

IX.

Proposed Legislative Positions Amendments

Previously adopted Legislative Positions remain in full effect from year to year. **No vote is necessary on Legislative Positions if no change is made.**

- Only changes to existing Legislative Positions (Amendments to add or delete language), or new Legislative Positions, are to be considered by the Delegate Assembly.
- When a proposed new Legislative Position, or proposed amendment, is removed from the "block" to be considered separately, **only the proposed changes are open to consideration/discussion**. It takes a 2/3 vote to suspend the rules to consider/discuss any part of a position not new or proposed for amendment.
- The explanation for and history of each position that is included in the official VSBA Handbook of Legislative Positions is omitted in this section. They are omitted because they are used for lobbying purposes and are not part of the position statement, or subject to action by the Delegate Assembly.
- The full text of all current Legislative Positions is included in the Appendix.

LEGISLATIVE POSITION PROPOSAL NO. 1

4.24 Conversion of Accrued Sick, Personal, and Vacation Leave for VRS Years of Service (NEW)

The VSBA supports legislative or process changes that would permit local school divisions to allow retiring employees to purchase VRS credited years of service through redemption of accrued leave (personal, sick, vacation). This would provide incentive for teachers and staff to be fully engaged in their final year of employment.

(Proposed by Page County)

Rationale: Many local school divisions experience retiring senior administrative and instructional staff accessing existing leave policies during their final semester or year on the job, leaving many absent from duties due to usage of their accrued leave. Typically, the unused leave is paid as a fraction of the per diem salary, and the leave is taken to gain the maximum financial benefit, thereby costing the local school division the loss of experienced and critically important administrative and/or instructional services.

This proposal intends to increase the likelihood that senior staff will work out their final year at the same level of involvement which earned them the large accrued leave. The purchase of VRS credited service by application of unused leave might be beneficial to all parties.

Motion to accept as amended: Scotty Owens (Buchanan County)

Motion Seconded: Martha Mugler (Hampton City)

LPC Committee Vote: Unanimous- For

Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 2

3.1 Educational Technology Funding Staffing (AMEND)

Educational technology, including electronic information systems and sources, is an important element of cost-effective quality public education. The state should assume a leadership role in developing a technology funding formula that will provide predictable and continuing revenue for the acquisition, maintenance and replacement of educational technology, and for support personnel to train and assist in the use of educational technology. Such funding should be sufficient to improve and enhance classroom instruction, to fulfill mandates for virtual instruction and online assessment, as well as to assist with the state and federally-mandated collection and reporting of student achievement and teacher quality data.

The current state-provided “technology-refresh” funding program is insufficient to keep up with the growing number of digital devices in the schools and the end-of-life cycle of equipment replacement. These technology needs include everything from basic network infrastructure (both wired and wireless) – to servers and related equipment – to student

computers, tablets, and other devices. Further, it is recommended by the Education Superhighway and the State Educational Technology Directors Association that our schools be at 1.0 Mbps of internet bandwidth per student by 2018. Currently, the infrastructure does not exist for all schools in the Commonwealth to meet this goal. Further, the cost to fill the gap between what exists and what is required is too large for school divisions to fund at the local level alone. VSBA supports statewide initiatives that would help business and schools throughout the Commonwealth to have high speed/broadband access at cost-competitive prices (such as the aforementioned goal of 1.0Mbps). Finally, if the Commonwealth requires school divisions to provide a specified bandwidth capacity per student, appropriate funding shall be provided to reimburse localities for the increased cost.

The state should fund the implementation of the extensive data collection, cleansing, warehousing, tracking, and reporting requirements placed on the State Department of Education and all local school divisions by 27 assessment and accountability mandates, including the state Standards of Accreditation Assessment Program and the federal No Child Left Behind Act. Moreover, such funding should be included in the Standards of Quality.

(Proposed by: Prince William County)

Rationale: As Virginia faced the challenge of balancing the budget following the Recession of 2008, policymakers made deep cuts to funding for our schools. Eight year after the advent of the recession, state per pupil funding remains below pre-recessionary levels. As a result, school divisions have a difficult time budgeting for the ever-changing technology needs in our students' classrooms. The current state-provided "technology refresh" funding program is insufficient to keep up with the growing number of digital devices in the schools and cycle equipment replacement. These technology needs include everything from basic network infrastructure (both wired and wireless) – to servers and related equipment – to student computer, tablets, and other devices. Additionally, a recent survey conducted by the Virginia Department of Education determined that the needed bandwidth (the total information flow in a given time on a telecommunications medium) for voice, video, and data to be transmitted from most of Virginia's schools is insufficient. In fact, while 36% of schools in the Commonwealth are a 10-50kilobits per second (Kbps – thousands of bits per second) or .01-.05 megabits per second (Mbps – millions of bits per second) of Internet bandwidth per student, it is recommended by the Education Superhighway and the State Educational Technology Directors Association that our school be at 1.0Mbps of Internet bandwidth per student by 2018. The cost to fill the gap between what exists and what is required is too large for school divisions to fund at the local level along.

Motion to Accept the Proposed Legislative Positions as Amended: Iris Lane
(Westmoreland County)

Motion Seconded: Morgan Phenix (Page County)

LPC Committee Vote: 8- For/1-Not Voting

Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 3

4.10 Staff Preparation and Development (AMEND)

Courses and in-service training taken for initial licensure, license renewal, and professional development ~~should~~ shall be related to the developmental needs of students, to subject areas, to methods of instruction and classroom management, and/or to the professional responsibilities of the staff. The VSBA recommends that:

- Each school division be allocated funds to cover the full costs of any state-mandated program, including teacher, support staff, and administrator preparation and development;
- Teacher preparation and professional development programs include extensive practice-teaching internships, mentorships and/or other support programs to provide experiences for beginning teachers;
- An appropriate level of competence in the teaching of reading and writing, including their interdisciplinary use across the curricula, be demonstrated for licensure;
- A program of human relations education and multicultural awareness be required for licensure and for license renewal;
- A five-year degree program in library science be inaugurated in at least one institution of higher education;
- ~~Each school division be allocated funds to cover the full costs of any state-mandated program;~~
- Funds ~~should~~ shall be provided specifically for programs to upgrade instructional leadership and the management skills of school managers;
- State funds ~~should~~ shall be provided for programs directed at improving writing skills;
- Local school divisions be provided opportunities for participation in the planning and implementation of statewide and regional staff development activities;
- The Licensure Regulations for School Personnel be reviewed and revised regularly with the involvement of local school divisions. In accordance with the Administrative Process Act, no licensure or endorsement areas should be deleted or added without public participation; and
- There ~~should~~ shall be provision for local school divisions to participate fully in any state initiative leading to the restructuring of either teacher or administrator preparation programs.

(Proposed by: Prince William County)

Rationale: As Virginia faced the challenge of balancing the budget following the Recession of 2008, policymakers made deep cuts in funding for our schools. Eight years after the advent of the recession, state per pupil funding remains below pre-recessionary levels. As a result, school divisions have a difficult time budgeting for much needed professional development.

Motion to Approve the Proposed Legislative Position as submitted: Jon Buttram (Fairfax City)

Motion Seconded: Morgan Phenix (Page County)

Discussion to change the wording of the proposed legislative position.

Substitute Motion to Approve the Proposed Legislative Position as amended: Martha Mugler (Hampton City)

Motion Seconded: Iris Lane (Westmoreland County)

LPC Committee Vote: 8-For/1-Abstention

Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 4

2.3 Virginia Preschool Initiative (VPI) Student Eligibility Criteria (NEW)

The VSBA supports revised legislation to permit local school divisions receiving Virginia Preschool Initiative (VPI) funds to exercise increased flexibility with student eligibility criteria.

(Proposed by Westmoreland County)

Rationale from the Proposing Board: Current legislation restricts VPI eligibility criteria to children who meet one of four criteria: 1) family income at or below 200 percent of poverty; 2) homelessness; 3) student's parents or guardians are school dropouts; 4) family income is less than 350 percent of federal poverty guidelines in the case of students with special needs or disabilities. Limiting student eligibility exclusively to these four criteria is too restrictive, and will exclude children who are equally at-risk and in need of services.

Currently, up to 15% of the program's actual VPI slots may be filled with locally established criteria. We support revised legislation that permits VPI programs increased flexibility in filling VPI slots using locally established criteria so as to meet the unique needs of at-risk children in the community.

Motion to Approve the Proposed Legislative Position: Scotty Owens (Buchanan County)

Motion Seconded: Iris Lane (Westmoreland County)

LPC Committee Vote: Unanimous-For

Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 5

12.8 Comprehensive Services Act (NEW)

The VSBA supports allowing local school divisions the flexibility to access CSA funds to establish, expand, or operate local programs and services in addition to separate day school placements.

(Proposed by Westmoreland County)

Rationale:

Motion to Approve the Proposed Legislative Position: Morgan Phenix (Page County)

Motion Seconded: Ed Wise (Buckingham County)

Discussion to change the wording of the proposed legislative position.

Substitute Motion to Approve the Proposed Legislative Position as amended: Martha Mugler (Hampton City)

Motion Seconded: Jon Buttram (Fairfax City)

LPC Committee Vote: Unanimous – For

Motion Carried

X.

Proposed Changes

VSBA Bylaws



To: Members of the Delegate Assembly

From: William S. Kidd, VSBA President

RE: Proposed Changes to VSBA Bylaws

The members of the 2016 VSBA Board of Directors met for its regular business meeting in August of this year. At that meeting, the Board considered proposed revisions to the VSBA Bylaws. The Board voted to present a proposed amendment to the Bylaws to the Delegate Assembly for its consideration.

The proposed amendment would authorize the VSBA Board of Directors to remove a member of the Board on a two-thirds vote of the members present and voting in the same circumstances for which removal of an officer is already permitted. The proposed amendment would create a new section (Art. VIII section 5) in the Bylaws.

This proposal is part of a continuing effort to review and improve the governance structure of the VSBA. As part of that process, it was noted that the VSBA Bylaws establish a procedure to be followed in the event that it becomes necessary for the Board to consider removing an officer but that there is currently no procedure for removing other Board members from the Board. The proposed amendment establishes a procedure for removal of any BOD member that is consistent with the existing procedure for removal of officers in Art. IV section 8.

There is currently no situation calling for the application of the proposed new section; this is a proactive recommendation.



**BYLAWS
of
The Virginia School Boards Association**

ARTICLE I

Name

The name of the Association will be Virginia School Boards Association.

ARTICLE II

The purposes of the Association will be:

To assume a leadership role in the promotion of the general advancement of public education;

To study and interpret for school boards and the general public proposed legislation that will have an impact on public education;

To initiate and encourage the adoption of policies by various policy making bodies which will advance the quality of educational programs;

To encourage the establishment of adequate financial support for the public schools;

To foster through local school boards and regional organizations the meaningful exchange of ideas with public school patrons;

To provide a resource center as an aid to local school boards in meeting their needs;

To coordinate the efforts of school boards in the promotion of public education;

To assist school board members in understanding their roles and to help them in formulating plans for the systematic and efficient performance of their duties;

To maintain close liaison with other agencies which are dedicated to the advancement of education;

To enhance the efficient operation of public school divisions;

To provide member school boards with services, training and advocacy so that they may exercise effective leadership in public school governance on behalf of public education for all the children of the Commonwealth; and,

To engage in any lawful activity in furtherance of the above purposes or in any other activity permitted of associations of political subdivisions.

ARTICLE III

Membership and Dues

Section 1. Any legally constituted public school board of the Commonwealth of Virginia will be eligible for membership in the Association.

Section 2. Membership dues applicable for each fiscal (membership) year will be determined by the Board of Directors.

Section 3. The Board of Directors shall consider the total amount of funds each school division receives from all sources in calculating membership dues.

Section 4. Applications for new or reinstated Association membership shall be submitted to the Board of Directors in such form and accompanied by such supporting documents as the Board of Directors may determine.

Section 5. Any Association member whose dues are 120 days past due (October 31) 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.

Section 6. 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

Officers and Their Election

Section 1. The officers of the Association will be the President and the President-Elect. These officers will perform the duties prescribed in these Bylaws and by the Board of Directors.

Section 2. A Nominating Committee of five members will annually nominate no more than two candidates for President-Elect and no more than two candidates for each of the two at-large seats on the Board of Directors whose names will be placed in nomination at the Annual

Convention. It shall be the duty of candidates for the at-large position to provide a written nomination, approved by a nominee's school board, together with pertinent biographical information and a signed letter from each nominee confirming willingness to serve. Members of the Nominating Committee will not be eligible for nomination to any position on the Board. The Immediate Past President will serve as Chairman of the Nominating Committee and four other committee members will be elected by the Board of Directors.

Section 3. All terms of office will be for one year. Upon completion of a one-year term, the President-Elect will be installed as President; provided, however, that if the office of President-Elect is filled by the Board of Directors, due to a vacancy in that office, the office of President will be filled by election at the succeeding Annual Convention. Persons elected or appointed to serve on the Board of Directors are limited to six years of service, unless he/she is elected President-Elect in which case the maximum number of years one can serve is nine. In no case shall one serve more than two years each as a member-at-large or a chairman of any one committee.

Section 4. A President-Elect and two At-Large members of the Board of Directors will be elected at each Annual Convention of the Association. Nominations from the floor of the convention must be accompanied by written approval of the nominee's school board, together with pertinent biographical information and a signed letter from each nominee confirming willingness to serve. Such material must be received by the President of the Association and by the delegates prior to the opening of the first session of the Delegate Assembly at the Annual meeting of the Association, and nominations shall be deemed closed at the opening of that session. The elections will be by written ballot, except that, when there is only one nominee for each office, the election may be by voice vote.

Section 5. The Board of Directors shall appoint the Executive Director who shall manage, supervise and direct the operations of the Virginia School Boards Association within the authority given to him or her by the Board of Directors. The Executive Director is authorized to hire, supervise and discharge personnel.

Section 6. All officers will assume their duties upon installation at the Annual Convention and will remain in office until their successors are installed.

Section 7. A vacancy occurring in any office will be filled by the Board of Directors until the next Annual Convention, except that the President-Elect will assume the office of the President if it becomes vacant.

Section 8. Any person holding an elected office of the Association may be removed for good 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.

ARTICLE V

Duties of Officers

Section 1. The President will preside at all meetings of the Association, the Board of Directors, and the Executive Committee, will be an ex-officio member of all committees, except the Nominating Committee; will appoint the members of the standing committees and the

special committees; will appoint a parliamentarian, and will perform other duties such as the Association or the Board of Directors shall direct.

Section 2. The President-Elect will serve as an aide to the President and shall perform duties such as will be prescribed by the President and by the Board of Directors. In the absence of the President, the President-Elect will perform all the duties of the President.

Section 3. The Executive Director will see that accurate minutes and records are kept with respect to all meetings and will administer the affairs of the Association within the policies established at the Annual Convention and any other meetings of the Association or by the Board of Directors. The Executive Director will perform such other duties included in the job description approved by the Board of Directors.

Section 4. The Executive Director will supervise the keeping of all accounts and funds of the Association, keep its surplus funds prudently and productively invested, submit such reports to the Board of Directors as it may from time-to-time require, report to the Annual Convention, and arrange for an annual audit of the Association's financial books and records. The Executive Director and all other persons that may be authorized to handle funds of the Association will give fidelity bonds in the amounts determined by the Board of Directors. The costs of these bonds will be paid by the Association.

ARTICLE VI

Meetings

Section 1. The Association Delegate Assembly will meet annually at a time and a place to be determined by the Board of Directors to adopt policies and resolutions expressing the views of the Association in its lobbying efforts, and to hear reports from the VSBA Board of Directors.

Section 2. Special meetings of the Association may be called by the Board of Directors. The President also may call a special meeting of the Association on petition of twenty-five member boards of the Association.

Section 3. Twenty-five voting delegates will constitute a quorum for any meeting of the Association.

Section 4. The Executive Director will notify, in writing, the member school boards thirty days prior to the Annual Convention and ten days prior to a special meeting.

ARTICLE VII

Voting Body

Section 1. A school board in good standing will be entitled to one vote in all meetings of the Association. Voting by proxy will not be permitted.

Section 2. Any member of a school board in good standing who is not a voting delegate may be permitted the privileges of the floor with the exception of making motions and voting.

Section 3. A voting delegate and an alternate will be selected from the membership of each member school board by that board. The name of the delegate and of the alternate selected will be sent to the Executive Director.

ARTICLE VIII

Board of Directors

Section 1. The membership of the Board of Directors will consist of the following: the President, the President-Elect, the Immediate Past President, two members elected at large at the Annual Convention, Chairmen of the Standing Committees, and Regional Chairmen of the Association. All members of the Board of Directors, with the exception of the immediate past-president, will be duly qualified members of local school boards holding membership in the Association at the time of taking office. Any officer or other member of the Board of Directors who ceases to be a member of a local school board will continue in office until the next Annual Convention of the Association.

Section 2. The following will be the duties of the Board of Directors:

- a. Transacting business of the Association;
- b. Performing all duties outlined in these Bylaws;
- c. Filling any vacancy occurring in office;
- d. Establishing policy related to appointing and removing all professional staff members;
- e. Approving the salary range of all staff personnel;
- f. Adopting an annual budget;
- g. Approving all accounts of the Association in accordance with the approved budget;
- h. Adopting a legislative program; and,
- i. Presenting statements on behalf of the Association on matters of concern to public education.

Section 3. The Board of Directors will meet regularly to transact the business of the Association and to promote the work of the Association.

Section 4. Seven members of the Board of Directors will constitute a quorum for the transaction of business.

Section 5. Any member of the Board of Directors may be removed for good 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. Any vacancy created by removal of a member of the Board of Directors other than a Regional Chair of the Association pursuant to this section may be filled by the Board of Directors for the remainder of the term.

ARTICLE IX

Indemnification

The Association will indemnify its directors, officers and employees against claims asserted or imposed for service as a director, officer or employee except for matters as to which the director, officer or employee has been adjudged liable for gross negligence or willful misconduct in the performance of duties. [This indemnification also will extend to claims made against the director, officer or employee for service as a representative of the Association to other associations or organizations.]

ARTICLE X

Executive Committee

There will be an Executive Committee composed of the President, President-Elect, and three members of the Board of Directors nominated by the President and President-Elect with opportunity for additional nominations from the floor, elected by the Board of Directors. The Executive Committee will perform the duties of the Board of Directors between meetings of the Board of Directors, except such duties as the Board of Directors may reserve for itself; and shall prepare and recommend to the Board of Directors the annual budget and make recommendations to the Board concerning the financial aspects of the Association.

ARTICLE XI

Standing and Other Committees

Section 1. A Legislative Positions Committee consisting of at least one member from each VSBA region will be appointed by the President to solicit and review position proposals from member boards; preview and project future needs for legislation and recommend new or modified positions to the Board of Directors. The Legislative Positions committee shall also review recommendations from VSBA legal counsel for retractions of or amendments to existing positions based on changes in law or regulation, and recommend such retractions or amendments to the Board of Directors. The Chair of the Legislative Positions Committee shall also serve as Chair of the Federal Relations Committee.

Section 2. A Federal Relations Committee consisting of at least one member from each of the Congressional Districts will be appointed by the President to serve as part of the NSBA-Federal Relations Network. The committee will provide a voice on the Board of Directors for those school divisions that have a substantial stake in federal funds/issues. The Chair of the Federal Relations Committee shall also serve as Chair of the Legislative Positions Committee.

Section 3. An Audit Committee consisting of seven board members will be appointed by the President. The committee will oversee the annual financial statement audit.

Section 4. Special committees or task forces may be appointed by the President or by the Board of Directors to address issues of concern to the membership. Such committees/task forces may be established by the Delegate Assembly, the Board of Directors or the President.

ARTICLE XII

Regions

Section 1. Regions are geographic divisions of the Association designated by the Board of Directors for convenience in administering the work of the Association and will be governed by the Bylaws of the Association.

Section 2. Regional officers will be elected by the members in the Regions biennially at the fall regional meetings of the Association. No regional officer shall be elected to serve more than one two-year term in the same office.

Section 3. A Nominating Committee will be appointed by the Chairman of each Region at or prior to its annual spring meeting in any year in which there will be a vacancy in an officer position. It will be the duty of this Committee to select a slate of nominees for the offices of Chairman and Vice-Chairman. Members of the Nominating Committee will not be eligible for nomination to any regional position. The slate shall consist of no more than two candidates for each office and be presented to the membership at the next annual fall meeting of the region. Nominations may be made from the floor. By a majority vote of the member school board it should notify the Chair of the Region and the region member school boards of an intended floor nomination prior to the fall regional meeting. Each region member board shall have one vote, and that vote shall be by the school board chairman or a delegate elected by that school board. The regional chairman and his/her designee shall determine the number and persons approved to vote at the beginning of each meeting of the region.

Section 4. A vacancy occurring in any office in a region will be filled by the President of the Association except in the case of the Chairman when the Vice-Chairman automatically will assume the office.

Section 5. Each region will hold annual meetings in the spring and fall. Additional meetings may be held if a Region so desires.

ARTICLE XIII

Compensation

Elected officers, committee members, and Regional Chairmen will serve without compensation, except that actual expenses incurred in the performance of duties will be paid by the Association.

ARTICLE XIV

Parliamentary Authority

"Robert's Rules of Order, Revised" shall govern all proceedings of the Association in all cases in which it is not in conflict with these Bylaws.

ARTICLE XV

Amendments

These Bylaws may be amended at any Annual Convention of the Association by a two-thirds vote of the official delegates present and voting; provided the amendment be presented in writing to the President of the Association and Chairman and to the Clerk of each member school board of the Association at least thirty days prior to the Annual Convention.

ARTICLE XVI

Dissolution of the Association Assets

Upon the dissolution or final liquidation of the association, the Board of Directors shall, after paying or making provisions for the payment of all of the liabilities of the Association, dispose of all of the assets of the Association exclusively for the benefit of the public school divisions of the Commonwealth. Any such assets not so disposed of shall be distributed to member school divisions of the Association by the Circuit Court of the county in which the principal office of the Association is then located, exclusively for such purposes, or to such organization or organizations, as said Court shall determine, which are organized and operated exclusively for such purposes.

Revised 10/05/86; 10/02/87; 10/06/89; 12/14/90; 11/14/91; 11/19/92; 11/18/93; 11/18/94; 11/09/95; 11/18/99; 11/16/00; 11/18/10; 11/17/11; 11/15/12, 06/05/13; 11/20/14

