts. States should have the ability to authorize any type of diploma and have students that receive a state credential counted in the graduation rate. They should not be penalized for doing what is in a child's best interest.

Submitted by the 2025 Beliefs and Resolutions Committee.

9.1 Public Health Pandemic Relief

1 NSBA advocates emergency funding for disaster relief caused by a public health
2 pandemic, including a ‘supplement not supplant’ provision that prohibits a state
3 from supplanting monies, so the federal funds are used for the intended purpose
4 of the legislation. Likewise, NSBA supports maintenance of effort provisions that
5 require states to maintain funding for K-12 education, for current and forthcoming
6 years, as a condition of receiving federal funds.

RATIONALE:

- The COVID-19 public health crisis is unlike any crisis the economy has experienced before. The economy is currently going through a downturn by restricting certain business activity to contain and stabilize the spread of the virus.
- The size of the economic shock will likely result in losses that overshadow losses from the 2008-09 financial crisis. In fact, the Texas economy will be hit even harder than the world and the rest of the United States due to the simultaneous downturn in the oil industry.
- Congress responded to the economic crisis caused by COVID-19 with The Coronavirus Aid, Relief and Economic Security (CARES) Act, which provided Economic Impact Payment to Americans, critical infrastructure needs to local governments including Elementary and Secondary School Emergency Relief (ESSER) Funding for states responding to the COVID-19 emergency. In addition, the Families First and Coronavirus Response Act, the FY2021 Omnibus and COVID Relief and Response Act, and the American Rescue Plan were enacted to provide federal recovery assistance to school districts, states, communities, and individuals.
- States were expected to meet certain requirements when accepting these funds, maintaining support for elementary and secondary education in fiscal years 2020 and 2021 equal to their average support for the preceding three years. The secretary of education was given authority to waive the maintenance of effort provision if states have “experienced a precipitous decline in financial resources.” In order to be considered for any waiver of MOE, a state must substantiate why by outlining specific severe effects of the COVID-19 pandemic on the state’s economy that necessitate reductions in support for elementary and secondary education explaining what steps the state took to avoid and/or minimize such reductions; stating if the state used Coronavirus State and Local Fiscal Recovery Funds to county, municipal, and other local governments awarded by the U.S. Department of the Treasury to support elementary and secondary education; explaining how reductions in support for elementary and secondary education compare to other budget categories; and stating if the state’s actions reduced or will proactively reduce its financial resources in a way that impacted or will impact its ability to meet MOE requirements (e.g., tax changes [and in what context], additional contributions to rainy day funds).
- The CARES Act, unfortunately, did not include a “supplement, not supplant” provision; moreover, states have used these funds to fill gaps in their budget because of a dwindling economy.
- Any future Congressional response to a public health pandemic relief measure must include a provision that assures federal funds to be used for the intended purpose in the legislation, and to prohibit a state from supplanting funds.

Submitted by the 2025 Beliefs and Resolutions Committee.

9.2 Fund Pre-K Education

- 1 NSBA urges Congress and the Administration to fully fund universal Pre-K education.

RATIONALE:

- Children need to be prepared to start learning in kindergarten and that starts in Pre-K. We need all children to be able to read at grade level by third grade. With the increased rigor and standards, Kindergarten classes are now all day and information children learned in first and second grade in the past are now being taught in kindergarten. The necessity of preparing children for school is never more important than now, and funding is necessary.
- By working toward standards that are developmentally appropriate, support program quality, and balance performance expectations across all developmental domains.
- Develop measures for pre-K teacher and administrator, supporting professional development for quality and staff stability.
- Benefits include:
 - Pre-K reduces the need for special education services
 - Pre-K reduces grade repetition
 - Pre-K improves school climate and student outcomes
- When a community reaches high levels of educational attainment, it becomes a community that is less vulnerable to poverty, unemployment, and crime.

Submitted by the 2025 Beliefs and Resolutions Committee.

10.1 Increase Funding for School Modernization

- 1 NSBA advocates for federal funding and tax-related measures for school
- 2 infrastructure needs, school safety, security, and facilities maintenance.
- 3 Prioritization should be given to emergency situation preparedness.

RATIONALE:

- The need for safe, resilient, modernized school facilities is prevalent throughout the country in communities that span all sizes, demographics, and geographies. A federal investment in our school facilities is a matter of equity, safety, and access to 21st Century skills and learning for all public schoolchildren. Every school day before the pandemic, an estimated 50 million K-12 students and six million adults occupied close to 100,000 public school buildings on an estimated 2 million acres of land, according to the National Center for Education Statistics.

Submitted by the 2025 Beliefs and Resolutions Committee.

11.1 Opposition to Unlawful Expansion of Executive Authority

1 NSBA supports an appropriate federal role in education but opposes—as an invalid
2 exercise of delegated authority—federal intrusion and expansion of executive
3 authority by the U.S. Department of Education and other federal agencies in the
4 absence of authorizing legislation.

RATIONALE:

- In recent years the federal government has overstepped its role with detrimental consequences at the schoolhouse level resulting from a restrictive and flawed federal accountability system and requirements to reshape the education delivery system that too often were dysfunctional, imposed unnecessary financial and administrative burdens, and most importantly prevented local school officials from making the best on-the-ground decisions for their students.
- The U.S. Department of Education has regulatory authority to implement the Every Student Succeeds Act and Congress should exercise its oversight role to assure local governance is affirmed.
- The U.S. Department of Education overstepped its authority when it issued a regulation in 2020 that would have funneled more federal CARES Act dollars from public to private schools, contrary to the statutory language and Congress' intent.
- In 2022, the Biden administration proposed significant changes to the Trump administration's Title IX rules on sexual misconduct.
- Other federal agencies, including the Department of Agriculture, the Department of Health and Human Services, the Department of the Interior, and the Federal Communications Commission have regulatory/policy roles for federal programs administered by local school districts. Congress should ensure that legislation and its implementation affirm the appropriate roles of the federal government.

Submitted by the 2025 Beliefs and Resolutions Committee.

12.1 Federal Disaster Relief and Recovery for School Districts

1 NSBA urges federal emergency funding for disaster relief caused by natural
2 catastrophes, other extreme weather events, and health related crises including
3 pandemics and localized epidemics. NSBA urges federal action to require the
4 Federal Emergency Management Agency (FEMA) to provide a temporary waiver to
5 local governments that use an intergovernmental cooperative purchasing program
6 in accordance with the local government's state law for the immediate
7 procurement of vendors to mitigate disaster relief and recovery from a federally
8 declared natural disaster. The temporary waiver would relieve a local government
9 dealing with a natural disaster from the added requirements of providing extensive
10 documentation to show and explain how its use of a cooperative purchasing
11 program complies with federal procurement requirements as a condition of federal
12 awards.

RATIONALE:

- The federal procurement standards for federal awards (2 CFR 200.318(e)) encourage the use of intergovernmental agreements for procurement of goods and services. The regulations recognize that such agreements may be cost-effective and foster greater economy and efficiency.
- The requirements placed on local governments for the use of cooperative purchase programs with federal dollars varies in procedural scope depending on the amount of the cost for recovery. For instance, micro-purchase procedures allow the use of a cooperative purchase program for recovery costs valued below \$10,000 without having to solicit or show documentation of competitive quotations. However, as recovery costs increase, additional documentation is required to demonstrate that the local government and the cooperative purchasing program are complying with federal procurement rules.
- For FEMA to determine eligibility of project costs, local governments must submit documentation providing:
 - The contract or agreement between the vendor and the cooperative purchasing program;
 - The contract or task/purchase order between the vendor and the local government;
 - Documentation on how the cooperative purchasing program and local government publicly advertised or publicized the solicitation outlining the requirement for goods and services; and
 - Documentation outlining actions the local government and cooperative purchasing program took to comply with the federal procurement standards.

- Use of intergovernmental purchasing cooperatives must already comply with state and local laws and regulations. The requirement to maintain and submit accumulative documentation during the aftermath of a federally declared natural disaster further burdens a local government from addressing the immediate and critical issues of disaster recovery and relief.
- In the aftermath of a natural disaster and with limited time and limited resources, it is important for FEMA and other federal agencies to provide temporary flexibility to school districts, considering substance over form in regard to technical requirements, and providing waivers where deemed to not affect overall fair, open competition and efficient use of federal funds. This would allow a school district in a federally declared natural disaster area to begin the healing process without additional and overburdensome requirements.

Submitted by the 2025 Beliefs and Resolutions Committee.

12.2 Forced Separation of Migrant Children

1 NSBA acknowledges that the forced separation of migrant children from their
2 families—whether at the point of entry, during asylum processes, or through
3 internal enforcement actions—is traumatic and significantly disrupts quality
4 education. NSBA urges the federal government to end such practices and calls on
5 Congress to implement policies that support the well-being and educational
6 success of all students, including those who are undocumented, while ensuring that
7 schools remain safe spaces for their communities.

RATIONALE:

- Young children that experience forced separation from their families suffer significant emotional damage.
- Decades of scientific research documents the devastating impact on the young when separated from their mothers and fathers: depression, the inability to make sure attachments, learning and emotional delays, memory and attention issues, troubled behavior arising from a deep distrust of authority and profound disruption of the vast neural network of communication in the young brain.

Submitted by the 2025 Beliefs and Resolutions Committee.



RESOLUTIONS

OF THE NATIONAL SCHOOL BOARDS ASSOCIATION

The following is the complete and official text of the NSBA resolutions enacted by the 2024 Delegate Assembly of the National School Boards Association, which met in New Orleans, Louisiana on April 5, 2024. The resolutions, which determine NSBA policy, originate from numerous school board sources throughout the United States, its territories, and possessions. Resolutions are discussed by the NSBA Beliefs and Resolutions Committee, and then submitted to the Delegate Assembly for consideration. The Delegate Assembly, which consists of local school board members from the various states and the U.S. Virgin Islands, debates and enacts final resolutions.

NSBA PRIORITY I

PRIORITIZING STUDENT HEALTH AND WELL-BEING

1.1 School Safety and Crime Prevention

NSBA urges Congress and the Administration to provide greater and sustained resources for locally determined programs that are critical to school safety, such as school resource officers, school counseling, emergency preparedness and response training, interagency coordination, and a federal school safety technical assistance center to serve as a resource and clearinghouse of federal guidance and training resources. NSBA also urges greater and sustained federal resources that expand access to mental health services and support comprehensive “wrap-around” services to schools that include a range of community resources to address safety and intervention. Further, NSBA reaffirms the purpose of the Gun-Free School Zones Act to ensure the safety of our nation’s schoolchildren.

1.2 Trauma Informed/Trauma Responsive Practices

NSBA urges Congress and the Department of Education to provide funding and programmatic resources for states and districts to support trauma responsive and trauma informed teaching and learning through high quality, culturally responsive curriculum and instruction in a wide range of content areas, including the arts, health and physical education, and teacher and principal professional learning and student enrichment, enacted as part of the Every Student Succeeds Act (ESSA). Congress must make significant investments in sustained, long-term care to help address the trauma of the pandemic as well as implement immediate solutions that can serve students remotely. Further, NSBA supports and advocates for evidence-based policy and services that are aimed at developing approaches to be used in schools that are geared towards creating opportunities for students to cope with trauma in order to have success academically and in life.

1.3 Supporting Students' Social and Emotional Needs

NSBA urges Congress and the Administration to provide increased funding and additional resources to support local school districts' efforts to address students' mental health, safety, and social needs. NSBA urges Congress and the Administration to expand funding for the purpose of supporting school districts in hiring health professionals, including school nurses, counselors, social services managers, and mental health professionals, to support the health and well-being of America's students, thereby creating comprehensive mental health resources to address this barrier to education of America's students.

1.4 School Based Medicaid and Affordable Care Act Penalties

NSBA supports the following legislative priorities to ensure students in greatest social, economic, and emotional need will be supported through: a) Sustaining all federal programs that ensure access to healthcare for children and families, which include but are not limited to Medicare, Medicaid, the State Children's Health Insurance Program, the Department of Defense Tricare and Tricare for Life programs, the Veteran's Health Administration Program, the Indian Health Services Program and any other school-based healthcare service that may be authorized by federal law that ensures access to health insurance for children and families. NSBA also supports the expansion of Medicaid services to support access to health care for the most economically disadvantaged students; and b) Federal policies that provide equal access to public programs, accommodations, and social and health services to support all students who are lesbian, gay, bisexual, transgender, or otherwise questioning their own sexual identity. Further, NSBA shall advocate for changes in the Affordable Care Act and through other means that support school districts and other governmental employers to help them keep health insurance coverage costs affordable.

1.5 Medicaid

NSBA urges Congress and the Department of Education to fully support school-based Medicaid services which support the health and well-being of every child attending public schools helping ensure they receive a high-quality education.

1.6 Restorative Justice/Practices

NSBA urges Congress to support state and local educational agencies' efforts to institute school behavior management policies and fund programs that utilize restorative practices that help resolve conflict, repair harm, and reduce disciplinary incidents for all students.

NSBA PRIORITY II

SECURING FULL FUNDING OF THE INDIVIDUALS WITH DISABILITIES EDUCATION ACT

2.1 Individuals with Disabilities Education Act (IDEA)

NSBA urges Congress to reauthorize and fully fund the Individuals with Disabilities Education Act to:

- (a) limit responsibilities for child find and evaluation of students with disabilities to only those students who reside within the boundaries of the local school district;
- (b) prohibit any court, administrative body or other entity from requiring a school board or state within the United States to provide for a child's education, residential cost or the cost of any other services provided outside the United States;
- (c) prohibit tuition reimbursement for students with disabilities unilaterally placed by their parents in private schools;

- (d) ensure the due process provisions are collaborative, effective, and efficient, and require the parties to engage in mediation before a hearing;
- (e) always place the burden of proof in challenges to a student's Individualized Education Program (IEP) upon the party bringing the challenge;
- (f) eliminate unnecessary and overburdening requirements for local school districts that do not directly impact educational outcomes for students;
- (g) establish a reasonable cap on plaintiff attorney's fees;
- (h) allow school districts flexibility to apply Maintenance of Effort (MOE) under IDEA;
- (i) continue to enhance the success of early intervention and response to intervention (RTI) programming;
- (j) promote informed and informal collaboration between parents and schools in developing appropriate IEPs;
- (k) retain the prohibition of general damages awards by hearing officers, and refrain from expanding remedies to parents or school districts;
- (l) retain the two-year limit to awards of compensatory services and create a shorter statute of limitations period for appeals in order to assure the speedy resolution of disputes;
- (m) refrain from federal mandates regarding seclusion and restraint, so that the state and local standards can be applied by the IEP team;
- (n) make clear that a student's "stay put" placement during a dispute is the last agreed-upon placement; and limit a school district's financial obligation once a court has determined the district's placement to be appropriate;
- (o) create alignment with other federal statutes directly impacting LEAs' provision of resources and services to students with disabilities, including Section 504 of the Rehabilitation Act of 1973, the Americans with Disabilities Act and its amendments, and the Elementary and Secondary Education Act, as amended by the Every Student Succeeds Act;
- (p) allow an LEA to place a child with a disability who causes or attempts to cause serious bodily injury to himself or herself in an alternative educational setting without an evaluation for not more than 45 days if the behavior is a manifestation of the child's disability and the child's original individualized education program (IEP) does not provide for an alternative educational setting.

2.2 Full Funding of the Individuals with Disabilities Education Act (IDEA)

NSBA urges Congress to pass the IDEA Full Funding Act in order to support the promise of a Free Appropriate Public Education for all students with disabilities by fulfilling the Individuals with Disabilities Education Act with funding to support no less than 40% of the excess cost of educating those students by the federal government.

2.3 21st Century Skills

NSBA urges Congress and the Administration to support programs and research that focus on problem-solving, creativity, innovation, critical thinking, world-language proficiency, civility, soft skills, and other high-level 21st century skills that are important for success in a global workplace.

NSBA PRIORITY III ADVOCATING FOR CONTINUED TITLE FUNDS

3.1 Elementary and Secondary Education Act Implementation (ESEA)

NSBA urges Congress to reauthorize the Elementary and Secondary Education Act (ESEA), referred to in the most recent reauthorization as the Every Student Succeeds Act (ESSA), and to fully fund ESSA until ESEA is reauthorized to support states and local school districts in achieving the goals of ESSA, including programs that support student academic enrichment that must be identified and implemented by local education agencies working with local school board oversight. NSBA urges Congress to use its oversight authority to ensure that the Administration upholds the local governance provision in the law and meaningfully engages local school boards during each step of the ESSA implementation process, including to support Local Education Agency (LEA) plan development with local school board governance. NSBA also urges the Administration to implement ESSA in a transparent and collaborative manner that recognizes ESSA's limitation of executive overreach and reaffirms local school board governance.

3.2 Teacher and Principal Effectiveness

NSBA urges Congress to provide funding for innovation, research, and implementation of locally developed strategies to improve teacher and principal effectiveness authorized by the Every Student Succeeds Act and the Higher Education Act to increase student achievement through:

- (a) Evidence-based preparation and professional development, including residency programs administered by partnerships of institutions of higher education and local districts;
- (b) Evidence-based evaluation systems;
- (c) Alternative certification programs;
- (d) State and school district flexibility regarding credentials for small and/or rural schools, special education programs, English learners and specialized programs such as science, technology, engineering, arts, and mathematics;
- (e) Locally-determined compensation and teacher and principal assignment policies; and
- (f) NSBA urges Congress to retain federal policies to provide loan forgiveness for teachers and principals who serve in public schools to encourage the simplification and transparency of the loan application process, and to oppose predatory collection processes.

3.3 Federal Impact Aid

NSBA urges Congress to authorize and fully fund Impact Aid to local districts to help support the education of all students whose parents or legal guardians reside and/or work on federal tax-exempt property or within local school districts that include federal tax-exempt property.

NSBA PRIORITY IV PROMOTING EQUITABLE ACCESS TO TECHNOLOGY AND TECHNOLOGY EDUCATION

4.1 E-Rate and Education Technology Gaps and Open Internet

NSBA urges Congress and the Federal Communications Commission (FCC) to continue to modernize and strengthen the E-Rate program to ensure efficient and equitable operation of the program, to improve the capacity, quality and speed of connectivity in our nation's schools, and to address the technology gaps that remain. Congress and the FCC should do no harm to current school and library recipients during the

transition to broadband and other high-speed learning options and retain an equity-based method of resource distribution. Moreover, NSBA opposes the previous FCC proposed rule to enact a budget cap on the Universal Service fund and sub-cap on the E-Rate and Rural Health Care Programs. Further the FCC should streamline administration of the E-Rate program, maximize local flexibility to use E-Rate resources to meet technology goals, and continue to safeguard Category 1 funding for Internet access. Congress and the Administration should also implement a permanent exemption or other long-term solutions to the Anti-Deficiency Act. Congress and the FCC should close the education technology gap, commonly called “The Homework Gap,” for children in rural and low-income communities who lack access to or cannot afford out-of-school technology and digital connectivity needed for academic success and innovative instruction options such as personalized learning that promotes twenty-first century life and work skills. NSBA urges that Congress and the administration use the E-Rate program to distribute emergency funding for students who lack access to devices and/or the internet since it is an existing program that provides transparency and an efficient organization for distribution to the neediest students. Further, NSBA urges Congress and the FCC to reinstate net neutrality, as it is beneficial to school districts and communities for affordable broadband connectivity, especially to those in rural and remote areas.

4.2 Federal Support for STEAM Education

NSBA urges Congress, the President of the United States, and the United States Department of Education to identify the advancement of Science, Technology, Engineering, Arts, and Math (STEAM) education in the nation’s public elementary and secondary schools as a high priority. Further, NSBA, urges Congress to provide federal funding to enable the states and local school districts to implement integrated STEAM education programs.

4.3 Access to Computer Science Education

NSBA urges Congress and the Administration to support access to computer science education for all students in the United States. NSBA seeks a greater national strategy for providing computer science education to all students. NSBA urges Congress to fund state and local development of curriculum, support the equitable distribution of materials, and encourage the thorough integration of computer science in all public school systems.

4.4 Connectivity for All Students

NSBA urges Congress to fund and support connectivity as a necessary public utility for all students including through the regulation of relevant industries, creative incentives for private interests, and direct allocation of resources dedicated to addressing this immediate and urgent need.

4.5 Artificial Intelligence in Education

NSBA believes that proper use of artificial intelligence has the potential to have a positive impact on education. The federal government should consider safe and ethical application, equitable access, appropriate training, and research and evaluation when designing policies, rules, and regulations for application of this tool.

NSBA PRIORITY V
ADVOCATING FOR STUDENT NUTRITION AND FUNDING NEEDS

5.1 Childhood Nutrition

NSBA urges Congress to reauthorize the Healthy, Hunger-Free Kids Act in way that increases flexibility and relief for school districts to successfully administer school meal programs. A child nutrition reauthorization should: 1) Provide relief for whole grain content and sodium reduction targets; 2) Reduce or eliminate the paid meal price mandate that resulted in unnecessary price increases for certain students; 3) Provide more flexibility for a la carte foods; 4) Restore the five-year administrative review cycle; 5) Increase reimbursement levels and other federal funds to cover the cost of compliance and/or authorize local school districts to make implementation feasible within available federal resources; 6) Streamline the eligibility determination process for enrolling students; 7) provide more flexibility for the offer versus serve policy; and 8) address the well-being of every student by advancing flexible nutrition proposals to assist in delivering nutritious meals to students while addressing childhood hunger, obesity, and student health, and to offer temporary and emergency flexibility around meal delivery during epidemics, pandemics, and other national emergencies. In addition, NSBA urges Congress to ensure meaningful consultation and increase stakeholder engagement by establishing advisory committees that include school board members to provide input and recommendations to the U.S. Department of Agriculture and other federal and state agencies responsible for food safety to improve and coordinate inspection, notification, and other protocols to ensure the nutritional value and safety of foods served in school lunch, breakfast, and snack programs. Additionally, Congress should address program integrity, including threshold eligibility limits to address factors such as local cost of living and concentration of poverty, in a way that balances the needs of families and children most in need.

5.2 Breakfast for All Students

NSBA urges Congress to better address the well-being of every student by advancing flexible nutrition proposals to assist in delivering nutritious meals to students while addressing childhood hunger and obesity and student health. Moreover, NSBA urges U.S.D.A. to offer temporary and emergency flexibility around meal delivery during epidemics, pandemics, and other national emergencies.

5.3 Funding of the Universal School Meals Act of 2023

NSBA calls upon Congress to pass the Universal School Meals Program Act of 2023 which would amend the Child Nutrition Act of 1966 and the Richard B. Russell National School Lunch Act to make breakfasts and lunches free for all children, without adversely affecting federal formula funding that may use free and reduced lunch rates.

5.4 Free-Reduced Lunch Qualification

NSBA urges Congress and the Administration to define poverty level requirements for the Free and Reduced Lunch Program by utilizing Area Median Income as used by the Department of Housing and Urban Development or the national federal poverty level, whichever is higher.

NSBA PRIORITY VI
PROMOTING PROTECTION/ACCOUNTABILITY FOR THE USE OF PUBLIC FUNDS

6.1 Use of Public Funds for Non-Public Education

NSBA supports strengthening local school board governance and community ownership in public schools and recognizes the many options and choices offered to students in our public schools. NSBA opposes vouchers, tuition tax credits and similar programs, and charter schools not subject to oversight of the local school boards, effectively creating a separate unaccountable system of publicly funded education which: a) diverts public funding to private schools, private home schools, including virtual schools, regardless of whether they are owned or operated by individuals, religious institutions, not for profit entities, or corporations; b) diverts public funds outside of locally elected, locally accountable, representative oversight; and c) often has the effect of re-segregating schools. Public funds should only be used within public schools to advance curricular opportunities, including specialized public school programs authorized by local school boards, such as magnet schools, alternative schools, career and technical education partnerships, advanced placement programs and classes, dual credit programs, post-secondary–high school partnerships and high school-local business partnerships. NSBA urges full accountability of the use of public funds for educational purposes.

6.2 Protection of 529 Savings Programs for Children and Students

NSBA supports legislation at the federal and state levels to restrict the use of 529 accounts to post-secondary education. NSBA supports the establishment of a means of educating parents and students of the risks inherent in drawing down college savings for use in paying tuitions for elementary, middle and secondary schools. NSBA urges a repeal of the provisions of 26 U.S.C.A. Section 529 that currently allow the use of 529 savings plans for vouchers to private elementary and secondary schools and supports the use of 529 plans for tuition costs for apprenticeships.

NSBA PRIORITY VII
TECHNOLOGY AND DIGITAL EQUITY

7.1 Student Data Privacy

NSBA urges Congress and the Administration to modernize the more than forty-year-old Family Educational Rights and Privacy Act (FERPA) to address the 21st Century needs of students, school districts, parents, state education agencies, and federal education policies without compromising the protection of stakeholders. Specifically, NSBA urges Congress and the Administration to do the following in future law and guidance addressing data privacy and security:

- (a) Reconcile and update definitions of “education records,” “directory information” and “personally identifiable information”;
- (b) Explicitly include student data maintained in electronic media in the definition of “education records,” and exclude address, telephone listing, and date and place of birth from the definition of “directory information”;
- (c) Refrain from adopting a broad definition of the term “education records” to incorporate, for example, “metadata” and “de-identified” data;
- (d) Consult meaningfully with school boards, administrators, and school attorneys to address implementation specifics, effects on existing contracts and agreements with service providers, and related requirements, to avoid undue disruption and administrative burden;

- (e) Make any update to FERPA or other laws and regulations affecting school district management of student data consistent with those affecting online educational service providers;
- (f) Limit the role of the U.S. Department of Education with respect to student data privacy to that of technical support and training, not enforcement;
- (g) Incorporate balanced provisions for parental consent that do not compromise student achievement and do not impose significant (and/or disproportionate) administrative burdens on school districts; and,
- (h) Support school district and state policies as well as effective training regarding data usage, privacy, and security protections for administrators, teachers and related personnel/stakeholders.

NSBA PRIORITY VIII STUDENT OUTCOMES

8.1 Testing

NSBA urges the Administration to implement the Every Student Succeeds Act (ESSA) in a way that restores local governance of public education to local school districts and fully allows districts to utilize the flexibilities in the law relating to the implementation and administration of academic assessments. NSBA encourages the U.S. Department of Education to:

- (a) support state and local efforts to provide students with an education that is appropriately focused on the skills and knowledge needed for success in the global and technological world of the 21st century by funding appropriate education entities to adopt model standards for voluntary adoption;
- (b) ensure that the National Assessment of Educational Progress (NAEP) and other national assessments as well as international tests do not exceed their current use of providing comparative data through sampling; and refrain from requiring or coercing the use of these assessments by states in developing their own standards or for high stakes accountability purposes;
- (c) foster, through formal regulations and non-regulatory guidance, an environment that encourages the development of innovative statewide and local assessment systems, as permitted under ESSA, that measure the skills and knowledge that students will need in the 21st century; and,
- (d) limit the punitive use of high-stakes testing results during and for two years following the COVID-19 pandemic.

8.2 Early Learning

NSBA urges Congress and the Administration to affirm local school district governance in early learning programs and to refrain from imposing mandates on states or school districts with regard to Pre-K and K-3 education such as teacher and principal training and credentials, compensation, instruction, standards, or other areas of local decision making.

8.3 Educational Opportunity for Undocumented Students

NSBA urges Congress to pass legislation to authorize the cancellation of removal for undocumented students who are long-term United States residents, resolve their immigration status, and work toward United States citizenship for undocumented long-term residents. Further, NSBA urges the administration to provide all of the support possible, as permitted by local and federal law, to serve all students, including undocumented students.

8.4 Migrant Education Program

NSBA urges Congress to amend the Migrant Education Program (MEP) to make funding available to school districts to help them fulfill their legal obligation to educate children of migrant workers regardless of their immigration status or the availability of employment documentation. In order to give migrant children the opportunity to reach their full potential, NSBA also urges Congress to fully fund MEP.

8.5 Graduation Rate

NSBA urges Congress to amend the Elementary and Secondary Education Act to recognize all authorized diplomas in the state and district graduation rate.

NSBA PRIORITY IX FUNDING AND ALLOCATION

9.1 Public Health Pandemic Relief

NSBA advocates emergency funding for disaster relief caused by a public health pandemic, including a ‘supplement not supplant’ provision that prohibits a state from supplanting monies, so the federal funds are used for the intended purpose of the legislation. Likewise, NSBA supports maintenance of effort provisions that require states to maintain funding for K-12 education, for current and forthcoming years, as a condition of receiving federal funds.

9.2 Fund Pre-K Education

NSBA urges Congress and the Administration to fully fund universal Pre-K education.

NSBA PRIORITY X CAPITAL FACILITIES AND SCHOOL CONSTRUCTION

10.1 Increase Funding for School Modernization

NSBA advocates for federal funding and tax-related measures for school infrastructure needs, school safety, security, and facilities maintenance. Prioritization should be given to emergency situation preparedness.

NSBA PRIORITY XI ROLE OF FEDERAL GOVERNMENT IN EDUCATION

11.1 Opposition to Unlawful Expansion of Executive Authority

NSBA supports an appropriate federal role in education but opposes—as an invalid exercise of delegated authority—federal intrusion and expansion of executive authority by the U.S. Department of Education and other federal agencies in the absence of authorizing legislation.

NSBA PRIORITY XII
MISC – LABOR AND EMPLOYMENT, NATURAL DISASTERS, CHILDREN

12.1 Federal Disaster Relief and Recovery for School Districts

NSBA urges federal emergency funding for disaster relief caused by natural catastrophes, other extreme weather events, and health related crises including pandemics and localized epidemics. NSBA urges federal action to require the Federal Emergency Management Agency (FEMA) to provide a temporary waiver to local governments that use an intergovernmental cooperative purchasing program in accordance with the local government’s state law for the immediate procurement of vendors to mitigate disaster relief and recovery from a federally declared natural disaster. The temporary waiver would relieve a local government dealing with a natural disaster from the added requirements of providing extensive documentation to show and explain how its use of a cooperative purchasing program complies with federal procurement requirements as a condition of federal awards.

12.2 Forced Separation of Children and Families

NSBA recognizes that the forced separation of migrant children and their families seeking entry or asylum into the United States is traumatic and disruptive to the delivery of quality education and urges the federal government to avoid such practices.

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BELIEFS

OF THE NATIONAL SCHOOL BOARDS ASSOCIATION

(Amended April 5, 2024, NSBA’s Delegate Assembly, New Orleans, LA)

The public school boards of America, united in their school boards associations and members into the National School Boards Association and its Association Members, believe that education is a civil right and is necessary to the dignity and freedom of the American people. Further, the public school boards believe that all students should have equal access to an education that maximizes their individual potential.

MISSION OF THE NATIONAL SCHOOL BOARDS ASSOCIATION

To equip school board members with resources to advocate for each student in each community, in partnership with our members.

NSBA’S VISION FOR PUBLIC EDUCATION

The National School Boards Association believes local school boards are the nation’s preeminent expression of grass roots democracy and that this form of governance of the public schools is fundamental to the continued success of public education. Adequately funded, student-centered public schools will provide, in a safe and supportive environment, a comprehensive education for the whole child and will prepare all of America’s children for a lifetime of learning in a diverse, democratic society and an interdependent global economy. By focusing on raising student achievement and by actively engaging the community, school boards will provide leadership for academic success in the nation’s public schools. America’s school boards, by creating a vision of excellence and equity for every child, will provide performance-oriented schools that meet today’s problems as well as the challenges of tomorrow.

ARTICLE I

CONTROL AND SUPPORT OF PUBLIC SCHOOLS

Section 1 – State and Local Governance of Education

Public education is the responsibility of the states and of the local school boards created thereunder. NSBA believes that to help all students achieve state standards and reach their full academic potential, federal, state, and local policy makers should:

- provide the highest quality education for each student, and equal educational opportunity for all children;

- engage parents, guardians, and community stakeholders by involving them in public education, and keeping them informed of its critical importance to our nation’s success in today’s competitive global economy, and our capacity to govern ourselves in a free, democratic society;
- eliminate barriers to learning through policies that coordinate all services for youth at all government levels and enable schools to meet the needs of young people more effectively;
- recruit and retain high quality and effective teachers and administrators, with an emphasis on increasing racial diversity among educators;
- accelerate investment in education research and development to achieve breakthroughs in school improvement through data-based decision-making and professional development;
- integrate technology fully into the learning process of all students;
- ensure that all children receive the services for which they are eligible; and to which they are entitled; and,
- require full funding of all federal and state mandated programs.

1.1 School District Organization

School districts should be organized so they can provide the best education programs for all public elementary and secondary students. School district governance should be vested in a local school board, accountable to the local community. As a whole, school boards should be diverse and representative of the community. School boards should have the authority to develop restructuring strategies, as they deem appropriate.

1.2 Fiscal Independence

To discharge their responsibilities properly, local school boards must control the funds used to operate schools. Therefore, school districts should be fiscally independent.

1.3 Accountability

School boards are accountable to the total community for providing programs of educational excellence and demonstrating accountability through student achievement. School boards should recognize and emphasize that educational quality is a function of what students know and can do as a result of schooling. When needs are identified and/or student achievement standards are not met, NSBA supports the development of prevention and intervention policies that include utilizing the background knowledge of local school boards for implementation by school districts. NSBA also urges state education policy makers to provide the funding and flexibility necessary to help all students and schools achieve their academic goals.

1.4 State-Local Education Agencies

To maintain effective local control of, and accountability for, public elementary and secondary schools, separate state and local agencies responsible for public education are needed.

1.5 Interagency Collaboration for Student Services

State and local governments should develop programs and adopt youth policies that coordinate the delivery of services to students such as counseling, health, nutrition, family support, and juvenile justice. These services must be coordinated and focus on the total needs of the child.

1.6 Appointment of School Board Members to Education Policy Forums

Governors, state legislatures and other state officials should recognize school boards as the governors of education and should appoint school board members to commissions, advisory committees or other forums that directly or indirectly affect the development of education policy.

1.7 Term Limitation of Elected Local Public Officials

NSBA opposes any effort to limit the number of terms that school board members can serve.

1.8 State and Local Laws Requiring More Than a 50 Percent Voter Approval on School Issues

NSBA believes that state and local referendum provisions that require state and local school financing issues to be approved by more than a simple majority vote are unfair and inconsistent with the principles of democracy.

1.9 School Governance Takeovers

NSBA is opposed to takeovers of local schools/school districts. Similarly, NSBA opposes efforts by any political jurisdictions to remove, diminish or interfere with the authority of local governing boards and districts. State and municipal governments should provide the resources and technical assistance needed to raise student achievement. Mayors and school boards should respectively address their core missions and define common areas on which to collaborate in support of public education and to the benefit of the overall community.

Prior to any intervention, state, municipal, and territorial governments in collaboration with education policy makers (which must include state school boards associations) should establish specific criteria, conditions, timelines and procedures under which:

- (a) intervention in local schools/districts may occur;
- (b) local schools/districts shall receive the necessary resources, support, and time period to improve; and,
- (c) local schools/districts must be returned to local school board governance.

NSBA recognizes the essential connection between schools and their communities. Communities must consider becoming partners with public school districts and support local initiatives for dropout prevention, at-risk students, early childhood learning, and to assist schools by providing children with safe housing, proper nutrition and quality healthcare, to ensure that these out-of-school factors support children's abilities to learn. NSBA believes such issues provide a role for civic leaders and elected or appointed officials and/or policy makers in the education system.

NSBA believes that to help all students reach their academic potential, local civic leaders and policy-makers should:

- ensure that neighborhoods are safe and free from crime, and that students have safe access to and from school;
- assist in providing students with access to healthcare and other support services, including the expansion of community and parent outreach centers to help parents access services;
- support teacher recruitment efforts by addressing obstacles, such as housing costs that serve as deterrents to providing a quality teaching force; and,
- work effectively with school districts to develop joint use projects to make the best use of public space.

1.10 Charter Schools

NSBA recognizes “charter schools” as one of several mechanisms available to local school boards, provided that the local school board:

- (a) retains sole authority to grant the charter and receives full funding for monitoring costs;
- (b) determines accountability, such as determining the criteria that will be used in establishing the charter;
- (c) retains authority to decertify or not renew the charter of any school that fails to meet criteria set forth in the charter or as otherwise specified by the local school board, including but not limited to a requirement that charter schools demonstrate improved student achievement;
- (d) has the authority to ensure that a charter school does not foster racial, ethnic, social, religious or economic segregation or segregation of children by disability, ability, sexual orientation or academic performance; and,
- (e) determines that funding for the other schools under its jurisdiction will not be adversely affected.

In cases where entities other than the local school district authorize the charter, the law should require that all schools receiving public funds meet the same standards of accountability and that funds for traditional local schools are not diminished or reduced by the funding mechanism for charter schools.

ARTICLE I, SECTION 2 STATE AND LOCAL FINANCING OF EDUCATION

2.1 Financial Support of Public Education

NSBA recognizes that it is a state and local responsibility to provide adequate and equitable funding for public education. States must assure that taxpayers, individual and corporate, contribute a proportionate share to the financial support of public education.

2.2 State Support of Education

Each state must guarantee to its local school districts a level of financial support that:

- (a) ensures adequate and equitable educational opportunity for all children;
- (b) adequately supports individual school efforts to enhance teaching and learning;
- (c) facilitates students' efforts to increase their academic proficiency in core subject areas and achieve state learning standards;
- (d) sustains a steadily improving state support for education; and,
- (e) maximizes local discretion over expenditures.

Any method of state funding must ensure that all state mandates are fully funded and that local districts are permitted to raise additional local funds to supplement state funding.

2.3 Tax-Exempt Financing

NSBA supports the utilization of tax-exempt bonds for construction and other capital improvement projects approved by traditional local school boards. Further, NSBA opposes any efforts to limit the issuance, tax-exempt status and advance refunding of such bonds through changes in the federal tax code.

2.4 Use of Public Funds

NSBA believes that public funds raised by general taxation for education purposes should be administered efficiently by public officials, and that public funds for elementary and secondary education should be spent only for public education.

2.5 Non-Public Education

NSBA recognizes and upholds the right of any group to establish and maintain schools so long as such schools are fully financed by their own supporters. Private and home schools should be subject to governmental regulation that assures the health, safety, academic growth and/or achievement, and well-being of students, a minimum standard of instruction under state law, and adherence to the Constitution and laws of the United States. Private schools or other entities that receive public subsidies, funding, or support under state or federal law, whether directly or indirectly, should be held to the same reporting and accountability standards, including the same annual assessments of student proficiency, required of public schools as a condition of continued eligibility to receive public subsidies or funding. Schools that receive any public funding should be subject to the same statutory and constitutional requirements as public schools.

2.6 School Finance Systems

NSBA supports efforts by states and Association Members to redesign state and local school finance systems to ensure adequate resources, to make opportunities equitable, and to align resources more closely with the goal of educating all students to higher performance standards. NSBA supports school finance decision-making by school boards and opposes federal and state school finance legislative initiatives that limit the role of school boards.

2.7 Contracting Out

NSBA upholds the right of school boards to pursue the most efficient and cost-effective means of delivering education and related services, including contracts with outside providers, and urges local school boards to retain all necessary decision making authority when contracting with private companies in the operation of public schools.

2.8 Pension Program Accountability to Local School Boards

NSBA believes all pension programs for school district employees should be independently governed in order to protect their fiscal integrity and to prevent the diversion of those funds to other uses.

2.9 Social Security

The National School Boards Association urges Congress to repeal the Windfall Elimination Provision and the Government Pension Offset to the Social Security Act

ARTICLE II, SECTION 1 RESPONSIBILITIES OF LOCAL SCHOOL BOARDS

1.1 Philosophy of Local Board Responsibility

Local school boards are an essential and enduring part of the American institution of representative government. Directly accountable to the people, local school boards are the educational policy makers for the public schools in local communities. They are advocates for local public education with other local, state, and federal governmental entities. The American system of public education best meets the needs of our students, communities, states, and nation when all local school boards recognize and meet their full legal, civil, social, economic, moral, and ethical responsibilities.

1.2 Key Work of School Boards

NSBA urges all levels of government, parents, community groups, business leaders, and the media to support the efforts of local school systems to enable each child to achieve at the child's full potential. Local public school boards are encouraged to demonstrate excellence in governance and to provide strong leadership in order to raise student achievement.

NSBA believes that school boards should concentrate on raising student achievement by focusing on these five key areas:

1. VISION

Effective school boards establish a clear vision with high expectations for quality teaching and learning that supports strong student outcomes. They establish clear and specific goals to move districts forward.

2. ACCOUNTABILITY

Effective school boards ensure high academic standards, transparency, and accountability. True accountability depends on open decision making, community engagement and support, and receptivity to new ideas and constructive criticism.

3. POLICY AND BOARD OPERATIONS

Effective school boards use policy to sustainably exercise power to serve students. Through policy, school boards establish a set of cohesive guidelines able to transform vision into reality.

4. COMMUNITY LEADERSHIP

Effective school boards governing through public advocacy and community engagement, sharing their concerns and actions with the public. Community leadership that builds public support is vital to implement the board's vision.

5. BOARD/SUPERINTENDENT RELATIONSHIPS

Effective school boards lead as a united team with the superintendent, each in their respective roles with strong collaboration and mutual trust. Both the school board and the superintendent have essential leadership roles that are interconnected, but unique.

1.3 School Board Development

NSBA supports Association Member professional development programs for school board members. Training and professional development for school board members should aim to increase board members' knowledge and awareness of (1) federal, state, and local legislation and judicial decisions that affect the operation of local districts and schools, and (2) new educational reform initiatives and research-based instructional strategies that enhance student achievement. Thus, board members will be better equipped to lead and guide district and school staff, and make educational decisions that best support a student's ability to achieve high academic standards. School boards are encouraged to inform their constituents about the need for board development activities, workshops, seminars, and conferences.

1.4 Board Self-Evaluation

School boards should conduct a regular self-evaluation and develop an action plan for continued improvement. A comprehensive, ongoing program of continuing education should be part of that plan.

1.5 Implementation of Federal Laws

It is the responsibility of local school boards to provide leadership to meet the goals and objectives of federal laws, and to ensure that school board members, administrators, principals, teachers and other staff are knowledgeable regarding implementation requirements. It is also the responsibility of the local school board to engage the community in discussions regarding the impact of the federal law on student achievement as well as the fiscal and personnel resources that will be needed.

1.6 Civility

NSBA believes public officials at all levels of government should model civil discourse in their deliberations, allowing for the thoughtful, beneficial, productive exchange of ideas and perspectives. NSBA urges school boards to provide opportunities for students to develop their skills in collaborative engagement, conflict resolution, and consensus building, including but not limited to restorative practices, and for school board members to model these skills in their own conduct.

ARTICLE II, SECTION 2
PROFESSIONAL STAFF DEVELOPMENT AND EMPLOYEE RELATIONS

2.1 Leading the Change in Public Education

NSBA, its member associations, and local school boards should focus resources and leadership training opportunities on innovative and transformational strategies to amplify and further advance the success of America’s public schools and the students they serve.

2.2 Commitment to Professional Development

School boards, administrators, and teachers should work cooperatively to improve teacher evaluation and performance, and strengthen administrative leadership capabilities. School boards and Association Members should continue to take a leadership role in improving the quality of teaching and administration in our schools. School boards and their associations should continue to support excellence in teacher education, development of standards, hiring practices, in-service education for personnel consistent with district goals and priorities, and constructive evaluation of administrative and teaching personnel.

2.3 Teacher Education

NSBA supports methods of teacher training that are aligned with research-based school improvement strategies and are responsive to the academic needs of students and the overall interests of public schools. Local school boards should develop strong partnerships with institutions of higher education to improve the quality of teacher and administrative training programs while supporting veteran teachers’ ongoing development. Special attention should be paid to providing teachers and administrators with the time and resources necessary to prepare and implement the curriculum and instruction strategies or education reform models that have been selected.

2.4 Teacher Accountability

NSBA supports the use of qualified and effective teachers to teach students at all levels of achievement. Teacher licensing and certification should be based on rigorous standards that objectively assess teachers’ knowledge and application of subject matter, children’s development, classroom management, instructional techniques, and other fundamental research-based teaching tools.

2.5 State Certification Requirements

NSBA encourages local school boards to support instructional employees and other professional staff in their efforts to secure the training and required qualifications necessary to assure continued employment in their current position.

2.6 Teacher Tenure Reform

NSBA supports tenure reform with the goal of teacher employment based on high standards and improved student performance. Standards should be developed by boards of education in conjunction with administrators, teachers, parents, and community members.

2.7 Teacher Compensation

NSBA supports efforts by states, Association Members, and school districts to redesign and implement teacher compensation systems that are linked to the goals of increasing student achievement and high standards. To attract and retain highly-qualified teachers, school boards should seek and support flexible compensation programs to reward teachers who have the qualifications and experience to teach students, especially in the most challenged, hard-to-staff schools and in the content areas of any schools experiencing shortages of qualified personnel.

2.8 Teacher and Principal Evaluations

NSBA supports efforts by states, Association Members, school administrators, and teachers to work together to develop and implement a fair evaluation system for classroom teachers and principals that includes student performance.

2.9 Professional Development Plan

NSBA believes that school boards should support professional development plans for teachers and administrators that include the following elements:

- (a) the purposes and benefits of professional development;
- (b) the current research on the characteristics of effective professional development activities;
- (c) identification of school system, school, and individual needs;
- (d) alignment with the district's goals;
- (e) the processes that should be used to plan, implement, and evaluate a comprehensive program; and,
- (f) the current resources available for professional development.

2.10 Professional Standards

NSBA supports proven voluntary national certification for teachers that have a demonstrated impact on raising student achievement. NSBA encourages and supports the development of a voluntary national certification program for administrators.

2.11 Equality of Employment

Each individual is worthy of opportunity, dignity, and respect. School district policies and practices should ensure that recruitment, employment, training, retention, and promotion are provided without regard to age, race, ethnicity, religion, gender, gender identity, sexual orientation, national origin, disability, color, or socioeconomic status. NSBA believes the right of privacy for all students, faculty, and staff should be respected. NSBA believes school boards should implement aggressive strategies to increase the racial and gender diversity of the school district workforce.

2.12 Responsibility for Uninterrupted Education During Employee Job Actions

School boards should develop plans of action to ensure the uninterrupted education of students during emergency situations. Strikes, sanctions, boycotts, or other concerted actions that interfere with the orderly functioning of the public school system are improper procedures when used by

public school employees. When such actions occur, special emphasis should be placed on communicating with staff and the community.

2.13 School Boards as Employers

NSBA supports the application of federal and state labor and employment laws to school boards, collectively the largest employer in the nation, in a manner that recognizes the unique employment concerns of schools to ensure all students receive a high quality education in a safe environment.

2.14 Mental Health and Wellness Resources for School District Staff

School districts are encouraged to develop policies and regulations that support mental health and wellness resources for the school district workforce. Mental health issues are not only detrimental to individual employees, but they can impact the workplace in the form of absenteeism, poor performance, substance abuse, work-related accidents, and workplace violence or harassment. NSBA believes school boards should implement effective policies that support employees and help to foster a healthy and productive learning environment.

ARTICLE II, SECTION 3 COMMITMENT TO DIVERSITY AND EQUITY

3.1 Diversity and Equity

School boards should provide resources that recognize the needs and strengths of each student and facilitate access to a high-quality, safe, and supportive education that prepares students for success. NSBA urges education professionals and policy makers at all levels of government to promote and support the significant benefits of learning in racially, ethnically, linguistically, and socio-economically diverse settings by creating and/or adopting an equity policy and associated regulations to promote and support the commitment to equity and excellence for each student.

3.2 Non-Discrimination

NSBA believes that school boards should ensure that students and school staff are not subjected to discrimination on the basis of socioeconomic status, race, color, national origin, religion, gender, gender identity, age, pregnancy, disability, or sexual orientation.

3.3 Quality Integrated Education

The United States is a complex, racially diverse society. School boards should take positive action to support integration and to avert re-segregation in their districts, individual schools, and programs to promote equality of educational opportunities. Stereotyping should be eliminated from educational materials and school district policies and procedures. The total school environment, including its curriculum, should reflect and encourage respect for the multicultural nature of the world.

3.4 Equity in Gifted & Talented Programs

NSBA supports and encourages each school board to conduct a rigorous evaluation of the admission criteria used to identify gifted and talented children, and if necessary, make revisions as needed to be more inclusive. NSBA believes that exceptional academic ability and/or exceptional talent in the arts or specific subject areas are qualities that transcend all races, incomes, and family circumstances.

3.5 Achievement Gap and Graduation Rate

NSBA supports state and local school boards' efforts to develop, design, and implement initiatives with measurable outcomes that close the educational achievement gap and improve graduation rates for all students. A special focus should address the causes of, and solutions to, the underachievement of any student, including, but not limited to African American, Hispanic, Native American, and socioeconomically disadvantaged students. NSBA urges federal, state, and local governments to provide funding for the efforts.

3.6 School Board Leadership on the Issue of Race, Culture, and Diversity

School board members, as community leaders, should encourage and promote productive dialogue about diversity including but not limited to socio-economic status, culture, gender, race, sexual orientation, gender identity, age, physical and mental abilities, religious beliefs, and political beliefs in their communities, model and encourage inclusive thinking and behavior, and provide credible and balanced information on issues of socio-economic status, culture, gender, race, sexual orientation, gender identity, age, physical and mental abilities, religious beliefs, and political beliefs, ultimately creating positive change.

3.7 Federal Efforts to Reduce and Address the Impact of Poverty

As school board members advocate for greater resources to effectively address the effects of poverty on our nation's students, NSBA urges Congress and the Administration to target a greater concentration of resources among federal agencies that will help mitigate and address the impact of poverty on students. NSBA supports the establishment of an effective, coordinated interagency structure to ensure seamless delivery of resources to our public school districts and other state and local agencies that serve our students is needed to meet the needs of all students and help end the cycle of poverty.

3.8 Opposition to Hate Crimes and Violent Acts Against Individuals of Color and/or Minorities in School

NSBA opposes hate speech, hate crimes, hate motivated crimes, and violent acts. NSBA condemns and takes a firm stance against any and all forms of violence, threats of violence, hate, hate-motivated actions, hate speech, or violent crimes towards race, color, religion, national origin, sexual orientation, gender identity, and disability, particularly regarding minorities in a school setting. NSBA acknowledges that such acts can directly or indirectly affect school environment, classroom environment, student achievement, and student behavior. Further, NSBA encourages schools to develop policies outlining their condemnation of such acts, to develop programs that will address the occurrence of any hate crime, and to assist in developing a culture that respects differences and celebrates diversity.

3.9 Anti-Hate Speech

NSBA believes that all students deserve to learn in an environment that is safe, affirming, and free of bias and discrimination. NSBA denounces the use of words or images that harass and directly attack individuals or groups based on race, ethnicity, religion, national origin, sexual orientation, gender or gender expression, disability, or any other aspect of identity.

NSBA believes that when students or adults speak explicit hate language at school, it is the responsibility of the school district to actively respond to these incidents.

NSBA urges boards to foster school climates where differences are appreciated and not used to ridicule, single out, intimidate, disrespect, or exclude different groups. We recognize that these injustices can have a negative impact on the educational experience that we expect for each child.

ARTICLE III FEDERAL ASSISTANCE TO EDUCATION

Section 1—Philosophy of Federal Role in Education

There are educational goals and concerns that transcend the boundaries of local school districts and states. These include improvements in student achievement and the attainment of high standards by all student groups, the elimination of widespread disparity in educational opportunities among students, improvements in the physical and mental health and safety of schoolchildren, and the intelligent participation in the democratic process by all citizens. NSBA encourages federal, state, and local governments to adopt education as a civil right and to work closely with other organizations to achieve this goal.

NSBA believes that national and state leaders and lawmakers must fulfill their responsibility to support students and schools by providing adequate federal and state funding and encouraging business and community involvement in education. States and districts should not be required to implement any federal legislation impacting education until funding amounts authorized in the legislation are appropriated. NSBA also believes that state and federal governments should focus on supporting comprehensive education reform which addresses:

- (a) providing resources to ensure that all children receive appropriate early childhood education;
- (b) encouraging creative and critical thinking;
- (c) supporting efforts to attract, provide professional development for, and retain high quality and effective teachers;
- (d) supporting state efforts to ensure that what is taught and what is tested are important, reasonable and challenging to every student and what is tested is aligned with what students are taught;
- (e) providing funding for the development of research based instruction in all areas of curriculum;
- (f) supporting efforts to focus on the social, emotional, physical, and mental health of students; and,
- (g) factors outside the classroom that impact student learning.

Section 2—Federal Funding for Public Education

NSBA believes that full funding of federal public education programs is an essential step in improving educational opportunities for all children. NSBA supports federal legislative and regulatory efforts to ensure that the allocation of federal funding for school districts is directly utilized for school-based services, with strict protections to ensure that statutory caps on federal funding reserved for state administrative purposes are adhered to thoroughly. NSBA urges Congress to ensure that oversight is provided that addresses the goals for program administration and does not extend or expand state authority in the distribution or suballocation process so that funding is allocated to school districts

in the manner that Congress intended. NSBA believes education funding should be of the highest federal priority to ensure that our nation's students have the opportunity to meet the challenge of world-class standards and responsible citizenship through these priorities:

- (a) improving equity in educational opportunity by making schools with significant indices of poverty a high priority for increased federal aid;
- (b) increasing federal special education aid to meet Congress' obligation to fund 40 percent of the cost of educating children under the requirements of the federal law, and supporting the placement of the Individuals with Disabilities Education Act (IDEA) within mandatory spending portions of the budget to ensure that, over a period of time, the obligation will be met as a federal budgetary priority;
- (c) ensuring that the requirements of the Elementary and Secondary Education Act (ESEA) are fully funded as authorized in the law;
- (d) supporting teacher preparation programs at colleges or other post-secondary institutions that lead to certification or licensing of teachers in accordance with the ESEA provisions for teacher qualification; NSBA also seeks increased federal support to provide resources for districts to address the teacher qualification certification requirements of ESEA, including funding to assist in teacher recruitment and retention;
- (e) ensuring that school districts serving immigrant students or Limited English Proficient/English Language Learners (LEP/ELL) are provided with the necessary resources for those students as they make the transition into our society;
- (f) providing direct allocations to local school districts whenever possible;
- (g) relaxing burdensome regulatory and paperwork mandates, and enabling districts to use a combination of federal programs in order to target these funding streams to significant local concerns;
- (h) maintaining other educational technology funding programs, with a priority of helping school districts that lack local resources, acquire the infrastructure, hardware, software, and staff training necessary to provide a technology rich instructional environment;
- (i) providing funding to advance the application of technology to teaching and learning while connecting the students and the schools to employment opportunities and educational experiences available in the work environment;
- (j) providing funding for technology resources for school districts to integrate technology into the curriculum, enable the use of computer-based assessments aligned with state standards, and adjust curriculum and instructional practices;
- (k) providing funding to meet school infrastructure and personnel needs to improve the safety and health of all students and to improve the quality of the learning environment;
- (l) establishing, at the local school board's option, a needs-based federal funding program to reduce school district costs for public school construction and renovation;
- (m) providing full funding for Impact Aid; to local school districts to help support the education of all students whose parents or legal guardians reside and/or work on federal tax-exempt property or within local school districts that include federal tax-exempt property;
- (n) providing full funding for all federal mandates;

- (o) providing funding to ensure that migrant children have the resources necessary to reach full academic potential;
- (p) modifying provisions for the Title I funding formula so that a hold harmless provision is created, ensuring that no school district receives less money as a result of census or other changes during the school district's fiscal year;
- (q) providing funding for the development of research-based instruction;
- (r) enacting legislation to provide financial resources to school districts to meet the rising costs of energy and explore alternative energy sources and energy cost-saving measures;
- (s) providing full funding for the Native American Language Act of 1990 (Public Law 101-477);
- (t) providing funding for programs that help all students learn multiple languages while attending public schools;
- (u) providing funding for voluntary foreign language programs in elementary schools;
- (v) providing funding for community-based mental and emotional health services for youth and incentives for collaborative systems of care; and,
- (w) providing full funding to meet the costs associated with the development and maintenance of state longitudinal data systems that track student's performance on assessments.

2.1 Refugee Resettlement Funding

NSBA believes federal funding should be provided to local education agencies for students who are placed in local education agencies through the federal Refugee Resettlement Program. School impact grants and other grants under the office of refugee resettlement should be expanded to allow school districts to directly apply for funding when impacted by federally placed refugee students, both through family relocations and through the unaccompanied children program. The federal government needs to provide appropriate levels of funding for students being placed into school districts under the federal Refugee Services Program in order to ensure that these students can receive all the appropriate education services they need to succeed.

Section 3—Federal Authorization and Appropriations Process

NSBA supports the provision of adequate funding and efficient procedures for financing federal public education programs and urges Congress to:

- (a) eliminate the practice of imposing federal unfunded and/or underfunded mandates on states and local education agencies;
- (b) make full funding of mandated public education programs the top priority in adopting the federal budget, and fully fund all federal public education programs;
- (c) meet the funding levels authorized as part of the Elementary and Secondary Education Act (ESEA);
- (d) oppose general budget reductions by formulations that circumvent Congress' responsibility to set funding priorities among government functions;
- (e) consider the establishment of a separate capital budget to conform with present budget practices of local and state governments;

- (f) recognize local cash-flow requirements by not deferring or rescinding previously enacted appropriations;
- (g) ensure that changes in federal tax laws do not adversely affect public schools; and,
- (h) exempt education programs from across-the-board cuts that often affect discretionary spending.

Section 4—Federal Policies

NSBA supports federal education policies that make the education of all children a national priority, while recognizing that education is primarily a state and local function for which the federal role should be one of support and assistance rather than direct regulation. Federal legislation and policies should recognize:

- (a) the responsibility of the federal government to provide for excellence and equity through its support of public elementary and secondary education;
- (b) the value of supplemental programs that address local and national educational objectives by meeting the academic needs of all students, and the federal responsibility to help fund these programs when and where they are needed;
- (c) the educational, physical, social, emotional, and economic needs of the whole child and the child's family and be designed to meet these varied needs;
- (d) the need to distribute funds to local school districts equitably and based on student need;
- (e) the need for local school districts to have the primary role in developing accountability procedures for federal education programs in local schools;
- (f) the need to establish limits on the regulatory authority of the Department of Education and other federal agencies as they pertain to education;
- (g) the cost of all federal education programs and the costs associated with implementing federal mandates that affect public education and fully fund these costs accordingly; and,
- (h) the impact of federal immigration policies on local public education and fully fund the additional programs and services that are required as a result of these policies.

4.1 Protect and Promote State and Local Control of Education

Federal policies should protect state and local control and accountability as follows:

- (a) Any federal funding allocated to the state level should be administered by the state agency through local school boards in accordance with state policy and without restrictions other than simple accounting of receipts and disbursements. Controls should be placed in federal legislation to limit the amount of federal funds used for state administration to those amounts that are absolutely necessary to perform mandatory federal requirements and provide adequate funds to local school districts for the management of the program.
- (b) Any federal program involving education should be under authority of the local educational agency as defined in federal law and wherever possible should avoid diverting funds from and disrupting public elementary and secondary school systems.
- (c) The President, Congress, and state, territorial, and other government entities should recognize school boards as lay governors of public education. Federal law should require the appointment of

school board members to commissions, advisory committees, or other bodies that in any way directly or indirectly affect the development of educational policy, funding, regulations, and guidelines.

(d) Any national test should be administered on a strictly voluntary basis and with no adverse impact on the receipt of federal funds for those school districts that do not choose to participate. Any national test should be conducted, developed, and administered by an entity other than the federal government. NSBA believes that testing of students is primarily a state and local concern that should be done at consistent intervals to measure student progress. Federal requirements for periodic assessment of student progress should be satisfied by meeting state mandated testing requirements.

(e) NSBA opposes attempts by the federal and state government to expand the scope of information that it collects from school districts in a manner that is confusing, burdensome, and conflicts with the responsibilities of school districts and the rights of students unless the data collection is authorized by the statute.

4.2 Unfunded Mandates

NSBA opposes unfunded and/or underfunded mandates imposed by federal laws and regulations. To address this issue, NSBA endorses the Unfunded Mandates Reform Act of 1995 requiring Congressional budget office estimates of projected costs and the government's ability to fund the new legislation that mandates action by state and local government. NSBA further endorses provisions of the Act, which require a study of current mandates and their impact on state and local governments. NSBA urges Congress to modify the Unfunded Mandates Reform Act of 1995 so that it applies to the Elementary and Secondary Education Act, the Individuals with Disabilities Education Act and other relevant statutes.

4.3 Vouchers/Tuition Tax Credits

NSBA believes public tax dollars should only support public schools. NSBA opposes any efforts to subsidize tuition or expenses at elementary or secondary private schools, religious schools, or private home/correspondence schools with public tax dollars. Specifically, NSBA opposes vouchers, tax credits, and tax subsidies for use at non-public K-12 schools.

4.4 Intergovernmental Tax Policy

NSBA urges Congress to support federal tax legislation to strengthen state and local efforts to fund public education, and to reject proposals that would negatively affect those efforts.

Section 5—Federal Roles and Responsibilities

5.1 General Leadership and Support

The federal government, through the Department of Education, should support, promote, and advocate on behalf of public education at the national, state, and local levels. The Department of Education should:

- (a) be an advocate for American public education by providing a positive image of our education system;
- (b) provide leadership in seeking increased federal funding of public education;
- (c) be a clearinghouse to coordinate national education information;

- (d) appraise the educational environment and report findings to responsible agencies;
- (e) enter into educational research programs with qualified profit and non-profit organizations;
- (f) provide safeguards against federal control of curricula in American schools;
- (g) offer consultative services and technical assistance to the states and local school districts;
- (h) coordinate international educational activities in which the U.S. government is interested;
- (i) coordinate educational and related programs of all federal agencies;
- (j) publicize programs which have been evaluated and judged to have excellent outcomes;
- (k) provide sufficient time between the issuance of regulations and mandated compliance with regulations;
- (l) ensure consistent rulings from state to state on regulatory interpretations; and,
- (m) encourage and promote collaborative efforts among all levels of government and the nation's educational organizations and support groups.

5.2 Special Areas of Concern

(a) **Urban Communities.** Most urban communities are faced with large concentrations of social and economic challenges. The attendant social services needed to improve student academic achievement create an added financial burden on the local urban district. The solution may require direct funding from federal and state sources to improve student academic achievement and assist in recruitment and retention of high quality and effective teachers.

(b) **Rural Communities.** Rural, isolated, and small districts have special instructional delivery challenges that place an added burden on these local districts. The solution may require direct funding from federal and state sources to improve student academic achievement and assist in recruitment and retention of high quality and effective teachers.

(c) **Career and Technical Education.** It is critical that the federal government provide necessary support to ensure that all students have access to a high quality career and technical education with a strong academic component. Our nation needs to prepare and maintain a productive and skilled labor force, and our students need the necessary skills for employability. NSBA resolves that additional funding is needed to expose students to career & pathway opportunities through field trips which identify community services; hospitals, government /legislative proceedings, fire/emt divisions, libraries, post office, police stations, agricultural & produce markets, banks, restaurants & bakeries, automotive, marine, aviation sites etc.

(d) **Educational Technology.** NSBA urges states and the federal government to ensure adequate funding so that all students are provided equitable access to educational technology. Educational technology resources should include: (i) "E-rate" programs and other federal initiatives designed to advance the infusion of modern technology into teaching and learning; and (ii) initiatives designed to address teacher training in technology, software development, affordable hardware acquisition, and technology infrastructure.

(e) **Adult Education and Training.** NSBA supports programs that provide basic education and skills training for adults. Where such programs are a requirement in order to remain eligible for public assistance and employment, the federal government should fully fund all basic education skills training and student support services such as childcare and early childhood education.

(f) Special Education. NSBA supports efforts to ensure that increased federal funding for special education does not result in a reduction of state-level support for education.

(g) Access to Higher Education. NSBA supports efforts to address the increased cost of higher education and resulting student debt that impacts access to students and their ability to participate.

ARTICLE IV THE EDUCATIONAL PROGRAM

Local school boards should develop strategic educational plans and then establish procedures and board policies designed to implement and evaluate the effectiveness of all educational programs.

Section 1—Desired Learning Outcomes

1.1 Public Education

NSBA supports locally elected school boards in expanding public school programs to meet the needs of students in a rapidly changing world. Local school boards should be encouraged to implement innovative strategies and means of delivery within their publicly funded and publicly accountable school systems to better prepare students for the future.

1.2 Comprehensive Education of Children

NSBA recognizes the importance of the social, emotional, physical, and cognitive development of children and encourages local school boards to adopt policies, pass resolutions, to ensure a well-rounded curriculum is available to all students, and to support effective practices toward that end.

1.3 Access to Educational Opportunities

Public schools should provide equitable access and ensure that all students have the knowledge and skills to succeed as contributing members of a rapidly changing, global society, regardless of factors such as race, gender, gender identity, sexual orientation, ethnic background, English proficiency, immigration status, socioeconomic status, or disability.

1.4 Student Achievement in Reading

Reading is absolutely necessary to a child's success. NSBA believes it is essential for every child to learn to read at least at grade level and urges educators and policy makers to adopt balanced instructional approaches that are consistent with educational and child development research on effective teaching and reading, while affirming the authority of local school boards to make decisions regarding grade level retention.

1.5 Student Achievement

NSBA believes that all students should successfully complete a challenging K-12 curriculum in literacy, social studies, science, technology, arts, physical education, and mathematics.

1.6 Secondary Education

Every effort must be made to facilitate and encourage all students to complete at least a high school education program. Where there is a continuing or increasingly low graduation rate among some populations, including, but not limited to, African American, Hispanic, and Native American students, students with disabilities, and students living in poverty, school boards should adopt policies, programs, and practices and provide resources to address the needs of these students. Efforts must also be made to encourage and direct students who do not obtain a high school diploma to complete an alternative high school experience.

ARTICLE IV, SECTION 2 MAINTAINING A SAFE AND SUPPORTIVE SCHOOL CLIMATE

NSBA believes that students must have safe and supportive climates and learning environments that support their opportunities to learn and that are free of abuse, violence, bullying, weapons, and harmful substances including alcohol, tobacco, and other drugs. NSBA urges federal, state, and local governments, as well as parents, business, and the community, to cooperate fully with local school boards to eliminate violence, weapons, neglect, negative expectations, and harmful substances in schools and to ensure safe, crime-free schools. NSBA urges local school boards to incorporate into their policies and practices approaches that encourage and strengthen positive student attitudes in, and relationship to, school.

2.1 Safety and Health of Students, Employees, and Visitors

NSBA encourages local school boards to recognize that prevention, preparedness, mitigation, and emergency response and recovery plans are critical to protect the safety and health of students, employees, and all who visit school facilities. Such plans should be developed and maintained in coordination with appropriate local, state, and federal agencies including local public health, police, fire departments, transit authorities, or other agencies and first responders, and should address environmental, health, and safety risks; the need for immunizations; and potential security breaches. NSBA encourages state legislatures to enact legislation to allow school boards and administrators to discuss matters related to safety in executive session.

2.2 Collaboration with Law Enforcement and School Resource Officers

NSBA encourages school boards to foster collaboration and communication with law enforcement agencies. NSBA encourages school boards that place school resource officers in schools to create a culture of restorative justice practices and consider and evaluate the roles and responsibilities of such officers.

2.3 Air and Water Quality

NSBA urges local school boards to improve the learning environment including air and water quality in schools. NSBA supports voluntary state, municipal, and local school board partnerships that monitor and improve air and water quality affecting school grounds in order to ensure a healthy learning environment.

Water Stations

NSBA believes that access to safe, clean, reliable water and safe sanitation are baseline conditions for health, prosperity, and wellbeing. However, water access remains out of reach of some of the most vulnerable people in the United States, which includes communities of color, lower-income people in rural areas, and tribal communities, among others. Better water access would allow vulnerable communities to thrive, and many child nutrition programs can offer a reliable source of safe and appealing drinking water for students who come from these communities.

NSBA believes that as a matter of public health, consumption of plain water is a healthy substitute for the sugary drinks that harm children’s oral health and contribute to their risk of developing type 2 diabetes and other metabolic diseases; obesity; and cardiovascular diseases. Fluoridated tap water has been proven to protect against dental caries.

NSBA believes that water is essential to maintain, optimize, and improve health of students in school districts and encourages public schools to adopt policies and regulations that ensure that safe and appealing drinking water is available to all students without charge and that schools provide such drinking water by either providing water bottle stations or some other source of safe, potable drinking water.

2.4 Food Allergies

NSBA encourages local school boards to develop policies and crisis response plans which address food allergies.

2.5 Food, Blood, and Airborne Illness Prevention and Response

NSBA encourages local school boards to address in their policies and crisis response plans the prevention of, and response to, foodborne illness outbreaks and outbreaks of illnesses from airborne and bloodborne pathogens.

2.6 School Climate Assessment

NSBA recognizes the importance of a positive school climate in raising student achievement. To that end, NSBA urges school boards to assess the school climate and establish goals for its improvement.

2.7 Student Conduct and Due Process Policies

School boards should enact and implement written policies that set rigorous standards for student conduct to maintain an optimal learning environment. Written policies on student and parental rights and responsibilities should be established that are in accord with federal and state laws and establish due process procedures for the administration of these policies.

2.8 Student Discipline (Out of School)

NSBA urges local school boards to continue to analyze data with regard to student discipline. NSBA further urges school boards to 1) increase the use of other proven intervention and prevention strategies to maximize the opportunities for all students to have a safe and successful in-school experience; 2) consider out of school disciplinary practices as a last resort to address behavioral issues in schools to the extent school safety is not jeopardized; and 3) work toward reducing suspension and expulsion of students by using strategies such as restorative practices.

2.9 Elimination of Violence and Disruptive Behavior

NSBA supports state and local school board efforts to become more proactive in the elimination of violence and disruptive behavior at school, school-sponsored events, during school bus travel and while traveling to and from school. Such behavior, includes, but is not limited to, physical violence, “bullying” by any means, disrespect of fellow students and school personnel, and other forms of harassment.

2.10 Education Programs for Dangerous and Disruptive Students or Youth within the Juvenile Justice System

NSBA urges school boards to develop alternative education programs for dangerous and disruptive students or youth in the Juvenile Justice System, if within the local school board purview, and to seek broad financial support for such programs.

2.11 Character Development and Democratic Values Education in the Public Schools

NSBA believes that local school boards should establish policies to promote character education programs, the structure and content of which should be locally determined and consistent with family and community values. As a vital link between communities and their schools, school boards must help create an environment in which values that are central to a democratic society are practiced.

2.12 Harassment

NSBA believes that all public school districts should adopt and enforce policies stating that harassment for any reason, including but not limited to harassment on the basis of race, ethnicity, gender, actual or perceived sexual orientation, gender identity, disability, age, and religion against students or employees will not be tolerated and that appropriate disciplinary measures will be taken against offenders. Such policies should include an effective complaint mechanism. Districts should institute in-service programs to train all school personnel, including volunteers to recognize and prevent harassment against employees and students. Districts should investigate complaints, initiate education programs for students, and institute programs to eliminate harassment.

2.13 Use and Abuse of Alcohol, Steroids, and Other Drugs

NSBA urges school boards to enact policies to ensure that schools and school-related activities are free from alcohol, anabolic/androgenic steroids, substances that degrade physical and/or mental health, and all unauthorized or illegal drugs. NSBA also believes that the legalization of such drugs would interfere with our students’ school behavior, student learning, and the maximum achievement of learning, thus creating an obstacle in our efforts to educate. Therefore, NSBA opposes legalizing any illegal, addictive drug or substance.

2.14 Comprehensive Tobacco-Free School Policies

NSBA urges local school boards to enact and enforce Comprehensive Tobacco-Free School Policies that include:

(a) prohibition of the use of tobacco products, e-cigarettes, and other vaporizing devices by students, school staff, parents, and visitors on school property, in school vehicles, and at school-sponsored functions;

- (b) prohibition of advertising or products promoting tobacco, e-cigarettes, or other vaporizing devices on school property, in school vehicles, in school publications, and at school-sponsored functions;
- (c) provisions for informing students, school staff, families, visitors, and the community about the policy;
- (d) tobacco use impact and prevention education for students;
- (e) provision of information about or referrals to tobacco cessation programs for students and school staff; and,
- (f) subject to any state laws to the contrary, a stipulation that it shall not be a violation of this policy for an American Indian adult to utilize tobacco on school district property as a part of a traditional Indian cultural ceremony.

2.15 Media

NSBA opposes violence, pornography, and the promotion of alcohol, tobacco, and prescribed and non-prescribed illegally used drugs in the media. Furthermore, NSBA supports efforts to work with the media and advertising industries to de-glamorize the use of these substances.

2.16 Prioritizing Student Mental Health and Well-Being – Suicide Awareness and Prevention

NSBA encourages state educational agencies and local boards to promote suicide awareness and prevention. These efforts should include (1) the dissemination of information, translated into prevalent languages in each district, on suicide awareness and prevention to their students, families, and local communities; (2) providing contact information for local, state and federal support services for people in crisis; (3) encouraging school counselor training in suicide awareness and prevention, crisis intervention, and postvention.

2.17 Domestic Minor Trafficking and Exploitation

NSBA strongly urges Congress to recognize the increase in human trafficking by providing more funding and resources to encourage collaboration with organizations that work to prevent minor/student trafficking and exploitation. NSBA supports and advocates for evidence-based policy and services for survivors of minor trafficking and exploitation, protecting the human rights of trafficked student victims, and the non-criminalization of such students.

ARTICLE IV, SECTION 3 CURRICULUM, INSTRUCTION, AND ASSESSMENT

3.1 Local Control

NSBA believes that the primary responsibility for approving courses of study and instructional programs of public schools should remain with local school boards with public input. NSBA believes that academic standards enacted by state governments should not adversely affect local control of curriculum.

3.2 Supporting Increased Funding for Staffing Needs

NSBA supports the use of online, remote, or computer-based learning services to provide, supplement and enhance instruction to provide equitable access to educational opportunities. Local school boards are encouraged to develop policy that covers, at a minimum, the selection, implementation and periodic review of such programs of instruction.

3.3 High Academic Standards

NSBA supports high academic standards for all students, including Common Core standards, that are voluntarily adopted by states with local school board input, and free from federal direction, federal mandates, funding conditions or coercion. Local school boards are responsible for the implementation of any new academic standards which includes locally approved instruction and materials in a manner that reflects community needs. School boards are encouraged to offer rigorous course work at every school and to promote and to support at all grade levels the participation of all students, including under-served student populations, in such challenging course work. NSBA urges states to provide financial and technical support to enable school districts to innovate while implementing voluntarily adopted rigorous standards in an effective and timely manner.

3.4 Challenging and Appropriate Curriculum Materials

NSBA encourages local school boards to adopt policies that take into account research findings when making decisions on curriculum and instructional practice. Curricular offerings should consider students' diverse needs, abilities, and cultural and socioeconomic backgrounds. The effectiveness of the curriculum must be evaluated in terms of educational outcomes.

3.5 Controversial Issues

NSBA urges local school districts to present a balance of factual materials relating to any controversial issue. Appropriate policies for the evaluation, selection, use, and removal of instructional materials should be developed, including a process for handling complaints.

3.6 Closed Captioning of Educational Videos

NSBA urges local school districts, intermediate units, and others who provide education materials to specify a preference for videos that are closed captioned when purchasing such materials.

3.7 Local Community Programs

NSBA encourages school districts to participate in the planning and development of local community programs to ensure coordination and effective delivery of programs and services for children. NSBA urges local school boards to work collaboratively with other agencies to identify and develop resources to educate and provide social services to at-risk students and their families. In addition, NSBA supports efforts that are dedicated to enhancing the ways that public schools unite youth and adults in shaping healthy communities around the principles of service to others, sustainable environments, social justice, and civic duty.

3.8 Learning Time

NSBA urges local school boards to ensure an adequate amount of time for instruction and student learning by redesigning or lengthening the school schedule and seeking funding to support such actions.

3.9 Pre-K and Kindergarten

NSBA supports pre-K and full day kindergarten programs with academic standards to raise student achievement and urges the federal and state governments to provide the necessary resources.

3.10 Distance Learning and Online Courses

NSBA supports the authority of local school boards to determine credit for courses taken online through the creation of distance learning policies, guidelines, and teacher certification rules that allow maximum flexibility to schools to use technology for student instruction, training of educators and others, distance learning, and data transmission. NSBA supports local school board authority to establish online courses and schools.

3.11 Data Collection and Reporting

NSBA believes that data collection and reporting is valuable when it results in action that supports improved instruction and increased student achievement, and is consistent with student data privacy requirements.

3.12 Student Assessment

NSBA supports efforts to ensure that student performance is appropriately and accurately measured. Policies and procedures should be established to ensure that, over time, curriculum, instruction, state and local standards, and assessments remain aligned. No single assessment should be the basis for measuring the performance of a student, school or school district for the purpose of creating rewards or imposing sanctions. NSBA opposes all mandatory, automatic grade level retention. Any assessment system should use multiple, ongoing assessment measures for knowledge, skills, and abilities and provide instructionally relevant data, growth outcomes for all students, and timely results. The state and federal government should provide resources and technical assistance to districts to evaluate assessment data and allow greater use of data-driven decision making in the adjustment of curriculum and instructional practice.

3.13 Student Religious Activity

NSBA supports an individual student's constitutional right to engage in religious activity. However, in accordance with the U.S. Constitution, school officials, when acting in their official capacity, should not solicit, encourage, or discourage religious activity.

3.14 Fairness in Special Education

NSBA believes in fairness for students at every phase of special education. School boards should require through policy and on-going monitoring that assessments used to place children in educational settings are comprehensive, non-discriminatory, valid, reliable and appropriate as determined by the Individualized Educational Program (IEP)/Multidisciplinary Committee (MDC) Team and that such practices do not result in the misidentification and disproportionality of students by gender, race, or ethnicity. Further, NSBA believes that the Individuals with Disabilities Education

Act (IDEA) should be interpreted to promote collaboration between schools and families, allow for procedural flexibility, place reasonable limits on school districts' liability and obligations under the Act, and preserve district money and resources for the education of children rather than litigation costs. NSBA advocates for the federal government to fully fund IDEA.

3.15 College, Military, and Career Readiness

NSBA supports federal and state efforts to enhance secondary education that allow local decision-making in implementing programs to improve the academic achievement of students and help them to graduate from high school prepared to enter postsecondary education, the military, or the workforce. NSBA opposes the implementation of a federally mandated high school curriculum and/or a federally mandated graduation test for high school students.

3.16 21st Century Skills and Knowledge

NSBA encourages greater federal, state, and local support to adopt modern methods and new strategies to remain effective and relevant in the 21st century marked by innovation, knowledge, technology, and global competition. Such initiatives should promote more rigorous instruction in math, science, engineering, and foreign language.

3.17 Digital Learning and Technology Education

NSBA recognizes that students who have little or no exposure to technology will be at an educational and economic disadvantage in comparison to their more technologically literate peers. Furthermore, NSBA believes that effective use of digital learning and other technology tools throughout the curriculum is critical to provide all students with learning experiences relevant to a global, knowledge-based economy. Digital learning and other technology tools can help meet today's education challenges by strengthening student learning and making content, instruction, professional development, and assessments more accessible, effective, and flexible, to meet student and school district needs. School districts should consider digital learning as a part of a comprehensive technology strategy to achieve equity and excellence in education.

3.18 Fostering Digital Citizenship

NSBA believes that fostering digital citizenship and establishing a code of ethical behavior for student use of social media is necessary to promote responsible use of such forums. NSBA encourages local school boards to recognize dangers and potential harms inherently associated with student use of electronic devices for accessing social media and community networking websites and implement locally-appropriate programs to address such risks.

3.19 Arts Education

NSBA urges local school boards to establish and maintain comprehensive, multi-faceted arts and humanities education programs in their school districts as a means of:

- providing students with training and experiences in the aesthetic qualities of the world around them;
- allowing them to express themselves through the arts;
- developing in them an appreciation for the arts as an expressive record of mankind's development;

- expanding students' ability to demonstrate 21-century skills; and,
- encouraging cross-cultural understanding.

3.20 Civic Education

NSBA supports effective civic education programs and urges local school boards to:

- (a) provide opportunities for young people to participate meaningfully in the civic life of their communities; and,
- (b) identify service-learning opportunities that encourage and support the preparation of students for active civic participation.

3.21 English Language Acquisition

NSBA believes local school districts must have the authority and flexibility to develop, design, and implement a broad range of Limited English Proficient/English Language Learner (LEP/ELL) programs, including bilingual education, dual language programs, English immersion, and other research-based programs and instruction that respond to each child's educational needs while meeting high academic standards. Model programs should include:

- provisions for timely parent notification and opportunity to direct the placement of their children; and,
- effective communication regarding opportunities for LEP/ELL students and their families to participate.

3.22 International Language Instruction

NSBA encourages school policies and programs that promote K-12 opportunities for international language study to teach students about other cultures and countries so that they can be prepared to communicate and participate in a global society.

3.23 Physical Fitness and Healthy Eating

NSBA supports locally determined school policies and programs that promote lifelong physical activity and healthy eating habits as necessary strategies for improving student achievement and preventing health problems. NSBA believes that local school boards should:

- (a) provide adequate opportunities for students to participate in physical education classes and related activities;
- (b) provide adequate opportunities for students to learn about nutrition and practice healthy eating habits;
- (c) offer healthy food and beverage items at school, and limit the availability of low-nutrition foods, and consider the use of locally-grown, fresh products;
- (d) facilitate enrollment of all eligible students in federal free and reduced food service programs; and,
- (e) engage parents and community members in the process of reducing childhood obesity.

ARTICLE IV, SECTION 4 SPECIAL PROGRAMS

4.1 Counseling and Guidance

NSBA believes that every school district should consider having a comprehensive guidance and counseling program, kindergarten through grade 12, staffed by professionally trained counseling personnel.

4.2 Native American Language Instruction

NSBA urges Congress to support Native American language instruction for American Indian, Alaska native, native Hawaiian, and Pacific Islander students, while maintaining continued emphasis on English proficiency for all students.

4.3 Early Childhood Programs

NSBA supports proposals to develop universally available, high-quality early childhood education programs that offer community support to all families. Facilities and programs should be provided to serve the needs and talents of pre-K children.

4.4 Adult Programs

Facilities and programs should be provided to serve the needs and talents of adults when resources permit. NSBA supports proposals to develop high-quality, life-long learning programs that offer community support to all families.

4.5 Expanded Learning Opportunities

NSBA encourages local school districts to create results-focused partnerships with schools, families, community and faith-based organizations, businesses, higher education institutions, and local governments in the development of expanded learning opportunities. NSBA believes that before and after-school, as well as weekend and summer programs, particularly when they engage diverse community resources, are effective strategies for improving academic achievement, enhancing student wellness, reducing chronic absenteeism, preventing juvenile crime, and fostering 21st Century Skills while building and strengthening positive relationships between schools and communities.

ARTICLE IV, SECTION 5 THE PUBLIC SCHOOL—A COMMUNITY RESPONSIBILITY

5.1 Partnerships to Enhance Learning

NSBA believes school boards must lead through community engagement, particularly with parents and guardians of the students they serve. NSBA urges school boards to encourage and support partnerships between schools, communities, community organizations, families and local government that bring together critical resources and enhance strategies that help students master academic and life skills and develop civic responsibility, and address students' emotional, social and physical well-being at school and beyond.

NSBA believes that parents and guardians are essential partners in the education of their children, and a crucial component in local governance of public schools. Effective public school boards engage, consult, and respond to families' concerns in school policies, programs, and curriculum.

5.2 Regional Metropolitan Planning Organizations

NSBA believes that local school boards should be actively involved with regional planning organizations and regional planning authorities since such planning affects current and proposed needs and locations of schools including but not limited to the transportation required for students and personnel.

5.3 Community Service Learning

NSBA urges school boards to implement student–community involvement programs. NSBA advocates service–learning within the K-12 curriculum and encourages school boards to promote service–learning concepts through policy.

5.4 School Volunteers

School boards should adopt policies that establish the use of volunteers as a means of enriching the learning experiences of students and building school communities. These policies should help ensure that volunteers' skills and knowledge are targeted appropriately and are available to those students with the greatest need. Sufficient resources should also be provided to screen, train, and otherwise support the safe and effective use of school volunteers.

5.5 Mentoring Students

NSBA supports the increased involvement of responsible adults in the community as positive role models and mentors for children.

5.6 Coordinated School Health Programs

NSBA encourages local school boards to recognize that health and learning are integrally linked and that schools are a critical link in community-wide efforts to promote life-long health and prevent health-risk behaviors. NSBA also encourages school boards to collaborate with community partners to maximize resources for achieving a coordinated school health program.

5.7 Education as a Financial Priority

NSBA State Associations, school board members, and citizens must support public education as a matter of the highest priority notwithstanding social and economic crises. In order to improve public education and assure adequate support for public education, NSBA urges support for equitable tax reform that generates sufficient revenues for education. Public funds should not be used directly or indirectly through tax credits, vouchers, or a choice system to fund education at any elementary and/or secondary private, parochial, or home school.

5.8 Community Use of Public School Facilities

Wider use of public school facilities for community purposes should be encouraged. School boards must retain the authority to determine, regulate, and maintain such programs, but should establish policies that ensure that particular groups and institutions are not illegally excluded.

5.9 Teaching about Public Education

Students should learn about the public school system, its structure, and the services it offers as one of the important institutions of our society. Students should learn about school boards as a form of representative government.

5.10 Recruiting and Retaining Effective Teachers and Leaders for Low-Performing Schools that Serve Economically Disadvantaged Students

NSBA urges all educational leaders to support policies and practices that help low performing schools that serve economically disadvantaged students to recruit and retain effective teachers and leaders. This initiative must be collaborative and requires the long-term effort commitment of teachers, parents, community leaders, school board members, school administrators, and institutions preparing teachers and principals, as well as the organizations representing these essential partners.

ARTICLE V

RELATIONSHIPS WITH ASSOCIATION MEMBERS AND SCHOOL BOARDS

NSBA commits itself to the principles of working with member state and territorial associations and with local school boards with an objective of strengthening the effectiveness of local boards through education, collective action, self-help, research, and dissemination of research and other information.

Section 1—Support of School Boards Associations

In order to continue improvement in school district governance and board member development, school board members should participate in professional development sponsored by national, state, and territorial associations. The cost of supporting school boards associations and attending meetings should be strongly encouraged and recognized as an essential district expense.

Section 2—Contact with Congress

NSBA recognizes that it is the right and duty of each individual Association Member and local school board to express to its representatives in the Congress of the United States the positions of NSBA and its own position, with regard to educational issues, even if the two positions are different. Association Members and local school districts should keep NSBA informed when they actively pursue a position that differs from the position of NSBA.

Section 3—Services to School Boards

NSBA recognizes that Association Members provide varying services to their local district school boards. NSBA further recognizes that the relationship between NSBA and its Association Members is characterized by cooperation and coordination. NSBA, therefore, is committed to fostering active cooperation with its Association Members by assisting them in improving the quality of services they provide to local boards and by developing joint programs that involve Association Members providing services to local boards.

ARTICLE VI

RELATIONSHIPS WITH OTHER GROUPS

Section 1—School Boards Bear Ultimate Responsibility for Public Education

Local school boards should establish relationships with other groups knowledgeable in, and/or representative of, the interests served or involved with education. School boards should give primary consideration to the needs of children in public education as well as their obligation to the electorate in making educational determinations.

Section 2—Development of Public Policy on Education

NSBA supports the development of proactive strategies to present the school board perspective on national and federal issues. NSBA supports efforts to establish forums that will represent various interests and points of view, and thus contribute to the development of sound public policy on education. The findings and suggestions created in these forums should be transmitted to the President, Congress, appropriate federal and state agencies, state legislatures, Federation Members, school boards, and the general public.

Section 3—Other Groups

3.1 Agency Collaboration

NSBA supports eliminating barriers that hinder the collaboration of agencies providing services to children.

3.2 Pre-Kindergarten-16 Seamless Education

NSBA supports pre-kindergarten-16 collaboration among the various sectors of education and with business, industry, and government to enhance teaching and learning opportunities so that all students are prepared to live in and contribute to a vibrant society.

3.3 Relationships with Governing Boards of Post-Secondary Institutions

NSBA encourages local school boards to work cooperatively with the governing boards of any post-secondary institutions that provide for the changing educational and employment needs of students.

3.4 Relationships with Groups

NSBA encourages local school boards to maintain full and active cooperation with all groups working for the improvement of student achievement in public education. NSBA shall provide leadership for the establishment and enhancement of collaborative relationships with the nation's other leading educational organizations, in order to advocate for public education as the foundation of our political, economic, social, and cultural systems.

3.5 Relationship with Other Organizations

NSBA will continue to build and explore relationships with national education and other organizations to further advance student academic achievement and equity and excellence in public education.

3.6 Veterans

NSBA supports state and national programs to recognize the achievement of American veterans. NSBA supports commemorative activities that recognize veterans, including opportunities to teach our children the importance of military service to our history.

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HISTORY OF NSBA BELIEFS

NSBA's Delegate Assembly originally adopted the NSBA Beliefs & Policies during their April 1973 meeting in Anaheim, California. In April 2003, the NSBA Delegate Assembly adopted a major reorganization and update of the Beliefs & Policies document and added the following policies: School Governance Takeovers, I:1.9; Implementation of Federal Laws, II:1.5; Unfunded Mandates, III:4.2; Student Prayer, IV:3.9; and, Fairness in Special Education, IV:3.10.

Amended Article I, Section 1.3. Added Article I, Section 1.10. Amended Article II, Section 3.3. and added Article IV, Section 4.9 on March 26, 2004, in Orlando, Florida.

Amended Article I, Section 1, Amended Article II, Section 2.3; Amended Article III, Section 3.2; Amended Article IV, Section 1.1; Amended Article IV, Sections 2 and 2.7; Added Article IV; Section 2.8; Added Article IV, Section 3.8; Renumbered Article IV, Section 3.9, 3.10, and 3.11. Amended Article IV, Sections 4.2 and 4.8; Added Article IV, Sections 4.10 and 4.11; Amended Article IV, Section 5.4; Added Article IV, Section 5.8 and amended Article VI, Sections 3.3, 3.4 and 3.6 on April 15, 2005, in San Diego, California.

Amended Article, I Section 1.9 and 1.10; Amended Article II, Section 2.6 and 2.7; Added Article II, Section 2.11; Amended Article II, Section 3.3; Added Article II, Section 3.5; Amended Article III, Section 1; Amended Article III, Section 2; Added Article III, Section 2.3; Amended Article III, Section 3.1; Amended Article IV, Section 1.3; Amended Article IV, Section 2; Added Article IV, Section 2.1 and 2.2; Renumbered Article IV, Sections 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, and 2.10; Added Article IV, Section 3.7; Renumbered Article IV, Sections 3.8, 3.9, 3.10, 3.11, and 3.12; Amended Article VI, Section 3.5 on April 7, 2006, in Chicago, Illinois.

Amended Article I, Section 1 Bullet 4; Amended Article I Section 1.9; Amended Article I, Section 2.5; Amended Article II, Section 2.6; Amended Article II, Section 3.1; Amended Article III, Section 1(c); Amended Article III, Section 2.3; Amended Article III, Section 3.2(a) and (b); Amended Article IV, Section 2.1; Added Article IV, Section 3.13; Added Article IV, Section 4.1, then renumbered Sections 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, 4.9, 4.10, 4.11, and 4.12 on April 13, 2007, in San Francisco, California.

Amended Article I, Section 1.6; Amended Article I, Section 2.4; Added Article II, Section 3.6; Added Article IV, Section 1.1, then renumbered Sections 1.2, 1.3, 1.4, 1.5, and amended Section 1.2; Amended Article IV, Section 2.5 and 2.7; Added Article IV, Section 2.8, then renumbered Sections 2.9, 2.10, 2.11, and added Section 2.12; Amended Article IV, Section 3.2 and 3.10; Added Article IV, Section 4.6, then renumbered Sections 4.7, 4.8, 4.9, 4.10, 4.11, 4.12, and 4.13; Added Article IV, Section 5.2, then renumbered Sections 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, and 5.9 on March 28, 2008, in Orlando, Florida.

Amended Beliefs & Policies opening paragraph; Amended Mission of the National School Boards Association paragraph; Amended Article I, Section 2.1; Amended Article II, Section 1.3; Amended Article II, Sections 2.1 and 2.6; Amended Article II, Section 3.1; Amended Article III, Section 1; Amended Article III, Section 3.1(d); Amended Article IV, Sections 1.3 and 1.5; Amended Article IV, Sections 3.11 and 3.12; Amended Article IV, Sections 4.5 and 4.11; Amended Article IV, Section 5.6; Amended Article V, (title); Amended Article V, Sections 1, 2, and 3. Changed term "Federation and

Federation Member” to “Association and State Association Member” throughout on April 3, 2009, in San Diego, California.

Amended Article II, Section 3.5, Amended Article III, Sections 1 and Section 2.2, then added new Sections 2 & 3 and renumbered former Sections 2, 2.1, 2.2, and 2.3 as Sections 4, 4.1, 4.2, and 4.3; Amended Article IV, Section 1.1; Amended Article II, Section 2.1, 2.4, 2.11, and deleted Section 2.12. Added to Article IV, Section 2, new Sections 2.2, 2.3, and 2.4 and renumbered Sections 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, 2.12, and 2.13; Added to Article IV, Section 3, Sections 3.14, 3.15, 3.16, 3.17, 3.18, and 3.19; Amended Article IV, Sections 4.7 and 4.10, then moved Sections 4.1, 4.3, 4.4, 4.5, 4.7, and 4.10 to Article IV, Section 3. Renumbered Article IV, Sections 4.2, 4.6, 4.8, 4.9, 4.11, and 4.12 as 4.1, 4.2, 4.3, 4.4, 4.5, 4.6, and 4.7; Added to Article IV, Section 5, new Section 5.2 and renumbered Sections 5.3, 5.4, 5.5, 5.6, 5.7, 5.8, 5.9, and 5.10; Added to Article VI, Section 3, as new Section 3.7 and renumbered former Section 3.7 to 3.8 on April 9, 2010, in Chicago, Illinois.

Amended Article I, Section 2.4; Added to Article II, Section 2, new Section 2.7 and renumbered Sections 2.8, 2.9, 2.10, 2.11, and 2.12; Amended Article II, 3.5; Amended Article III, Section 1(a); Amended Article IV, Section 2.7, Amended Article IV, Section 2.10, Added to Article IV, Section 3, new Section 3.17 and renumbered 3.18, 3.19, and 3.20; Amended Article IV, Section 4.5; Moved Article IV, Section 4.6 to Article IV, Section 3, and renumbered Article IV, Section 4.7 to 4.6.; Amended Article VI, Section 3.7 on April 8, 2011, in San Francisco, California.

Amended Article I, Section 1, Bullets 2 and 3; Amended Article I, Section 2.3; Amended Article II, Section 1.2; Amended Article IV, Section 3.7 and title; Amended Article IV, Section 3.15 and title on April 20, 2012, in Boston, Massachusetts.

Amended Article I, Section 2 by adding new Section 2.3, renumbered Sections 2.4, 2.5, 2.6, 2.7, and 2.8; Added to Article II Section 3, new Section 3.7; Added to Article III, Section 4, new Section 4.3 and renumbered Section 4.4; Amended Article IV Sections 2.3 and 2.11. Added to Article IV Section 2, new Section 2.3 and renumbered Sections 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, 2.12, 2.13, and 2.14; Amended Article IV, Sections 3.5, 3.8, 3.13 and title, 3.15, 3.18, and 3.20; Amended Article IV Sections 5.1 and title, and 5.10 on April 12, 2013, in San Diego, California.

Amended Article I, Section 1, Bullets 4, 5, and 7; Amended Article I Sections 1.9(c), 2.2(a), and 2.5; Amended Article II Sections 2.3, 2.8, 2.12; Added new section Article II, Section 2.1 then renumbered Sections 2.2, 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, 2.12, and 2.13; Amended Article III Section 2 (paragraph 1), Section 3(a), Section 4.1(e), Section 4.2; Amended Article IV Sections 1.3, 3.10, and 3.14; Amended Article VI, Section 3.7 on April 4, 2014, in New Orleans, Louisiana.

Amended Article 1, Section 1, Bullet 3; Amended Article II, Sections 1.2 and 3.7: Amended, Article III, Section 4.3; Added to Article IV, Section 1, new Section 1.1, amended Section 1.4 and section title, and renumbered Sections 1.2, 1.3, 1.4, 1.5, and 1.6; Amended Article IV, Section 2.1 and Section 2.7; Added new section Article IV, Section 3.2, then renumbered Sections 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, and 3.21; Amended Article IV, Section 5.1 and section title on March 20, 2015, in Nashville, Tennessee.

Amended Article II, Section 2.3; Amended Article 3, Section 3.6; Amended Article IV, Section 1.1 and section title, and Article IV, Section 1.6; Added to Article IV, Section 2, new Section 2.2, then

renumbered Sections 2.3, 2.4, 2.5, 2.6, 2.7, 2.8, 2.9, 2.10, 2.11, 2.12, 2.13, 2.14, and 2.15; Amended Article IV, Section 2.14; Amended Article IV, Section 3.11 and 3.14; Added to Article IV, Section 3, new Section 3.17, then renumbered Sections 3.18, 3.19, 3.20, 3.21, and 3.22. Deleted Article IV, Section 4.6; Amended Article IV, Section 5.7; Amended Article VI, Section, 3.4; Deleted Article VI, Sections 3.5 and 3.6, then renumbered new Sections 3.5 and 3.6; Amended Section 3.5 on April 8, 2016, in Boston, Massachusetts.

Amended Article II, Section 3.1, Article II, Section 3.7 and section title; Amended Article IV, Section 2.1, and Section 2.8; Amended Article IV, Section 3.13 on March 24, 2017, in Denver, Colorado.

Amended Article I, Section 2.5; Added to Article II, new Section 1.6; Amended Article II, Sections 2.11, 3.2, and added new section 3.8; Added to Article III, new Section 2.1; Amended Article IV, Sections 1.2, 1.3, 1.5, 1.6, 2.3 and section title, 2.8, 2.14, 2.15, and 3.18 on April 6, 2018, in San Antonio, Texas.

Amended Article II, Section 1.2; Amended Article II, Section 2.11; Amended Article III, Section 3.1; Amended Article III, Section 4 (c); Amended Article IV Section 2.1 on March 29, 2019, in Philadelphia, Pennsylvania.

Amended Article I, Section 1 Bullet 1; Amended Article I, Section 2.1; Amended Article II, Section 2.11, and added new Section 2.14; Amended Article III Section 5.2(g); Amended Article IV, Section 2.2 on August 14, 2020, at NSBA's Virtual Delegate Assembly Business Meeting.

Amended Publication Title on December 2, 2020, at NSBA's Virtual Delegate Assembly Second Business Session.

No amendments were offered at NSBA's Virtual Delegate Assembly Second Business Session on August 13, 2021.

Amended Article II, Section 3 adding 3.9; Amended Article IV, Section 2, 2.3 Air and Water Quality adding Water Stations; Amended Article IV, Section 5, 5.1 on April 1, 2022, in San Diego, California.

No amendments were offered at NSBA's Delegate Assembly Business Session on March 31, 2023, in Orlando, Florida.

Amended Mission of the National School Boards Association; Added to Article II, new Section 2.9; Amended Article III, Section 5.2; Added to Article IV, new Sections 2.16 and 2.17; Added to Article IV, new Section 3.2 then renumbered Sections 3.3, 3.4, 3.5, 3.6, 3.7, 3.8, 3.9, 3.10, 3.11, 3.12, 3.13, 3.14, 3.15, 3.16, 3.17, 3.18, 3.19, 3.20, 3.21, 3.22, 3.23 on April 5, 2024, in New Orleans, Louisiana.

To obtain a complete history of the amendments adopted by the NSBA Delegate Assembly, contact the NSBA Office of Legal Services and Governance.



CONSTITUTION & BYLAWS

OF THE NATIONAL SCHOOL BOARDS ASSOCIATION

(As amended April 5, 2024, by the 2024 NSBA Delegate Assembly, New Orleans, LA)

ARTICLE I—NAME

The name of the organization shall be the National School Boards Association, (the “Association”).

ARTICLE II—PURPOSES

NSBA’s purpose is to ensure every student has access to excellent and equitable public education governed by high performing school board leaders and supported by the community.

NSBA, a non-partisan association, leads through working with members, affiliates, and stakeholders to advocate for high quality public education and school board governance with the executive, legislative, and judicial branches.

ARTICLE III—MEMBERS

Section 1. Association Members

a) Association Members shall be state associations of school boards which have been approved for membership by the Delegate Assembly. State associations include associations of public school boards, the public board of education of those states which have only a single board of education, and the boards of the District of Columbia and of the territories of the United States. As hereinafter used in the Constitution and Bylaws, “school board” includes not only members of state associations, but also the public board of education of those states which have only a single board of education, and the boards of the District of Columbia and of the territories of the United States.

(b) Local school boards in those states where the state association is not a member in good standing of NSBA may access membership services through National Connection, CUBE, or another mechanism developed by the Board of Directors.

Section 2. Application for Membership

Applications for new or reinstated Association Membership shall be submitted to the Board of Directors in a form and accompanied by supporting documents as the Board of Directors may determine.

Section 3. Suspension

Any Association Member whose dues are not paid by October 1 in any given year shall be suspended and all privileges of membership suspended except as hereinafter provided. Members suspended for non-payment of dues may be reinstated by the Board of Directors at any time upon payment of the current year's dues. The Board of Directors shall adopt a policy defining the privileges of membership.

Section 4. Termination

An Association Membership may be terminated only upon the recommendation adopted by a two-thirds vote of the Board of Directors present at a Directors' meeting at which the reasons for termination are considered and when such recommendation is ratified by a majority of the Delegate Assembly present and voting.

ARTICLE IV DUES, FEES, AND CHARGES

Section 1. Annual Dues.

- (a) Association Members shall pay such annual dues as are approved by the Delegate Assembly.
- (b) The adoption of Association Members dues shall be by affirmative vote of a majority of the delegates present and voting at the Delegate Assembly.
- (c) Once adopted by the Delegate Assembly, the dues formula shall continue until such time as it may be changed by the Delegate Assembly.
- (d) The dues policies and procedure shall be defined in board policy.

ARTICLE V DELEGATE ASSEMBLY

Section 1. Purpose

The Delegate Assembly shall be the annual business meeting and policymaking of the Association.

Section 2. Power of the Delegate Assembly

The Delegate Assembly:

- (a) Shall elect the elective officers of the Association and the directors of the Board of Directors as herein provided.
- (b) Shall adopt rules of procedure for the conduct of meetings of the Delegate Assembly. The rules of procedure shall provide that the Beliefs and Resolutions committee make recommendations of "do adopt" or "do not adopt" proposals for Beliefs and Resolutions.
- (c) May request to hear reports of committees of the Association.

- (d) May adopt Beliefs and Resolutions pertinent to the purposes and objectives of the Association.
- (e) May adopt amendments to this Constitution and Bylaws as herein provided.
- (f) May delegate to the Board of Directors any of its powers except those of the election of elective officers and directors of the Board of Directors, the adoption of amendments to this Constitution and Bylaws, the termination of Association Memberships, and the adoption of Beliefs and Resolutions of the Association.

Section 3. Composition

- (a) The Delegate Assembly shall consist of voting delegates who shall be entitled to one vote each and delegates ex officio entitled to the right of expression but no vote.
- (b) Each delegate and alternate shall be a school board member or an officer of an Association Member and shall not be employed as staff by an Association Member.
- (c) Each State Association Member shall designate two voting delegates for a term of one year, and additional voting delegates to serve a term of one year on the basis of the following formula:

Full-Time Pupils Enrolled in Public Elementary and Secondary Day Schools in Districts in the Association Member’s State or Area	The Additional Voting Delegates:
Under 300,000	0
300,000 to 1,500,000	1
1,500,001 to 2,500,000	2
2,500,001 or more	3

- (d) If at least 10 percent of the aggregate number of persons in a state or area represented by an Association Member is of one or more national racial minority, the Association Member shall designate that at least one of any additional delegates for which that Association Member may qualify shall be a school board member of a national racial minority.
- (e) Each Association Member may designate for each voting delegate one alternate delegate who may serve in the absence of any voting delegate of such member, but who shall otherwise have no voice or vote.
- (f) Members of the Board of Directors who are not serving as voting delegates shall be delegates ex officio.
- (g) In the event a state is not represented by an Association Member, the Board of Directors of the Association may appoint one voting delegate from that state to serve for a period of one year.

Section 4. Certification of Delegates

The Executive Director of the Association (the “Executive Director”) shall notify State Association Members of the number of voting delegates to which they are entitled and the date before which certification of delegates must be made. State Association Members shall certify to the Executive Director

and the President of the Association (the “President”) the names of their voting delegates and alternates before the designated deadline for such certification.

Section 5. Meeting

(a) The Delegate Assembly shall hold at least one meeting annually by the conclusion of the annual conference.

(b) The Delegate Assembly may hold additional meetings on reasonable notice, upon call of the President or by majority of the Board of Directors at such places as the President or Board of Directors may designate. Any seven (7) or more Association Members, but not more than three (3) from any one Region, may petition for additional meetings of the Delegate Assembly. If two-thirds or more of the Association Members concur with the call for an additional meeting as set forth in the petition, the President shall schedule the meeting of the Delegate Assembly.

(c) The agenda for meetings of the Delegate Assembly shall be prepared by the Board of Directors or its designee.

(d) Copies of the agenda shall be distributed by the NSBA Executive Director to each voting delegate and alternate delegate with the Delegate Assembly Handbook at least 30 calendar days before the date of such meeting of the Delegate Assembly.

Section 6. Delegate Assembly Vote

(a) A voting delegate shall have the right to one vote on any issue before any meeting of the Delegate Assembly, if present in the meeting when the vote is taken, except for the election of regional directors of NSBA where Article VI Section 2 of the NSBA Constitution and Bylaws applies.

(b) A quorum shall consist of a simple majority of the full Delegate Assembly, provided that at least one-half of the Association Members are represented by one or more delegates. No delegate shall vote by proxy.

Section 7. Officers of the Delegate Assembly

The Officers of the Delegate Assembly shall be a President and a Secretary. The President and the Executive Director shall serve as the President and the Secretary respectively of the Delegate Assembly. The President may appoint such other officers as needed.

Section 8. Beliefs and Resolutions Committee

(a) The Beliefs and Resolutions Committee shall be composed of one member from each region elected by the Region, one member from each region from the Board of Directors appointed by the President, and one member at large from each region appointed by the President plus the chairs of the Council of Urban Boards of Education and the Black, Hispanic, and American Indian/Alaska Native Councils or their designees and a state association executive director of a state association member in good standing of NSBA. The President and NSBA Executive Director shall be non-voting ex-officio members of the committee.

(b) The President shall appoint the chair from among the members. The at-large category shall be used to further ensure that the committee reflects the racial, ethnic, and cultural diversity of school boards of America.

(c) The Beliefs and Resolutions Committee shall hold an annual meeting where the committee can be assured adequate staff support. During the annual meeting, the committee shall consider all proposed Beliefs and Resolutions submitted in accordance with the provisions of Article V Sections 9(a) and 10(a-c) of the NSBA Constitution and Bylaws; and may consider any other proposed resolutions that are received prior to its meeting or developed at the annual meeting.

(d) The President may designate subcommittees with jurisdiction over specific subject matter areas included in the policies and resolutions to meet during the course of the annual meeting and provide recommendations to the committee.

(e) The committee's written report shall be distributed to the members of the Delegate Assembly no later than 30 calendar days in advance of the first business session of the Delegate Assembly. The report shall include all proposals submitted in accordance with the provisions of Article V Sections 9(a) and 10(a-c) of the NSBA Constitution and Bylaws, the original rationale submitted by the State Association member, NSBA Board of Directors, governing bodies of the regions, or by delegates to the Delegate Assembly, and a statement of the Beliefs and Resolutions committee recommendation of either "do adopt" or "do not adopt" on the proposed resolution. The Beliefs and Resolutions committee shall not modify a proposal without consent of the submitting entity or prevent a proposal from being presented to the delegate assembly for consideration. Should a proposal be amended or rejected by the committee, the original proposer, together with the committee's recommendations, shall be submitted to the Delegate Assembly for action. A majority vote of delegates present and voting may cause a proposal to be considered by the delegate assembly despite a "do not adopt" recommendation. In its written report, the committee shall separate beliefs and resolutions according to those two categories of committee recommendations.

(f) In order that all beliefs and resolutions conform to the NSBA Beliefs and Resolution format, formatting changes may be made in proposed beliefs and resolutions if they do not change the intent of the original motion and the changes to the belief or resolution are approved by the submitting organization.

(g) No later than 30 calendar days prior to the meeting of the NSBA Delegate Assembly, the committee shall advise the originators of each policy or resolution about the committee's recommendation.

(h) The committee shall hold a hearing prior to the first consideration of the belief or resolutions by the Delegate Assembly for the purpose of hearing comments of originators of the belief or resolutions and of other interested persons regarding amendments, deletions, or additions to the committee's written report. Based upon that hearing, the committee may amend its report, and these amendments, in whole or in part, may be voted upon at any business session.

Section 9. Policy Development of Beliefs and Resolutions

(a) Proposed Beliefs and Resolutions or changes in the Beliefs and Resolutions of the Association shall be submitted by November 10 except that the committee may at a meeting develop its own recommended Beliefs and Resolutions. Proposed Beliefs and Resolutions may be submitted by State Association Members, by the NSBA Board of Directors, by governing bodies of the Regions, by delegates to the Delegate Assembly, by the NSBA Executive Director, or by the committee created to consider such proposals. Proposed Beliefs and Resolutions may also be submitted by Steering Committees of Councils.

(b) The committee created to consider Beliefs and Resolutions shall study all proposals received and shall prepare a report of its recommendations. Such report shall be distributed to the members of the Delegate Assembly no later than 30 calendar days in advance of the first business session of the Delegate Assembly. The committee may amend its report, and these amendments, in whole or in part, may be voted upon at any business session of the Delegate Assembly.

(c) Proposed Beliefs and changes in the Beliefs which are not submitted as provided for in this section shall not be considered by the Delegate Assembly unless two-thirds of the delegates present and voting elect to suspend these rules to consider such late proposals.

(d) The adoption of any new Belief or the adoption of any change in or addition to any existing Belief shall require a two-thirds vote of the delegates present and voting.

(e) The adoption of any Resolutions shall require a majority vote of the delegates present and voting.

Section 10. Constitution and Bylaws Committee

There shall be a Constitution and Bylaws Committee composed of one representative from each Region from the Board of Directors, one chair of an NSBA Council in good standing, and a state association executive director of a state association member in good standing of NSBA, who shall be a voting member of the committee, to be appointed by the President. The Constitution and Bylaws Committee shall perform the duties assigned in this Constitution and Bylaws for amending the Constitution and Bylaws in addition to reviewing the Constitution and Bylaws and making recommendations to the Delegate Assembly.

Section 11. Association Member Dues

(a) Proposals relating to dues must be submitted to the President by the Board of Directors, by governing bodies of the Regions, by a majority vote of the delegates to the Delegate Assembly, or over the signature of no fewer than five Association Members, no more than three of whom are from one Region. Proposals must be submitted in writing by registered mail, certified mail, or by electronic mail and postmarked or emailed, respectively, no later than December 20. Upon receipt of a dues proposal, the President shall appoint a special committee to consider dues.

(b) The dues committee shall study all proposals received and shall prepare a report of its recommendations. Such report shall be distributed to the members of the Delegate Assembly no later than 30 calendar days in advance of the first business session designated by the Board of Directors for voting on Association Member dues by the Delegate Assembly.

(c) The adoption of Association Member dues shall be by a simple majority of delegates present and voting at the Delegate Assembly.

(d) Once adopted by the Delegate Assembly, the dues formula shall continue until such time as it may be changed by the Delegate Assembly.

ARTICLE VI BOARD OF DIRECTORS

Section 1. Election and Duties

The Delegate Assembly shall elect the membership of the Board of Directors, which shall have supervision, control and direction of the affairs of the Association within the limits of and consistent with the Beliefs and Resolutions promulgated by the Delegate Assembly and this Constitution and Bylaws. Within these limits, the Board of Directors shall actively promote the purposes of the Association; shall adopt the Association's budget; shall have discretion in the disbursement of the Association's funds; shall adopt rules and regulations governing the conduct of all committees established in this Constitution and Bylaws or created by the Board of Directors; shall adopt such rules and regulations for the conduct of its business

as it shall deem advisable; shall hire and direct the NSBA Executive Director and may, in the execution of its powers, appoint such agents as it may consider necessary.

Section 2. Composition

The Board of Directors shall be composed of: the three elected officers; the immediate Past President; nine Directors, three from each Region elected by members of the Delegate Assembly from that Region; the chair of the NSBA Council of Urban Boards of Education, or if the chair cannot serve for the term on the board, the designee of that Council; the chair of the National Black Council of School Board Members, or if that chair cannot serve for the term on the board, the designee of that Council; the chair of the National Hispanic Council of School Board Members, or if that chair cannot serve for the term on the board, the designee of that Council; the chair of the National American Indian/Alaska Native Council of School Board Members, or if that chair cannot serve for the term on the board, the designee of that Council; and the chair of OSAED or designee, who shall be the executive director of a state association member in good standing of NSBA. The NSBA Executive Director shall be an ex officio member of the Board of Directors without voting rights. The Board of Directors may appoint other ex officio members of the Board without voting rights i.e., the Chair of the Council of School Attorneys. No director shall hold more than one seat.

Section 3. Membership Requirements

Each voting member of the Board of Directors, other than the representative of OSAED, at the time of election and/or at the time he/she takes office and thereafter subject to the requirements of Article VI, Section 7(c), herein, shall be a member of a school board belonging to an Association Member and shall not be employed as a staff member of any state association of school boards and/or NSBA. The OSAED representative shall be a state association executive director of a state association member in good standing of NSBA. No person with a direct or indirect pecuniary interest in a contract or business relationship with the association shall be eligible for nomination or election to, or service on, the board of directors. A board member, other than the representative of OSAED, who becomes employed as a staff member of any state association of school boards and/or NSBA shall immediately cease to serve as a member of the board of directors.

Section 4. Duration of Office

(a) Each Director, selected on the basis of three from each Region, shall be elected for a term of three years and shall serve until a successor has been elected. The term of each Director shall begin at the close of the Annual Meeting of the Association at which elected.

(b) The term of the Director who is chair of the NSBA Council of Urban Boards of Education, the chair of the National Black Council of School Board Members, the chair of the National Hispanic Council of School Board Members, and the chair of the National American Indian/Alaska Native Council of School Board Members shall be identical with that person's term as chair of the NSBA Council of Urban Boards of Education, chair of the National Black Council of School Board Members, chair of the National Hispanic Council of School Board Members, and chair of the National American Indian/Alaska Native Council of School Board Members.

(c) No director elected by the Delegate Assembly shall serve more than two consecutive full terms, except that a Region may extend or reduce a director's term by one year to maintain staggered terms within the Region. Any person holding a seat as Director through the person's position as chair of the Council of

Urban Boards of Education, chair of the National Black Council of School Board Members, chair of the National Hispanic Council of School Board Members, chair of the National American Indian/Alaska Native School Boards Members, or representative of OSAED shall in no event hold the seat for longer than two consecutive years, regardless of the length of the person's term(s) as chair of the NSBA Council of Urban Boards of Education, chair of the National Black Council of School Board Members, chair of the National Hispanic Council of School Board Members, chair of the National American Indian/Alaska Native Council of School Board Members, or representative of OSAED. However, a person filling an unexpired said chair's term may hold that respective seat on the NSBA Board until the end of the next Delegate Assembly meeting of NSBA in addition to his/her own two-year term.

Section 5. Meetings

(a) The Board of Directors shall hold at least two meetings annually at such time and place as determined by the President and Executive Director. Additional meetings of the Board of Directors may be called by the President or by the written request of a majority of the members of the Board of Directors, provided that a written notice is sent to each member of the Board of Directors 10 calendar days prior to the meeting.

(b) Where the President deems it urgent and necessary, the Board of Directors may hold a special meeting via conference call, or other electronic means, provided that all members of the Board are notified at least 72 hours prior to the meeting, stating the time of the meeting and the purpose of the special meeting.

(c) The Board of Directors and any other Board committee so authorized by a majority vote of the Board may meet in executive session to conduct business. The Board of Directors shall adopt a policy setting forth the conditions necessary for entering into executive session, requiring the taking of minutes of any executive session, and providing for the safeguarding of executive session records and discussions.

Section 6. Quorum and Voting

(a) A quorum shall consist of one-half of the full voting membership of the Board of Directors except for conference call meetings, wherein a quorum shall consist of two-thirds of the full voting membership of the Board.

(b) Unless otherwise specifically provided by this Constitution and Bylaws, a majority vote shall govern. No member shall vote by proxy.

(c) The President may request action by the Board of Directors between meetings of the Board of Directors by mail or electronic ballot. Action taken by such ballot by a majority of all voting members of the Board of Directors shall constitute a valid action and shall be reported at the next meeting of the Board of Directors.

Section 7. Vacancies

(a) A vacancy on the Board of Directors will exist if the director or the officer is deceased, physically incapacitated, unwilling to serve in that capacity, no longer a member of a school board belonging to a state association or employed as a staff member of any state association of school boards and/or NSBA or their state association member is no longer a member of NSBA.

(b) Vacancies on the Board of Directors held by the chair of the Council of Urban Boards of Education, chair of the National Black Council of School Board Members, chair of the National Hispanic Council of

School Board Members, or chair of the National American Indian/Alaska Native Council of School Board Members shall be filled with the bylaws of the particular council.

(c) Vacancies on the Board of Directors among the nine directorships elected by their respective regions shall be filled by appointment of the respective region's nominating committee as prescribed in the respective region bylaws. Such appointment shall be effective only through the unexpired term of that office. The members of the regional nominating committee may participate in any meeting by conference telephone call or by other electronic means, and such participation shall constitute presence in person at such meeting.

(d) If the Immediate Past President is declared vacant, the Board of Directors shall elect to the Executive Committee an additional member from the membership of the Board of Directors, and the President shall serve as ex officio chair of the Nominating Committee.

Section 8. Emergency Powers

Notwithstanding any provision in any governing document of NSBA, including the Constitution and Bylaws, or that of any of NSBA's councils, caucuses, regions or other constituent groups to the contrary, the Board of Directors may suspend, upon a vote of three-quarters of the Board of Directors of those members currently serving, governance provisions of the Constitution and Bylaws for a period not to exceed six months if emergency circumstances so require. Before any vote to suspend under this provision, the Board shall:

- (a) Determine whether emergency circumstances exist;
- (b) Notify state association members in writing explaining the basis for a finding that emergency circumstances exist, the governance provisions of the Constitution and Bylaws to be suspended, and the end date of such suspension, which shall not exceed six months from the date of the statement; and
- (c) Obtain the written consent of at least two-thirds of state association members in good standing.

Section 9. Removal

(a) Any member of the Board of Directors may be removed by a two-thirds vote of the Board of Directors for cause at any meeting provided reasonable notice has been given to the member.

(b) The Board shall adopt policy defining cause, and shall provide for reasonable notice and response for the member who is the subject of the removal action.

ARTICLE VII EXECUTIVE COMMITTEE

Section 1. Function

There shall be an Executive Committee which shall be responsible for administering the property, funds and business affairs of the Association. The Executive Committee shall have and exercise all powers and authority granted by the Board of Directors.

Section 2. Composition and Membership Requirements

The Executive Committee shall be composed of the Association's President, President-Elect, Secretary-Treasurer, Immediate Past President, representative of OSAED, and three additional members elected by the Board of Directors from its membership. The NSBA Executive Director shall be an ex officio member

without voting rights. Each voting member of the Executive Committee, as members of the Board of Directors, shall satisfy the membership requirements found in Article VI of the NSBA Constitution and Bylaws.

Section 3. Duration of Office

The term of each officer member of the Executive Committee shall be concurrent with the term of that office. The term of each additional member shall be from the date of election to the meeting of the Board of Directors immediately following the Annual Meeting of the Association.

Section 4. Responsibility

(a) The Executive Committee shall have the powers of the Board of Directors between meetings of the Board to the extent provided by resolution of the Board of Directors.

(b) The Executive Committee shall recommend to the Board of Directors the compensation of the NSBA Executive Director.

(c) The Executive Committee may, with approval of the Board of Directors receive by devise, bequest, donation, or otherwise real or personal property, or both, handhold the same absolutely or in trust, and invest, reinvest, and manage the same, and apply said property and the income arising therefrom to the purpose of the Association.

Section 5. Chair

The President shall serve as Chair of the Executive Committee.

Section 6. Meetings

The Executive Committee shall meet as needed on the call of the President or upon written request of any three members of the Executive Committee and with reasonable notice. At any meeting of the Executive Committee, four voting members shall constitute a quorum for the transaction of business. Action taken by the Executive Committee shall require a majority vote of four or more.

Section 7. Voting

The President may initiate conference calls of the Executive Committee between meetings of the Executive Committee.

(a) The members of the Executive Committee may participate in any meetings by conference call or by other electronic means, and such participation shall constitute presence in person at such meeting.

(b) The President may request action by the Executive Committee via audio or video conference call with a quorum present or electronic ballot. Action taken by electronic means by four members of the Executive Committee indicating agreement shall constitute a valid action and shall be reported at the next meeting of the Executive Committee.

Section 8. Reports

The Executive Committee shall make a report to the Board of Directors at each meeting of the Board of Directors with respect to the general state of the Association and actions taken by it in the interim period between Board meetings.

ARTICLE VIII – OFFICERS

Section 1. Titles

The elected officers of the Association shall be a President, a President-Elect, and Secretary-Treasurer. The Immediate Past President is an officer of the Association even though not elected to that post.

Section 2. Election, Qualifications, and Term of Office

(a) The elected officers of the Association shall be elected by the Delegate Assembly at the Annual Meeting of the Association for a term of one year. The term of the office of each elected officer shall begin at the close of the Annual Meeting of the Association at which the election took place, and the officer shall serve until a successor is elected. No elected officer shall serve for more than one full term in the same office.

(b) Each officer, at the time of election, and/or at the time he/she takes office and thereafter subject to the requirements of Article VIII, Section 4(a) herein, shall be a member of a school board belonging to a State Association Member, and must have served on either the NSBA Board of Directors or the board of a State Association Member.

(c) Notwithstanding any other provision herein, an officer who becomes employed as a staff member of any state association of school boards and/or NSBA shall immediately cease to serve as an officer.

Section 3. Removal

Any person holding an elected office of the Association may be removed for cause by a two-thirds vote of the Board of Directors present and voting, whenever in its judgment the best interests of the Association would be served thereby.

Section 4. Vacancies

(a) If there is a vacancy for any reason in the office of the President, the President-Elect shall succeed to the office immediately and shall have all the powers and perform all the duties of the office. The President-Elect shall serve a full term as President upon completing the remainder of the term caused by the vacancy.

(b) If there is a vacancy for any reason in any office which cannot be filled by these provisions for succession to office, the Board of Directors shall appoint from its own membership an officer pro tempore to perform the duties of the vacated office until the office is filled by an election by the Delegate Assembly at the Annual Meeting of the Association.

Section 5. President

It shall be the duty of the President to preside at all meetings of the Association and to perform all duties incident to the office of President and such other duties as may be prescribed from time to time by the Board of Directors.

Section 6. President-Elect

It shall be the duty of the President-Elect to perform the duties of the President in the absence of the President, or in the event of the President's inability or refusal to act. The President-Elect when thus acting shall have the powers of and be subject to all restrictions placed upon the President. The President-Elect shall perform such other duties as from time to time may be assigned by the President or the Board of Directors and automatically becomes President at the close of the next Annual Meeting of the Association.

Section 7. Secretary-Treasurer

The Secretary-Treasurer shall chair the Budget and Finance Committee and Audit Committee, and in general shall perform all duties incident to the office of Secretary-Treasurer, and such other duties as from time to time may be assigned by the President or by the Board of Directors.

ARTICLE IX NOMINATIONS AND ELECTIONS

Section 1. National Nominating Committee

(a) A National Nominating Committee for the nomination of officers of the Association shall be comprised as follows. Each of the Regions shall, according to regional bylaws, elect two qualified school board members and two alternates to serve on the National Nominating Committee for the following year. One member from each of the Regions shall be named by the President from a list composed of one nominee selected by each of the state associations from its membership.

(b) The President's slate of appointees shall attempt to assure that the total membership of the committee will reflect the racial, ethnic, and cultural diversity of school boards in America. In the event of all the state associations in any one Region shall fail by the fifteenth day of October following the Annual Meeting to recommend candidates for appointment to the National Nominating Committee, the President shall appoint a member for that Region.

(c) The Immediate Past President shall be the ex officio chair of the National Nominating Committee and shall vote in case of a tie. A quorum shall consist of a majority of voting members of the committee, at least one from each Region. The President shall be an ex officio member of the committee without the right of vote unless the President is ex officio chair.

(d) A member of the National Nominating Committee shall not hold national elective office in the Association at the time of election or appointment to the National Nominating Committee, nor shall a member of the National Nominating Committee be eligible to be a nominee as a member of the Board of Directors or nominee for any officer position. A member shall be ineligible upon election or appointment to the National Nominating Committee until completion of the annual meeting of the Delegate Assembly, unless the member submits a written resignation to the President postmarked no later than December 1. Each member or alternate of the National Nominating Committee shall be, at the time of election or appointment to the National Nominating Committee or election as an alternate, a member of a school board belonging to a State Association Member and shall not be employed as a staff member of any state association of school boards. Moreover, a member of the National Nominating Committee must be a local school board member belonging to a State Association Member at the time that person serves on the committee.

Section 2. Nominations and Elections

(a) Recommendations for nominees for NSBA officers must be submitted to the National Nominating Committee by registered mail, certified mail, or other method requiring registration and signature of receipt and postmarked, or if by electronic mail, received by NSBA no later than December 1. Recommendations may only be submitted by State Association Members or by official action of a Region.

(b) The National Nominating Committee shall meet at least 30 calendar days prior to the Delegate Assembly meeting at the Annual Meeting of the Association and shall nominate one or more nominees for offices to be filled and report the committee's nomination to the President and the Executive Director.

Section 3. Preparation of the Slate of Nominees

(a) The Executive Director shall transmit to the State Association Members and the delegates of the Delegate Assembly the slate of nominees for offices to be filled as presented by the National Nominating Committee, together with pertinent biographical information for each nominee at least 30 calendar days prior to the Delegate Assembly meeting at the Annual Meeting of the Association.

(b) In the event a nominee becomes unable to serve, the National Nominating Committee, at the call of its chair, shall select an alternate candidate and transmit to the Association Members and delegates of the Delegate Assembly its amended report as soon as feasible, but in no case later than a time immediately prior to the opening of the Delegate Assembly meeting at the Annual Meeting. The members of the National Nominating Committee may participate in any meeting by conference call or other electronic means, and such participation shall constitute presence in person at such meeting.

(c) Any seven State Association Members, not more than three of which are located in any one Region, shall have the privilege of nominating a candidate for each of the offices to be filled by preparing and disseminating to the President a written nomination, together with pertinent biographical information and a signed letter from each nominee confirming willingness to serve. This written nomination is not binding on delegates of the State Association and is not to be considered as instruction on how to vote. Such material shall be received by the President no later than 21 calendar days after the meeting of the annual National Nominating Committee. Nominations shall be deemed closed on that date.

Section 4. Regional Nominating Committees

(a) Each of the NSBA Regions shall have a Regional Nominating Committee according to regional bylaws. If a Region meets and conducts its nominating process at a time or location other than NSBA's designated annual event, actions of the Region must be taken and provided to NSBA no later than January 10 of each year. The Nominating Committee consists of one representative from each of the Association Members in the Region, selected by his/her State Association.

(b) Members of Regional Nominating Committees shall be, at the time of selection to the Regional Nominating Committee, a member of a school board belonging to a State Association Member and shall not be employed as a staff member of any State Association Member.

(c) A member of a Regional Nominating Committee shall not hold an elected office in NSBA at the time of selection and will not be eligible to be a nominee as a member of the Board of Directors or any officer position. The period of ineligibility shall begin upon the member's selection to serve on the Regional Nominating Committee and end upon the completion of the meeting of the Regional Nominating Committee, except that a member of the Regional Nominating Committee shall not be eligible to hold any

seat considered by the Regional Nominating Committee of which he/she was a member until after the Annual Meeting of the Delegate Assembly.

(d) The NSBA Immediate Past President will have general oversight of the regional process. The Immediate Past President and other NSBA Past Presidents as designated by him/her shall preside over each Regional Nominating Process. The Immediate Past President shall select from the available NSBA Past Presidents. The Immediate Past President and/or his/her designee will meet with each Regional Nominating Committee to assure that each committee is adequately trained and that there is consistency of operation among the Regional Nominating Committees. No director who is running for election to the position covered by the nomination process may serve as a designee of the Immediate Past President under this section.

(e) NSBA will prepare and distribute to all State Association Members necessary forms for recommending nominees for Regional Directors. Completed forms must be received by NSBA at least 30 calendar days prior to the Regional Nominating Committee Meeting.

(f) The deliberations portion of the Regional Nominating Committee meeting will be restricted to committee members and the Immediate Past President and/or his/her designees. The Immediate Past President and his/her designees shall provide oversight and guidance to the Regional Committees but shall not have the power to cast a tie-breaking vote. The Regional Nominating Committee shall select a candidate as the committee's nominee and report its decision to the Delegate Assembly at least 30 calendar days prior to the Delegate Assembly meeting. In the event of a tie, the Immediate Past President or designee will facilitate additional discussion by the Regional Nominating Committee in order to break the tie. If, after reasonable efforts, the Regional Nominating Committee is unable to reach a resolution, the matter will be referred to the region for action at the Delegate Assembly.

(g) Any State Association member shall have the privilege of nominating a candidate for Regional Director for their Region by forwarding to the President a written nomination, pertinent biographical information and a letter signed by the nominee confirming willingness to serve. Such information must be received no later than 21 calendar days after the meeting of the annual National Nominating Committee. Nominations shall be deemed closed on that date.

Section 5. Election Procedure

(a) Following the closing of nominations, a ballot shall be prepared listing the names of all nominees in contested elections, under the office for which they have been nominated both by the Nominating Committee and by written petition of State Association Members.

(b) No individual shall be a candidate for more than one office. An individual is a candidate for office when the individual formally submits his/her name for consideration for nomination or election.

(c) The Delegate Assembly shall elect the officers and directors of the Association at the Annual Meeting of the Association.

(d) If there shall be two candidates for an office, the person receiving the majority of votes shall be elected to such office. In the event there are three or more candidates for an office, and if a majority vote is not received by any candidate for such office, there shall be a run-off election between the two candidates receiving the largest number of votes. In the event of a tie vote between two candidates, the Delegate Assembly shall revote until one candidate is elected.

(e) Vote in this section shall mean votes cast.

ARTICLE X MEETINGS AND VOTING

Section 1. Annual Meeting of the Association

The Annual Meeting of the Association shall be the Delegate Assembly. Notice of said meeting shall be given to all Association Members not fewer than 30 calendar days prior to the date thereof.

Section 2. Special Meetings

Meetings other than the Annual Meeting of the Association may be held at such time and place as may be determined by the Board of Directors. Notice of such meetings shall be given to all Association Members not fewer than 30 calendar days prior to the date thereof.

Section 3. Voting

At any meeting of the Association, only voting delegates shall have the right to vote, which vote shall be cast in person only. Voting by proxy shall not be permitted.

Section 4. Parliamentary Guide

The latest published and released edition of Robert's Rules of Order shall be the official parliamentary guide for all business sessions when they are not in conflict with the NSBA Constitution and Bylaws or rules adopted by the Delegate Assembly and the Board of Directors.

Section 5. Exigent Circumstances

(a) Notwithstanding any provision in any governing document of NSBA or that of any of NSBA'S councils, caucuses, regions or other constituent groups to the contrary, meetings of the same may be held electronically if exigent circumstances so require.

(b) The Executive Committee of the Board shall determine whether exigent circumstances exist.

(c) The Executive Committee is authorized to waive any notice requirements associated with meeting rescheduling, provided that reasonable notice is provided to meeting participants.

ARTICLE XI—COMMITTEES

Section 1. Appointment

Except as provided elsewhere in this Constitution and Bylaws, the President shall appoint such standing or special committees as may be deemed advisable. The Executive Committee (Article VII), the Constitution and Bylaws Committee (Article V., Section 10), the National Nominating Committee (Article IX), the Beliefs and Resolutions Committee (Article V, Section 8), the Finance Committee (Article XI, Section 3), the Evaluation Committee (Article XI, Section 4), and the Board Policy Review Committee (Article XI, Section 5) are standing committees. All committees of the Board shall include a state association executive director of a state association member in good standing of NSBA, with voting rights.

Section 2. Audit Committee

(a) The Audit Committee shall be a standing committee composed of the four NSBA officers and three members of the Board of Directors and a state association executive director from a state association in good standing appointed annually by the NSBA President. Except for the Secretary-Treasurer, who shall serve as the Committee Chair, no members of the committee may also serve on the Finance Committee.

(b) The Audit Committee shall assist the NSBA Board of Directors in ensuring that appropriate accounting policies and internal controls are established and followed; and encourage and facilitate communication among and between the NSBA Board of Directors, NSBA management staff, and external auditors.

Section 3. Finance Committee

(a) The Finance Committee shall be a standing committee composed of the Association's Secretary-Treasurer as chair, one representative from each region, one chair of an NSBA Council in good standing, and a state association executive director of a state association member in good standing of NSBA, who shall be a voting member of the committee, appointed by the President from the Board of Directors.

(b) The purpose of the Finance Committee shall be to provide for the financial oversight of the Association.

(c) The duties and responsibilities of the Finance Committee shall be as set forth in board policy.

Section 4. Evaluation Committee

(a) The Evaluation Committee shall be a standing committee composed of one representative from each region, one chair of an NSBA Council in good standing, and a state association executive director of a state association member in good standing of NSBA, who shall be a voting member of the committee, to be appointed by the President from the Board of Directors.

(b) The purpose of the Evaluation Committee shall be to provide for the evaluation of the Executive Director and establish a process for the self-evaluation of the Board of Directors.

(c) The duties and responsibilities of the Evaluation Committee shall be as set forth in board policy.

Section 5. Board Policy Review Committee

(a) The Board Policy Review Committee shall be a standing committee composed of one representative from each region, one chair of an NSBA Council in good standing, a state association executive director of a state association member in good standing of NSBA, who shall be a voting member of the committee, and other members as appropriate, to be appointed by the President from the Board of Directors.

(b) The purpose of the Board Policy Review Committee shall be to review existing, and recommend new, board policies.

Section 7. Staff Liaison

The NSBA Executive Director shall assign staff personnel to act as a liaison and provide technical assistance to the chair of committee in the operation of their respective committees. The committee members will make final recommendations and decisions.

ARTICLE XII—EXECUTIVE DIRECTOR

Section 1. Employment

The Board of Directors shall hire an Executive Director of the Association.

Section 2. Duties

(a) The Executive Director shall manage, supervise and direct the operations of the Association. The Executive Director shall be an ex officio member of the Delegate Assembly, Board of Directors, and Executive Committee, without voting rights.

(b) The Executive Director is authorized to hire, supervise and discharge such personnel as deemed necessary for Association operations and goals.

ARTICLE XIII

FISCAL AND LEGAL PROCEDURES

Section 1. Fiscal and Dues Year

The fiscal and dues year of the Association shall be fixed by the Board of Directors.

Section 2. Annual Budget

The Executive Committee shall recommend a budget to the Board of Directors each fiscal year.

Section 3. Non-Compensation

No member of the Board of Directors acting in the capacity of an officer or director shall receive compensation for services rendered, except that officers may receive such stipends as the Board of Directors shall authorize. Travel expenses personally incurred by Board members in attending to the business of the Association shall be paid by the Association, in accordance with rules and procedures adopted by the Board.

Section 4. Contracts

Except as otherwise provided in this Constitution and Bylaws, the Executive Committee, with approval of the Board of Directors, may authorize any officer or officers, or agent or agents, to enter into contracts and to execute or draw any instruments on behalf of the Association.

Section 5. Loans

No loan shall be contracted on behalf of the Association, and no negotiable paper other than checks shall be issued in its name, unless and except as authorized by the Board of Directors.

Section 6. Deposits

(a) All funds of the Association shall be deposited to the credit of the Association in such depositories as the Board of Directors may select.

(b) All funds of the Association, except for investment accounts, shall be in depositories covered by the Federal Deposit Insurance Corporation.

Section 7. Checks, Drafts, Etc.

All bills, drafts, acceptances, checks, endorsements, or other evidence of indebtedness shall be signed by such officer or officers, or agent or agents of the Association as the Board of Directors may by resolution provide.

Section 8. Investments

Funds of the Association may be invested and reinvested in such manner and for such purposes as may be lawful and authorized by resolution of the Board of Directors.

Section 9. Disposition of Surplus Funds

Any surplus in excess of normal operating requirements, and in excess of a reasonable reserve to be determined by the Board of Directors, shall be used to further the purposes of the Association. Recommendations for specific allocations of such funds shall be made to the Board of Directors by the Executive Committee.

Section 10. Annual Financial Report

The Secretary-Treasurer shall provide an annual report to the Board of Directors and Association members.

Section 11. Incurring Indebtedness

No Association Member, Affiliate, committee, committee member, Regional Governing Body, Council/Caucus Steering Committee, Officer, Director, or employee of the Association shall incur any indebtedness in the name of the Association or make any commitment involving the Association unless authorized to do so in writing by action of the Board of Directors.

Section 12. Surety Bond

NSBA shall provide bonding for the Secretary-Treasurer, NSBA Executive Director, other officials and fiscal agents of the Association as may be determined appropriate by the Board of Directors. The cost of such bonding shall be paid by the Association.

Section 13. Legal Counsel

The Board of Directors may appoint Legal Counsel to act as general legal consultant and to advise in the legal affairs of the Association.

Section 14. Audit

The Board of Directors shall appoint an independent certified public accountant to audit the financial records of the Association and submit an annual audit report to the Board of Directors and Delegate Assembly.

ARTICLE XIV
LIMITATIONS OF LIABILITY

Section 1. Limitation of Liability

Nothing herein shall constitute members of the Association as partners for any purpose. No member, officer, director, agent or employee of the Association shall be liable for the acts or failure to act on the part of any other member, officer, director, agent or employee of the Association, nor shall any member, officer, director, agent or employee be liable for his/her acts or failure to act under this Constitution and Bylaws excepting the act or omissions to act arising from his/her willful misfeasance.

Section 2. Indemnification

The Association shall indemnify and hold harmless each officer, director, agent, or employee from and against all claims and liability, whether the same are settled or proceed to judgment to which such person shall have become subject by reason of having acted in the capacity or capacities heretofore enumerated, or by reason of any action alleged to have been heretofore or hereafter taken or omitted in such capacity, and shall reimburse (to the extent not otherwise reimbursed) each such person for legal and other expenses, including the cost of settlement, reasonably incurred in connection with any such claim, liability, suit, action or proceeding; provided, however, that no such person shall be indemnified against or be reimbursed for any claims, liabilities, costs or expenses incurred in connection with any claims or liability or threat or prospect thereof based upon or arising out of personal willful misconduct, in the performance of duty. The rights accruing to any person under the provisions of this section shall not exclude any other right to which such person may be lawfully entitled nor shall anything herein contained restrict the right of the Association to indemnify or reimburse such person in any case, even though not specifically herein provided for.

ARTICLE XV—COUNCILS

Section 1. Formation of Councils

The Board of Directors may create Councils whose purpose is to study various areas of public school activities and operations. The objective of the Councils within their specific area of concern will be to gather information, to develop recommendations and to take appropriate steps to implement recommendations.

Section 2. Participation

The Board of Directors may determine who shall be eligible to participate in the activities of any Council that may be created.

Section 3. Executive Groups

Each Council shall have a representative governing body of those individuals or groups that are participating in the Council. This governing body shall elect a steering committee to serve as the executive body of the Council. The President or the President's designated representative shall be an ex officio member of each executive body. The Executive Director shall be an ex officio member without voting rights of each executive body.

Section 4. Rules and Policies

The executive body of each Council shall, through its chair, administer the business of the Council and be responsible for its programs, progress, activities, and shall establish rules, regulations and charges for the conduct of its meetings, provided that actions of the Council conform to the policies and rules established by the Board of Directors.

Section 5. Finances

(a) The Board of Directors may determine such fees and charges which may be required to operate and provide services for each Council and its participants through the Association's staff and facilities.

(b) Each Council may establish rules regarding the maintenance of a registration, admission or other charge therefore regarding the meetings and individual activities of the Council, provided that all such rules, charges and policies be in conformance with the policies and rules of the Board of Directors and that the amount of such charges shall be subject to approval of the Board of Directors.

(c) All funds relating to the operation and activity of each Council shall be administered through the general funds of the Association and shall be governed by the provisions for the fiscal policy of the Association as contained in this Constitution and Bylaws, and as may be determined by the Board of Directors and the Executive Committee.

Section 6. Meetings and Activities

Each Council may establish meetings and program activities, be in conformance with the policies and subject to the approval of the Board of Directors.

Section 7. Staff Liaison

The NSBA Executive Director shall assign staff personnel to act as a liaison and provide technical assistance in the operation of the Councils. Council members will make final recommendations and decisions.

Section 8. Dissolution

Any Council may be dissolved by action of the Board of Directors for good and sufficient reason.

ARTICLE XVI—REGIONS

Section 1. Purpose of Regions

Regions shall be established for the purpose of promoting and effecting greater participation in the affairs of the Association and the State Association Members. Regions are intended to improve communications and the understanding of NSBA programs and national or regional public education issues in order to strengthen state associations and assist school boards in achieving their goal to improve public education and carry out the purposes of the Association.

Section 2. Designation of Regions

There shall be up to three Regions that may be composed of the following states, District of Columbia, and the territories of the United States:

CENTRAL REGION: Alabama, Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, New Mexico, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming.

EASTERN REGION: Connecticut, Delaware, District of Columbia, Florida, Georgia, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Puerto Rico, Rhode Island, South Carolina, Vermont, Virginia, Virgin Islands, and West Virginia.

PACIFIC REGION: Alaska, Arizona, California, Guam, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington.

When a region has less than a quorum of the states designated above and a state's participation in a region is impracticable, a state may petition the board for affiliation with another region temporarily, as addressed by board policy.

Current regional directors will remain in their seats until their terms expire in accordance with the designation of regions, except that a region may extend or reduce a director's term by one year to maintain staggered terms. The NSBA Board will develop in board policy a transition plan to fill vacancies.

The Constitution & Bylaws Committee shall review the designation of regions yearly. Conforming language changes are authorized to the NSBA Constitution and Bylaws reflecting these provisions.

Section 3. Establishment of Regional Organizations

(a) Association Members located in the geographical area designated as a Region shall form a Regional Organization to carry out the functions and responsibilities of Regional Organizations under the Constitution and Bylaws of the Association.

(b) Regional Organizations are administrative units of the Association.

Section 4. Membership in Regional Organizations

All Association Members located in the geographical area designated as a Region shall form the constituency of the Regional Organization.

Section 5. Regional Governing Body

Each Regional Organization shall have a regional governing body which shall include a chair and other appropriate officers.

Section 6. Rules and Policies

The regional governing body of each Region shall, through the chair, administer the business of the Region, be responsible for its programs, progress, activities and shall establish bylaws, regulations, and charges for the conduct of its meetings, provided that actions of the regional governing body conform to the policies and rules established by the Board of Directors.

Section 7. Responsibilities of the Regional Organization and Regional Governing Body

Responsibilities of the Regional Organization and its governing body shall be to:

(a) Hold an annual meeting according to Regional bylaws, with additional meetings held at the discretion of the Region and in accordance with their bylaws.

(b) Submit names of nominees for officers and directors for consideration by the Nominating Committee.

(c) Submit Beliefs, Resolutions, and Amendments to the Constitution and Bylaws for consideration by the appropriate committee.

(d) Undertake such other programs that will strengthen the communications and information exchange of state and local activities in addition to other programs appropriate to the purposes of a Region, provided that such activities are not in conflict with the purposes of the Association and conform to the policies and rules established by the Board of Directors.

Section 8. Regional Bylaws

Each Regional Organization shall adopt suitable bylaws subject to approval of the Board of Directors.

Section 9. Finances

Each Regional Organization may establish rules regarding the payment of a registration, admission or other charge for meetings and activities of the Regional Organization, provided that all such bylaws, charges and policies be in conformance with the policies and bylaws of the Board of Directors and the amount of such charges be subject to the approval of the Board of Directors. Regional Directors, as regional representatives to NSBA, will have their attendance paid by NSBA at regional meetings. Should a region choose to have two meetings a year, each of the three regional NSBA Directors may attend both regional meetings.

Section 10. Regional Dues

Regional Organizations shall not charge dues for membership or issue memberships in a Regional Organization.

Section 11. Staff Liaison

The NSBA Executive Director shall assign staff personnel to act as a liaison and provide technical assistance in the operation of the Region.

ARTICLE XVII DISTRIBUTION OF ASSETS

The Association shall use its funds only to accomplish the purposes specified in the Constitution and Bylaws, and no part of such funds shall inure, or be distributed to, the members of the Association. On dissolution of the Association, any funds remaining shall be distributed to one or more regularly organized and qualified charitable, educational, scientific or philanthropic organizations to be selected by the Board of Directors.

ARTICLE XVIII—AMENDMENTS

Section 1. Originating Proposed Amendments

Proposals for amendments to the Constitution and Bylaws shall be submitted in writing to the Delegate Assembly through the Executive Director, and may be initiated by:

- (a) The Executive Committee, or
- (b) The Constitution and Bylaws Committee, or

- (c) Over the signature of:
 - (i) not fewer than 5 members of the Board of Directors, or
 - (ii) not fewer than 3 State Association Members of the Association.
- (d) A regional governing body based on a majority vote in its annual business session.

Section 2. Procedure for Consideration

Any and all proposals for amendments shall be submitted to the Constitution and Bylaws Committee for its consideration and its recommendation to the Delegate Assembly.

(a) If the Constitution and Bylaws Committee recommends modification of a proposal, the sponsoring group shall be so notified by said Committee outlining to them the proposed alterations. Should the sponsoring group find the proposals and alterations unacceptable, the original proposal, together with the Committee’s recommendations, shall be submitted to the Delegate Assembly for action.

(b) Proposals for amending the Constitution and Bylaws shall be submitted to the Constitution and Bylaws Committee by registered mail, certified mail, or other method requiring registration and signature of receipt or by electronic mail and postmarked or emailed, respectively, no later than November 10 prior to the meeting of the Delegate Assembly, except that the Committee may itself at its meeting recommend amendments.

Section 3. Action on Proposed Amendments

(a) The Delegate Assembly shall consider all proposals which meet the requirements for amendments to the Constitution and Bylaws.

(b) The written notice of the proposed change shall be sent to each delegate at least 30 calendar days prior to the meeting at which said amendment shall be considered.

Section 4. Voting on Proposals

The Constitution and Bylaws of the Association may be amended by a two-thirds vote of the Delegate Assembly present and voting.

ARTICLE XIX—MISCELLANEOUS

SECTION 1. SEAL

The Board of Directors shall provide a corporate seal in conformance with Illinois law.

Section 2. Office

The executive office of the Association shall be maintained at such address as the Board of Directors may determine. The Association shall maintain a registered office in the state of Illinois, and may have other offices within or without the state of Illinois as the Board of Directors may determine.

Section 3. Interpretation of Constitution and Bylaws

The Board of Directors shall be the final authority on the interpretation of the NSBA Constitution and Bylaws.

Section 4. Waiver of Notice

Whenever any notice whatsoever is required to be given under the provisions of the General Not-For-Profit Corporation Act of Illinois, or under the provisions of the Articles of Incorporation or the Constitution and Bylaws of the Association, a waiver thereof in writing signed by the person or persons entitled to such notice, whether before or after the time stated therein, shall be deemed equivalent to the giving of such notice.

Section 5. Previous Constitution and Bylaws Superseded

All provisions of the previous Constitution and Bylaws of the National School Boards Association are hereby replaced by the provisions hereof.

AMENDMENTS TO CONSTITUTION & BYLAWS

Constitution & Bylaws adopted by NSBA Delegate Assembly on April 14, 1970, in San Francisco, California.

No amendments were offered during the NSBA Delegate Assembly Meeting on April 2, 1971, in Philadelphia, Pennsylvania.

Amended Article III, Section 3 and Article IX, Sections 2 and 3, on April 18, 1972, in San Francisco, California.

Added Article V, Section 3(d), and Article VI, Section 7(c); and amended Article IX, Section 1(b), on April 10, 1973, in Anaheim, California.

Amended Article XVII, Section 2, on April 9, 1974, in Houston, Texas.

No amendments were offered during the NSBA Delegate Assembly Meeting on April 19, 21, & 22, 1975, in Miami Beach, Florida.

No amendments were offered during the NSBA Delegate Assembly Meeting on April 10, 12, & 13, 1976, in San Francisco, California.

Amended Article V, Sections 8(a) and 9(a), on March 28, 1977, in Houston, Texas.

Amended Article IV, Section 1(b); Article VIII, Section 3; Article IX, Sections 1(a) and (b); and Article XV, on April 1, 1978, in Anaheim, California.

Amended Article IX, Section 2 (on condition of passage of specified resolution by Board of Directors), on April 4, 1978, Anaheim, California.

Amended Article XV, Sections 8 (a) and 9(a), and added Section 10; Amended Article VI, Sections 1, 5, and 6(a); Article IX, Sections 1 (b) and 2 (a); and Article IX, Section 2(b) on April 24, 1979, in Miami Beach, Florida.

Amended Article III, Section 2, and added Section 7; Article V, Sections 8(a) and (b), Section 10(a); Article VI, Sections 3, 4(a) and (d), and Sections 7(a) and (b); Article VII, Section 3; Article VIII, Sections 2(a) and (b), Sections 6, 7, and 8; Article IX, Sections 1 (d), and 2 (a); Article XII, Sections 2(a) and (c), and Section 4; Article XIV, Sections 1 and 2; and Article XVI, Section 3, on April 19, 1980, in San Francisco, California.

Amended Article V, Sections 8 and 9; Article IX, Section 2, and added new Section 3(c); and redesignated 3(c) as 3(d), 3(d) as 3(e), 3(e) as 3(f), on April 13, 1981, in Dallas, Texas.

Amended Article V, Sections 3(c) and (d), and 5(a), added new Section 5(b), and redesignated Section 5(b) as 5(c), 5(c) as 5(d), 5(d) as 5(e); Amended Article VI, Section 2; and Article IX, Section 2(a), on April 19, 1982, in Atlanta, Georgia.

Amended Article VI, Section 2, and Article IX, Section 1(c) on April 25, 1983, in San Francisco, California.

No amendments were offered during the NSBA Delegate Assembly Meeting on March 30, 31, & April 2, 1984, in Houston, Texas.

Amended Article IV, Sections 1(b), (c), and (d); Article V, Sections 10(a) and (b); Article IX, Section 1(d). Changed term “Active Member” to Federation Member” throughout on April 1, 1985, in Anaheim, California.

Amended Article VI, Sections, 2, 4, and 7; Amended Article VII, Sections 1 and 6, and added Section 7 on April 5, 1986, in Las Vegas, Nevada.

Amended Article VIII, Sections 1, 2, and 4 on April 4, 1987, in San Francisco, California.

Amended Article IV, Section 1(d), Article V, Section 10(a) and Article VIII, Section 4(b) on March 28, 1988, in New Orleans, Louisiana.

Amended Article V, Sections 8 and 9; and Article XIX, Section 2 on March 31, 1989, in Anaheim, California.

No amendments were offered during the NSBA Delegate Assembly Meeting on April 21, 23, & 24, 1990, in New Orleans, Louisiana.

Amended Article VI, Sections 2 and 7(b); Article IX, Sections 2(a) and (b), and Section 3(d) on April 15, 1991, in San Francisco, California.

Amended Article XVII, Section 2 on April 24, 1992, in Orlando, Florida.

Made technical amendments to: Article V, Section 3; Article IX, Sections 2 and 3; and Article XIX, Section 2. Amended Article V, Section 6; Article VI, Sections 2, 4, and 7; Article IX, Sections 1, 2, and 3, added new Section 4, Regional Nominating Committees, and redesignated Section 4 to Section 5 on March 29, 1993, in Anaheim, California.

Guam was admitted as a Federation Member and placed in the Pacific Region. Added Article IV, Section 1(e), concerning late payment of Federation dues, on April 8, 1994, in New Orleans, Louisiana.

Amended Article III, Section 9(a); Article IV, Section 1(e); Article V, Section 6(a); Article VI, Section 2; Article VII, Section 2; Amended Article VIII, Section 1 and all sections related to position of vice president; Deleted Article VIII, Sections 4(b) and 7; Renumbered Article VIII, Section 8 as Section 7 and Section 9 as Section 8; Amended Article IX, Section 1 to designate a National Nominating Committee, and amended Article XIX, Section 1(c, iii), on April 3, 1995, in San Francisco, California.

Amended Article V, Section 3(b); Article VI, Sections 2, 4(b), 4(c), 7(a), and 7(b); Article VII, Section 2; Article VIII, Section 1; Deleted Article VIII, Section 8; Amended Article IX, Sections 2(b), 3(a), and 4(g); Deleted Article XII, Sections 2(c), and 2(d); Amended Article XIII, Sections 7, 9, 10, 11, 12, 13, 14; Deleted Article XIII, Section 8, and renumbered Article XIII, Sections 9, 10, 11, 12, 13, 14, 15, and 16 to Sections 8, 9, 10, 11, 12, 13, 14, and 15; and deleted Article XV, Section 3 on April 15, 1996, in Orlando, Florida.

Added Article XIX, Sections 1(d) and Section 2(c) on April 28, 1997, in Anaheim, California.

Amended Article II, Bullet 4 and Article IX, Section 2 on April 6, 1998, in New Orleans, Louisiana.

No amendments were offered during the NSBA Delegate Assembly Meeting on April 9 & 12, 1999, in San Francisco, California.

Amended Article IX, Section 4(b) on March 3, 2000, in Orlando, Florida.

No amendments were offered during the NSBA Delegate Assembly Meeting on March 23 & 26, 2001, in San Diego, California.

Amended Article V, Section 9(b) and Article IX, Section 2(b) on April 5, 2002, in New Orleans, Louisiana.

No amendments were offered during the NSBA Delegate Assembly meeting on April 4 & 7, 2003, in San Francisco, California.

Amended Article V Section 8(b); Amended Article IX, Section 5(a); and Article XI Section 2 on March 26, 2004, in Orlando, Florida.

Amended Article V, Section 10(a) and Article IX, Sections 3(d) and 4(h) on April 15, 2005, in San Diego, California.

Amended Article VI, Section 3 and Article IX, Sections 1(d) and 4(c) on April 7, 2006, in Chicago, Illinois.

Amended Article V, by adding new Section 8, and renumbered Sections 8, 9, and 10 to Sections 9, 10, and 11; Amended Article VI, Sections 2, 4, and 7; Amended Article VIII, Section 2(a); Amended Article IX, Sections 3(d), 4(h), 5(d) and 5(e); and Amended Article XI, Section 1 on April 13, 2007, in San Francisco, California.

Amended Article V, Sections 8(a), 9(a), and 10(a); Amended Article VI Section 4(a); Amended Article VIII Section 3 on March 28, 2008, in Orlando, Florida.

Amended Article IV Section 1(d); Amended Article V, Sections 5(c), 9(a), and 10(a); Amended Article VI, Section 5(b); Amended Article VIII, Article 7(a); Amended Article IX, Sections 1(b), 3(b), 3(c), 4(a), and (c); Deleted Article IX, Section 4(f), then redesignated Sections 4(g) and (4h) as Section 4(f) and (4g); Amended Article X, Sections 1(a) and 2; Amended Article XIII, Sections 4, 6, and 12; Amended Article XVII, Sections 3(a), 4(a), 5, and 7(c). Changed term "Federation and Federation Member" to "Association and State Association Member" throughout on April 3, 2009, in San Diego, California.

Amended Article XIX, Sections 2(b) and 2(c) on April 9, 2010, in Chicago, Illinois.

Amended Article IV, Sections 1(d) and (e); Amended Article V, Section 11(a); Amended Article VI, Sections 2, 7(a) and (b); Amended Article IX, Sections 1(a) and 2(a); Deleted Article IX, Section 3(c), then redesignated 3(d) as 3(c) on April 8, 2011, in San Francisco, California.

Amended Article VI, Section 6(c) on April 20, 2012, in Boston, Massachusetts.

Amended Article V, Sections 9(a) and 10(a); Amended Article VI, Section 3 and added new paragraph; Amended Article VI, Sections 7(c) and (d); Amended Article VII, Section 2 title and added new paragraph; Amended Article VIII, Section 2(b) and added new Section 2(c) on April 12, 2013, in San Diego, California.

Amended Article III title and deleted Sections 1, 2, 3, 4, 5, 6, 7 (conforming with the termination of the National Affiliate Program), amended Section 8 and deleted 8(b), Section 9 and deleted 9(b), Section 10 and deleted 10(b); then redesignated Section 8 to Section 2, Section 9 to Section 3, and Section 10 to Section 4; Amended Article IV, Sections 1(d) and 1(e), and Article IV Section 2(a); Amended Article V, Section 4, Article V, 5(b) and 5(d), Article V, Section 6(a), Article V, Section 8(c), 8(e), 8(f), and 8(g), Article V, Section 9(a) and 9(b); Article V, Section 10(a), 10(b), and 10(c), then added new Section 10(d); Amended Article V, Section 11(b); Amended Article VI, Section 3 and Section 5(a); Amended Article VII, Section 4(b), Section 6, and Section 7(a); Amended Article VIII, Section 2(b); Amended Article IX, Section 2(b), 3(a) and 3(b), Section 4(e) and 4(f); Amended Article X, Section 1(a), Section 2, and Section 4; Amended Article XI, Section 1, added new Sections 3 and Section 4; then redesignated former Section 4 to Section 5; Amended Article XIX, Section 2(b) and deleted 2(c); Amended Article XX, Section 3 on April 4, 2014, in New Orleans, Louisiana.

Amended Article V, Section 9(a); Amended Article VI, Section 2, Section 4(b), 4(c), and Section 7(b); Amended Article XI, Section 1, added new Section 5 and redesignated former Section 5 to Section 6 on March 20, 2015, in Nashville, Tennessee.

Amended Article IX, Section 4(a), (c), (d), (e), and (f); Amended Article X, by adding new Section 5; Amended Article XVII, Section 7, added new section 7(e), and Section 9 on April 8, 2016, in Boston, Massachusetts.

Amended Article IX, Section 4(a), (c), (d), and (f); Amended Article IX, Section 5(b); and Article XIII, Section 11 on March 24, 2017, in Denver, Colorado.

Amended Article V, Section 8(a); Amended Article VI, Section 2, Section 4 (b) and (c), and Section 7(a); Amended Article VIII, Section 2(b), Amended Article IX, Section 4 (d) and (f) on April 6, 2018, in San Antonio, Texas.

Amended Article VI, Section 2; Amended Article VIII, Section 6 on March 29, 2019, in Philadelphia, Pennsylvania.

Amended Article IV, Section 1(d), deleted (e) and (f); Deleted Article IV, Section 2(a) and (b); Amended Article V, Section 5(a), (b), (d), (f), and deleted (e); Amended Article V, Section 6(b); Amended Article V, Section 8 title, (a), (c), (f), and (h); Amended Article V Section 9 title, (a), (b), (c), (d); Deleted Article V, Section 10; Amended Article VI, Section 1 and Section 2; Amended Article VI, Section 7(a), (b), (c), and (d); Amended Article VII, Section 4(a), (b), and (c); Amended Article VII, Section 6; Amended Article VII, Section 7(b); Amended Article VIII, Section 2(b); Amended Article VIII, Section 7; Amended Article IX, Section 1(b), and (d); Amended Article IX Section 4(a); Amended Article X, Section 1 (a) and deleted (b); Amended Article XI, Section 1 and Section 6; Amended Article XII, Section 1, Section 2(a) and (b); Deleted Article XIII Section 2; Amended Article XIII, Section 3 and renumbered section as 2; Section, Section 5 as 4, Section 6 as 5, Section 7 as 6, Section 8 as 7, Section 9 as 8, Section 10 as 9, Section 11 as 10, Section 12 as 11, Section 13 as 12 with amendment, Section 14 as 13, and 15 as 14 with amendment; Deleted Article XV, Sections 1 and 2; Amended Article XVI, Section 7; Amended Article XVII, Section 5, Section 7(a), (b), (c), and deleted e, Section 8(a); and Section 11 on December 2, 2020, at NSBA's Virtual Delegate Assembly Second Business Session.

Amended Article II; Article V Section 2(b); Article V Section 6(b); Amended Article V Section 8 (a), (c), (e), (f), and (h); Amended Article V Section 9(a), (c), and (d); Amended Article IX, Section 4(a) on August 13, 2021, at NSBA’S Virtual Delegate Assembly Second Business Session.

Amended Article II No. 4; Article II Section 3; Article V Section 8(a) and (b); Article V Section 10 (moved Constitution & Bylaws Committee description from Article XI Section 2, with language changes); Article V Section 11 (renumbered from 10 to 11); Article VI Section 2; Article VI Section 3; Article VI Section 4(c); added Article VI Section 5(c); added Article VI Section 8; added Article VI Section 9; Article VII Section 2; Article VIII Section 3; Article IX Section 1; Article XI Section 1; Article XI Section 2 (moved to Article V Section 10); Added new Article XI Section 2 (Audit Committee); Article XI Section 3; Article XI Section 4; Article XI Section 5; Article XVI Section 2 on April 1, 2022, in San Diego, California.

Amended Article II; Amended Article III Section 1 adding (a) and (b); Amended Article V Section 5(a); deleting 5(e); Amended Article V Section 8(h); Amended Article XII Section 1; Amended Article XVI Section 2 redesignating Alabama, Arkansas, Colorado, Kansas, Louisiana, Mississippi, Montana, Nebraska, Oklahoma, South Dakota, Tennessee, Texas, and Wyoming to the Central Region; renamed Northeast to Eastern and redesignated Florida, Georgia, North Carolina, South Carolina, Virginia, and West Virginia to the Eastern Region; deleted Southern Region and Western Region state listings on March 31, 2023, in Orlando, Florida.

Amended Article III Section 2 and Section 3; Amended Article V Section 5(b) and Section 10; Amended Article VI Section 2, Section 4(c), and Section 7(c); Amended Article IX Section 1(c) and Section 4(a); Amended Article XVI Section 1, Section 2, Section 6, Section 7, and Section 9; Amended Article XVIII Section 3(a) on April 5, 2024, in New Orleans, Louisiana.

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(This index is provided for quick reference and is not an official part of the NSBA Constitution & Bylaws. Roman numeral (I, II, III, etc.) refers to Article, and Arabic numeral (1., 1.a, 2, etc.) refers to Section or Subsection.)

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Voting on Proposals, Amendments, XVIII:4

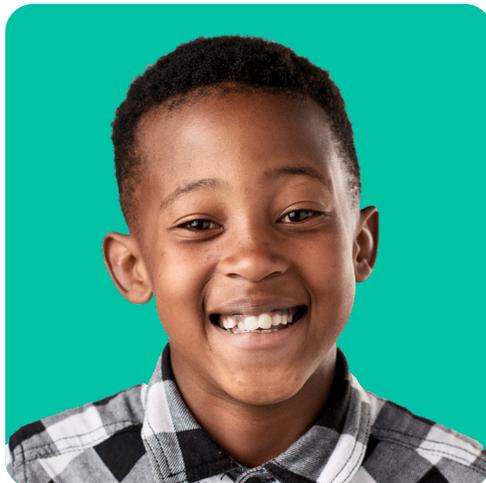
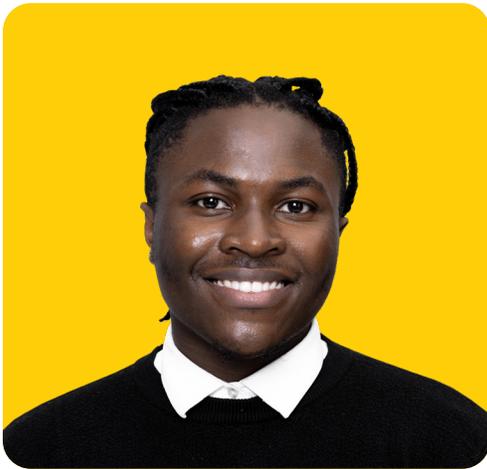
Waiver of Notice, XIX:4



2025 ANNUAL CONFERENCE
SEPTEMBER 11-13 | LOS ANGELES, CA

**SAVE THE
DATE**

Registration Opens April 4!
nsba.org/CUBE2025



The background of the entire page is a photograph of a scenic river, likely the San Antonio River Walk. On the left bank, there is a row of outdoor dining tables with large, colorful umbrellas in shades of orange, red, yellow, green, and blue. People are seated at these tables. The river flows through the center, with a small bridge visible in the distance. On the right bank, there are more trees and a set of stairs leading up to a building. A boat filled with people is moving down the river towards the viewer. The sky is a mix of blue and orange, suggesting a sunset or sunrise.

APRIL 10-12
nsba 2026
SAN ANTONIO

The Conference for Public Education Leaders

SAVE THE DATE

nsba APRIL 4-6
2025
ATLANTA
The Conference for Public Education Leaders



Indoor Air Quality Impacts:

Psychological Stress, Academic Performance,
Drop Out Rates, & Attention Deficit

IAQ Short-term, Chronic & Long-term Health Impacts

Respiratory effects

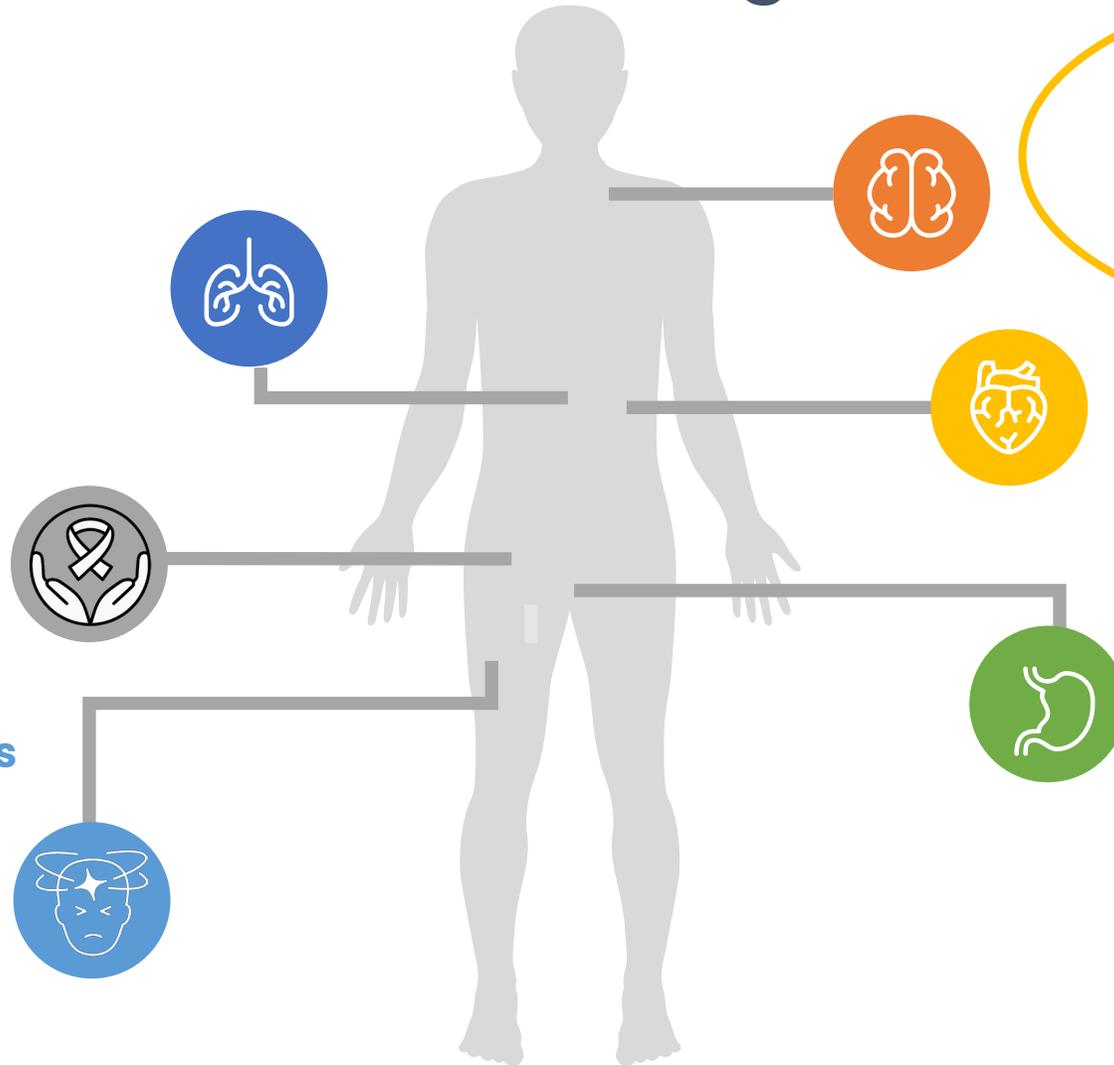
Coughing, Sneezing,
Allergies, Asthma

Cancers

Lung, Thyroid,
Mesothelioma,
Testicular, Breast &
Bladder

Neurodegenerative Diseases

Lead dust introduced to
the respiratory system
is linked to Alzheimer's
and Parkinson's



Psychological effects

Depression, anxiety,
memory disturbances,
fatigue, and lethargy

Cardiac effects

Elevated blood pressure,
increased cardiac
output, and increased
cardiac arrhythmias

Gastrointestinal effects

Acute diarrhea and other
gastrointestinal illnesses.
Such bio-contaminants
may act as potential
irritants and even toxins,
injuring organ systems.

IAQ Cognitive Impact

Academic Performance

Temperature, humidity, and ventilation rates have been linked to impacts on academic performance



Fatigue & Concentration Difficulties

Asthma, allergies, carbon dioxide, nitrous oxide, sulfur dioxide and particulate matter can cause fatigue and difficulty concentrating.



Attention Disorders

Airbourne lead ingestion, even at low levels, are linked to classroom deficit behavior observed by teachers, even after controlling for age, ethnicity, gender, and socioeconomic status.



Absenteeism & Drop Out Rates

Chronic absence due to asthma in early grades are less likely to be able to read at grade level by 3rd grade, and therefore, more likely to drop out of high school.





New Magna Awards Help School Districts Address IAQ

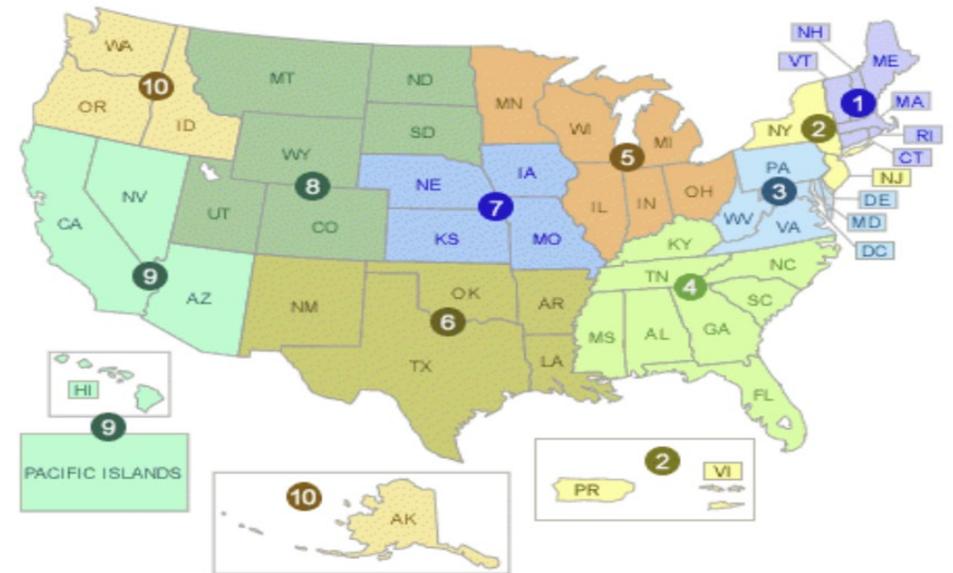


IAQ Management Plan	up to 100 points
Document GHG emissions for 12 months	up to 50 points
Attend In-person training at NSBA events	up to 100 points
Attend Monthly Webinars	up to 120 points
Complete Online Training Courses	up to 130 points
TOTAL POSSIBLE POINTS	500



\$50,000 Grants & Technical Assistance

- **Eligibility:** To be considered, school districts must serve a student population of 50% or more who qualify for free and reduced-price lunch or reside in a Tribal community.
- **Scope:** Each year ten (10) school districts will be chosen – one from each EPA region. Only school districts from the U.S. States and Territories may apply.



Grant Benefits

In-Person Technical Assistance & Training

- Receive program management support from Go Green Initiative staff.

Applications require your Superintendent's signature.

Funding

- Enact school board policy - **\$1,000**
- Complete baseline indoor air quality and greenhouse gas assessments - **\$10,000**
- Key school district personnel complete training - **\$5,000**
- Complete a plan to manage indoor air quality - **\$5,000**
- Enact indoor air quality management and greenhouse gas reduction plans - **\$10,000**
- Measure, quantify, and report - **\$5,000 yearly (3 times)**
- Portable IAQ pollution monitors – valued at **\$4,000**
- **Total: \$50,000**





Application Link

Due May 15





Use this QR Code to Earn a
Certificate of Completion for
2026 Magna Awards





nsba APRIL 4-6
2025
ATLANTA

The Conference for Public Education Leaders



Boards, superintendents, and the power of transformational leadership

Kristen Miles, Ed.D.
Oregon School Boards Association

David Williams, Ed.D.
Piper Sandler & Co.

April 2025

Who we are

And who is in
the room?



Theory of Action



School Boards

A Balanced Governance Approach

Effective and ineffective boards

Effective

- Shared values and belief that all students can learn
- Unified governance (board and sup)
- Data monitoring
- Community engagement
- Conditions for success
- Board bonding and bridging

Ineffective

- Micromanagement
- Personal agendas
- Disorderly meetings
- Refer to external pressures
- Less reliance on the superintendent
- Interpersonal conflict

Evidence-based standards of performance

Dr. Thomas Alsbury

Standard	Description
Vision-directed planning	Engage staff and community in development of a shared vision focused on student learning
Community engagement	Recognize that all members of the community are stakeholders. Support collaborative partnerships.
Effective leadership	Establish focus, direction, and expectations that foster student learning. Align authority and responsibility so decisions can be made at the most local level.
Accountability	High expectations for the learning of every student and holds the district accountable for reaching those results. Policy and resources align with the strategic vision and goals.

Evidence-based standards of performance

Standard	Description
Using data for continuous improvement	Use meaningful, quality data from multiple sources to set priorities and monitor improvement and progress.
Cultural responsiveness	Recognize cultural diversity in many facets: race, gender, geographic, sexual orientation, gender identification, socioeconomic, students with special needs. Reduce and eliminate barriers to access for all students. Apply diverse perspectives to policy and program approvals.
Culture and climate	Create a climate of expectations that all students can learn. Support policies and procedures that foster a positive and safe learning environment. Model professional and respectful relationships.
Learning organization	Ensure the district functions as a self-renewing professional community that supports reflection, discovery, improvement, and success at all levels. Encourage professional development and nurture leadership capabilities across the organization.

Evidence-based standards of performance

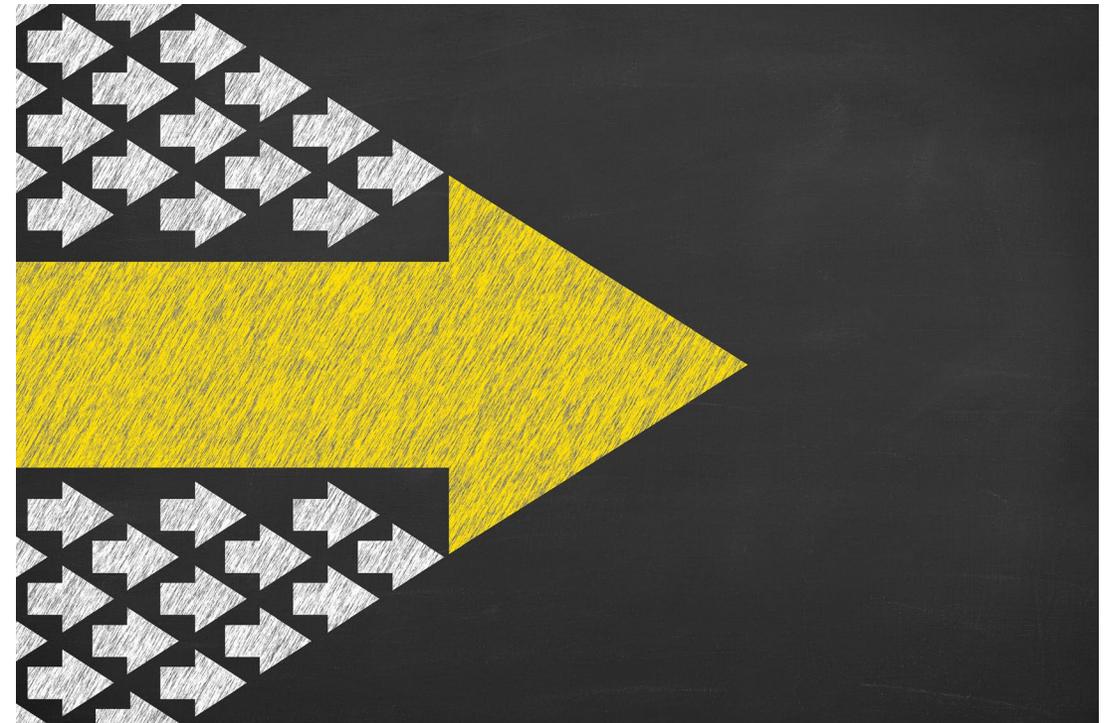
Standard	Description
Systems thinking	Practice an integrated view of education within and across systems and levels. Seek out collaborative local, state, and national partnerships, coordinated programs, and shared resource models to improve student experience.
Innovation and creativity	Encourage innovation and creativity as assets to development of positive change leading to new types of thinking.
Board member conduct, ethics, and relationship with the superintendent	Have a clear, mutual understanding of the respective roles and responsibilities of the board and superintendent.
Budgeting and financial accountability	Align the strategic goals of the district to budget priorities and ensure the district is fiscally sound. Allocate resources based on student needs, district policy, and strategic initiatives and priorities.



Superintendents as transformational leaders

What do we know about Transformational Leadership?

- Emphasizes collegiality among groups
- Creates trust among followers
- Positions leader as a role model and mentor
- Stresses innovation and visioning for the future
- Breaks from the status quo to solve problems



Components of Transformational Leadership

Transformational

- Idealized Influence (attributed & behavioral)
- Inspirational Motivation
- Intellectual Stimulation
- Individualized Consideration

Transactional

- Contingent Reward
- Management by Exception - Active
- Management by Exception - Passive

Laissez-Faire

- Non-Leadership

What do we know about transformational leadership in a school setting?

Positively impacts student achievement.

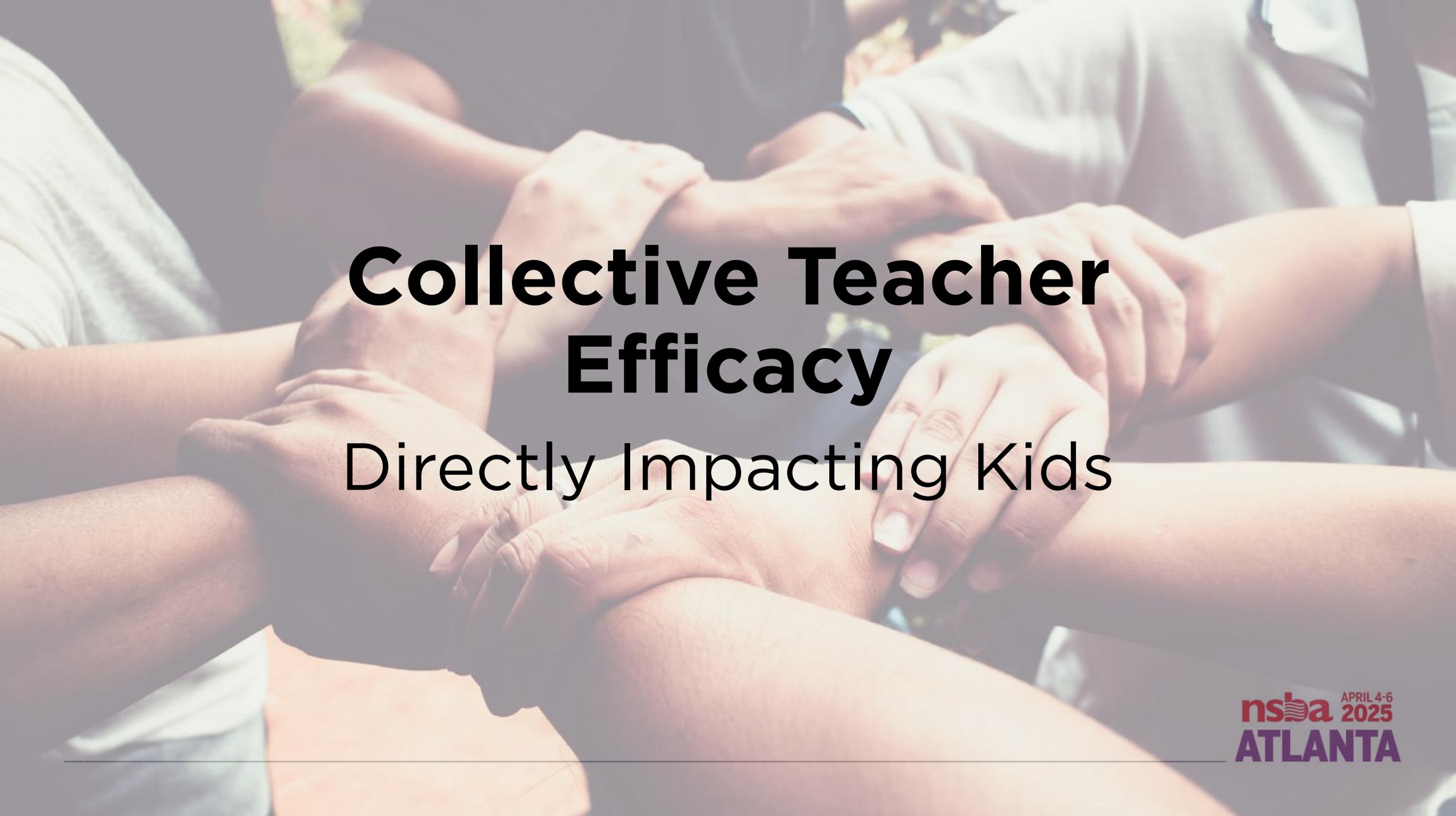
Positively impacts collective teacher efficacy.

Use by principals positively impacted teacher beliefs and practices.

Supports wide-ranging organizational change and employee satisfaction.

More effective at advancing equity, inclusion, and social justice in schools.

Improves overall system effectiveness in schools.



Collective Teacher Efficacy

Directly Impacting Kids

What is teacher collective efficacy?



- The degree to which the team of teachers in a school have a collective belief that they can be successful and can impact achievement.
- Bandura (1993), built the concept of collective efficacy as a group's reflection of the four traits of self efficacy:
 - performance accomplishments,
 - vicarious experience,
 - verbal persuasion, and
 - emotional arousal

Components of Collective Efficacy

Performance Accomplishments

- Mastery Experiences
- Success or failure in past task performance

Vicarious Experiences

- Observing performance accomplishment
- Learning from modeling

Emotional Arousal

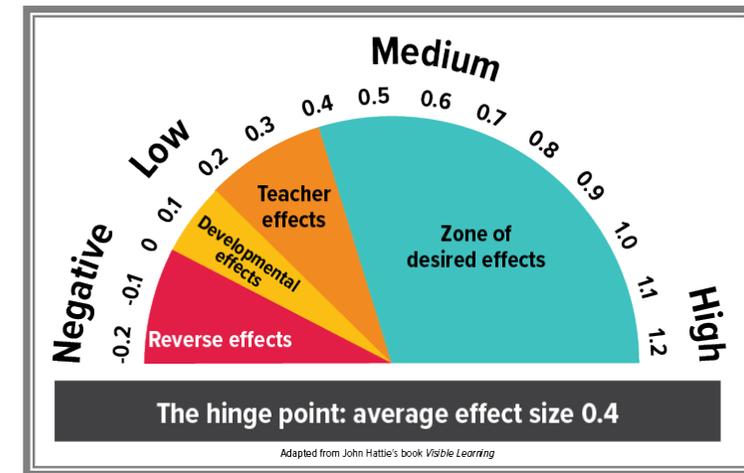
- Affective or physiological state
- Levels of stress or agitation

Verbal Persuasion

- Training, mentoring, coaching

Impacting student achievement

- Widely studied in 20th and 21st Centuries
- Furthered by accessibility of data and computer-aided statistical analysis
- Hattie's (2009) *Visible Learning* fundamentally changed the use of education research
 - Made education research useable for practitioners
 - Categorized practices by domains (student, teacher, home, school, curricula, classroom, student learning strategies, teaching strategies, and technology/out-of-school)
 - Practices are scored based on expected impact to student achievement
- Collective Teacher Efficacy showed an effect size of 1.36



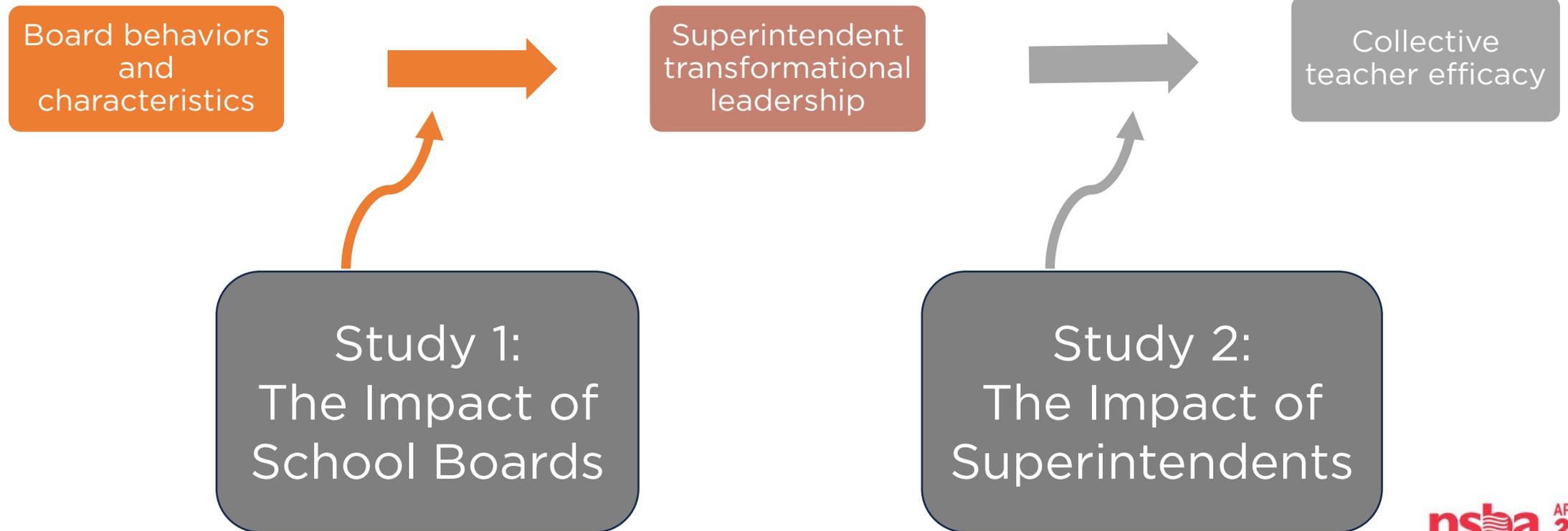
Theory of Action



The background of the image is a dense, overlapping collage of colorful sticky notes in shades of blue, green, pink, and yellow. Each sticky note features a large, dark grey question mark, creating a visual metaphor for inquiry and discovery.

Finding the Connections

Studying the Theory of Action



A little bit on methodology

- Multifactor Leadership Questionnaire administered to Oregon superintendents
- Balanced Governance Self-Assessment administered to Oregon school boards
- Teacher responses to Oregon Statewide Educator Survey (OSES) used to form CTE scale score
- Match boards with superintendents to analyze data from both assessments

What did we get back?

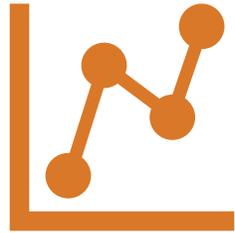
- **Boards:**
 - Partially completed (less than a quorum): 32
 - Completed (quorum or more): 28
 - Completed and matched with superintendent: 20
- **Matching Districts (OSES):** 34 overlapping districts, serving 187,991 students (34.0%)
- **Superintendents: 79**
 - 43.9% of all Superintendents, serving 402,799 students (72.9%)
 - 69.6% male, 29.1% female, 92.4% white
 - 4.8 years avg tenure

Findings

School boards



The Impact of School Boards



Overall behaviors and characteristics

All of Balanced Governance Self-Assessment was correlated with IM



Specific Board Leadership Behaviors

Standard 2
Standard 5
Standard 6

Somers' d correlation between Inspirational Motivation (IM) and Standards 2, 5, 6, and the entire instrument

Standard	IIA	IIB	IM	IS	IC
Standard 1	.217(.212)	-.165(.206)	.357(.028)*	-.043(.837)	.026(.889)
Standard 2	.282(.150)	-.094(.407)	.393(.006)*	.256(.245)	.009(.964)
Standard 3	.00(1.0)	.00(1.0)	.366(.045)*	.183(.476)	.183(.323)
Standard 4	.071(.709)	.071(.541)	.372(.027)*	.150(.467)	.168(.349)
Standard 5	.132(.475)	-.066(.298)	.364(.018)*	.058(.793)	-.058(.794)
Standard 6	.109(.592)	.152(.335)	.457(.022)*	.152(.524)	.065(.784)
Standard 7	.160(.442)	-.019(.711)	.245(.138)	.047(.851)	-.066(.723)
Standard 8	.198(.321)	-.117(.346)	.378(.012)*	.027(.900)	-.045(.819)
Standard 9	.036(.907)	-.024(.664)	.133(.477)	-.133(.651)	-.289(.125)
Standard 10	.096(.658)	.035(.749)	.263(.129)	-.044(.835)	-.114(.521)
Standard 11	.000(1.0)	-.137(.133)	.176(.384)	-.049(.825)	.049(.807)
Standard 12	.095(.631)	-.172(.114)	.190(.299)	-.017(.935)	-.138(.438)
Overall	.107(.596)	.019(.711)	.369(.023)*	.262(.282)	.058(.764)

Pearson's product moment correlation between Inspirational Motivation (IM) and Standards 2, 5, and 6.

Standard	IIA	IIB	IM	IS	IC
Standard 1	.164(.488)	.124(.602)	.426(.061)	-.015(.819)	.088(.711)
Standard 2	.265(.259)	.055(.818)	.458(.042)*	.212(.370)	.065(.784)
Standard 3	.028(.907)	.169(.475)	.382(.096)	.004(.987)	.150(.528)
Standard 4	.084(.726)	.276(.240)	.396(.084)	-.058(.808)	.165(.486)
Standard 5	.153(.520)	.345(.137)	.485(.030)*	.160(.500)	.221(.349)
Standard 6	.004(.986)	.194(.412)	.499(.025)*	-.074(.758)	-.059(.806)
Standard 7	.001(.998)	.028(.907)	.250(.287)	-.207(.382)	-.038(.874)
Standard 8	.109(.647)	-.018(.938)	.311(.181)	-.198(.403)	-.079(.741)
Standard 9	-.053(.823)	.019(.935)	.161(.499)	-.244(.300)	-.068(.775)
Standard 10	.041(.864)	.184(.436)	.268(.254)	-.155(.514)	.059(.804)
Standard 11	-.070(.770)	-.167(.482)	.107(.653)	-.297(.203)	-.168(.478)
Standard 12	-.078(.743)	-.015(.949)	.192(.418)	-.185(.436)	-.048(.840)

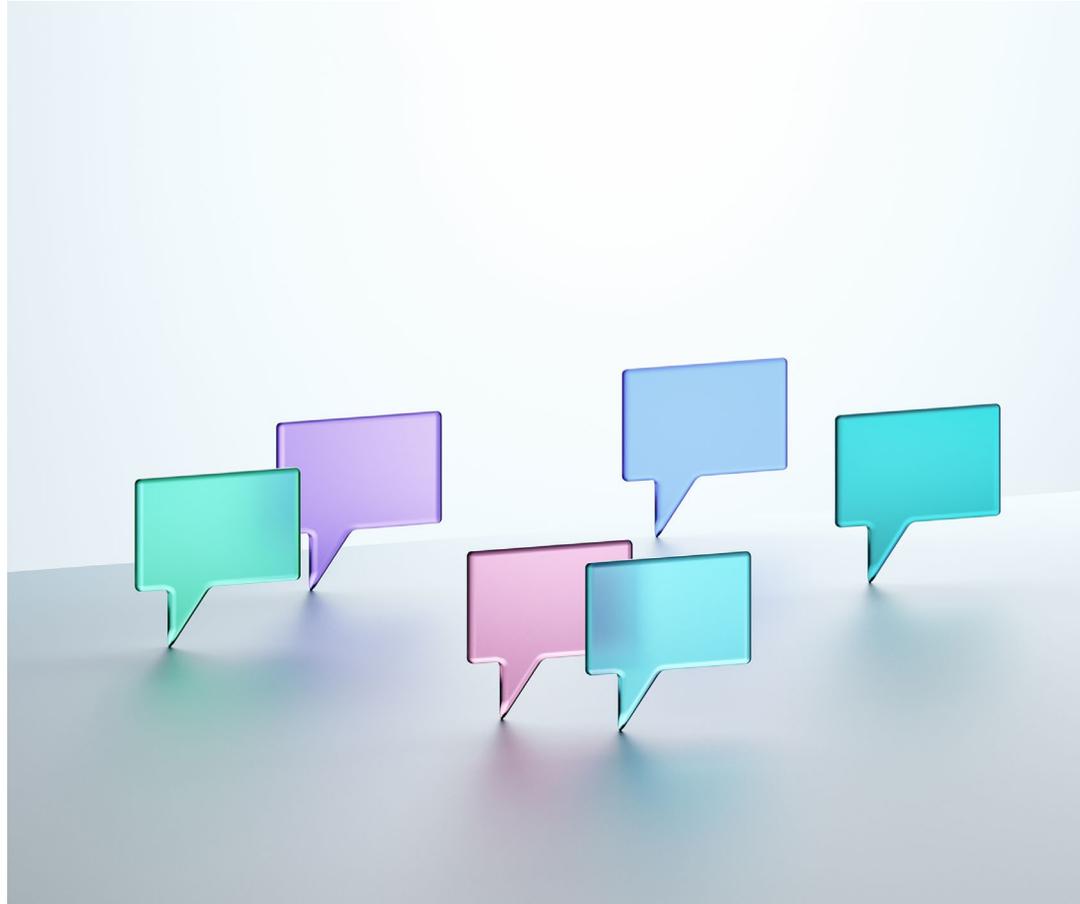
What is inspirational motivation?

- Communicate high expectations
- Inspire commitment to a shared vision
- Use symbols and emotional appeals
- Enhances team spirit and morale
- Motivates to achieve more than self-interest



Digging into the standards

BG Standard 2: Community Engagement



- Feedback loops across the community
- ALL members of the community are stakeholders
- Vision, goals, and strategic direction are developed with input from staff, families, students, broader community
- Advocacy through relationships with community leaders, legislators, local governments

BG Standard 5: Using Data for Continuous Improvement and Accountability

- High-quality data from multiple sources
- Using disaggregated data to identify needs across the system
- Using data to distinguish between current realities and desired outcomes
- Programs approved have data collection requirements and measurable results



BG Standard 6: Cultural Responsiveness



- Board outreach celebrates and recognizes cultural differences in values and communication
- Policy review includes scanning for cultural responsiveness and bias
- A climate of respect for students' cultures is established through policies and goals
- Board ensures that the superintendent holds all employees accountable for high standards and expectations for EACH student

	Inspirational Motivation	Standard 2 (Community Engagement)	Standard 5 (Using Data)	Standard 6 (Cultural Responsiveness)
High expectations	High expectations		High quality data from multiple sources	Accountability for high expectations
Shared vision	Commitment to a shared vision	Vision is developed with input	Using data to distinguish between reality and desires	
Identity and expression	Symbols and emotional appeals			Celebration of diversity and differences
Impact and influence	Motivate to achieve more than self interest	Advocacy through relationships	Measurable results	
Community and culture	Team spirit and morale	Feedback loops across the community		Climate of respect

Relationships: IM and BG Standards

Findings

Superintendents



The Impact of Superintendents



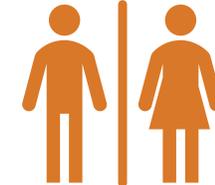
Transformational Leadership correlated with higher levels of CTE

Overall 5 I's of TL
Intellectual Stimulation
Individualized Consideration



Counter Indications

Management by Exception - Passive
Laissez Faire



Clear gender distinction in the use of transformational leadership

Idealized Influence - Behavioral
Inspirational Motivation
Intellectual Stimulation

Spearman's and Pearson's Correlations for Individual Components of Transformational Leadership and Collective Teacher Efficacy

	Spearman's Rank-Order		Pearson's Product-Moment	
	Corr. (r_s)	Sig. (p)	Corr. (r)	Sig. (p)
Five I's of Transformational	.365	.034	.393	.021
Idealized Influence-Attributed	.121	.494	.098	.580
Idealized Influence-Behavioral	.281	.107	.405*	.018
Inspirational Motivation	.176	.320	.221	.210
Intellectual Stimulation	.410*	.016	.432*	.011
Individualized Consideration	.443**	.009	.457**	.007

Spearman's and Pearson's Correlations for Individual Components of Transactional and Laissez-Faire Leadership and Collective Teacher Efficacy

	Spearman's Rank-Order		Pearson's Product-Moment	
	Corr. (r_s)	Sig. (p)	Corr. (r)	Sig. (p)
Contingent Reward	.277	.113	.286	.101
Management by Exception-Active	-.129	.468	-.085	.633
Management by Exception-Passive	.342*	.048	.245	.163
Laissez-Faire	-.345*	.046	-.201	.254

What is Intellectual Stimulation?

- Fosters innovation and creativity
- Creating the conditions for success
 - Evidence-based instructional climate
 - Culture of collaboration
 - Focus on impact versus tasks
- Iterative approach to success
 - Tolerates smaller failures
 - Goal of greater innovation

What is Individualized Consideration?

- Support the individual needs of followers
- Challenge of intermediating followers/variables
- Individualized needs of intermediate leaders fosters a culture of individualized consideration

What is MBE-P?

- Support the individual needs of followers
- Challenge of intermediating followers/variables
- Individualized needs of intermediate leaders fosters a culture of individualized consideration

Gender Distinctions in Transformational Leadership Behaviors Exhibited by Superintendents

	Male	Female	t-Test	
	Mean (SD)	Mean (SD)	M	P
5 I's of TL	3.23 (0.30)	3.46 (0.30)	-0.23**	.003
Transformational Leadership				
Idealized Influence-Attributed	2.99 (0.47)	3.21 (0.65)	-0.22	.094
Idealized Influence-Behavioral	3.47 (0.30)	3.65 (0.36)	-0.17*	.029
Inspirational Motivation	3.35 (0.38)	3.62 (0.37)	-0.27**	.005
Intellectual Stimulation	3.09 (0.43)	3.44 (0.38)	-0.35**	.001
Individualized Consideration	3.21 (0.43)	3.37 (0.46)	-0.16	.153

Conclusion



- Superintendent use of transformational leadership does positively impact collective teacher efficacy.
- Intellectual stimulation and individualized consideration are specifically impactful.
- Notable difference in use of transformational leadership by gender.
- Findings should lead to changes in licensure, hiring, and professional development for superintendents.



What's the connection?

Behavioral Implications for School Boards



Building an equity lens



Strategic planning and
prioritization



Use of data in monitoring



Community outreach and
feedback

Behavioral Implications for Superintendents



Focus on supporting the intellectual needs of followers.



Individualized consideration behavior in individual interactions.



Stay engaged and active in management of the institution.

Systemic Implications



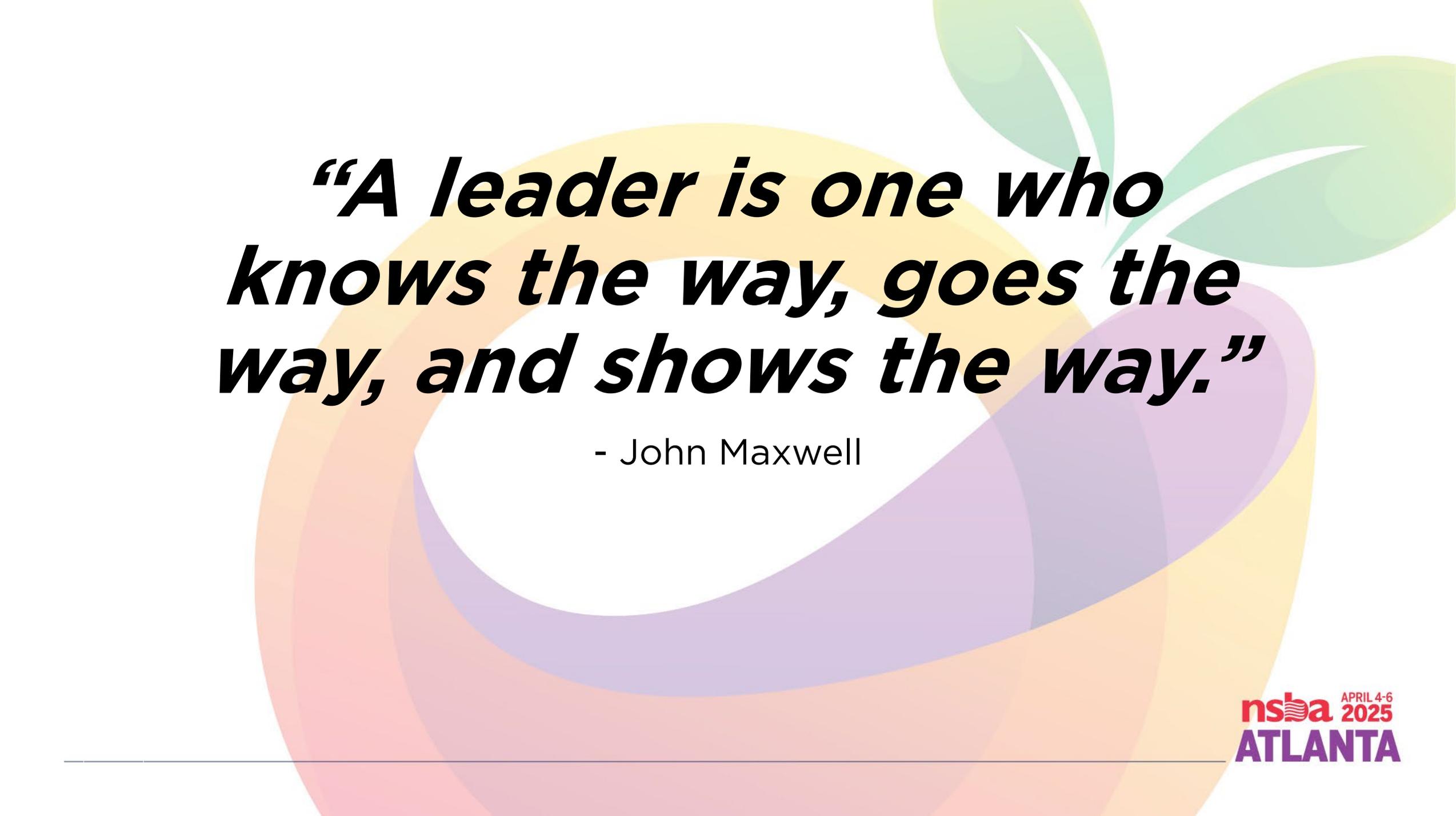
Professional development for boards and superintendents



School board hiring and evaluation priorities



Impacts on student achievement



***“A leader is one who
knows the way, goes the
way, and shows the way.”***

- John Maxwell

Questions and discussion

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971.242.9707

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VII. SUPERINTENDENT'S REPORT



Corvallis

SCHOOL DISTRICT

Superintendent's Report

Shared with the Corvallis School Board during the April 10, 2025 meeting.

2025 Golden Apple Award Winners

Before Spring Break, the Corvallis Public Schools Foundation and district staff recognized the [2025 Golden Apple winners](#). This year, we recognized:

Chris Thornburgh, Language Arts Teacher, Cheldelin Middle School

Chris is a phenomenal teacher, full stop. He builds strong, really positive relationships with all of his students. He sets very high expectations for his students and scaffolds when necessary to help all students grow.

I am always very impressed with how responsive he is to his students' current learning needs. Chris uses tons of really effective engagement strategies to keep his students interested and learning. He is very student-centered and forward-thinking.

Jen Kreta, Dean of Students, Lincoln Elementary School

Jen is one of the best educators that I have ever had the opportunity to work with. Jen cares so much about all students, but she especially puts a lot of energy into our most at-risk students and students who struggle to stay regulated at school. She always talks about students with respect and love. Jen has high expectations, AND she knows that offering extra scaffolding and supports for some of these students is critical.

Jen shares her appreciation for other teachers often, and she validates that our efforts are making a difference, even when it sometimes doesn't feel that way in the moment. It is amazing in a difficult job what a difference this makes. A little validation and caring goes such a long way.

Kristina Stone, Health and Leadership Teacher, Crescent Valley High School

Kristina is an excellent and dedicated teacher at Crescent Valley High School. She is known for her unwavering commitment to students—always showing up, lending a hand, and helping Crescent Valley be the best it can be.

She leads with care, consistently creating opportunities for students to grow as leaders and preparing them for bright futures beyond high school. Her impact is felt every day as she empowers students to take the lead, step outside their comfort zones, and believe in their potential.

Maria Ortiz, Educational Assistant, Lincoln Elementary School

Maria is an incredible human. She is a legend in our building, teaching Mexican traditional dances to our staff, students, and community. Maria has worked at our school for many years, supporting all ages and ability levels. Maria supports the whole student, knowing that caring for the heart is critical for kids being able to learn.

Maria is proud of her cultural heritage and roots. She is doing the daily work to support our Latino community of staff, students, and families to know and be proud of their culture. She makes us all feel loved, cared for, and special.

Elaine Markley, Distinguished Service Award

Elaine worked in education for 31 years at Cheldelin Middle School, right here in 509J. Her excellence was honored in many ways over those years, including a Golden Apple for the scope of her work in 2000, and twice being recognized at the Oregon Health Teacher's conference for her best practices.

After "retirement", Elaine stopped showing up at Cheldelin and started coming full time to CHS. JAV she called herself... "just a volunteer".... Elaine helped student-athletes better connect their pursuit of excellence on the field with their work in the classroom. Corvallis High School owes many a win to Elaine helping great kids figure out how to navigate schools and succeed in the classroom. Moreover, those kids would say they owe many of their wins in life to the work she did with them during their high school years. Starting with a personal touch, messages of belief and encouragement, lots of structure and accountability, and some food, flowers, or otherwise.

Mrs. Markley saw, tapped, and almost demanded the best in us. She consistently asked for and honored student voice. She knew us, cared for us, encouraged and challenged us. Her capacity to extend personal connection over time is truly one of a kind!

These educators will be featured on our district social media accounts in April to celebrate and recognize their contributions to our students and schools.

Osborn Aquatic Center

Last week, Senator Gelser Blouin requested \$5M in capital funding for Osborn Aquatic Center. These funds would significantly impact our ability to make the necessary repairs.

The district and city have chosen Scott Edwards Architecture to complete the facilities assessment. This assessment will determine the full extent of the repairs needed to bring Osborn back to structural and operational efficiency. We anticipate this report by the end of June.

Budget Survey

The district received over 440 questions related to our district budget. The questions ranged from topics related to federal and state funding to specific areas of instruction. We have summarized the questions and answers; that information is on the [Budget Updates section](#) of our district website.

The document will be updated weekly through June 12, 2025, and you can still submit questions to be answered at [Submit a Budget Question](#).

Exchange Student Visit to Corvallis High School from Tokyo, Japan

Last week, 24 students from Nichidai High School in Tokyo, Japan, joined Corvallis High School as exchange students. This program has been a tradition between CSD and Nichidai since the 1980s. Special appreciation goes out to Lauren Rigsby for coordinating the event. This year, we were able to host two students at my home. During the visit, students learned about school in the United States and saw some of the beauty Oregon has to offer. Students from CSD will visit Nichidai this summer.

2025 CSD Art pARTy

This month, the annual CSD art party will be held on April 24 from 5:00 to 6:30 at Corvallis High School. Thanks to the generous support of the Corvallis Public Schools Foundation, we are able to again host this district-wide art exhibit featuring art from our elementary, middle, and high school students. It is right before our first budget committee meeting, so I hope you can attend!

ODE Recent Update on Federal Actions

ODE is actively monitoring changes happening at the federal level, including the most recent Executive Order to close the U.S. Department of Education and the recent directive to comply with Title VI of the Civil Rights Act of 1964.

Rather than have individual school districts respond, the Oregon Department of Education replied today on behalf of the school districts across the state. As part of the response, Dr. Charlene Williams wrote, *“Oregon has implemented and continues to implement education programs in accordance with state and federal law. Oregon remains fiercely committed to its values of diversity, equity and inclusion, and we celebrate our differences and common humanity. Our moral and ethical obligation is to stand up for public education. We want to assure Oregonians that their children can learn and thrive in safe, welcoming, and supportive environments.”*

VIII. STUDENT REPRESENTATIVE REPORTS

IX. PUBLIC COMMENT (7:20 PM)*

NOTE: To indicate your desire to comment, please arrive several minutes before the meeting begins, and complete a request card; then, turn it in to the Board Secretary before the meeting begins. See the attached guidelines for providing input to the School Board.

Virtual option: Please contact kimberly.nelson@corvallis.k12.or.us by noon on the day of the Board Meeting to schedule public comment. Please include your name, address, the phone number you will call in from, and the topic of your public comment.



PROVIDING INPUT TO THE SCHOOL BOARD

(Revised 02-06-25)

The Corvallis School Board values the opinions and input of students, staff, parents, and community members. Comments may be provided during certain meetings, and via written correspondence, as outlined below.

Public Comment at School Board Meetings

This option is available when *Public Comment* is an item on the agenda. To offer comments:

- A. Complete all of the requested information on a “Comment Request” card, which can be found on a table near the entrance to the meeting room, and give it to the Board Secretary at the head table **before** the meeting begins. Your testimony may be delayed until all of the information is provided.
- B. When you provide public comment, your name, address, and comments are matters of public record; however, students and staff do not need to provide their addresses.
- C. Keep your comments within the specified time allotted, usually three minutes, to allow time for others to comment. Please be respectful of those who wish to provide comments after you.
- D. Direct your comments to the School Board. The Board Chair will refer questions or requests for action to staff for response at a later date.
- E. If you read from a prepared statement, you may choose to leave your written comments with the Board Secretary to post online with the informational packet of the meeting and to file with the official minutes of the meeting. Handouts are not required but should you wish to provide them, please bring 13 copies and give them to the Board Secretary to distribute.
- F. Speakers may offer objective criticism of District operations and programs but the Board will not hear complaints concerning individual District personnel.
 - Complaints shall be handled following the steps outlined in Board Policy KL and Administrative Regulation KL-AR, copies of which are available at meetings and online at <http://policy.osba.org/corvall/kl/index.asp>.
 - Complaints regarding budget, programs, or other District issues also should be handled by first following the steps outlined in policy KL.
- G. Undue interruption or other interference with the orderly conduct of Board business cannot be allowed.
 - Defamatory or abusive remarks are always out of order.
 - The Board Chair may terminate a speaker’s privilege of address if, after being called to order, the speaker persists in improper conduct or remarks.

Written Correspondence

Letters, emails, and other written materials submitted to the School Board are considered public record. They may be submitted via U.S. mail to: Corvallis School Board, 1555 SW 35th Street, Corvallis, OR 97333. Emails sent to: schoolboard@corvallis.k12.or.us, will reach all Board members as a group as well as the following District staff: Superintendent, Assistant Superintendent, Human Resources Director, Finance and Operations Director, Communications Coordinator, and Executive Assistant to the Superintendent and Board of Directors (also known as Board Secretary).

Telephone Calls

Luhui Whitebear	541-714-3305	Terese Jones	541-230-1673
Sami Al-Abdrabbuh	541-283-6611	Shauna Tominey	541-829-3411
Judah Largent	541-231-8415	Chris Hawkins	541-602-2045
Bernie Wang	541-704-7298		

X. CORVALLIS PUBLIC SCHOOLS FOUNDATION AND CORVALLIS SCHOOL DISTRICT WORK SESSION (7:40 PM)*



Corvallis
Public Schools
FOUNDATION

Supporting Schools. Investing in Our Future.



Corvallis
SCHOOL DISTRICT

Joint Board Work Session

April 10, 2025



February 27 Community Meeting





Science of Reading Professional Development

45 hours of professional development



Relationship and foundations of instruction



73% of K-3, MTSS, SPED, EL, and Principals



Successful Completion of Algebra 1

- ✓ 85% of students completed Algebra 1 by the end of 9th grade
- ✓ Refining the common scope and sequence to ensure consistent learning outcomes
- ✓ Developed a common assessment to monitor student learning and inform instruction





AP Results

Both Corvallis High School and Crescent Valley High School made the AP Honor Roll.

More AP tests were taken last year than any year in the past five.

The number of students who score a 3 or higher hit a 5-year high at both schools.

Belonging and Inclusion

College Hill Construction Program

Middle School Black Student
Mentorship Group

Letitia Carson Marathon Club



Social Emotional Regulation

Caring School Community at Mt. View Elementary



Post Secondary and Real World Preparation

Culinary Arts Expansion
at Crescent Valley

TRIO Upward Bound

Benton County Student
Career Convention



Post Secondary and Real World Preparation

Annual Healthcare Occupation
Career Day

CHS Preschool





Educational Access—Removing barriers to education by addressing pressing needs such as mental health support, and assistance for students navigating financial insecurity.

Learning Enrichment—Funding grants and programs that support educator and student creativity, advance equity, and inspire students—fueling their excitement for learning.

Academic Support—Providing real-world learning opportunities and academic interventions that help every student find success and stay on track to graduate.

Student Success





Corvallis
Public Schools
FOUNDATION

Student Success

Sense of Belonging



Real-world Learning



Community Connections

Questions

- 1** What have you heard tonight, and how will you share it with the community about the value of the things that happen in our schools?
- 2** What is the role of the foundation and school board in this work?
- 3** Are there other opportunities for the foundation to further contribute to these wins?



XI. CONSOLIDATED ACTION (8:40 PM)*

A. 2025-26 Board of Directors Meeting Schedule - Second Read



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Kim Nelson, Board Secretary
Meeting Date: April 10, 2025

2025-2026 Board of Directors Meeting Schedule – Second Read

ACTION REQUESTED

Background

Attached is the proposed 2025-2026 Board of Directors meeting schedule, which takes into account a variety of factors, including religious holidays, school district breaks, and professional obligations for district management staff. It is similar to the schedule of the 2024-25 meetings.

ACTION REQUESTED

Adopt the proposed 2025-26 Board of Directors meeting schedule.



A	August 13, 2025 – Retreat
S	September 11, 2025 – Business Meeting
	September 25, 2025 – Special Meeting
O	October 9, 2025 – Business Meeting
	October 23, 2025 – Special Meeting
N	November 13, 2025 – Business Meeting
	November 20, 2025 – Special Meeting (SCORECARD) – Secondary
D	December 11, 2025 – Business Meeting
	December 18, 2025 – Special Meeting (SCORECARD) – Elementary
J	January 15, 2026 – Business Meeting
	January 22, 2026 – Special Meeting (SCORECARD) - Departments
F	February 5, 2026 – Business Meeting
	February 19, 2026 – Special Meeting
M	March 5, 2026 – Business Meeting
	March 12, 2026 – Special Meeting
A	April 9, 2026 – Business Meeting
	April 23, 2026 – Budget Committee Meeting
M	May 7, 2026 – Business Meeting
	May 14, 2026 – Budget Committee Meeting
	May 21, 2026 – Budget Committee Meeting
J	June 11, 2026 – Business Meeting

Meetings generally begin at 6:30 p.m. in the CSD District Office boardroom. Meeting times, locations, dates, and types are subject to change. Public comment is generally accepted only at business meetings. Current meeting agendas, supporting materials, and information about how to provide input to the School Board are available on the [School Board webpage](#). For more information, contact Kim Nelson at 541-757-5841 or kim.nelson@corvallis.k12.or.us.

B. Non-Resident Transfer Spots



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder & Kristin Mahoney
Meeting Date: April 10, 2025

ACTION REQUESTED

Board Request—Non-Resident Transfer Spots

Background

Annually, the Board shall establish the number of non-resident student transfer requests into the district, to which consent will be given for the upcoming school year. Board Policy JECB-Admission of Nonresident Students and Administrative Regulation JECB-AR-Admission of Nonresident Students serve as guidance for the process by which transfers may be approved by Interdistrict Transfer Agreement.

Resident transfer requests were accepted between March 24-April 7, 2025 for grades K-12 via an online application. After closing the application on April 7, we had received a total of 253 applications. Non-resident spots will appear tomorrow on the District website, and the application will open on April 14. Should the number of applications exceed the number of approved spots, an equitable lottery process will be applied with current students, siblings, and students of staff members having priority. Priority will also be given to students requesting announced spots who have attended a public charter school located in the same district for which the student seeks admission.

For approved non-resident transfer students, an interdistrict transfer form (from the resident district) must be completed, submitted, and approved by the resident school district in order to be released to attend a CSD school. Students approved for a transfer may remain until they finish the highest grade level in their current school. A subsequent application will be required when students move from elementary to middle and middle to high school. Students approved for transfer into the Dual Language Immersion (DLI) Program may continue in the DLI Program without applying for subsequent transfer requests.

Involvement

Staff members: Melissa Harder & Kristin Mahoney.

Cost Impact

ADM for attending non-resident students.

Function

Approval of limited spots to be made available for non-resident transfers. They are as follows:

School	K	1	2	3	4	5	6	7	8	9	10	11	12
Adams (Siblings Only)	2	2	2	2	0	0							
Bessie Coleman	5	0	0	0	0	0							
Garfield	8	2	0	0	0	0							
Kathryn Jones Harrison	5	5	0	0	0	0							
Letitia Carson	5	2	2	0	0	0							
Lincoln (grade 5 require placement test)	5	0	0	0	0	3							
Mt. View	8	3	3	3	3	2							
Cheldelin MS							5	5	5				
Linus Pauling MS							5	5	5				
Corvallis HS										5	5	5	5
Crescent Valley HS										10	10	10	10

Motion Requested

I move to establish the proposed nonresident school openings for 2025-26 through the mutual agreement between districts' process outlined in ORS 339.127. In addition to the spots announced, non-resident siblings of current transfer students and students who have moved out of the District may apply to continue in the Corvallis School District as space allows.

C. Minutes

1. March 20, 2025



MINUTES
Regular Meeting of the
BOARD OF DIRECTORS
Corvallis School District 509J
DRAFT

I. CALL TO ORDER AND ROLL CALL

The meeting was called to order at 5:32 p.m. in the Corvallis School District Board Room, 1555 SW 35th Street, Corvallis, OR 97333. The secretary recorded the names of those present as listed below. A quorum was present, and due notice had been published.

<p><u>BOARD MEMBERS PRESENT</u> Luhui Whitebear, Ph.D., Chair Terese Jones, Ph.D., Co-Vice Chair Sami Al-Abdrabbuh, Ph.D. Judah Largent Chris Hawkins Bernie Wang</p> <p><u>BOARD MEMBERS EXCUSED</u> Shauna Tominey, Ph.D., Co-Vice Chair</p>	<p><u>EXECUTIVE STAFF PRESENT</u> Ryan Noss, Ed.D., Superintendent Melissa Harder, Assistant Superintendent Jennifer Duvall, Human Resources Director Lauren Wolfe, Finance Director</p> <p><u>STUDENT REPRESENTATIVES PRESENT</u> Sofia Robel, CHS Harvick, Mesler, CHHS Eileen Lewis, CHHS Laura Chen, CVHS</p>
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The public meeting recessed at 5:34 p.m. to allow the Board to enter an Executive session.

II. EXECUTIVE SESSION

The Board met in Executive Session under ORS 192.660(2)(i) regarding the superintendent's performance evaluation.

The Board reconvened the public meeting at 6:32 p.m.

III. ACKNOWLEDGMENT OF DEVELOPMENTAL DISABILITY AWARENESS MONTH

Board members and student representatives collectively read aloud Resolution No 22-0205, Acknowledgement of Developmental Disability Awareness Month to highlight the contributions of people with disabilities to the local community and nation.

IV. BOARD MEMBER REPORTS

Director Largent attended his first robotics competition, and his expectations were exceeded; it was like a sci-fi movie.



Director Wang reported on recent events attended:

- A robotics competition in Salem and was impressed with students' engineering, grant writing, fundraising, and advocacy skills.
- The District Equity Leadership Team Advisory (DELTA) and District Equity Diversity Inclusion (DEDI) meetings and learned about the Youth Truth Survey.
- The Theater Diversity Advisory Committee (T-DAC) meeting for the final review of *Oliver* and praised the student production.
- An event related to Corvallis and its sister city in Ethiopia. Franklin K-8 and the Corvallis Waldorf schools collaborated to write a book to share with the sister city.

Director Hawkins shared updates on recent engagements:

- Attended the DEDI meeting and expressed appreciation for the discussions.
- Attended the Sustainability Fair, recognized student efforts in environmental initiatives, and acknowledged Kathy Feser's contributions to the district's sustainability program.
- Attended the Corvallis High School Winter Sports Awards, where Elaine Markley was honored for her long-term volunteer service and received the Stellar Service Award, with the concession stand also named in her honor.

Co-Vice Chair Jones attended the Corvallis High School open house for incoming eighth graders, noting impressive student performances and the extensive Career and Technical Education (CTE) programming available to students. She highlighted the impact of arts education and appreciated staff efforts in organizing the event and staying after hours.

Chair Whitebear highlighted key takeaways from recent events:

- Participated in the DEDI meeting and the Corvallis Public Schools Foundation retreat—encouraged board involvement in fundraising efforts.
- Helped facilitate discussions at the Corvallis School District and Corvallis Public Schools Foundation community forum on legislative advocacy, which had strong attendance.
- Attended the Sustainability Townhall and discussed regional efforts.
- Traveled to Salem for the Oregon School Boards Association Caucus of Color and COSA equity team advocacy efforts. Met with legislators to discuss school funding, special education bills, and accountability measures.

Director Al-Abdrabbuh praised the student performance of *Oliver*, shared it was very moving, and commended the cast and crew for their efforts.



V. OREGON SCHOOL BOARDS ASSOCIATION (OSBA) AND NATIONAL SCHOOL BOARDS ASSOCIATION (NSBA) UPDATES

Oregon School Boards Association Report – Chair Whitebear

Chair Whitebear shared that OSBA is focusing on the long session, tracking numerous education-related bills, and finding ways for board members to engage in advocacy efforts. They are also doing reviews of the caucuses.

National School Boards Association Report – Director Al-Abdrabbuh

Director Al-Abdrabbuh shared the National School Boards Association’s work on federal government actions affecting education, including recent executive branch decisions and the role of board members in supporting their communities as they are navigating federal policy changes. OSBA will host an advocacy day for Parent-Teacher Associations in April.

VI. SUPERINTENDENT’S REPORT

Superintendent Noss read a written report, sharing highlights from around the district. (The full report is available online in the meeting information packet and will be archived in the 2024-25 board records.)

VII. STUDENT REPRESENTATIVE REPORTS

Student representatives shared reports from around the district. Some highlights included the transition from winter to spring sports, Crescent Valley leadership teacher Kristina Stone receiving the Golden Apple Award, Corvallis High School raising over \$7,000 for Special Olympics, and Urban Farm will soon have eggs available at their farmstand.

VIII. PUBLIC COMMENT

There was no public comment.

IX. PAGES UPDATE

PAGES/PÁGINAS Coordinator Emily Pederson shared a slide presentation and reported on the work being done in the district through the 21st Century Community Learning Centers Grant and answered questions from board members. (The slides are available online in the meeting information packet and will be archived in the 2024-25 board records.)

X. PUBLIC HEARING FOR TESTIMONY REGARDING THE INTEGRATED GUIDANCE REPORT

There was no public testimony regarding the Integrated Guidance Report.



XI. 2025 INTEGRATED GUIDANCE APPLICATION

Assistant Superintendent Harder, High School Coordinator Nikki McFarland, and Elementary Coordinator Amy Lesan shared a slide presentation, referring to a written report provided beforehand, and engaged the Board in discussion. (The documents are posted online with the informational packet of this meeting and will be filed with the official 2024-25 board records.)

MOTION:

It was moved by Director Hawkins and seconded by Director Largent to approve the Corvallis School District Integrated Guidance Application for submission to ODE.

- *Largent:* *Yea*
- *Al-Abdrubbah:* *Yea*
- *Hawkins:* *Yea*
- *Wang:* *Yea*
- *Jones:* *Yea*
- *Whitebear:* *Yea*
- *Tominey:* *Absent*

The motion passed unanimously. Yea: 6, Nay: 0, Absent: 1

The Board took a short break and then resumed the meeting.

XII. SUPERINTENDENT'S 2024-25 EVALUATION

Chair Whitebear noted that every Board member provided input for Superintendent Noss's evaluation and his work in meeting the goals established by the Board. (The written report is posted online with the informational packet of this meeting and will be filed with the official 2024-25 Board records.)

Chair Whitebear read aloud the following executive summary of the superintendent's evaluation:

"There were areas of growth identified by board members, which were also highlighted by Dr. Noss in his report. Board members pointed out ways in which they see the district moving towards addressing those needs. Despite budgetary declines, academic excellence remains a priority for Ryan, which is reflected in the growth of students trending in the right direction following the pandemic years. Programs and initiatives have been prioritized and are evidenced by the Algebra I completion rate increase and the reading score increases in Spanish. It was noted that there is work to do to address serious gaps in learning outcomes, particularly noted for students with disabilities, which were also reflected in Ryan's report. While overall rates are increasing, there is room for growth to help support this upward trend continuing to increase. The board is confident in Ryan's



dedication and collaborative approach in addressing these needs in the future, particularly as it pertains to reading.

Socio political tensions coupled with the economic and housing crises continue to impact students in our district. As a leader, Ryan demonstrates strong dedication to ensuring equity is embedded across all areas of the school district for students, staff, and families. Even still, YouthTruth data reflects something continues to be missing, most notably with Black students. Participation in the Black Student Success Grant offers promise in identifying and addressing these issues. The participation in the federal Indian Education Grant models the positive impact of these tailored programmatic initiatives reflected in the significant increase in positive data on American Indian/Alaska Native students in the YouthTruth data. The board noted that Ryan continues to seek ways to support students of all identities and look forward to seeing the district remain committed to these efforts. Particularly, the board is interested in seeing how cross analysis of data can help identify gap areas in order to address them.

Corvallis School District excels in providing ways for students to engage in trades and pre-apprentice programs. The board finds Ryan's commitment to CTE as commendable, which is exemplified by the 99% graduation rate for our CTE concentrators. Exposure to a wide range of opportunities helps prepare students for post-graduation pathways in ways that make sense for them. The board looks forward to seeing increased partnerships with the community to support the continued growth of CTE.

As a leader, Ryan has demonstrated a strong commitment to ensuring students have support holistically to the degree possible related to their academic learning as well as mental health support and physical/nutritional support. He has also continued to show dedication to listening to and learning from staff related to their well-being needs to better ensure that they are and feel supported in their critical roles. The investment in mental health support is noted as a strong area for CSD. Additionally, the board noted that there are areas of concern remaining related to student mental health and that supportive and responsive learning environments are key to helping address this in combination with the existing mental health supports in place. Continuing to strengthen partnerships with community organizations will help ensure students receive comprehensive support both inside and outside the classroom.

Dr. Ryan Noss is described as a strong leader, ethical, student-centered, responsive, and inclusive. The board notes that Ryan has a commitment to transparency, fosters a culture of collaboration and accountability, and thinks out of the box for creating systems that support high level teachers and support staff. Under Ryan's leadership, each of the updated Board/District goals is well-supported with concrete examples provided of how the district continues to work toward expanding and enhancing these areas for the well-being of students, their families, and staff. He upholds the highest ethical standards, prioritizing equity, student success, and community trust. His recognition as Oregon Superintendent of the Year is a testament to his dedication and the respect he has earned from both peers and the broader education community. The board has confidence in his leadership for the next year as we embark on many critical decisions where the community is trusting us to make the best decisions with the available resources for the betterment of every Corvallis child.



- 12. Policy JHCD/JHCDA - Medications -- Delete**
- 13. Policy EBCA - Safety Threats**

XIV. CONSOLIDATED INFORMATION

The Board received the following information before the meeting for review. (The documents are available online as part of the informational packet for this meeting and will be archived in the official 2024-25 board records.)

- A. 2025-26 Board of Directors Meeting Schedule**
- B. Financial Summary (Unaudited) - January 2025**

XV. BOARD MEMBER COMMENTS

Director Largent expressed appreciation to Assistant Superintendent Harder for her work on the two reports she presented, as well as her contributions to policy development.

Chair Whitebear emphasized the importance of legislative and advocacy efforts, stating that these discussions reflect the Board's commitment to representing the community's needs. She reiterated that the board listens to community concerns and brings them into state and federal conversations to ensure local voices are heard.

XVI. ADJOURNMENT

With no further business, the meeting was adjourned at 8:36 PM.

Luhui Whitebear, Ph.D., Board Chair

Ryan Noss, Ed.D., Superintendent

Prepared By: Kim Nelson

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D. Licensed Personnel Action



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Jennifer Duvall, Human Resources Director
Meeting Date: April 10, 2025

Licensed Personnel Action

ACTION REQUESTED

Recommendation to Hire

Name	Position	FTE	Building	Start Date	Contract Status
Shreve, Kourtney	Principal	1.0	Bridges	7/1/2025	Probationary Admin, 1 st Year

Termination/Resignation/Layoff/Retirement

Name	Position	FTE	Building	Effective	Notes
Johnson, Olivia	Mental Health Therapist	.5	Garfield and Lincoln Elementary	3/21/2025	Temporary Contract/Position Ended
Sletta, Lauren	Mental Health Therapist	.5	Adams and Bessie Coleman Elementary	4/10/2025	Resignation

MOTION REQUESTED:

“I move to approve the Licensed Personnel action as submitted.”

XII. CONSOLIDATED INFORMATION

A. February 2025 Financial Summary (Unaudited)



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Lauren Wolfe, Director of Finance
Meeting Date: April 10, 2025

February 2025 Financial Summary (Unaudited) NO ACTION REQUIRED

Background

The Financial Summary for the General Fund for the period ending February 29, 2024 and February 28, 2025 follows this report. Year-to-date operating revenues through the end of February 2025 total \$80.3 million or 84.18% of total budgeted operating revenues as compared to \$79.2 million or 81.47% through the end of February 2024. There are two notable variances between revenue sources for the period ending February 28 compared to last year:

1. **Other Local Sources:** Year-to-date revenues total \$2.2 million or 101.02% of total budgeted other local source revenue as compared to \$2.9 million or 49.51% in the prior period. This is related to the timing of receipts of Medicaid Administrative Claiming (MAC) funds as well as a continued increase in interest earnings on investments. This is projected to have a positive impact on total revenue for the year.
2. **Federal Sources:** Year-to-date revenues total \$.178 million or 127.67% of total federal source revenue as compared to \$.089 million or 30.65% in the prior period. This is related to the timing of receipts of Medicaid claim reimbursements and will have a minor positive impact to overall revenue for the year.

Year-to-date operating expenditures through the end of February 2025 total \$51.1 million or 50.01% of total budgeted operating expenditures as compared to \$49.8 million or 53.92% through the end of February 2024. There are two notable variances between expenditure requirements for the period ending February 28 compared to last year:

1. **Supplies and Materials:** Year-to-date expenditures total \$1.6 million or 39.41% of total budgeted supplies and materials requirements as compared to \$3.1 million or 63.42% in the prior period. This positive impact is expected to be offset by increased spending in other categories (Purchased Services).
2. **Capital Outlay:** Year-to-date expenditures total \$.090 million or 291.14% of total budgeted capital outlay requirements as compared to \$.139 million or 78.82% in the prior period. All major capital outlay was paid for using bond funds in the last several budget cycles. As these funds were fully expended in the prior budget year, expenditures have shifted to the General Fund.

As of February 28, 2025, the projected general fund ending balance is \$17.1 million or 17.80% of total resources net of the beginning fund balance.

All expenditures are expected to fall within appropriations with the approval of Resolution No. 25-0201 (Supplemental Budget) that occurred on February 6, 2025.

If you have any questions or request for additional information, please do not hesitate to contact me.

[Supplementary Materials](#)

1. General Fund Financial Summary as of February 28, 2025
2. Schedule of Investments as of February 28, 2025



CORVALLIS SCHOOL DISTRICT 509J

General Fund | 2024 - 2025 Financial Summary

For the Period Ending February 28, 2025

	2023 - 2024 YTD Actuals	Prior Year % of Actual	2024 - 2025 Amended Budget*	2024 - 2025 YTD Actuals	% of Budget	Annual Forecast	Variance Favorable/ (Unfavorable)
RESOURCES							
Operating Revenues							
Local Property Tax Revenue	\$ 32,778,212	94.60%	\$ 35,672,175	\$ 33,796,271	94.74%	\$ 35,560,161	\$ (112,014)
Local Option Levy	9,691,219	94.56%	10,503,933	10,016,495	95.36%	10,536,605	\$ 32,672
Other Local Sources	2,903,164	49.51%	2,157,191	2,179,165	101.02%	3,265,013	\$ 1,107,822
Intermediate Sources	132,969	17.32%	882,413	147,567	16.72%	773,000	\$ (109,413)
State School Fund	32,964,066	75.73%	43,923,724	33,336,631	75.90%	43,413,744	\$ (509,980)
Other State Resources	672,287	35.33%	2,150,000	670,595	31.19%	2,150,000	\$ -
Federal Sources	89,869	30.65%	140,000	178,733	127.67%	285,000	\$ 145,000
Other Sources	2,625	100.00%	-	3,100	-	3,100	\$ 3,100
Total Operating Revenues	\$ 79,234,411	81.47%	\$ 95,429,436	\$ 80,328,558	84.18%	\$ 95,986,623	\$ 557,187
Beginning Fund Balance*	14,493,943	100.00%	19,386,615	19,386,615	100.00%	19,386,615	(0)
TOTAL RESOURCES	\$ 93,728,354	83.87%	\$ 114,816,051	\$ 99,715,173	86.85%	\$ 115,373,238	\$ 557,187
REQUIREMENTS							
Operating Expenditures							
Salaries	\$ 24,803,891	55.02%	\$ 49,415,758	\$ 25,858,038	52.33%	\$ 47,890,580	\$ 1,525,178
Associated Payroll Costs	12,540,892	53.92%	28,688,631	14,601,905	50.90%	28,019,301	\$ 669,330
Purchased Services	7,626,170	50.10%	14,190,848	7,831,420	55.19%	15,497,061	\$ (1,306,213)
Supplies and Materials	3,091,804	63.42%	4,119,885	1,623,850	39.41%	2,542,248	\$ 1,577,637
Capital Outlay	139,258	78.82%	30,800	89,672	291.14%	91,447	\$ (60,647)
Other Objects	1,595,669	60.88%	1,910,973	1,127,233	58.99%	1,249,268	\$ 661,705
Transfers	-	0.00%	3,877,204	-	0.00%	3,000,000	\$ 877,204
Total Operating Expenditures	\$ 49,797,683	53.92%	\$ 102,234,099	\$ 51,132,117	50.01%	\$ 98,289,904	\$ 3,944,195
Contingencies	-	-	7,810,480	-	0.00%	-	-
Unappropriated Ending Fund Balance	-	-	4,771,472	-	0.00%	-	-
TOTAL REQUIREMENTS	\$ 49,797,683	53.92%	\$ 114,816,051	\$ 51,132,117	44.53%	\$ 98,289,904	\$ 3,944,195

*budget amended Feb 6, 2025 per Res. No. 25-0201

PROJECTED ENDING FUND BALANCE \$ 17,083,334
17.80%

Corvallis School District 509J
Schedule of Investments
February 28, 2025

<u>Type of Investment</u>	<u>Investment Date</u>	<u>Maturity/Call Date</u>	<u>No. of Days</u>	<u>Bond Equivalent Yield</u>	<u>Purchase Price</u>	<u>Par (Maturity) Value</u>
U.S. Treasury Obligations:						
US Government-Sponsored Enterprises:	06/13/24	09/12/25	456	5.125%	\$100.27	3,000,000
Commercial Paper:						
Total Investments Outside of Local Government Investment Pool:						\$ 3,000,000
Local Government Investment Pool:				<u>Monthly Distribution Yield</u>		
General Account				4.64%	47,914,890	
Total Investments Inside of Local Government Investment Pool 1						\$ 47,914,890
1 The maximum amount (in any combination of accounts) that the Local Government Investment Pool (LGIP) allows is \$61,749,000						
Total Investments						\$ 50,914,890

Compliance with Investment Policy

<u>Type of Investment</u>	<u>Maximum % of Portfolio per Policy DFA</u>	<u>Current Percent</u>
U.S. Treasury Obligations	100.0%	0.0%
U.S. Government Agency Securities and Instrumentalities of Government-Sponsored Corporations	90.0%	5.9%
State of Oregon Local Government Investment Pool (LGIP)	100.0%	94.1%
Bankers Acceptances	25.0%	0.0%
Repurchase Agreements	25.0%	0.0%
Certificates of Deposits	50.0%	0.0%
Commercial Paper	10.0%	0.0%
State of Oregon and Oregon Local Government Securities	25.0%	0.0%
TOTAL		100.00%

Benchmarks as of 2/28/2025:

3 Month U.S. Treasury Yield Curve Rate	4.32%
3 Month Jumbo Certificate of Deposit Rate	4.11%

B. Board Policies -- **FOR INFORMATION**

1. Policy GCBDA/GDBDA - Family Medical Leave - REVISION



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Lauren Wolfe, Jennifer Duvall, and Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy GCBDA/GDBDA—Family and Medical Leave—Revision—First Read

Background

There continue to be significant changes in Oregon law regarding leave. This includes changes from SB 1515 (2024) and numerous rule changes to match. The biggest change governs what conditions qualify for leave taken through the Oregon Family Leave Act (OFLA) and Paid Family and Medical Leave Insurance (PFMLI). While these leave allotments used to run concurrently in many situations, they now cannot be taken concurrently.

While the district is not required to have a board-adopted policy, the district is required to follow the law. Having a policy and administrative regulations in place can assist with compliance.

Involvement

Staff members: Lauren Wolfe, Jennifer Duvall, and Melissa Harder

Cost Impact

None.

Function

Review revision.



Corvallis

SCHOOL DISTRICT

Code: GCBDA/GDBDA
Adopted: 3/14/94
Revised/Readopted: 3/8/99, 8/15/05, 6/22/09, 5/3/10, 4/12/18

Family and Medical Leave*

When applicable, the district will comply with all provisions of the Family and Medical Leave Act (FMLA) of 1993, the Oregon Family Leave Act (OFLA) of 1995, the Military Family Leave Act as part of the National Defense Authorization Acts of 2008 and for Fiscal Year 2010 (which expanded certain leave to military families and veterans for specific circumstances), the Oregon Military Family Leave Act (OMFLA) of 2009, Paid Family and Medical Leave Insurance (PFMLI) and other applicable provisions of state and federal law, Board policies and collective bargaining agreements regarding family medical leave, other applicable provisions of Board policies, and collective bargaining agreements regarding family medical leave.

~~FMLA applies to districts with 50 or more employees within 75 miles of the employee's work site, based on employment during each working day during any of the 20 or more work weeks in the calendar year in which the leave is to be taken, or in the calendar year preceding the year in which the leave is to be taken. The 50-employee test does not apply to educational institutions for determining employee eligibility.~~

In order for an employee to be eligible for the benefits under FMLA, the employee must have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period, works at a worksite that employs 50 or more district employees within 75 miles of the worksite, and whose request for leave qualifies under FMLA.

~~OFLA and OMFLA applies to districts that employ 25 or more part-time or full-time employees in Oregon, based on employment during each working day during any of the 20 or more work weeks in the calendar year in which the leave is to be taken, or in the calendar year immediately preceding the year in which the leave is to be taken.~~

~~In order for an employee to be eligible for the benefits under FMLA, the employee must have been employed by the district for at least 12 months and have worked at least 1,250 hours during the past 12-month period.~~

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days immediately prior to the first day of the start of the requested leave. Special requirements apply during public health emergencies.

~~In order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours per week and have been employed at least 180 calendar days prior to the first day of the family medical leave of absence. However, for parental leave purposes, an employee becomes eligible upon~~

~~completing at least 180 calendar days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.~~

OMFLA applies to employees who work an average of at least 20 hours per week. There is no minimum number of days worked when determining an employee's eligibility for OMFLA.

~~Federal and state leave entitlements generally run concurrently.~~

PFMLI is generally available to district employees who have earned \$1,000 in subject wages or taxable income during the alternate or base years¹ contributed to the PFMLI fund in the alternate or base years and are otherwise eligible². PFMLI can be taken for family leave, medical leave or safe leave³

Leave taken under OFLA is in addition to leave taken under PFMLI and cannot be taken concurrently; however, OFLA leave or PFMLI may run concurrently with leave available under ORS 653.601 - 653.661, FMLA, and other types of leave if provided by the district. Any leave taken under PFMLI must be taken concurrently with any leave taken under FMLA when for the same purpose.

The superintendent will develop administrative regulations as necessary for the implementation of the provisions of both federal and state law.

END OF POLICY

Legal Reference(s):

[ORS 332.507](#)
~~ORS 342.545~~
[ORS 657B.010](#)
[ORS 657B.025](#)
[ORS 659A.090](#)
[ORS 659A.093](#)
[ORS 659A.096](#)
[ORS 659A.099](#)
[ORS 659A.150](#) to 659A.186
~~OAR 839-009-0200~~ 0210 to - ~~0320~~ 0460

¹ The wages are not required to have been earned for work in the district.

² See OAR 471-070-1010 for additional information.

³ Time to effectuate the legal process for the placement of a child in foster care or a child being adopted qualifies for PFMLI starting January 1, 2025. Until then, leave is available through OFLA.

~~Americans with Disabilities Act of 1990, 42 U.S.C. §§ 12101-12213; 29 C.F.R. Part 1630 (2006); 28 C.F.R. Part 35 (2006).~~
~~Family and Medical Leave Act of 1993, 29 U.S.C. §§ 2601-2654 (2006); §§ 6381-6387 (2018); Family and Medical Leave Act of 1993, 29 C.F.R. Part 825 (2008 2023).~~
~~National Defense Authorization Act of 2008, Public Law 110-181, § 585(a).~~
~~Americans with Disabilities Act Amendments Act of 2008. 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2023); 28 C.F.R. Part 35 (2023).~~
~~National Defense Authorization Act for Fiscal Year 2010, Public Law 111-84, § 565.~~
~~Escriba v. Foster Poultry Farms, Inc. 743 F.3d 1236 (9th Cir. 2014).~~
~~Senate Bill 1515 (2024).~~

2. Policy GCBDA/GDBDA - AR - Federal Family and Medical Leave/Oregon Family Leave - DELETE



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Lauren Wolfe, Jennifer Duvall, and Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy GCBDA/GDBDA - AR—Federal Family and Medical Leave/Oregon Family Leave—Deletion—First Read

Background

There continue to be significant changes in Oregon law regarding leave. This includes changes from SB 1515 (2024) and numerous rule changes to match.

GCBDA/GDBDA-AR is highly recommended for replacement with an updated, similar version.

Involvement

Staff members: Lauren Wolfe, Jennifer Duvall, and Melissa Harder

Cost Impact

None.

Function

Review revision.



Code: GCBDA/GDBDA-AR(1)
Adopted: 3/8/99, 12/8/08
Revised/Readopted: 7/28/05, 11/5/07, 4/5/10, 8/19/13, 9/22/14, 1/9/17, 3/1/18, 5/6/21

Federal Family and Medical Leave/Oregon Family Medical Leave

Coverage

The federal Family and Medical Leave Act (FMLA) applies to districts with 50 or more employees within 75 miles of the employee's work site, based on employment during each working day during any of the 20 or more workweeks in the calendar year in which the leave is to be taken, or in the calendar year preceding the year in which the leave is to be taken. The 50 employee test does not apply to educational institutions for determining employee eligibility.

The Oregon Family Leave Act (OFLA) and the Oregon Military Family Leave Act (OMFLA) applies to districts that employ 25 or more part-time or full-time employees in Oregon, based on employment during each working day during any of the 20 or more workweeks in the calendar year in which the leave is to be taken, or in the calendar year immediately preceding the year in which the leave is to be taken.

Employee Eligibility

FMLA applies to employees who have worked for the district for at least 12 months (not necessarily consecutive) and worked for at least 1,250 hours during the 12-month period immediately preceding the start of the leave.

An employee who has previously qualified for and has taken some portion of FMLA leave may request additional FMLA leave within the same leave year. In such instances, the employee need not requalify as an eligible employee, if the additional leave applied for is in the same leave year and for the same condition.

OFLA applies to employees who work an average of 25 hours or more per week during the 180 calendar days or more immediately prior to the first day of the start of the requested leave.¹ For parental leave purposes, an employee becomes eligible upon completing at least 180 days immediately preceding the date on which the parental leave begins. There is no minimum average number of hours worked per week when determining employee eligibility for parental leave.

An employee who has previously qualified for and has taken some portion of OFLA leave, may request additional OFLA leave within the same leave year. In such instances, the employee must requalify as an

¹ The requirements of OFLA do not apply to any employer offering eligible employees a nondiscriminatory cafeteria plan, as defined by section 125 of the Internal Revenue Code of 1986, which provides as one of its options employee leave at least as generous as the leave required by OFLA.

eligible employee for each additional leave requested unless one of the following exceptions apply:

1. A female employee who has taken 12 weeks of pregnancy disability leave need not requalify leave in the same leave year for any other purpose;
2. An employee who has taken 12 weeks of parental leave need not requalify to take an additional 12 weeks in the same leave year for sick child leave; and
3. An employee granted leave for a serious health condition for the employee or a family member need not requalify if additional leave is taken in the same leave year for the same reason.

OMFLA applies to employees who work an average of at least 20 hours per week. There is no minimum number of days worked when determining employee eligibility for OMFLA.

In determining if an employee has been employed for the preceding 180 calendar days, when applicable, the employer must consider days, e.g., paid or unpaid, an employee is maintained on payroll for any part of a workweek. Full-time public school teachers who have been maintained on payroll by a district for 180 consecutive calendar days are thereafter deemed to have been employed for an average of at least 25 hours per week during the 180 days immediately preceding the start date of the OFLA leave. This provision is eligible for rebuttal if for example, the employee was on a nonpaid sabbatical.

In determining average workweek, the employer must count the actual hours worked using the Fair Labor Standards Act (FLSA) guidelines.

Qualifying Reason

Eligible employees may access FMLA leave for the following reasons:

1. Serious health condition of the employee or the employee's covered family member:
 - a. Inpatient care;
 - b. Continuing treatment;
 - c. Chronic conditions;
 - d. Permanent, long-term or terminal conditions;
 - e. Multiple treatments;
 - f. Pregnancy and prenatal care.
2. Parental leave² (separate from eligible leave as a result of a child's serious health condition):
 - a. Bonding with and care for the employee's newborn (within 12 months following birth);
 - b. Bonding with and care for a newly adopted or newly placed foster child under the age of 18 (within 12 months of placement);
 - c. Care for a newly adopted or newly placed foster child over 18 years of age who is incapable of self-care because of a physical or mental impairment (within 12 months of placement);
 - d. Time to effectuate the legal process required for placement of a foster child or the adoption of a child.

² Parental leave must be taken in one continuous block of time within 12 months of the triggering event.

3. Military Caregiver Leave: leave for the care for spouse, son, daughter or next-of-kin who is a covered servicemember/veteran with a serious injury or illness.
4. Qualifying Exigency Leave: leave arising from the foreign deployment of the employee's spouse, son, daughter or parent.

Eligible employees may access OFLA for the following reasons:

1. Serious health condition of the employee or the employee's covered family member:
 - a. Inpatient care;
 - b. Continuing treatment;
 - c. Chronic conditions;
 - d. Permanent, long-term, or terminal conditions;
 - e. Multiple treatments;
 - f. Pregnancy and prenatal care.
2. Parental leave (separate from eligible leave as a result of the child's serious health condition):
 - a. Bonding with and care for the employee's newborn (within 12 months following birth);
 - b. Bonding with and care for a newly adopted or newly placed foster child under the age of 18 (within 12 months of placement);
 - c. Care for a newly adopted or newly placed foster child over 18 years of age who is incapable of self-care because of a physical or mental impairment (within 12 months of placement);
 - d. Time to effectuate the legal process required for placement of a foster child or the adoption of a child.
3. Sick Child Leave: leave for non-serious health conditions of the employee's child. For OFLA, sick child leave includes absence to care for an employee's child whose school or child care provider has been closed³ in conjunction with a statewide public health emergency declared by a public health official.⁴
4. Bereavement Leave: leave related to the death of a covered family member.⁵

Eligible employees may access OMFLA for the purpose of spending time with a spouse or same-gender domestic partner who is in the military and has been notified of an impending call or order to active duty, or who has been deployed during a period of military conflict.

The eligibility of an employee who takes multiple leaves for different qualified reasons during the same district designated leave period may be reconfirmed at the start of each qualified leave requested.

³ "Closure" for the purpose of sick child leave during a statewide public health emergency declared by a public health official means a closure that is ongoing, intermittent, or recurring and restricts physical access to the child's school or child care provider. OAR 839-009-0210(4).

⁴ The district may request verification of the need for sick child leave due to a closure during a statewide emergency.

Verification may include:

1. The name of the child being cared for;
2. The name of the school or child care provider that has closed or become unavailable; and
3. A statement from the employee that no other family member of the child is willing and able to care for the child. With the care of a child older than 14, a statement that special circumstances exist requiring the employee to provide care to the child during daylight hours.

⁵ Bereavement leave under OFLA must be completed within 60 days of when the employee received notice of the death.

Definitions

1. Family member:
 - a. For the purposes of FMLA, “family member” means:
 - (1) Spouse⁶;
 - (2) Parent;
 - (3) Child; or
 - (4) Persons who are “in loco parentis”.
 - b. For the purposes of OFLA, “family member” means:
 - (1) Spouse;
 - (2) Registered, same-gender domestic partner;
 - (3) Parent;
 - (4) Parent-in-law;
 - (5) Parent of employee’s registered, same-gender domestic partner;
 - (6) Child;
 - (7) Child of employee’s registered, same-gender domestic partner;
 - (8) Grandchild;
 - (9) Grandparent; or
 - (10) Persons who are “in loco parentis”.
2. Child:
 - a. For the purposes of FMLA, “child” means a biological, adopted or foster child, a stepchild, a legal ward or a child of a person standing “in loco parentis”, who is either under the age of 18, or who is 18 years of age or older and who is incapable of self-care because of a physical or mental impairment.
 - b. For the purposes of Military Caregiver Leave and Qualifying Exigency Leave under FMLA, “child” means the employee’s son or daughter on covered active duty regardless of that child’s age.
 - c. For the purposes of OFLA, “child” means a biological, adopted, foster child or stepchild of the employee, the child of the employee’s same-gender domestic partner, or a child with whom the employee is or was in a relationship of “in loco parentis”.
 - d. For the purposes of parental and sick child leave under OFLA, the child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment.
3. In loco parentis:
 - a. For the purposes of FMLA, “in loco parentis” means persons with day-to-day responsibility to care for and financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.

⁶ “Spouse” means individuals in a marriage, including “common law” marriage and same-sex marriage. For OFLA, spouse also includes same-sex individuals with a Certificate of Registered Domestic Partnership.

- b. For the purposes of OFLA, “in loco parentis” means person in the place of the parent having financial or day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

4. Next of kin:

For the purposes of FMLA and Military Caregiver Leave under FMLA, “next of kin” means the nearest blood relative other than the servicemember’s spouse, parent, son or daughter in the following order of priority (unless otherwise designated in writing by the servicemember):

- a. Blood relatives who have been granted legal custody of the servicemember by court decree or statutory provisions;
- b. Brothers or sisters;
- c. Grandparents;
- d. Aunts and uncles; and
- e. First cousins.

5. Covered servicemembers:

For the purposes of Military Caregiver Leave under FMLA, “covered servicemember” means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is receiving medical treatment, recuperation or therapy, or is in outpatient status, or is on the temporary disability retire list for a serious injury or illness.

6. Covered veteran:

For the purposes of Military Caregiver Leave under FMLA, “covered veteran” means a veteran who is undergoing medical treatment, recuperation or therapy for a serious injury or illness provided they were:

- a. A member of the Armed Forces (including a member of the National Guard or Reserves);
- b. Discharged or released under conditions other than dishonorable; and
- c. Discharged within the five year period before the eligible employee first takes FMLA, Military Caregiver Leave.

Leave Period

For the purposes of calculating an employee’s leave period, the district will use a “rolling” 12-month period measured backward from the date the employee uses any family and medical leave. The same method for calculating the 12-month period for FMLA and OFLA leave entitlement shall be used for all employees. However, in all instances, the leave period for the purposes of OMFLA and Military Caregiver Leave under FMLA shall be dependent on the start of any such leave regardless of the district’s designated 12-month leave period described above.

Leave Duration

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified

leave during the district's designated leave period.⁷ Spouses who work for the district may be limited to a combined 12 weeks of FMLA leave during the district's designated leave period when the purpose of the leave is for the birth of a child or to care for a child after birth, placement of an adopted or foster child or the care for an adopted or foster child after placement, or to care for the employee's parent's serious medical condition. Except in specific and unique instances, all qualified leave under FMLA counts toward an employee's leave entitlement within the district's designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district's designated leave period. However, a woman is entitled to an additional full 12 weeks of parental leave during the district's designated leave period following the birth of a child regardless of how much OFLA qualified leave she has taken prior to the birth of such child during the district's designated leave period. Likewise, an employee who uses the full 12 weeks of parental leave during the district designated leave period, will be entitled to an additional 12 weeks of sick child leave under OFLA during the district's designated leave period for the purpose of caring for a child(ren) with a non-serious health condition requiring home care.⁸ Unlike FMLA, OFLA does not combine the leave entitlement for spouses working for the district. However, under OFLA, family members who work for the district may be restricted from taking concurrent OFLA qualified leave.⁹

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the district's designated leave period.

Except as otherwise noted above, qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the district's designated leave period.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of hours the eligible employee normally works per week by 12¹⁰. If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 weeks worked prior to the beginning of the leave period shall be used for calculating the employee's normal workweek¹¹. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

Intermittent Leave

With the exception of parental leave which must be taken in one continuous block of time, an eligible

⁷ An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the district's leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee's 26-week entitlement under Military Caregiver Leave under FMLA.

⁸ Sick child leave under OFLA need not be provided if another family member, including a noncustodial biological parent, is willing and able to care for the child.

⁹ Exceptions to the ability to require family members from taking OFLA qualified leave at different times are when 1) employee is caring for the other employee who has a serious medical condition; 2) one employee is caring for a child with a serious medical condition when the other employee is suffering a serious medical condition; 3) each family member is suffering a serious medical condition; 4) each family member wants to take Bereavement Leave under OFLA; and 5) the employer allows the family members to take concurrent leave.

¹⁰ For example, an employee normally employed to work 30 hours per week is entitled to 12 times 30 hours, or a total of 360 hours of leave.

¹¹ For example, an employee working an average of 25 hours per week is entitled to 12 times 25 hours, or a total of 300 hours of leave.

employee is permitted under FMLA and OFLA to take intermittent leave for any qualifying reason.

Intermittent leave is taken in multiple blocks of time (i.e., hours, days, weeks, etc.) rather than in one continuous block of time and/or requires a modified or reduced work schedule. For OFLA this includes but not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an employee is eligible for OFLA leave, but not FMLA leave, the employer:

1. May allow an exempt employee, as defined by state and federal law, with accrued paid time off to take OFLA leave in blocks of less than a full day; but
2. May not reduce the salary of an employee who is taking intermittent leave when they do not have accrued paid leave available. To do so would result in the loss of exemption under state law.

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Holidays or days in which the district is not in operation, are not counted against the eligible employee's intermittent OFLA leave period unless the employee was scheduled and expected to work on any such day.

Alternate Work Assignment

The district may transfer an employee recovering from a serious health condition to an alternate position which accommodates the serious health condition provided:

1. The employee accepts the position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreement;
4. The transfer is compliant with state and federal law, including but not limited to the protections provided for in FMLA and/or OFLA; and
5. The transfer is not used to discourage the employee from taking FMLA and/or OFLA leave for a serious health condition or to create a hardship for the employee.

The district may transfer an eligible employee who is on a foreseeable intermittent FMLA and/or OFLA leave to another position with the same or different duties to accommodate the leave, provided:

1. The employee accepts the transfer position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreements;

4. The transfer is compliant with state and federal law, including but not limited to the protections provided in FMLA and/or OFLA;
5. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and
6. The transfer is not used to discourage the employee from taking intermittent or reduced work schedule leave, or to create a hardship for the employee.

If an eligible employee is transferred to an alternative position, and as a result the employee works fewer hours than the employee was working in the original position, the employee's FMLA and/or OFLA leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

When an employee is transferred to an alternate position as described above but such transfer does not result in a reduced schedule, time worked in any such alternate position shall not be considered for the purpose of FMLA and/or OFLA leave. An employee working in an alternate position retains the right to return to the employee's original position unless all FMLA and/or OFLA leave taken in that leave year plus the period of time worked in the alternate position exceeds 12 weeks.

Special Rules for School Employees

For the purposes of FMLA, "school employee" means those whose principal function is to teach and instruct students in a class, a small group, or an individual settlement. Athletic coaches, driving instructors and special assistants, such as interpreters for the hearing impaired, are included in this definition. This definition does not apply to teacher assistants or aides, counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

For the purposes of OFLA, "school employee" means employees employed principally as instructors in public kindergartens, elementary schools, secondary schools, or education service districts.

FMLA and/or OFLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. In any such situation, the eligible school employee will receive any benefits during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible school employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a servicemember with a serious medical condition, or because of the employee's own serious medical condition, the district may require the eligible school employee to:

- a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or

- b. Temporarily transfer the eligible school employee to an alternate position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than the employee's original position.

2. Limitation on Leave Near the End of the School Year

When an eligible school employee requests leave near the end of the school year, the district may require the following:

- a. When the qualified leave begins more than five weeks before the end of the school year:
 - (1) For the purposes of FMLA leave, the eligible school employee may be required to continue taking leave until the end of the school year provided:
 - (a) The leave will last at least three weeks; and
 - (b) The employee would return to work during the three-week period before the end of the term.
 - (2) For the purposes of OFLA leave, if the reason for the leave is because of the eligible school employee's own serious health condition, the eligible school employee may be required to remain in leave until the end of the school year, provided:
 - (a) The leave will last at least three weeks; and
 - (b) The employee's return to work would occur within three weeks of the end of the school year.
- b. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within five weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided:
 - (1) The leave will last more than two weeks; and
 - (2) The employee would return to work during the two-week period before the end of the school year.
- c. For the purposes of FMLA and/or OFLA leave, when the qualified leave begins within three weeks of the end of the school year and the purpose of such leave is parental leave, for the serious health condition of a family member or for the serious health condition of a servicemember, the eligible school employee may be required to remain on leave until the end of the school year provided the length of the leave will last more than five working days.

If the district requires an eligible school employee to remain on leave until the end of the school year as described above, additional leave required by the employer until the end of the school year shall not count against the eligible school employee's leave entitlement.

Paid/Unpaid Leave

FMLA and OFLA do not require the district to pay an eligible employee who is on a qualified leave. Subject to any related provisions in any applicable collective bargaining agreement, the district requires the eligible employee to use any available accrued sick leave, vacation or personal leave days (or other available paid time established by Board policy(ies) and/or collective bargaining agreement) in the order specified by the district and before taking FMLA and/or OFLA leave without pay during the leave period.

The district will notify the eligible employee that the requested leave has been designated as FMLA and/or OFLA leave and, if required by the district, that available accrued paid leave shall be used during the leave period. In the event the district is aware of an OFLA or FMLA qualifying exigency, the district shall notify the eligible employee of its intent to designate the leave as such regardless of whether a request has been made by the eligible employee. Such notification will be given to the eligible employee prior to the commencement of the leave or within two working days of the employee's notice of an unanticipated or emergency leave, whichever is sooner.

When the district does not have sufficient information to make a determination of whether the leave qualifies as FMLA or OFLA leave, the district will provide the required notice promptly when the information is available but no later than two working days after the district has received the information. Oral notices will be confirmed in writing no later than the following payday. If the payday is less than one week after the oral notice is given, written notice will be provided no later than the subsequent payday.

Eligible employees who request OMFLA leave shall not be required to use any available accrued paid time off during the OMFLA leave period.

Benefits and Insurance

When an eligible employee returns to work following a FMLA or OFLA qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay and other terms and conditions of employment.

During an OFLA qualified leave an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working. The eligible employee is also subject to layoff to the same extent similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement or the district's policies provide otherwise.

For the purposes of FMLA and OFLA, the district will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

For the purposes of FMLA qualified leave, the district's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The district will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

Fitness-for-Duty Certification

Prior to the reinstatement of an employee following a leave which was the result of the employee's own

serious health condition, the district may require the employee to obtain and present a Fitness-for-Duty Certification. The certification will specifically address the employee's ability to perform the essential functions of the employee's job as they relate to the health condition that was the reason for the leave. If the district is going to require a fitness-for-duty certification upon return to work, the district must notify the employee of such requirement when the leave is designated as FMLA and/or OFLA leave. Failure to provide the certification may result in a delay or denial of reinstatement.

For the purposes of FMLA qualified leave, any costs associated with obtaining the fitness-for-duty certification shall be borne by the employee.

For the purposes of OFLA qualified leave, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the district.

If the leave is qualified under both FMLA and OFLA, any out-of-pocket costs associated with obtaining the fitness-for-duty certification shall be borne by the district.

Application

Under federal and state law, an eligible employee requesting FMLA and/or OFLA leave shall provide at least 30 days' notice prior to the leave date, if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration, and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the district.

The district may request additional information to determine that the requested leave qualifies as FMLA and/or OFLA leave. The district may designate the employee as provisionally on FMLA and/or OFLA leave until sufficient information is received to properly make a determination. An eligible employee able to give advance notice of the need to take FMLA and/or OFLA leave must follow the employer's known, reasonable and customary procedures for requesting any kind of leave.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means the employee must comply with the employer's normal call-in procedures except in limited and under unique circumstances. Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave up to 30 days after the notice is ultimately given.

For the purposes of OFLA, an eligible employee is required to provide oral or written notice within 24 hours of commencement of the leave in unanticipated or emergency leave situations. The employee may designate a family member or friend to notify the district during that period. Failure of an employee to provide the required notice for leave covered by OFLA may result in the district deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the district's notice procedures.

When an employee fails to give advance notice for both the FMLA and OFLA above, the district must choose the remedy that is most advantageous to the employee.

In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

Medical Certification

The district shall require an eligible employee to provide medical documentation, when appropriate, to support the stated reason for such leave. The district will provide written notification to an employee of this requirement within five working days of the employee's request for leave. If the employee provides less than 30 days' notice, the employee is required to submit such medical certification no later than 15 calendar days after receipt of the district's notification that medical certification is required.

The district may request re-certification of a condition when the minimum duration of a certification expires if the employee still needs leave. If the certification does not indicate duration or indicates that it is ongoing, the district may request re-certification at least every six months in connection with an absence.

Under federal law, a second medical opinion may be required whenever the district has reason to doubt the validity of the initial medical opinion. The health care provider may be selected by the district. The provider shall not be employed by the district on a regular basis. Should the first and second medical certifications differ, a third opinion may be required. The district and the employee will mutually agree on the selection of the health care provider for a third medical certification. The third opinion will be final. Second and third opinions and the actual travel expenses for an employee to obtain such opinions will be paid for by the district.

Second and Third Opinions

For the purposes of FMLA, the district may designate a second health care provider, but that person cannot be utilized by the district on a regular basis except in rural areas where health care is extremely limited. If the opinions of the employee's and the district's designated health care provider(s) differ, the district may require a third opinion at the district's expense. The third health care provider must be designated or approved jointly by the employee and the district. This third opinion shall be final and binding.

For the purposes of OFLA, and except for leave related to sick child leave under OFLA, the district may require the employee to obtain a second opinion from a health care provider designated by the district. If the first and second verifications differ, the employer may require the two health care providers to jointly designate a third health care provider for the purpose of providing a verification. This third verification shall be final and binding.

Notification/Posted Notice

Any notice required by federal and state laws explaining employee rights and responsibilities will be posted in all staff rooms and the district office. Additional information may be obtained by contacting the human resources office. Individual FMLA/OFLA eligibility notice to an employee will follow federal and state requirements.

Record Keeping

The district will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave; and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

Federal vs. State Law

Both federal and state laws contain provisions regarding leave for family illness. Federal regulations state an employer must comply with both laws; that the federal law does not supersede any provision of state law that provides greater family leave rights than those established pursuant to federal law; and that OFLA and FMLA leave entitlements run concurrently. State law requires that FMLA and OFLA leave run concurrently when possible. For example, due to differences in regulations, an employee who takes OFLA leave after 180 days of employment, but before becoming eligible for FMLA leave, is still eligible to take a full 12 workweeks of FMLA leave after meeting FMLA's eligibility requirements. Thereafter, any eligible leave period will run concurrently, when appropriate.

DELETED

EMPLOYEE RIGHTS AND RESPONSIBILITIES UNDER THE FAMILY AND MEDICAL LEAVE ACT

Basic Leave Entitlement

FMLA requires covered employers to provide up to 12 weeks of unpaid, job-protected leave to eligible employees for the following reasons:

- For incapacity due to pregnancy, prenatal medical care or child birth;
- To care for the employee's child after birth, or placement for adoption or foster care;
- To care for the employee's spouse, son or daughter, or parent, who has a serious health condition; or
- For a serious health condition that makes the employee unable to perform the employee's job.

Military Family Leave Entitlements

Eligible employees with a spouse, son, daughter, or parent on covered active duty or call to covered active duty status may use their 12-week leave entitlement to address certain qualifying exigencies. Qualifying exigencies may include attending certain military events, arranging for alternative childcare, addressing certain financial and legal arrangements, attending certain counseling sessions, and attending post-deployment reintegration briefings.

FMLA also includes a special leave entitlement that permits eligible employees to take up to 26 weeks of leave to care for a covered servicemember during a single 12-month period. A covered servicemember is: (1) a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list, for a serious injury or illness*; or (2) a veteran who was discharged or released under conditions other than dishonorable at any time during the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran, and who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness*.

***The FMLA definition of "serious injury or illness" for current servicemembers and veterans are distinct from the FMLA definition of "serious health condition".**

Benefits and Protections

During FMLA leave, the employer must maintain the employee's health coverage under any "group health plan" on the same terms as if the employee had continued to work. Upon return from FMLA leave, most employees must be restored to their original or equivalent positions with equivalent pay, benefits, and other employment terms.

Use of FMLA leave cannot result in the loss of any employment benefit that accrued prior to the start of an employee's leave.

Eligibility Requirements

Employees are eligible if they have worked for a covered employer for at least 12 months, have 1,250 hours of service over the previous 12 months, and if at least 50 employees are employed by the employer within 75 miles.

Definition of Serious Health Condition

A serious health condition is an illness, injury, impairment, or physical or mental condition that involves either an overnight stay in a medical care facility, or continuing treatment by a health care provider for a condition that either prevents the employee from performing the functions of the employee's job, or prevents the qualified family member from participating in school or other daily activities.

Subject to certain conditions, the continuing treatment requirement may be met by a period of incapacity of more than three consecutive calendar days combined with at least two visits to a health care provider or one visit and a regimen of continuing treatment, or incapacity due to pregnancy, or incapacity due to a chronic condition. Other conditions may meet the definition of continuing treatment.

Use of Leave

An employee does not need to use this leave entitlement in one block. Leave can be taken intermittently or on a reduced leave schedule when medically necessary. Employees must make reasonable efforts to schedule leave for planned medical treatment so as not to unduly disrupt the employer's operations. Leave due to qualifying exigencies may also be taken on an intermittent basis.

Substitution of Paid Leave for Unpaid Leave

Employees may choose or employers may require use of accrued paid leave while taking FMLA leave. In order to use paid leave for FMLA leave, employees must comply with the employer's normal paid leave policies.

Employee Responsibilities

Employees must provide 30 days advance notice of the need to take FMLA leave when the need is foreseeable. When 30 days' notice is not possible, the employee must provide notice as soon as practicable and generally must comply with an employer's normal call-in procedures.

Employees must provide sufficient information for the employer to determine if the leave may qualify for FMLA protection and the anticipated timing and duration of the leave. Sufficient information may include that the employee is unable to perform job functions, the family member is unable to perform daily activities, the need for hospitalization or continuing treatment by a health care provider, or circumstances supporting the need for military family leave. Employees also must inform the employer if the requested leave is for a reason for which FMLA leave was previously taken or certified. Employees also may be required to provide a certification and periodic recertification supporting the need for leave.

Employer Responsibilities

Covered employers must inform employees requesting leave whether they are eligible under FMLA. If they are, the notice must specify any additional information required as well as the employees' rights and responsibilities. If they are not eligible, the employer must provide a reason for the ineligibility. Covered employers must inform employees if leave will be designated as FMLA-protected and the amount of leave counted against the employee's leave entitlement. If the employer determines that the leave is not FMLA-protected, the employer must notify the employee.

Unlawful Acts by Employers

FMLA makes it unlawful for any employer to:

- Interfere with, restrain, or deny the exercise of any right provided under FMLA; and
- Discharge or discriminate against any person for opposing any practice made unlawful by FMLA or for involvement in any proceeding under or relating to FMLA.

Enforcement

An employee may file a complaint with the U.S. Department of Labor or may bring a private lawsuit against an employer. FMLA does not affect any Federal or State law prohibiting discrimination, or supersede any State or local law or collective bargaining agreement which provides greater family or medical leave rights.

FMLA section 109 (29 U.S.C. § 2619) requires FMLA covered employers to post the text of this notice. Regulations 29 C.F.R. § 825.300(a) may require additional disclosures.

For additional information:

1-866-4US-WAGE (1-866-487-9243) TTY: 1-877-889-5627

WWW.WAGEHOUR.DOL.GOV

U.S. Department of Labor | Wage and Hour Division

DELETED

3. Policy GCBDA/GDBDA - AR - Federal Family and Medical Leave/Oregon Family Leave - NEW



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Lauren Wolfe, Jennifer Duvall, and Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy GCBDA/GDBDA - AR— Family and Medical Leave—New—First Read

Background

There continue to be significant changes in Oregon law regarding leave. This includes changes from SB 1515 (2024) and numerous rule changes to match.

This new version of the AR is highly recommended. While the district is not required to have a board-adopted policy, the district is required to follow the law. Having a policy and administrative regulations in place can assist with compliance.

Involvement

Staff members: Lauren Wolfe, Jennifer Duvall, and Melissa Harder

Cost Impact

None.

Function

Review revision.



Code: GCBDA/GDBDA-AR

Adopted:

Revised/Readopted:

Family and Medical Leave*

Employee Eligibility

FMLA benefits are available to employees who have been employed by the district for at least 12 months, have worked at least 1,250 hours during the past 12-month period and work at a worksite that employs 50 district employees within 75 miles of the worksite.

An employee who has previously qualified for and has taken some portion of FMLA leave may request additional FMLA leave within the same leave year. In such instances, the employee may not need to requalify as an eligible employee.

Generally, in order for an employee to be eligible for the benefits under OFLA, the employee must work an average of 25 hours or more per week during the 180 calendar days¹ immediately prior to the first day of the start of the requested leave² and have a request for leave that qualifies under FMLA.

An employee is eligible to take leave for any purposes of OFLA during a period of time covered by a public health emergency except:

1. An employee who has worked for the district for fewer than 30 days immediately before the date on which the family leave would commence; or
2. An employee who has worked for the district for an average of fewer than 25 hours per week in the 30 days immediately before the date on which the family leave would commence.

An employee of the district is eligible to take leave for purposes of OFLA if the employee:

1. Separates from employment with the district, irrespective of any reason:
 - a. Is eligible to take OFLA leave at the time the employee separates; and
 - b. Is reemployed by the district within 180 days of separation from employment; or

¹ Thirty days during a declared public health emergency.

² The requirements of OFLA do not apply to any employer offering eligible employees a nondiscriminatory cafeteria plan, as defined by section 125 of the Internal Revenue Code of 1986, which provides as one of its options employee leave at least as generous as the leave required by OFLA.

2. Is eligible to take OFLA leave:

- a. At the beginning of a temporary cessation of scheduled hours of 180 days or less; and
- b. Returns to work at the end of the temporary cessation of scheduled hours of 180 days or less.

Any OFLA leave taken by the employee within any one-year period continues to count against the length of time of OFLA leave the employee is entitled. The amount of time that an employee is deemed to have worked for the district prior to a break in service due to a separation from employment or a temporary cessation of scheduled hours shall be restored to the employee when the employee is reemployed by the district within 180 days of separation from employment or when the employee returns to work at the end of the temporary cessation of scheduled hours of 180 days or less.

When an employee requests OFLA leave, or when the district acquires knowledge that an employee's leave may be for a purpose that constitutes OFLA leave, the district will notify the employee of the employee's eligibility to take OFLA leave within five business days, absent extenuating circumstances. Whether an employee is an "eligible employee" as defined in OAR 839-009-0210 is determined, a notice must be provided, at the commencement of the first instance of each purpose for leave listed in OAR 839-009-0240 during the OFLA leave year. If an employee is an "eligible employee" as defined in OAR 839-009-0210 for the purpose listed in OAR 839-009-0240, the employee's eligibility for that purpose does not change during the applicable 12-month period. In addition:

1. An employee taking, in any order, some or all of 12 weeks of OFLA pregnancy disability leave and some or all of 12 weeks of OFLA leave for any other purpose, need not requalify each time the employee takes OFLA leave within the same leave year;
2. An employee who has taken 2 weeks of OFLA child placement leave need not requalify for up to an additional 12 weeks of leave within the same leave year when used for the purposes of OFLA sick child leave;
3. An employee unable to work because of a disabling compensable injury³ need not requalify under OAR 839-009-0210 in order to use OFLA leave following a period the employee is off work due to the compensable injury.

In determining if an employee has been employed for the preceding 180 calendar days under OFLA, the district must consider days, paid or unpaid, an employee is maintained on payroll.

Leave under the Oregon Military Family Leave Act (OMFLA) applies to employees who work an average of at least 20 hours per week. There is no minimum number of days worked when determining employee eligibility for OMFLA.

In determining average workweek, the employer must count the actual hours worked using the Fair Labor Standards Act (FLSA) guidelines.

³ As defined in ORS 656.005.

Qualifying Reason

Eligible employees may access FMLA leave entitlements for the following reasons:

1. Serious health condition of the employee or the employee's covered family member. "Serious health condition" means an illness, injury, impairment, or physical or mental condition that involves inpatient care⁴ or continuing treatment by a health care provider⁵.
2. Parental leave⁶ (separate from eligible leave as a result of a child's serious health condition):
 - a. Bonding with and caring for the employee's newborn child (within 12 months following birth);
 - b. Bonding with and caring for a newly adopted child or newly placed child in foster care under the age of 18 (within 12 months of placement);
 - c. Caring for a newly adopted child or newly placed child in foster care 18 years of age or older who is incapable of self-care because of a mental or physical disability (within 12 months of placement);
 - d. Time to effectuate the legal process required for placement of a child in foster care or the adoption of a child.
3. Military caregiver leave: leave for the care for spouse, child or next-of-kin who is a covered servicemember with a serious injury or illness;
4. Qualifying exigency leave: leave arising out of deployment to a foreign country of the employee's spouse, child or parent who is a military member on active duty or call to covered active duty status.

Eligible employees may access OFLA leave entitlements for the following reasons:

1. Pregnancy disability leave: leave taken by an employee for their own disability related to pregnancy, including pregnancy termination or childbirth, whether the disability occurs before, during or after the birth of the child or for prenatal care, including fertility or infertility treatment.
2. Sick child leave: leave taken to care for an employee's child suffering from an illness, injury, or condition that requires home care. Under OFLA, sick child leave includes leave to care for an employee's child whose school or child care provider has been closed⁷ in conjunction with a statewide public health emergency declared by a public health official⁸.

⁴ "Inpatient care" means an overnight stay in a hospital, hospice, or residential medical facility, including any period of incapacity or any subsequent treatment in connection with such inpatient care. See 29 CFR § 825.114.

⁵ "Continuing treatment" includes incapacity and treatment, pregnancy or prenatal care, chronic conditions, permanent or long-term conditions, conditions requiring multiple treatments, and absences attributable to incapacity. See 29 CFR § 815.115.

⁶ Parental leave must be taken in one continuous block of time within 12 months of the triggering event.

⁷ "Closure" (OAR 839-009-0210(5)) for the purpose of sick child leave during a statewide public health emergency declared by a public health official means a closure that is ongoing, intermittent, or recurring and restricts physical access to the child's school or child care provider as defined in OAR 839-009-0210(4).

⁸ The district may request verification of the need for sick child leave under OFLA due to a closure during a statewide public health emergency. Verification may include:

1. The name of the child being cared for;
2. The name of the school or child care provider that has closed or become unavailable;
3. A statement from the employee that no other family member of the child is willing and able to care for the child; and

3. Bereavement leave: leave taken to deal with the death of a covered family member and includes leave taken to attend the funeral or alternative to a funeral of the family member, to make arrangements necessitated by the death of the family member, or to grieve the death of the family member⁹. When such leave is used for a family member who is related by affinity, the district requires an attestation form signed and submitted by the employee.

Eligible employees may also access OMFLA under OFLA for the purpose of spending time with a spouse or domestic partner who is in the military and has been notified of an impending call or order to active duty, or who has been deployed during a period of military conflict.

Definitions

1. Family member:

- a. For the purposes of FMLA, “family member” means:

- (1) Spouse¹⁰;
- (2) Parent¹¹;
- (3) Child; or
- (4) Persons who are “in loco parentis.”

- b. For the purposes of OFLA, “family member” means an eligible employee’s:

- (1) Spouse or domestic partner;
- (2) Child or the child’s spouse or domestic partner;
- (3) Parent or the parent’s spouse or domestic partner;
- (4) Sibling or stepsibling, or the sibling’s or stepsibling’s spouse or domestic partner;
- (5) Grandparent or the grandparent’s spouse or domestic partner;
- (6) Grandchild or the grandchild’s spouse or domestic partner; or
- (7) Any individual related by blood or affinity whose close association with an eligible employee is the equivalent of a family relationship¹².

-
4. With the care of a child older than 14, a statement that special circumstances exist requiring the employee to provide care to the child during daylight hours.

⁹ Bereavement leave under OFLA must be completed within 60 days of the date the employee received notice of the death. The notice of the death of a family member may be by any means and from any source.

¹⁰ “Spouse” means individuals in a marriage, including “common law” marriage and same-sex marriage.

¹¹ “Parent” means a biological, adoptive, step or foster parent, or any other individual who stood “in loco parentis” to the employee when the employee was a child as defined herein. This does not include parents “in law.”

¹² “Affinity” means a relationship for which there is a significant personal bond that, when examined under the totality of the circumstances, is like a family relationship. This bond may be demonstrated by, but is not limited to the following factors, with no single factor being determinative:

1. Shared personal financial responsibility, including shared leases, common ownership of real or personal property, joint liability for bills or beneficiary designations;
2. Emergency contact designation of the employee by the other individual in the relationship or the emergency contact designation of the other individual in the relationship by the employee;
3. The expectation to provide care because of the relationship or the prior provision of care;
4. Cohabitation and its duration and purpose;
5. Geographic proximity; and
6. Any other factor that demonstrates the existence of a family-like relationship.

2. Child:

- a. For the purposes of FMLA, “child” means the eligible employee’s biological or adopted child, a child the employee is fostering, a stepchild, a legal ward or a child of a person standing “in loco parentis”, who is either under the age of 18, or who is 18 years of age or older and who is incapable of self-care because of a physical or mental disability.
- b. For the purposes of Military Caregiver Leave and Qualifying Exigency Leave under FMLA, “child” means the employee’s child on covered active duty regardless of that child’s age.
- c. For the purposes of OFLA, “child” means the eligible employee’s biological or adopted child, a child the employee is fostering, a stepchild, the child of the employee’s spouse or domestic partner, or a child with whom the employee is or was in a relationship of “in loco parentis.”
- d. For the purposes of child placement leave and sick child leave only under OFLA, the child must be under the age of 18 or an adult dependent child substantially limited by a physical or mental impairment.

3. In loco parentis:

- a. For the purposes of FMLA, “in loco parentis” means persons with day-to-day responsibility to care for or financially support a child, or, in the case of an employee, who had such responsibility for the employee when the employee was a child. A biological or legal relationship is not necessary.
- b. For the purposes of OFLA, “in loco parentis” means person in the place of the parent, having financial or day-to-day responsibility for the care of a child. A legal or biological relationship is not required.

4. Next of kin:

For the purposes of FMLA, “next of kin” means the nearest blood relative other than the covered servicemember’s spouse, parent or child in the following order of priority (unless otherwise designated in writing by the servicemember):

- a. Blood relatives who have been granted legal custody of the covered servicemember by court decree or statutory provisions;
- b. Siblings;
- c. Grandparents;
- d. Siblings of parents and their spouses; and
- e. First cousins.

5. Covered servicemembers:

For the purposes of FMLA, “covered servicemember” means a current member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for a serious injury or illness; or a covered veteran who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness.

6. Covered veteran:

For the purposes of FMLA, “covered veteran” means an individual who was:

- a. A member of the Armed Forces (including a member of the National Guard or Reserves);
- b. Discharged or released under conditions other than dishonorable; and
- c. Discharged within the five-year period prior to the first date the eligible employee takes FMLA leave to care for the covered veteran.

7. Public health emergency:

For OFLA a “public health emergency” means;

- a. A public health emergency declared under ORS 433.441.
- b. an emergency declared under ORS 401.165 if related to a public health emergency as defined in ORS 433.442.

Leave Period

For the purposes of calculating an employee’s leave period for FMLA, the district will use the 12-month period measured forward from the date the employee’s leave begins.

For the purposes of calculating an employee’s leave period for OFLA, the district will use a period of 52 consecutive weeks beginning on the Sunday immediately preceding the date on which family leave commences.

The methods for calculating the leave period for FMLA or OFLA leave entitlement shall be used for all employees.

The leave period for the purposes of Military Caregiver Leave under FMLA shall be dependent on the start of any such leave regardless of the district’s designated leave period described above.

Leave Duration

For the purposes of FMLA, an eligible employee is generally entitled to a total of 12 weeks of qualified leave during the district’s designated leave period (12-month period)¹³. Spouses who work for the district and are eligible for FMLA leave may be limited to a combined total of 12 weeks of FMLA leave during the district’s designated leave period when the purpose of the leave is for:

1. Birth of a child or to care for a child after birth;

¹³ An eligible employee taking Military Caregiver Leave under FMLA is entitled to up to 26 weeks of leave in the 12-month period beginning with the first day of such leave and regardless of any FMLA leave taken previously during the district’s leave period. However, once the 12-month period begins for the purposes of Military Caregiver Leave under FMLA, any subsequent FMLA qualified leave, regardless of reason for such leave, will count toward the employee’s 26-week entitlement under Military Caregiver Leave under FMLA.

2. Placement of an adopted child or child in foster care, the care for an adopted child or child in foster care after placement; or
3. Care of the employee's parent with a serious medical condition.

Except in specific and unique instances, all qualified leave under FMLA counts toward an employee's leave entitlement within the designated leave period.

For the purposes of OFLA, an eligible employee is generally entitled to a total of up to 12 weeks of OFLA leave, for sick child leave and bereavement leave, during the designated leave period. An eligible employee is entitled to a total of two weeks of bereavement leave upon the death of each family member of the employee within a leave year, except that the eligible employee may not take more than four weeks of bereavement leave within a leave year.

An employee may also be entitled to take a total of 12 weeks of OFLA pregnancy disability leave within the same leave year.

Under OFLA, the employee may use all or part of the 12 weeks of sick child or bereavement leave and all or part of the 12 weeks of pregnancy disability leave in any order.

Unlike FMLA, OFLA does not combine the leave entitlement when two or more family members work for the district. Under OFLA, family members who work for the district may be restricted from taking concurrent OFLA qualified leave¹⁴.

For the purposes of OMFLA, an eligible employee is entitled to 14 days of leave per call or order to active duty or notification of a leave from deployment. When an employee also meets the eligibility requirements of OFLA, the duration of the OMFLA leave counts toward that employee's leave entitlement during the designated leave period.

Qualified leave under FMLA and OFLA for an eligible employee will run concurrently during the designated leave period if for the same qualifying reason. Qualified leave under FMLA will run concurrently with other qualified leave covered under Paid Family and Medical Leave Insurance (PFMLI) and/or available sick leave under ORS 653.601 - 653.661 for eligible employees. Qualified leave under OFLA may also run concurrently with leave taken under the sick leave law in ORS 653.601 - 653.661 if for the same qualifying reason, but not concurrent with PFMLI.

For the purpose of tracking the number of leave hours an eligible employee is entitled and/or has used during each week of the employee's leave, leave entitlement is calculated by multiplying the number of hours the eligible employee normally works per week by 12¹⁵ [2]. If an employee's schedule varies from week-to-week, a weekly average of the hours worked over the 12 months worked prior to the beginning of

¹⁴ Exceptions to the ability to require family members to take OFLA qualified leave at different times are when one employee needs to care for a child for a purpose described in ORS 659A.159 (1)(a) while another employee is taking pregnancy disability leave or, one or more of the employees is taking bereavement leave.

¹⁵ For example, an employee normally employed to work 30 hours per week is entitled to 12 times 30 hours, or a total of 360 hours of leave.

the leave period shall be used for calculating the employee's normal workweek¹⁶. If an employee takes intermittent or reduced work schedule leave, only the actual number of hours of leave taken may be counted toward the 12 weeks of leave to which the employee is entitled.

Holidays that occur within the week taken as FMLA may be counted against FMLA entitlement¹⁷. However, for leave taken in increments of less than one week, holidays in which employees generally are not expected to report do not count against the employee's FMLA leave entitlement.

Under OFLA, days in which the district is not in operation are not counted toward intermittent or reduced work schedule OFLA leave.

Intermittent Leave

With the exception of parental leave under FMLA which must be taken in one continuous block of time, an eligible employee is permitted under FMLA or OFLA to take intermittent leave for any qualifying reason.

Intermittent leave is taken in separate periods of time (i.e., hours, days, weeks, etc.), rather than in one continuous period of time, and/or requiring an altered or reduced work schedule. For OFLA this includes but is not limited to sick child leave taken requiring an altered or reduced work schedule because the intermittent or recurring closure of a child's school or child care provider due to a statewide public health emergency declared by a public health official.

When an exempt employee is eligible for both OFLA and FMLA leave, and the employee takes intermittent leave in blocks of less than one day, if done in accordance with 29 CFR § 825.206, the district may reduce the employee's salary for the part-day absence without the loss of the employee's exempt status in accordance with OAR 839-020-0004(32).

An employee's FMLA and/or OFLA intermittent leave time is determined by calculating the difference between the employee's normal work schedule and the number of hours the employee actually works during the leave period. The result of such calculation is credited against the eligible employee's leave entitlement.

Alternate Work Assignment

Under FMLA, the district may transfer an employee taking intermittent leave or leave on a reduced leave schedule that is foreseeable based on planned medical treatment to an alternate position for which the employee is qualified and which better accommodates an employee's recovery from a serious health condition, a serious health condition of a spouse, parent, son, or daughter, or a serious injury or illness of a covered servicemember. However, the district may not transfer the employee to an alternative position in order to discourage the employee from taking leave or otherwise work a hardship on the employee.

¹⁶ For example, an employee working an average of 25 hours per week is entitled to 12 times 25 hours, or a total of 300 hours of leave.

¹⁷ See 29 CFR § 825.200(h).

Under FMLA, when an employee who is taking leave intermittently or on a reduced leave schedule and has been transferred to an alternative position no longer needs to continue on leave and is able to return to full-time work, the employee will be placed in the same or equivalent job as the job they left when the leave commenced. An employee may not be required to take more leave than necessary to address the circumstance that precipitated the need for leave.

Under OFLA, the district may transfer an employee on intermittent OFLA leave or reduced work schedule into an alternate position with the same or different duties to accommodate leave, provided:

1. The employee accepts the position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary to accommodate the leave and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreement, as well as with state and federal law;
4. The transfer to an alternate position is used only when there is no other reasonable option available that would allow the employee to use intermittent leave or reduced work schedule; and
5. The transfer is not used to discourage the employee from taking leave or to create a hardship for the employee.

Under OFLA, an employee transferred to an alternate position for the purpose of a reduced work schedule must be returned to the employee's former position when the employee notifies the employer that the employee is ready to return to the former position at the end of the alternate duty leave.

The district may transfer an eligible employee to an alternate position that accommodates OFLA pregnancy disability leave provided:

1. The employee accepts the transfer position voluntarily and without coercion;
2. The transfer is temporary, lasts no longer than necessary and has equivalent pay and benefits;
3. The transfer is compliant with any applicable collective bargaining agreements, as well as with state and federal law;
4. The transfer is not used to discourage the employee from taking OFLA leave or to create a hardship for the employee.

Under OFLA, if an eligible employee is transferred to an alternative position and as a result the employee works fewer hours than the employee worked in the original position, the employee's OFLA leave time is determined by calculating the difference between the number of hours the employee worked in the original position and the number of hours the employee actually works in the alternative position.

An employee is not on OFLA leave if the employee has been transferred – as provided for in OAR 839-009-0245 (5) – to an alternate position for the purpose of alternate work duties that the employee is able to perform within the limitations of the employee's pregnancy disability, but not requiring a reduced

workweek. An employee working in an alternate position retains the right to return to the employee's original position at any time during the employee's OFLA leave. This does not impair the right of an employee to a reasonable accommodation or the application of any other state or federal law.

Special Rules for School Employees

For the purposes of FMLA, "instructional employee" means those whose principal function is to teach and instruct students in a class, a small group or an individual setting. Athletic coaches, driving instructors and special education assistants, such as interpreters¹⁸ for the hearing impaired, are included in this definition. This definition does not include teacher assistants or aides who do not have as their principal job actual teaching or instructing, auxiliary personnel such as counselors, psychologists, curriculum specialists, cafeteria workers, maintenance workers or bus drivers.

FMLA leave that is taken for a period that ends with the school year and begins with the next semester is considered consecutive rather than intermittent. The period during the summer vacation when the employee would not have been required to report for duty is not counted against the employee's FMLA leave entitlement. In any such situation, the eligible instructional employee will receive any benefits during the break period that employees would normally receive if they had been working at the end of the school year.

1. Foreseeable Intermittent Leave Exceeding 20 Percent of Working Days

When the qualified leave is foreseeable, will encompass more than 20 percent of the eligible instructional employee's regular work schedule during the leave period, and the purpose of such leave is to care for a family member with a serious medical condition, for a covered servicemember or for the employee's own serious medical condition, the district may require the eligible instructional employee to choose either to:

- a. Take leave for a period or periods of a particular duration, not greater than the duration of the planned treatment; or
- b. Temporarily transfer to an available alternate position for which the employee is qualified, which has equivalent pay and benefits and which better accommodates recurring periods of leave than the employee's regular position.

If an instructional employee does not give required notice of foreseeable FMLA leave to be taken intermittently or on a reduced leave schedule, the district may require the employee to take leave of a particular duration, or to transfer temporarily to an alternative position. Alternatively, the district may require the employee to delay the taking of leave until the notice provision is met.

2. Limitation on Leave Near the End of the Term¹⁹

¹⁸ 29 CFR 825.600(c) uses "signers."

¹⁹ "Academic term" means the school semester, which typically ends near the end of the calendar year and the end of spring each school year. In no case may a school have more than two academic terms or semesters each year for purposes of FMLA. 29 CFR § 825.602(b)

When an eligible instructional employee requests leave near the end of the term, the district may require the following:

- a. When the qualified leave begins more than five weeks before the end of the term, the district may require the employee to continue taking leave until the end of the term if:
 - (1) The leave will last at least three weeks; and
 - (2) The employee would return to work during the three-week period before the end of the term.
- b. When the qualified leave begins during a five-week period before the end of the term and the purpose of such leave is parental leave, for the serious health condition of a family member or to care for a covered servicemember, the eligible instructional employee may be required by the district to remain on leave until the end of the term if:
 - (1) The leave will last more than two weeks; and
 - (2) The employee would return to work during the two-week period before the end of the term.
- c. When the qualified leave begins within three weeks of the end of the term and the purpose of such leave is parental leave, for the serious health condition of a family member or to care for a covered servicemember, the eligible instructional employee may be required to remain on leave until the end of the term if the length of the leave will last more than five working days.

If the district requires an eligible instructional employee to remain on leave until the end of the term as described above, additional leave required by the district until the end of the school term shall not count against the eligible instructional employee's leave entitlement.

For the purposes of OFLA leave, if an employee²⁰ begins a period of bereavement leave during the three-week period before the end of the term and the duration of the leave is greater than five working days, the district may require the employee continue on family leave until the end of the term.

Paid/Unpaid Leave

- FMLA and OFLA do not require the district to pay an eligible employee who is on a qualified leave.
- Paid Family and Medical Leave Insurance (PFMLI) leave taken via Paid Leave Oregon or an equivalent plan will run concurrently with FMLA and leave available under ORS 653.601 - 653.661 when taken for the same purpose.
- As described in collective bargaining agreements, an employee qualifying for both FMLA and PFMLI must deplete all paid leave before starting unpaid leave.
- An employee qualifying for PFMLI only is not required to deplete their paid leave before starting unpaid leave.

²⁰ Applies only to an employee who is employed principally in an instructional capacity by the district.

An employee may elect to use any available accrued paid leave, including personal, sick, or vacation leave, during the leave period. The total combined amount received by using accrued leave and PFMLI may exceed the employee's full wage replacement during the period of leave. The district will notify the eligible employee when the requested leave has been designated as FMLA or OFLA leave and ask the employee about the use of available accrued paid leave.

Eligible employees taking OMFLA leave are entitled to use available accrued paid time off during the OMFLA leave period.

Benefits and Insurance

When an eligible employee returns to work following a FMLA-, OFLA- or OMFLA-qualified leave, the employee must be reinstated to the same position the employee held when the leave commenced, or to an equivalent position with equivalent benefits, pay, and other terms and conditions of employment.

During an OFLA qualified leave, an eligible employee does not accrue seniority or other benefits that would have accrued while the employee was working, unless the terms of a collective bargaining agreement, other agreement or other district policy provide otherwise²¹. The eligible employee is also subject to layoff to the same extent as similarly situated employees not taking OFLA leave are subject unless the terms of an applicable collective bargaining agreement, other agreement, or the district's policies provide otherwise.

For the purposes of FMLA and OFLA, the district will continue to pay the employer portion of the eligible employee's group health insurance contribution (if applicable) during the qualified leave period. The eligible employee is required to pay the employee portion of any such group health insurance contribution as a condition of continued coverage.

For the purposes of FMLA-qualified leave, the district's obligation to maintain the employee's group health insurance coverage will cease if the employee's contribution is remitted more than 30 calendar days late. The district will provide written notice that the premium payment is more than 30 calendar days late. Such notice will be provided within 15 calendar days before coverage is to cease.

For the purposes of OMFLA, the eligible employee is entitled to a continuation of benefits.

Fitness-for-Duty Verification

For purposes of FMLA, prior to the reinstatement of an employee following a leave which was the result of the employee's own serious health condition, the district may require the employee to obtain and present a Fitness-for-Duty Certification. If the district is going to require a Fitness-for-Duty Certification upon return to work, the district must notify the employee of such requirement when the leave is designated as FMLA leave and that failure to provide the certification may result in a delay or denial of reinstatement. Any costs associated with obtaining the certification shall be borne by the employee.

²¹ See also ORS 342.934(4)(d) in reduction force situations.

Application

For purposes of FMLA, an eligible employee requesting FMLA leave shall provide at least 30 days' notice prior to the leave date if the leave is foreseeable. The notice shall be written and include the anticipated start date, duration and reasons for the requested leave. When appropriate, the eligible employee must make a reasonable effort to schedule treatment, including intermittent leave and reduced leave, so as not to unduly disrupt the operation of the district. An eligible employee able to give advance notice of the need to take FMLA leave must follow the district's known, reasonable and customary procedures for requesting any kind of leave.

For purposes of OFLA, an eligible employee shall provide at least 30 days' written notice of the need for foreseeable leave before starting family leave. An employee may commence family leave without prior notice in the event of: an unexpected illness, injury or condition of a child of the employee that requires home care; the death of a family member; or an illness, injury or condition related to the employee's own pregnancy or childbirth that disables the employee from performing any available job duties offered by the district. If an employee commences leave without prior notice as allowed above, the employee must give oral notice²² to the employer within 24 hours of the commencement of the leave and must provide the written notice within three days after returning to work. Failure of an employee to provide the required notice for leave may result in the district deducting up to three weeks from the employee's unused OFLA leave in that one-year leave period. The employee may be subject to disciplinary action for not following the district's notice procedures.

The district may request additional information²³ to determine if the requested leave qualifies as FMLA or OFLA leave. The district may designate the employee as provisionally on FMLA or OFLA leave until sufficient information is received to properly make a determination. An eligible employee able to give advance notice of the need to take leave must follow the district's known, reasonable, and customary procedures for requesting any kind of leave.

For the purposes of FMLA, if advance notice is not possible, an employee eligible for FMLA leave must provide notice as soon as practicable. "As soon as practicable," for the purpose of FMLA leave, means as soon as both possible and practical, taking into account all of the facts and circumstances in the individual case. In most situations, as soon as practicable will be within one business day of an employee becoming aware of the need. Failure of an employee to provide the required notice for FMLA leave may result in the district delaying the employee's leave up to 30 days after the notice is ultimately given²⁴.

For the purposes of OFLA, if an eligible employee is taking leave in an unforeseeable situation, an employee must give oral or written notice²⁵ within 24 hours before or after commencement of the leave. In all cases, proper documentation must be submitted no later than three working days following the employee's return to work.

²² Oral notice may be given by any other person on behalf of the employee taking the leave.

²³ Except in cases to verify OFLA bereavement leave unless the district requires the use of an attestation form for purposes of determining affinity.

²⁴ See 29 CFR § 825.304.

²⁵ Notice may be given by any other person on behalf of the employee taking the leave.

For purposes of OMFLA, an employee must provide the district with notice of the intention to take leave within five business days of receiving official notice of an impending call or order to active duty or of a leave from deployment.

For the purposes of PFMLI taken via Paid Leave Oregon or an equivalent plan, an employee able to give advance notice of the need to take PFMLI leave must follow the district's known, reasonable, and customary procedures for requesting any kind of leave.

Verification

Under FMLA, the district may require an eligible employee to provide medical certification, when appropriate²⁶, to support the stated reason for such leave. In most cases, the district will provide written notification to an employee of this requirement within five working days of the employee's request for leave. The employee is required to submit such medical certification no later than 15 calendar days after receipt of the district's notification that medical certification is required, unless not practicable. Any additional certifications, including second and third opinions, will be in accordance with applicable law.

Under OFLA, the district may require an eligible employee to provide medical verification, when appropriate²⁷, to support the stated reason for qualifying OFLA leave. The district will provide written notification to an employee of this requirement and state the consequences for failure to provide the requested medical verification. If the employee gives advance written notice of foreseeable leave, the district may require the employee to provide medical verification for OFLA leave before the leave starts. If the employee begins unforeseeable OFLA leave without prior notice, the employee is required to submit such medical verification within 15 calendar days after receipt of the district's request for medical verification. The employee may be subject to disciplinary action for not providing the requested medical verification.

For the purposes of OFLA-qualified leave, costs associated with obtaining the medical verification that are not covered by insurance shall be borne by the district or be paid as otherwise allowed by law. The district will not delay the use of qualifying OFLA leave when medical verification is not received before the commencement of unforeseeable leave. The district may not require an employee to obtain a second opinion.

Under OFLA, the district may request verification for the need for leave to care for a child who requires home care due to the closure of the child's school or child care provider as a result of a public health emergency. A request for verification may include a request for:

1. The name of the child requiring home care;
2. The name of the school or child care provider that is subject to the closure;
3. A statement from the employee that no other family member of the child is willing and able to care for the child; and

²⁶ Medical verification is not allowed in every situation. Review current laws and guidance for more information.

²⁷ Medical verification is not allowed in every situation. Review current laws and guidance for more information. (OAR 839-009-0260)

4. A statement that special circumstances exist that require the employee to provide home care for the child during the day if the child is older than 14 years of age.

Posted Notice

The district will post the Bureau of Labor and Industries Family Leave notice in each building or worksite in an area that is accessible to and regularly frequented by employees²⁸. The district will also post a notice explaining the provisions of FMLA and providing information concerning the procedures for filing complaints²⁹.

Record Keeping

The district will maintain all records as required by federal and state laws including dates leave is taken by employees, identified separately from other leave; hours/days of leave; copies of general and specific notices to employees, including Board policy(ies) and regulations; premium payments of employee health benefits while on leave and records of any disputes with employees regarding granting of leave.

Medical documentation will be maintained separately from personnel files as confidential medical records.

Federal vs. State Law

Both federal and state law contain provisions for family and medical leave. Federal regulations state an employer must comply with all leave laws; that the federal law does not supersede any provision of state law that provides greater family or medical leave rights than those established pursuant to federal law; and if leave qualifies for FMLA and OFLA leave, the leave used counts against the employee's entitlement under both laws. State law requires that FMLA and OFLA or other state leave entitlements run concurrently when for the same purpose.

²⁸ https://www.oregon.gov/boli/employers/Documents/BOLI_Printable_FamilyMedLv.pdf; electronic posting is not sufficient to satisfy this requirement, but may be used to supplement the physical posting.

²⁹ <https://www.dol.gov/sites/dolgov/files/WHD/legacy/files/fmlaen.pdf>; electronic posting is sufficient as long as it is posted prominently where it can be readily seen by employees and applicants for employees. The poster and the text must be large enough to be easily read and contain fully legible text.

4. Policy II/IIA - Instructional Resources/Instructional Materials - DELETE



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board

Prepared by: Melissa Harder

Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy II/ IIA—Instructional Resources/Instructional Materials—Delete—First Read

Background

Highly recommended and newly revised policies and administrative regulations concerning instructional materials were released by OSBA. The existing policy II-IIA, Instructional Resources/Instructional Materials, is recommended for deletion and to be replaced by a new version of IIA titled Instructional Materials

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review deletion.

Instructional Resources/Instructional Materials

The Board believes that proper care and judgment should be exercised in selecting instructional materials. While the Board retains the authority to approve district instructional material adoptions, it authorizes the superintendent to develop and implement administrative procedures governing how selections are determined. Such procedures will provide for administrator, staff, parent, student, and community involvement and employ suitable selection criteria to ensure that the recommended instructional materials will meet the needs of the program, students, teachers, and community.

The superintendent, in collaboration with building principals, will recommend a schedule for review of instructional materials. Such timeline will consider the requirements of the State Board of Education adoption cycle, other state mandates, local district initiatives and fiscal practicalities.

All textbook and instructional materials recommended for adoption shall be approved for use by the Board. Prior to Board approval, students and interested district patrons will have the opportunity to review the recommended instructional materials and be encouraged to provide opinions about them and their use in the classrooms. If state-adopted materials are not selected, an independent adoption will be submitted for Board approval.

All supplementary materials and library/media resources will be selected cooperatively by teachers, principals, library/media teachers, and sometimes with the assistance of students and parents. Board approval is not needed for supplemental materials and resources.

Recommended textbook, supplementary materials, and library/media resources will be inclusive and value diversity in all forms when possible; contain appropriate readability and viewing levels; support the district's adopted curriculum contents; provide for ease of teacher use; be attractive and durable, and be purchased at a reasonable cost.

The district will establish a process and timeline for regularly determining and considering whether the textbooks and other instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge.

The Board recognizes that materials containing mature themes and content have a legitimate purpose in a school's educational program. However, the Board wishes to ensure that the use of such instructional and/or supplementary material enhances and supports the curriculum goals of the district and of specific adopted courses, and that the content of the material is appropriate for the developmental level of the student. Therefore, teachers are required to show evidence, through their lesson plans, of the intended use of the material and the standard/benchmark and

related curriculum the resource supports.

Prior to using materials containing mature themes, teachers are required to obtain administrative approval, and parental permission specific to the materials and grade level in question may be required. If a parent does not grant permission, an alternative assignment will be available for the student, without penalty.

The Board recognizes the right of individuals and/or groups to present complaints concerning instructional materials and programs in the schools. The superintendent will establish a review process for objections to instructional materials and programs. This process will provide for a timely and fair hearing, assuring that procedures are applied equitably to all expressions of concern.

The Board subscribes in principle and practice to statements of policy as expressed in the Copyright Fair Use Guidelines for Educational Multimedia, the American Library Bill of Rights and related interpretations thereof to include Statement on Intellectual Freedom, Confidentiality of Library Records, and Access to Electronic Information, Services and Networks.

END OF POLICY

Legal Reference(s):

[ORS 336.035](#)

[ORS 336.840](#)

[ORS 337.120](#)

[ORS 337.141](#)

[ORS 337.150](#)

[ORS 337.260](#)

[ORS 337.511](#)

[ORS 339.155](#)

[OAR 581-011-0050](#) to -0117
[OAR 581-021-0045](#)
[OAR 581-021-0046](#)

[OAR 581-022-1140](#)
[OAR 581-022-1520](#)
[OAR 581-022-1640](#)

No Child Left Behind Act of 2001, 20 U.S.C. §§ 6311-6322 (2006)

Cross Reference(s)

Policy EGAAA—Reproduction of Copyright Materials
Policy IFA—Instructional Research
Policy IIABB—Use of Feature Films/Videos
Policy INB—Controversial Issues
Policy KL—Public Complaints

DELETED

5. Policy II/IIA - AR - Instructional Materials Selection - DELETE



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board

Prepared by: Melissa Harder

Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy II/ IIA-AR—Instructional Materials Selection—Delete—First Read

Background

Highly recommended and newly revised policies and administrative regulations concerning instructional materials were released by OSBA. The existing administrative regulation, Instructional Materials Selection, is recommended for deletion and to be replaced by new administrative regulations.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review deletion.

INSTRUCTIONAL MATERIALS SELECTION

I. Selection of Instructional Materials

A. Responsibility for Selection of Materials

1. The responsibility for the selection of instructional materials is delegated to the superintendent. For the purposes of this procedure the term "instructional materials" includes print and nonprint materials, including digital content of software in a format such as electronic and Internet or web-based materials or media (not equipment). This includes resources for school/classroom use and library/media centers.
2. While selection of materials involves many people (principals, teachers, parents, students, librarians and community persons), the responsibility for coordinating the selection of instructional materials and making the recommendation for purchase rests with licensed personnel.
3. Responsibility for coordinating the selection of instructional materials for distribution to classes will rest with the superintendent. "Instructional materials" includes any organized system which constitutes the major instructional vehicle for a given course of study or any major part of the course.

II. Criteria for Selection of Material

Instructional materials are selected by the district to implement, enrich and support the educational program for the student. Materials must serve both the breadth of the curriculum and the needs and interests of individual students. The district will support selection of materials that provide for a wide range of abilities and to respect the diversity of many differing points of view. To this end, principles must be placed above personal opinion and reason above prejudice in the selection of materials of the highest quality and appropriateness.

- A. Instructional material needs of the district and individual schools will be based on relation to and knowledge of standards, benchmarks, curriculum and existing resources. Material will be selected cooperatively by teachers, principals, library/media teachers, students and parents.

The following criteria will be used as they apply:

INSTRUCTIONAL MATERIALS SELECTION—II/IIA-AR

(continued)

1. Learning resources will support and be consistent with the general educational goals of the state and district and the aims and objectives of individual schools and specific courses;
2. Learning resources will meet high standards of quality in factual content and presentation;
3. Learning resources will be appropriate for the subject area and for the age, emotional development, ability level, learning styles and social development of the students for whom the materials are selected;
4. Physical format and appearance of learning resources will be suitable for intended use;
5. Learning resources will be designed to help students gain an awareness of our pluralistic society;
6. Learning resources on controversial issues will be directed towards maintaining a balanced collection representing various views and promoting free inquiry and robust debate characteristic of a democratic society;
7. Learning resources for teacher and student projects and instruction will adhere to the Copyright Fair Use Guidelines for Educational Multimedia. This is to ensure the continuation of new and original work that enhances educational materials for student learning.

B. Gifts

Gifts of books and other material will be welcomed provided they meet the same standards and criteria as applied to original purchases.

III. Procedures for Selection: Textbook/Materials, Media and Technology

A. Textbook/Materials

The district will furnish textbooks and/or instructional materials for all content areas as related to standards and benchmarks and defined by the district, state and related adoption cycles. A basic textbook is an item that is used as the main source of instruction on a consistent basis. This can be a book, kit or an item in electronic form. A supplementary textbook is one that is used to enrich a content area. These materials are used occasionally and would not be considered the main source of instruction.

Textbook/Materials Adoption and Purchase Process

INSTRUCTIONAL MATERIALS SELECTION—II/IIA-AR

(continued)

1. District and/or building level curriculum subgroup will review textbook/materials from either the state-approved list or from other sources. If the textbook/materials are not on the state list, an independent adoption must be done. Either process results in recommendations for textbook/materials that best support the standards and benchmarks of that content area.
2. Prior to making the recommendation, students, teachers not on the review committees and interested district patrons will have the opportunity to review the recommended textbook/instructional materials. This can be done either centrally or within each site.
3. If site based, whole schools, not individual teachers, will make decisions about textbook/material purchases. Decisions will be based on the school implementation plan for standards.
4. All opinions and related information will be considered before a final decision is made.
5. Recommendation for adoption of basic textbook/materials is then made to the director of instructional services. The recommendation will include rationale based on established selection criteria. The director will then make a final recommendation to the superintendent and the Board.

Basic textbook/materials can be purchased from a central educational services fund that is allocated to each site, as per an established amount per student or from building, grant and/or donation dollars at each building. Combinations of central and site funding are also possible. As stated above, funding from either central or building sources for basic textbook/materials must first consider purchasing from the textbook adoption list and follow the process as outlined above. Purchase in content areas will follow state and/or district adoption cycles as defined by the instructional services director.

Either educational services or the building can order the adopted textbook/ materials. If central funding is used and the school orders the books, a copy of the purchase order and the attached form are sent to the instructional services director.

Supplemental textbook/materials are the responsibility of each school and selected accordingly. Supplemental purchases do not require Board approval.

Textbook/Materials adoptions and supplemental materials will be purchased in large enough quantities to promote compliance with copyright Fair Use Guidelines for Educational Multimedia and the principles and practices of the American Library Bill of Rights and related interpretations thereof.

B. Media and Technology

INSTRUCTIONAL MATERIALS SELECTION—II/IIA-AR

(continued)

The primary objective of library/media and technology centers is to implement, enrich and support student learning and educational programs of the school. Library/Media and technology centers provide a wide range of materials on all levels of difficulty, with diversity of appeal and the presentation of different points of view. Access to electronic, print and nonprint information is essential to ensure instruction and student learning. This is inclusive of supplemental materials for classrooms, labs, resource rooms and networked programs and systems for instruction.

Library/Media and technology resources will be selected cooperatively by teachers, principals, library/media teachers, students and parents as appropriate. The responsibility for coordinating the selection of materials and making the recommendation for purchase rests with licensed personnel.

Materials will be selected according to general educational principles of selection criteria for instructional resources and for overall purpose, currency, relevance to the curriculum, quality of the work, readability levels, format and price.

- Licensed staff will evaluate existing collections and curriculum needs and consult professionally prepared selection aids and other appropriate sources when making selections.
- Selection tools include publications from: Association for Educational Communications and Technology, HW Wilson, RR Bowker and American Library Association and professional education materials and publications. A variety of formats, including electronic, will be utilized when selecting and evaluating materials.
- Selection is an ongoing process which includes the removal of materials no longer appropriate and the replacement of lost and worn materials.

Media and technology centers will adhere to the principles and practices as expressed in the Copyright Fair Use Guidelines for Educational Multimedia and the American Library Bill of Rights and related interpretations thereof.

C. Notification Related to the Use of Instructional Materials

Parental and administrative notification is required when using:

- Officially rated materials that contain mature themes that are beyond the age of the students. This includes, but is not limited to video, film, music, and television programs.
- Materials that are not rated but contain mature themes for the age of the student.
- Human growth and development materials pertaining to human sexuality.

INSTRUCTIONAL MATERIALS SELECTION—II/IIA-AR

(continued)

Prior to using these materials, the teacher must review the item and document how it enhances and supports the standard, benchmark, and/or curricular content area. Prior to its use, and specific to specified grade levels, parental permission and administrative concurrence is required. Parents will have the opportunity to preview the material in question. A teacher should allow at least five days following the request for parent permission to provide time for the parent to preview the film/video. If a parent does not grant permission, an alternative assignment will be available for their student.

IV. Procedures for Reconsideration of Instructional Materials

Any resident or employee of the district may challenge the appropriateness of instructional materials used in an educational program. This procedure is to provide a forum for those persons in the schools and the community who are not directly involved in the selection process. The principles and practices of the American Library Association, Statement on Intellectual Freedom, Confidentiality of Library Records and Access to Electronic Information, services and Networks will be subscribed to throughout the process.

All requests for any reconsideration of instructional materials on the part of an individual or any organization should be first taken up directly with the school principal. If, after discussion any question remains, the complaint must be put in writing on the district's Reconsideration Request Form for Instructional Material. The Reconsideration Request Form will be returned to the principal where the complaint originated.

The school principal will forward the Reconsideration Request Form, together with a summary of the informal discussion, to the district superintendent. Within ten school days of the filing of the form, the superintendent will appoint a task force of appropriate professional staff members to investigate the complaint and recommend a solution. The complainant(s) and/or district personnel involved in the complaint may appear before the committee to answer questions and clarify the cause of the complaint or use of the material. The task force will make a recommendation in writing to the superintendent.

Based on the complaint and the recommendation of the task force, a decision will be rendered by the superintendent to retain the material in question, modify its use or remove it from use. The complainant will be notified by the superintendent's office of the decision. The report from the reviewing committee will be provided to the complainant upon request.

If the complainant is not satisfied with the recommendation of the superintendent, the complainant may appeal to the Board in accordance with procedures established in district policy.

If the same material is challenged at a later date, the building principal will examine the previous decision and any new information. If the principal believes there is a significant difference in the new challenge, the principal may have the task force review the material again. If the request has no new information for reconsideration, the principal will stand with the original decision and inform the complainant.

Access to challenged materials shall not be restricted during the reconsideration process. However, in unusual circumstances the material may be removed temporarily by the superintendent.

DELETED

INSTRUCTIONAL MATERIALS SELECTION—II/IIA-AR
(continued)

RECONSIDERATION REQUEST FORM FOR INSTRUCTIONAL MATERIAL
(Submit to Superintendent)

Name _____ Date _____
Address _____
City _____ State _____ Zip Code _____ Phone _____

Do you represent yourself? Your organization?

1. Resource on which you are commenting

Book	Textbook	Video	Display
Magazine	Library Programs	Audio Recording	
Newspaper	Electronic information/network (please specify)		
Other			

Title _____
Author/Producer _____

2. _____ What brought this resource to your attention?

3. _____ To what in the item do you object? (Please be specific)

4. _____ In your opinion what harmful effects upon students might result from use of this item?

5. _____ Do you perceive any instructional value in the use of this item?

6. _____ Did you review the entire item? If not, what sections did you review?

7. _____ Should the opinion of any additional experts in the field be considered?
Yes _____ No _____ Please list suggestions if any:

8. _____ What would you like the school to do about this material?
Do not use it with my student
Withdraw it from use
Other _____

INSTRUCTIONAL MATERIALS SELECTION—II/IIA-AR
(continued)

9. In place of this item would you care to recommend other material which you consider to be of equal or superior quality for the purpose intended?

10. Do you wish to make an oral presentation to the Review Committee?
Yes No If yes, please call the superintendent's office at 757-5840.

Date

Signature

References:

DELETED

6. Policy IIA - Instructional Materials - NEW



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy IIA—Instructional Materials—New—First Read

Background

OSBA policy staff collaborated with a work group comprised of school district and ESD staff and professionals from the State Library of Oregon and the Intellectual Freedom Committee. The results of this work group culminated in this newly revised Instructional Materials policy and associated administrative regulations.

The policy update includes clear definitions of the four types of Instructional Materials - Core Instructional Materials, Supplemental Instructional Materials, School Library Materials, and Classroom Library Materials. These definitions set up the associated administrative regulations to address how each of those materials are selected/adopted and how they can be reconsidered.

Corvallis School District Library Media staff were an active part of reviewing the OSBA model policy and adjusting it to reflect local practices.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review revision.



Code: IIA
Adopted:
Revised/Readopted:

Instructional Materials**

The Board believes proper care and judgment should be exercised in selecting core and supplemental instructional materials and school and classroom library materials and that those materials should be inclusive of populations represented in a global society. The process of selecting materials will reflect respect for all people, regardless of race, color, religion, sex, gender identity, gender expression, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, familial status, economic status, or veteran status.

A material involved with a reconsideration will remain available throughout the reconsideration process. Materials will not be removed for discriminatory reasons. A request for reconsideration of materials may be processed through established procedures found in accompanying administrative regulations. Meetings of reconsideration committees may be subject to Public Meetings Law. Records regarding reconsideration procedures are subject to Public Records Law.

This policy is not intended to cover classroom activities. Complaints regarding classroom activities unrelated to materials can be filed using other established district complaint procedures. See Policy KL and KL-AR(1).

The term “instructional material” includes core instructional materials, supplemental materials, school library materials, and classroom library materials.

Some materials may fall into more than one of the following categories. If there is a question regarding selection or reconsideration, the district administration may select which procedure to use.

Definitions

“Core instructional material¹,” sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks, and print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

“Supplemental instructional materials” means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

¹ This comes from OAR 581-011-0050(1), referring to instructional materials which must be adopted by local school boards.

“School library materials” means materials that are kept in the school library for student selection and use. The use of these materials may not be required for a particular class, but they may be selected by students to use. These may include books, media, newspapers, magazines, videos, websites, or databases, including in digital or print, etc. These materials are not adopted by the Board.

“Classroom library materials” means materials that are kept in the classroom for student selection and use. The use of these materials is not required for the class, but they may be selected by students to use. These may include books, media, newspapers, magazines, videos, etc. These materials are not adopted by the Board.

Core Instructional Materials

The Board retains the authority to approve core instructional materials used in district schools and authorizes the superintendent or designee to develop and implement administrative regulations governing the selection and adoption of such materials. Procedures will provide for the involvement of administrators, staff, parents, students, and community members; will use established selection criteria to contribute to the attainment of district, program, and course or grade-level goals; and will reflect recent knowledge, trends, and technology in the field.

The district will review core instructional materials in accordance with the State Board of Education adoption cycle. Each core instructional program and its instructional materials will be reviewed on a seven-year cycle, and any resulting recommendations will be issued by district administration to the Board for approval. All recommended core instructional materials shall be approved by the Board prior to use. The adoption of textbooks for American history and government by the Board and any committee shall be done in a manner following ORS 337.260. The district will establish a process and timeline for regularly determining and considering whether core instructional materials are available through online resources that enable students with print disabilities to receive textbooks and instructional materials free of charge. All requests for reconsideration of core instructional materials may be considered under administrative regulation IIA-AR(2) - Reconsideration of Core Instructional Materials.

The district may choose to independently adopt core instructional materials that are not on the state-approved list, using state-approved selection criteria.

Supplemental Instructional Materials

All supplemental instructional materials will be selected by building staff (teachers and principals) in collaboration with district staff through an informal selection procedure. Such materials will contain suitable readability levels and support the district’s adopted curriculum content. Materials will be used for their intended audience. All requests for reconsideration of supplemental instructional materials may be considered under administrative regulation IIA-AR(3) - Reconsideration of Supplemental Instructional Materials.

School Library Materials

All school library materials will be selected by library staff as designated by the building principal using established selection criteria. Materials will contain a variety of reading levels. All requests for reconsideration of school library materials may be considered under administrative regulation IIA-AR(4) - Reconsideration of School or Classroom Library Materials.

Classroom Library Materials

All classroom library materials will be selected by a classroom teacher and/or others ensuring that those materials are inclusive of populations represented in a global society and that the process of selecting materials reflects respect for all people, regardless of race, color, religion, sex, gender identity, gender expression, sexual orientation, national or ethnic origin, marital status, age, mental or physical disability, familial status, economic status, or veteran status. Teachers are responsible for knowing the available materials in their classroom library. All requests for reconsideration of classroom library materials may be considered under administrative regulation IIA-AR(4) - Reconsideration of School or Classroom Library Materials.

The Board subscribes in principle and practice to statements of policy as expressed in the Copyright Fair Use Guidelines for Educational Multimedia, the American Library Association Bill of Rights and related interpretations thereof to include Statement on Intellectual Freedom, Confidentiality of Library Records, and Access to Electronic Information, Services and Networks.

END OF POLICY

Legal Reference(s):

[ORS 174.100](#)
[ORS 332.107](#)
[ORS 336.035](#)
[ORS 336.082](#)
[ORS 336.840](#)
[ORS 337.120](#)
[ORS 337.141](#)

[ORS 337.150](#)
[ORS 337.260](#)
[ORS 337.511](#)
[ORS 339.155](#)
[ORS 659.850](#)

[OAR 581-011-0050](#) - 0117

[OAR 581-021-0045](#)
[OAR 581-021-0046](#)
[OAR 581-022-2310](#)
[OAR 581-022-2340](#)
[OAR 581-022-2350](#)
[OAR 581-022-2355](#)

Every Student Succeeds Act, 20 U.S.C. §§ 6311-6322 (2018).

Title VI of the Civil Rights Act of 1964, 42 U.S.C. § 2000d (2018); 28 C.F.R. §§ 42.101-42.106 (2019).

Title IX of the Education Amendments of 1972, 20 U.S.C. §§ 1681-1683, 1701, 1703-1705, 1720 (2018); Nondiscrimination on the Basis of Sex in Education Programs or Activities Receiving Federal Financial Assistance, 34 C.F.R. Part 106 (2024).

Americans with Disabilities Act Amendments Act of 2008, 42 U.S.C. §§ 12101-12133 (2018); 29 C.F.R. Part 1630 (2019); 28 C.F.R. Part 35 (2019).

Age Discrimination Act of 1975, 42 U.S.C. §§ 6101-6107 (2018).

7. Policy IIA - AR(1) - Instructional Materials - NEW



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy IIA-AR (1)—Instructional Materials—New—First Read

Background

OSBA policy staff collaborated with a work group comprised of school district and ESD staff and professionals from the State Library of Oregon and the Intellectual Freedom Committee. The results of this work group culminated in a newly revised Instructional Materials policy and associated administrative regulations.

AR (1) details the selection requirements for the four types of Instructional Materials - Core Instructional Materials, Supplemental Instructional Materials, School Library Materials, and Classroom Library Materials.

Corvallis School District Library Media staff were an active part of reviewing the OSBA model policy and adjusting it to reflect local practices.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review revision.



Code: IIA-AR (1)
Adopted:
Revised/Readopted:

Instructional Materials

Core Instructional Materials¹

The Board selects core instructional materials. The responsibility to ensure procedures on selection and recommendations for core instructional materials are followed rests with the superintendent. The responsibility for coordinating the distribution of core instructional materials to classes also rests with the superintendent. It is the principal's responsibility to implement and maintain the core instructional materials, and teachers are expected to use selected core instructional materials in the classroom.

Materials selection committees will be appointed by the administration at the time necessary adoption areas are determined. The committee will review the materials and the general criteria for materials selection and provide a recommendation to the superintendent. The superintendent may make changes to the recommendation and shall submit a recommendation(s) to the Board for adoption before use.

If the district chooses to adopt core instructional materials that are not on the state-approved list, the rules outlined in OAR 581-022-2350 will apply.

Supplemental Instructional Materials²

The responsibility for evaluating and selecting supplemental instructional materials is delegated to building staff (teachers and principals) in collaboration with district staff through an informal selection procedure. Other authoritative matter experts may be included when practicable, as determined by the district.

1. Materials will contain suitable readability levels and support the district's adopted curriculum content.
2. Recommendations for selection may be solicited from staff and may include students.

¹ "Core instructional material," sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks and print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books, or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

² "Supplemental instructional materials" means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

3. Donated materials will be evaluated using the district's selection criteria and will be accepted or rejected based on those criteria.
4. Selection is an ongoing process that should include the removal of materials that no longer meet the selection criteria and the replacement of lost and worn materials still of educational value (referred to by library staff as "weeding.")

School Library Materials³

1. In selecting materials for the school library or media center, library staff, as designated by the building principal, will evaluate the existing collection and the curriculum needs. The library staff will consult reputable, professionally prepared selection aids and other professional sources. Materials will contain a variety of reading levels.
2. Recommendations for selection may be solicited from staff and students.
3. Donated materials will be evaluated using the established selection criteria and will be accepted or rejected based on those criteria.
4. Selection is an ongoing process that should include the removal of materials that no longer meet the selection criteria and the replacement of lost and worn materials still of educational value (referred to by library staff as "weeding.")

Classroom Library Materials⁴

1. When selecting materials for a classroom library, the teacher may consult staff and/or accept recommendations from staff and students.
2. Donated materials will be evaluated and may be accepted or rejected by the teacher.
3. Selection is an ongoing process that should include the removal of materials that no longer meet the selection criteria (referred to by library staff as "weeding.")

³ "School library materials" means materials that are kept in the school library for student selection and use. The use of these materials may not be required for a particular class, but they may be selected by students to use. These may include books, media, newspapers, magazines, videos, websites, or databases, including in digital or print, etc. These materials are not adopted by the Board.

⁴ "Classroom library materials" means materials that are kept in the classroom for student selection and use. The use of these materials is not required for the class, but they may be selected by students to use. These may include books, media, newspapers, magazines, videos, etc. These materials are not adopted by the Board.

8. Policy IIA - AR(2) - Reconsideration of Core Instructional Materials - NEW



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy IIA-AR (2)—Reconsideration of Core Instructional Materials—New—First Read

Background

OSBA policy staff collaborated with a work group comprised of school district and ESD staff and professionals from the State Library of Oregon and the Intellectual Freedom Committee. The results of this work group culminated in a newly revised Instructional Materials policy and associated administrative regulations.

AR (2) details the process for reconsideration of Core Instructional Materials. This process begins with a meeting with the building principal. The AR provides formal instructions for requesting reconsideration, forming a reconsideration committee, and completing the work of reconsideration.

Corvallis School District Library Media staff were an active part of reviewing the OSBA model policy and adjusting it to reflect local practices.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review revision.



Code: IIA-AR (2)
Adopted:
Revised/Readopted:

Reconsideration of Core Instructional Materials

Any staff member, student, parent or guardian, or resident of the district may raise concerns about core instructional materials¹ used in the district's educational program. This procedure is meant to provide a forum for those persons in the schools and the community who are not directly involved in the selection process. Access to materials under reconsideration will not be restricted during the reconsideration process.

Complaints alleging material constitutes protected-class discrimination should be submitted through the district's discrimination complaint policy and procedures. See Policy AC and AC-AR.

This reconsideration process will be completed in its entirety and not subverted or ended prematurely. The person requesting reconsideration may withdraw their request at any time during the process, but the committee will continue until a decision is reached.

1. Concern

- a. Concerns about core instructional materials should be submitted to the building principal. If a staff member receives an informal inquiry, the staff member is to forward the inquiry to the building principal promptly.
- b. Any concern made to the building principal about core instructional materials by any person(s) will be made known to the staff member(s) most directly involved with its use.
- c. The building principal will arrange to meet with the person(s) with the concern and may include the staff member(s) most directly involved with its use, in an effort to resolve the issue informally, within 10 school days of receipt of the concern.
 - (1) The building principal initially receiving a concern will explain to the person the district's selection procedure.
 - (2) The building principal initially receiving a concern will explain to their best ability the particular place the material in question occupies in the educational program and its intended educational usefulness or include someone who can identify and explain the use of the material.

¹ "Core instructional material," sometimes referred to as basal, means any organized system, which constitutes the major instructional vehicle for a given course of study, or any part thereof. Core instructional materials may include adaptive or personalized learning programs, digital textbooks, and print textbooks and are adopted and paid for by the district. Core instructional materials may include such instructional materials as a hardbound or a softbound book or books or sets or kits of print and non-print materials, including electronic and internet or web-based materials or media.

Concerns and requests for reconsideration of supplementary instructional materials or school or classroom library materials will be processed in accordance with the applicable administrative regulation.

- d. The building principal will inform the person(s) submitting the concern that if they are not satisfied with the outcome of the informal inquiry process above, they may file a written request for reconsideration of the material within 10 school days of the conclusion of 1.c. The initial contact from the person and any outcome of a meeting or conversation will be documented and maintained by the building principal.

2. Request for Reconsideration

- a. Any staff member, student, parent or guardian, or resident of the district may file a request for reconsideration of core instructional materials must complete Step 1 above before filing a request for reconsideration.
- b. All requests for reconsideration will be in writing on the form prepared for this purpose, signed by the complainant, and must be submitted to the superintendent. Forms are available in IIA-AR (5).
- c. Upon receipt of a written request for reconsideration, the superintendent or designee will appoint a reconsideration committee.
- d. The reconsideration committee will be made up of at least nine members:
 - (1) Two teachers designated by the superintendent from the grade level of the material under reconsideration;
 - (2) One certified district librarian²;
 - (3) One administrator designated by the superintendent or designee;
 - (4) Four members from the community appointed by the superintendent or designee;
 - (5) One student selected by the superintendent or designee;
 - (6) One designated district employee (non-member) to take notes during committee meetings.

The reconsideration committee may include other designated district personnel in discussions about complaints that relate to an underrepresented group or a protected class.

The committee selected will only serve to consider the material, which is the subject of the request for reconsideration unless otherwise specified.

- e. The use of the material identified in the request for reconsideration will not be suspended during the reconsideration process. Materials will not be removed for discriminatory reasons.
- f. The reconsideration committee will convene to consider the request for reconsideration received by the district. The committee will receive the request for reconsideration and copies of related materials and instructions on procedure during this committee meeting.

3. Procedures for the Reconsideration Committee

- a. The procedures for the reconsideration committee are as follows:
 - (1) Select a chair;
 - (2) Be responsible for documenting all proceedings; adhering to Public Meetings Law, when required; adhering to established procedures and guidelines; and preparing and representing the recommendations to the superintendent;
 - (3) Establish a calendar for review of the material;
 - (4) Review copies of the request for reconsideration;

² Or a library staff member, as designated by the superintendent or designee, if no certified librarian is employed by the district.

- (5) Review applicable materials such as school district board goals; school board policies; professional reviews of the materials being reconsidered, when available; state standards; and curriculum planning;
 - (6) Review copies of material being reconsidered, as available;
 - (7) Consider the material's suitability in the context of the original use and the context in which the request for reconsideration was made;
 - (8) Review the material under reconsideration in its entirety, considering the theme, concept, vocabulary, and illustrations as they apply to:
 - (a) The suitability of the material for the instructional objectives established for the lesson(s) in which it was used, including its presentation and follow-up;
 - (b) The material's level of difficulty; and
 - (c) The age group(s) with which it was used.
- b. An opportunity will be provided to the person who filed the request and staff member(s) involved to offer oral or written testimony on the reconsideration; outside consultants, lay people, other staff members, or other individuals may be offered an opportunity to provide offer oral or written testimony on the reconsideration within such procedures and limitations as may be established by the chair with the consensus of the committee.
- c. The person who made the request for reconsideration will be kept informed by the superintendent or designee concerning the status of the request throughout the committee process. The person and known interested parties will be given notice of committee meetings.
- d. Every request for reconsideration will be acted upon by the committee. However, the committee may consider requests with similar concerns together.
- e. Review and discuss possible options for decision, including:
- (1) Continued use of the material as used, with no restrictions;
 - (2) Restricted or modified use of the material in terms of subject area, grade level, and/or districtwide, related to the specific request for reconsideration; or
 - (3) Removal of the material from the educational setting in which it was used.

Following the discussion and review of possible options for recommendation, a committee member may offer a motion outlining the committee's recommendation. Action will be taken on the motion and any subsequent motions within the procedures outlined above and consistent with Oregon law.

- f. The reconsideration committee's final recommendation will be issued within 45 working days of receipt of the request by the district.

The written recommendation and its justification from the committee will be forwarded to the superintendent within 10 working days of issuance of the recommendation. Within 10 working days of receipt of the recommendation by the superintendent, a copy of the recommendation will be sent by the superintendent or designee to the person who requested the reconsideration and to the Board.

g. Procedures for voting:

- (1) A quorum³ will be present to act upon any business to come before the committee.
- (2) All outcomes of motions and votes by name will be recorded and reported in the minutes of the meeting(s).
- (3) Only the votes of the members present at the time of the vote will be recorded⁴.
- (4) A vote in the affirmative from a majority of those present is required for a motion to pass.

4. Board Review

The Board will review the final recommendation and announce its decision at a Board meeting. If the Board's decision is contrary to the committee's recommendation, the reasons will be communicated, in writing, to the superintendent. The Board's decision, at minimum, should include a reference to grade level and subject area, for which the subject material can be used, if any. The Board will issue a decision within 30 working days of receipt of the reconsideration committee's recommendation. The district will provide a copy of the Board's decision to the person who requested the reconsideration.

The timelines may be modified by the district based on the availability of staff and/or committee participants. Notice of a modified timeline must be provided to the person who made the request, and the staff member(s) involved.

Requests for reconsideration of the same material will not be accepted for at least four calendar years following issuance of a decision on said material.

³ A "quorum" is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.

⁴ Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.

9. Policy IIA - AR(3) - Reconsideration of Supplemental Instructional Materials -
NEW



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy IIA-AR (3)—Reconsideration of Supplemental Materials—New—First Read

Background

OSBA policy staff collaborated with a work group comprised of school district and ESD staff and professionals from the State Library of Oregon and the Intellectual Freedom Committee. The results of this work group culminated in a newly revised Instructional Materials policy and associated administrative regulations.

AR (3) details the process for reconsideration of Supplemental Instructional Materials. This process begins with a meeting with the building principal. The AR provides formal instructions for requesting reconsideration, forming a reconsideration committee, and completing the work of reconsideration. There is an appeals process to the Superintendent.

Corvallis School District Library Media staff were an active part of reviewing the OSBA model policy and adjusting it to reflect local practices.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review revision.



Code: IIA-AR (3)
Adopted:
Revised/Readopted:

Reconsideration of Supplemental Instructional Materials

Any staff member, student, parent or guardian, or resident of the district may raise concerns about supplemental instructional materials¹ used in the district's educational program. This procedure is meant to provide a forum for those persons in the schools and the community who are not directly involved in the selection process. Access to materials under reconsideration will not be restricted during the reconsideration process.

Complaints alleging material constitutes protected-class discrimination may be submitted through the district's discrimination complaint policy and procedures. See Policy AC and AC-AR.

This reconsideration process will be completed in its entirety and not subverted or ended prematurely. The person requesting reconsideration may withdraw their request at any time during the process, but the committee will continue until a decision is reached.

1. Concern

- a. Any concern made regarding supplemental instructional materials by any staff member, student, parent or guardian, or resident of the district will be made known to the building principal.
- b. The building principal will arrange to meet with the person(s) with the concern and may include the staff member(s) most directly involved with its use in an effort to resolve the issue informally within 10 school days of receipt of the concern.

The building principal will explain to their best ability the particular place the material in question occupies in the educational program and its intended educational usefulness or include someone who can identify and explain the use of the material.

- c. The building principal will inform the person(s) submitting the concern that if the person is not satisfied with the outcome of the informal inquiry, they may file a written request for reconsideration within 10 school days of the conclusion in 1.b. The initial contact with the person and any outcome of a meeting or conversation will be documented and maintained by the building principal.

2. Request for Reconsideration

¹ "Supplemental instructional materials" means instructional materials used as part of the course of study, which are not part of the core instructional materials. They contain materials to supplement and/or differentiate core instruction and are generally teacher selected. These materials are not adopted by the Board. Materials required or assigned to be used as part of a class may be considered supplemental instructional materials, regardless of the source or location of the material.

- a. A staff member, student, parent or guardian, or resident of the district wishing to file a request for reconsideration of supplemental instructional materials must complete Step 1 above before filing a request for reconsideration.
- b. All requests for reconsideration will be in writing on the form prepared for this purpose, signed by the complainant, and must be submitted to the building principal. Forms are available in IIA-AR (5). If a request for reconsideration involves more than one material, a separate form must be completed for each material. A request to reconsider multiple titles in a series may be submitted on a single form. All school offices will make forms available.
- c. Upon receipt of a written reconsideration request, the building principal will appoint a reconsideration committee by random selection.
- d. Use of the material identified in the request for reconsideration will not be suspended during the reconsideration process. Materials will not be removed for discriminatory reasons.

3. Reconsideration Committee

- a. The reconsideration committee shall be made up of at least seven members:
 - (1) Two teachers designated by the building principal who will be from the grade level of the material under reconsideration;
 - (2) One certified district librarian²;
 - (3) One administrator designated by the building principal;
 - (4) Two members from the community appointed by the building principal;
 - (5) One student selected by the building principal;
 - (6) One designated district employee (non-member) to take notes during committee meetings.

The reconsideration committee may include equity, Title IX, and/or Section 504 personnel in discussions about concerns that relate to an underrepresented group or a protected class.

Staff members directly associated with the selection of the material under reconsideration will not be appointed to the committee.

The committee selected will only serve to consider the material, which is the subject of the request for reconsideration unless otherwise specified.

4. Procedures for the Reconsideration Committee

- a. Every request for reconsideration will be acted upon by the committee. However, the committee may consider requests with similar concerns together.
- b. Review applicable materials such as school district board goals, school board policies, professional reviews of the materials being reconsidered, when available, state standards, and curriculum planning;
- c. Be responsible for documenting all proceedings; adhering to Public Meetings Law, when required; adhering to established procedures and guidelines; and preparing and representing the recommendations to the building principal;
- d. Establish a calendar for review of the material.
- e. Review the material under reconsideration in its entirety, considering the theme, concept, vocabulary, and illustrations (if any) as they apply to:

² Or a library staff member, as designated by the building principal, if no certified librarian is employed by the district.

- (1) The suitability of the material for the instructional objectives established for the lesson(s) in which it was used, including its presentation and follow-up;
 - (2) The alignment of the material with the standards and curriculum;
 - (3) The material's reading level and intended audience (literary level to comprehend the words as opposed to difficult topics);
 - (4) The suitability of the material for the students it was used with; and
 - (5) Professional review sources for the title/material, when available.
- f. An opportunity will be provided to the person who filed the request and staff member(s) involved to offer oral or written testimony on the reconsideration; outside consultants, lay people, other staff members, or other individuals may be offered an opportunity to provide oral or written testimony on the reconsideration within such procedures and limitations as may be established by the committee.
- g. The person who made the request will be kept informed by the principal or designee concerning the status of the request throughout the committee process. The person and known interested parties will be given notice of such meetings.
- h. Review and discuss possible options for decision, including:
- (1) Continued use of the material as used, with no restrictions;
 - (2) Restricted or modified use of the material in terms of subject area, grade level, districtwide, related to the specific request;
 - (3) Removal of the material from the educational setting in which it was used.

The reconsideration committee will consider the material's suitability in the context in which the request for reconsideration was made.

Following the discussion and review of possible options for recommendation, a committee member may offer a motion outlining the committee's recommendation. Action will be taken on the motion and any subsequent motions within the procedures outlined above and consistent with Oregon law.

The written recommendation and its justification from the committee will be forwarded to the building principal within 10 school days of issuance of the recommendation. Within 10 school days of receipt of the recommendation by the superintendent, a copy of the recommendation will be sent by the superintendent or designee to the person who made the request for reconsideration and to the Board.

i. Procedures for voting:

- (1) A quorum³ will be present to act upon any business to come before the committee.
- (2) All outcomes of motions and votes will be recorded and reported in the minutes of the meeting(s).
- (3) Only votes of the members present at the time of the vote will be recorded⁴.

³ A quorum is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.

⁴ Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.

(4) A vote in the affirmative from a majority of those present is required for a motion to pass.

j. The decision from the reconsideration committee will be issued within 45 work days of receipt of the written request for reconsideration by the principal. The response to the request for reconsideration will include the committee's decision and information regarding an appeal to the superintendent. The decision will be copied to the involved parties, including the building principal. The building principal will also communicate the decision to the affected staff

5. Appeal to the Superintendent

A decision from the reconsideration committee may be appealed by the person who requested the reconsideration to the superintendent by submission of the appeal to the superintendent within 10 work days from the issuance of the committee's decision. A copy of all procedural documents, recommendations, and decisions will be made available to the superintendent. The superintendent should review whether the correct procedure was followed. If the correct procedure was followed, the decision of the committee should be affirmed. The superintendent will issue a written decision to the involved parties within 30 days of receipt of the appeal.

If an appeal is made, the decision made by the reconsideration committee remains in effect until the appeal is decided.

The timelines in this administrative regulation may be modified by the district based on the availability of staff and/or committee participants. Notice of a modified timeline must be provided to the person who made the request and staff member(s) involved.

Requests for reconsideration of the same materials will not be accepted for at least four calendar years following the issuance of a decision on those materials.

10. Policy IIA - AR(4) - Reconsideration of School or Classroom Library Materials -
NEW



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy IIA-AR (4)—Reconsideration of School or Classroom Library
Materials—New—First Read

Background

OSBA policy staff collaborated with a work group comprised of school district and ESD staff and professionals from the State Library of Oregon and the Intellectual Freedom Committee. The results of this work group culminated in a newly revised Instructional Materials policy and associated administrative regulations.

AR (4) details the process for reconsideration of School or Classroom Library Materials. This process begins with a meeting with the building principal. The AR provides formal instructions for requesting reconsideration, forming a reconsideration committee, and completing the work of reconsideration. There is an appeals process to the Superintendent.

Corvallis School District Library Media staff were an active part of reviewing the OSBA model policy and adjusting it to reflect local practices.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review revision.



Code: IIA-AR (4)
Adopted:
Revised/Readopted:

Reconsideration of School or Classroom Library Materials

Student choice reading is endorsed by the district as a key component of literacy and reading instruction. Students select reading materials with the understanding that parents or guardians will discuss concerns and expectations with them.

Any staff member, student, parent or guardian, or resident of the district may raise concerns about the materials available to students through the district's school and classroom libraries. This procedure is to provide a forum for those persons in the schools and the community who are not directly involved in the selection process. Access to materials under reconsideration will not be restricted during the reconsideration process.

Concerns and requests for reconsideration alleging material constitutes protected-class discrimination may be submitted through and will be processed in accordance with the district's discrimination complaint policy and procedures. See Policy AC and AC-AR.

This reconsideration process will be completed in its entirety and not subverted or ended prematurely. The person requesting reconsideration may withdraw their request at any time during the process, but the committee will continue until a decision is reached.

1. Concerns about School or Classroom Library Materials

- a. Any concern made regarding supplemental instructional materials by any staff member, student, parent or guardian, or resident of the district will be made known to the person responsible for the selection. For school library materials, share concerns with the building's library staff member. For classroom library materials, share concerns with the classroom teacher.
- b. The person responsible for the selection of the material in question will respond and attempt to resolve the issue informally. Alternatively, the person responsible for selection may move the concern to the building principal, who will begin the process at 1.d. An initial response will be provided within 10 school days of receipt of the concern.
- c. If the person who made the inquiry is not satisfied, they can request a meeting with the building principal.
- d. The building principal will meet with the person, attempt to resolve the concern informally and document the meeting. The staff member responsible for selection may be requested to attend this meeting. The building principal will issue a follow-up communication about the outcome of the meeting to the person who made the informal inquiry and relevant staff within 10 school days of receipt in 1.c.
- e. If the person who made the request is not satisfied with the outcome of the informal inquiry, they may file a written request for reconsideration within 10 school days of the conclusion in

- 1.d. The initial contact from the person and any outcome of a meeting or conversation will be documented and maintained by the building principal.
- f. No materials will be removed or restricted from use as a result of an informal concern.

2. Request for Reconsideration of School or Classroom Library Materials

- a. A staff member, student, parent or guardian, or resident of the district wishing to file a request for reconsideration of school or classroom library materials must complete Step 1 above before filing a request.
- b. All requests for reconsideration will be in writing on the form prepared for this purpose, signed by the complainant, and must be submitted to the building principal. Forms are available in IIA-AR (5). If a request for reconsideration involves more than one material, a separate form must be completed for each material. A request to reconsider multiple titles in a series may be submitted on a single form. All school offices will make forms available.
- c. Upon receipt of a request for reconsideration, the building principal will notify all staff member(s) who are directly involved in the request and forward the request to the certified district librarian¹; a copy will be forwarded to the superintendent or designee.
- d. The certified district librarian², building principal, and the Student Growth and Experience Director will, within 10 school days, appoint a reconsideration committee by random selection.
- e. Use of the material identified in the request for reconsideration will not be suspended during the reconsideration process. Materials will not be removed for discriminatory reasons.
- f. Library staff will report the reconsideration request to the Oregon Information Freedom Clearinghouse

3. Reconsideration Committee

- a. The reconsideration committee will be made up of at least seven members:
 - (1) Two teachers designated by the building principal who are from the grade level of the material under reconsideration;
 - (2) One certified district librarian³;
 - (3) One administrator designated by the building principal;
 - (4) Two members from the community appointed by the building principal;
 - (5) One student selected by the building principal;
 - (6) One designated district employee (non-member) to take notes during committee meetings.

The reconsideration committee may include equity, Title IX and/or Section 504 personnel in discussions about requests that relate to an underrepresented group or a protected class.

Staff members directly associated with the selection of the material under reconsideration will not be appointed to the committee.

The committee selected will only serve to consider the material, which is the subject of the request for reconsideration unless otherwise specified.

4. Procedures for the Reconsideration Committee

¹ Or designated district staff supervising district libraries if no certified librarian is employed by the district.

² Or designated district staff supervising district libraries if no certified librarian is employed by the district.

³ Or a library staff member, as designated by the building principal, if no certified librarian is employed by the district.

- a. Every request for reconsideration will be acted upon by the committee. However, the committee may consider requests with similar concerns together.
- b. Review applicable materials such as school district board goals; school board policies; professional reviews of the materials being reconsidered, when available; state standards; and curriculum planning;
- c. Be responsible for documenting all proceedings; adhering to Public Meetings Law, when required; adhering to established procedures and guidelines; and preparing and representing the recommendations to the building principal;
- d. Establish a calendar for review of the material.
- e. Review the material under reconsideration in its entirety, considering the theme, concept, vocabulary, and illustrations (if any) as they apply to:
 - (1) The material's availability for student selection from the school or classroom library;
 - (2) The alignment of the material with the school or classroom library material selection criteria;
 - (3) The material's reading level and intended audience (literary level to comprehend the words as opposed to controversial topics);
 - (4) The suitability of the material for the students it is available for; and
 - (5) Professional review sources for the title/material, when available.
- f. An opportunity will be provided to the person who filed the request and staff member(s) involved to offer oral or written testimony on the reconsideration; outside consultants, lay people, other staff members, or other individuals may be offered an opportunity to provide oral or written testimony on the reconsideration within such procedures and limitations as may be established by the committee.
- g. The person who made the request will be kept informed by the principal or designee concerning the status of the request throughout the committee process. The person and known interested parties will be given notice of such meetings.
- h. Review and discuss possible options for a decision, including:
 - (1) Continued use of the material as used, with no restrictions;
 - (2) Restricted or modified use of the material in terms of subject area, grade level, district-wide related to the specific request; or
 - (3) Removal of the material from the educational setting.

The reconsideration committee will consider the material's suitability in the context in which the request for reconsideration was made.

Following the discussion and review of possible options for recommendation, a committee member may offer a motion outlining the committee's recommendation. Action will be taken on the motion and any subsequent motions within the procedures outlined above and consistent with Oregon law.

The written recommendation and its justification from the committee will be forwarded to the building principal within 10 school days of issuance of the recommendation. Within 10 school days of receipt of the recommendation by the building principal, a copy of the recommendation will be sent by the building principal to the person who requested the reconsideration and to the Board.

- i. Procedures for voting:

- (1) A quorum⁴ will be present to act upon any business to come before the committee.
- (2) All outcomes of motions and votes will be recorded and reported in the minutes of the meeting(s).
- (3) Only votes of the members present at the time of the vote will be recorded⁵.
- (4) A vote in the affirmative from a majority of those present is required for a motion to pass.

j. The decision from the reconsideration committee will be issued within 45 work days of receipt of the written request for reconsideration by the principal. The response to the request for reconsideration will include the committee's decision and information regarding an appeal to the superintendent. The decision will be copied to the involved parties, including the building principal. The building principal will also communicate the decision to the affected staff

5. Appeal to the Superintendent

A decision from the reconsideration committee may be appealed by the person who requested the reconsideration to the superintendent by submission of the appeal to the superintendent within 10 work days from the issuance of the committee's decision. A copy of all procedural documents, recommendations, and decisions will be made available to the superintendent. The superintendent should review whether the correct procedure was followed. If the correct procedure was followed, the decision of the committee should be affirmed. The superintendent will issue a written decision to the involved parties within 30 days of receipt of the appeal.

If an appeal is made, the decision made by the reconsideration committee remains in effect until the appeal is decided.

The timelines in this administrative regulation may be modified by the district based on the availability of staff and/or committee participants. Notice of a modified timeline must be provided to the person who made the request and staff member(s) involved.

Requests for reconsideration of the same materials will not be accepted for at least four calendar years following the issuance of a decision on those materials.

⁴ A quorum is a majority (one-half of an odd number of members rounded up to the next whole number; one-half of an even number of members plus one). A quorum of a five-member committee is three; a quorum of a six-member committee is four; a quorum of a seven-member committee is four.

⁵ Committee members may attend virtually. Members attending virtually are considered present for quorum and voting purposes.

11. Policy IIA - AR(5) - Request for Reconsideration of Instructional or Library
Materials Form - NEW



Corvallis

SCHOOL DISTRICT

Prepared for: Corvallis School Board
Prepared by: Melissa Harder
Meeting Date: April 10, 2025

NO ACTION REQUIRED

Board Policy IIA-AR (5)—Request for Reconsideration of Instructional or Library Materials—New—First Read

Background

OSBA policy staff collaborated with a work group comprised of school district and ESD staff and professionals from the State Library of Oregon and the Intellectual Freedom Committee. The results of this work group culminated in a newly revised Instructional Materials policy and associated administrative regulations.

AR (5) is the form that must be completed for a formal reconsideration process to occur. It begins with a reminder of the process and then moves into questions about the reconsideration request.

Corvallis School District Library Media staff were an active part of reviewing the OSBA model policy and adjusting it to reflect local practices.

Involvement

Staff members: Melissa Harder

Cost Impact

None.

Function

Review revision.



Code: IIA-AR (5)
Adopted:
Revised/Readopted:

Request for Reconsideration of Instructional or Library Materials Form

The Board subscribes in principle and practice to statements of policy as expressed in the Copyright Fair Use Guidelines for Educational Multimedia, the American Library Association Bill of Rights, and related interpretations thereof to include Statement on Intellectual Freedom, Confidentiality of Library Records, and Access to Electronic Information, Services and Networks.

Student choice reading is endorsed by the district as a key component of literacy and reading instruction. Student choice in reading materials is honored, with the understanding that parents/guardians have the final decision in what their child is reading. When materials are challenged, the principles of the freedom to read, listen, and view will also be considered for all students.

Please complete this form in its entirety for consideration. This document will become a public record and is subject to public records requests.

Requests for reconsideration will be processed following these administrative regulations:

1. Core instructional materials: IIA-AR(2) - Reconsideration of Core Instructional Materials
Concerns about core instructional materials must be communicated to the building principal before submitting this Reconsideration Form. The building principal will arrange a meeting and discussion as the first step in the process.
2. Supplemental instructional materials: IIA-AR(3) - Reconsideration of Supplemental Instructional Materials
Concerns about supplemental instructional materials must be communicated to the building principal before submitting this Reconsideration Form. The building principal will arrange a meeting and discussion as the first step in the process.
3. School and classroom library materials: IIA-AR(4) - Reconsideration of School or Classroom Library Materials
Concerns about school and classroom library materials must be communicated to the person responsible for the selection of the material before submitting this Reconsideration Form. A meeting and discussion with that responsible person is the first step in the process.

Request initiated by: _____ Phone _____

Address _____ City _____ Zip _____

Email: _____

Book or other material:

Title: _____ Author _____

Publisher: _____ Publication Date: _____

Type of material: Article Audio recording Book Textbook Video Website

Other: _____

Producer/Source (if known): _____

Please respond to the following questions. You may attach your responses to a separate sheet of paper.

1. To what in the material do you object and why? (Please be specific and cite pages, frames, etc.)

2. Did you review the entire material? Yes No If not, what sections did you review?

Please note that the reconsideration committee will review the entire material you submitted for reconsideration to reach their decision. See IIA-AR 2, IIA-AR 3, IIA-AR4.

3. How was the material acquired by the student (i.e., required reading, free choice selection, etc.)?

4. When did you discuss your concerns with the building principal, teacher, or other involved staff?
Please provide the staff member's name. Please provide a summary of the conversation.

5. What material do you recommend in its place which would provide information on the subject?

6. What action are you requesting the reconsideration committee consider?

7. Do you wish to provide oral or written testimony to the reconsideration committee?

Yes, oral testimony Yes, written testimony No

If you respond yes, you will be contacted by the reconsideration committee for your testimony.

Signature _____
Date

Received by Superintendent/Principal: _____
Date

References:

XIII. BOARD MEMBER COMMENTS

XIV. ADJOURNMENT (9:15 PM)*

*All times are approximate.

Note: The Chair of the Budget Committee may alter the order of business as they deem proper and necessary.

Agendas – Agendas and supporting materials are available online at <https://v3.boardbook.org/Public/PublicHome.aspx?ak=1000829> a few days before each School Board meeting. For more information, please contact Kim Nelson at kimberly.nelson@corvallis.k12.or.us.

Communication With The School Board – Communication with the Board can be made by telephone, letter, e-mail and public testimony. Letters may be addressed to individual Board members or the Board as a whole and sent to 1555 SW 35th Street, Corvallis, OR 97333. E-mail may be sent to schoolboard@corvallis.k12.or.us and will be sent to all board members simultaneously as well as to key District Office staff. For more information, please contact Kim Nelson at kimberly.nelson@corvallis.k12.or.us.

Public Comment –

Guidelines are at: <https://www.csd509j.net/about-us/school-board/provide-input-and-be-informed/>

Executive Session – Permissible purposes of Executive Sessions include: ORS 192.660(2)(a) – Employment of Public Officers, Employees and Agents; ORS 192.660(2)(b) – Discipline of Public Officers and Employees; ORS 192.660(2)(d) – Labor Negotiator Consultations; ORS 192.660(2)(e) – Real Property Transactions; ORS 192.660(2)(f) – Exempt Public Records; ORS 192.660(2)(h) – Legal Counsel; ORS 192.660(2)(i) – Performance Evaluations of Public Officers and Employees; ORS 192.660(2)(j) – Public Investments.

Grievance Process - ORS 192.705

Grievances alleging a violation by a governing body of provisions in Public Meetings Law may be submitted in writing to Kim Nelson at kim.nelson@corvallis.k12.or.us or submitted between 8:00 am – 5:00 pm Monday through Friday at 1555 SW 35th Street, Corvallis, OR 97333. Additional information is available on the district website.

SCHOOL BOARD MEMBERS			
Luhui Whitebear, Chair	541-714-3305	Terese Jones, Co-Vice Chair	541-230-1673
Sami Al-Abdrabbuh	541-283-6611	Shauna Tominey, Co-Vice Chair	541-829-8411
Chris Hawkins	541-602-2045	Judah Largent	541-231-8415
Bernie Wang	541-704-7298		
BUDGET COMMITTEE CITIZEN MEMBERS			
Andrew Freborg		Tony Vandemeer	
Merideth Bailey		Cassandra Inman	
Jessie Munster		Kevin Riley	
Yan Wang			

EXECUTIVE STAFF MEMBERS	
Ryan Noss, Superintendent	541-757-5841
Melissa Harder, Assistant Superintendent	541-766-4857
Lauren Wolfe, Finance Director	541-757-5874
Jennifer Duvall, Human Resources Director	541-757-5840
Kim Patten, Operations Director	541-757-3849
Kim Nelson, Executive Assistant to the Superintendent; Board Secretary	541-757-5841