

Tab X

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 are included in the Appendix.

LEGISLATIVE POSITION PROPOSAL NO. 1

7.3 Compulsory Attendance Requirement (NEW)

The VSBA supports amending the Code of Virginia to affirm that annual certification is required, by the student and their parents, for religious exemption from the compulsory attendance requirements.

(Proposed by: Buchanan County, Buckingham County, and Page County)

Rationale:

Motion to Approve the Proposed Legislative Position: John Wright (Goochland County)

Motion Seconded: Ryan McElveen (Fairfax County)

LPC Committee Vote: Unanimous- For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 2

1.2 Fair Assessment of Limited English Proficient Students (AMEND)

Virtually every school division in Virginia educates students with limited English proficiency (LEP). The performance of LEP children on standardized tests required by the federal No Child Left Behind Act of 2001 has direct consequences for the schools they attend, their school divisions and the commonwealth of Virginia, namely:

- The education of LEP students requires additional classroom space, forcing school divisions to need to build additional classrooms or use portable classrooms;
- It costs an average 25% more to educate students who are English language learners, most of which cost is being provided by local divisions; and
- The Virginia Department of Education is able to provide only limited technical assistance to school divisions with fast growing numbers of LEP students due to the Department's small staff and budget.

The VSBA recommends that the General Assembly provide funding for;

- An improved teacher/pupil ratio for LEP programs and services that is aligned with current local school division practices. Funding school divisions on the basis of at least 30 teachers per 1,000 LEP students, which is far closer to current school division best practices; as well as state funding for two pupil personnel positions per 1,000 LEP students.
- The implementation of, and adequate state and federal funding for, a valid, reliable and accurate English language proficiency assessment based on Virginia SOL standards to

be used statewide. Such assessments are more costly and time consuming to administer than standard SOL tests, and should be funded accordingly,

- State funding for all federally mandated tests for LEP students, including the development and administration of a “plain English” version of every NCLB-mandated test for LEP students,
- Improved statewide data collection to ensure accountability,
- State assistance with facility needs, and
- Enhanced technical support for smaller school divisions including the establishment of a best practices center to collect and disseminate information about the most innovative and successful LEP programs already in place in school divisions throughout the Commonwealth.

(Proposed by: Fairfax County)

Rationale: No written rationale given

Motion to Approve the Proposed Legislative Position: James Meyer (Spotsylvania County)

Motion Seconded: Shawn Kelly (Caroline County)

LPC Committee Vote: 6 For/ 1 Against

Motioned Carried



LEGISLATIVE POSITION PROPOSAL NO. 3

1.9 Assessment Reform and Accountability Reform (AMEND)

The VSBA supports the establishment of a balanced assessment and accountability system, as defined by local school boards, that utilizes a more complete picture of student learning by providing both measures of achievement (such as the Standards of Learning (SOL) tests) and state-approved, authentic measures of individualized student growth over time. Furthermore, the VSBA supports a reduction in the number of SOL tests to carefully selected grade-levels and content-areas to permit the reallocation of assessment dollars and instructional time.

State SOL content standards, curriculum guidelines, and assessments should strike an appropriate balance between a broad overview of a subject area, in-depth exploration of components within and interrelationships between subject areas, and the acquisition and mastery of literacy, collaboration, critical analysis, creative thinking, problem solving, and communication. Comprehensive reform should refocus the state’s assessment system as a tool to help evaluate students’ acquisition of subject knowledge and skills; address concerns about the frequency of standardized student testing; and should recognize the interrelationship between assessments, school and school division accountability, and individual student progress and graduation requirements.

(Proposed by Fairfax County)

Rationale: No written rationale given

Motion to Approve the Proposed Legislative Position: James Meyer (Spotsylvania County)

Motion Seconded: Shawn Kelly (Caroline County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION NO. 4

6.1 Local School Boards Procurement Exemptions (AMEND)

All local school boards should be exempt from mandatory participation in centralized purchasing by the county administrative officer.

School boards should retain the ability to voluntarily enter into cooperative purchasing agreements with other government entities when those agreements are financially beneficial, help to increase efficiency and/or reduce administrative costs. Voluntary cooperative purchasing agreements should also be free of arbitrary restrictions on the use of this potentially beneficial and cost saving practice.

Local school boards of school divisions with fewer than 5,000 pupils in average daily membership should be exempt from the provisions of the Virginia Public Procurement Act in making routine purchases of materials and services.

(Proposed by Fairfax County)

Rationale: No written rationale given

Motion to Approve the Proposed Legislative Position: Shelly Simonds (Newport News)

Motion Seconded: James Meyer (Spotsylvania County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION NO. 5

9.4 Funding-Formula Impact (AMEND)

Article VIII of the Virginia Constitution established public education as a state responsibility. School boards work in partnership with the General Assembly, Board of Education, and local governing bodies to provide public education in the Commonwealth.

The formula is so complex that it is extremely difficult to determine if it is in fact equitable. The methodology used in the formula to assess the costs of the Standards of Quality is inadequate and the formula itself does not include all necessary components such as technology and adequate staffing. Recent changes to state funding formulas increasingly widen already significant gaps between the actual costs of services at the local level and the state's reimbursements for the provision of those services.

The VSBA urges the Governor and General Assembly to establish a minimum goal of achieving at least the national average not just for teachers' salaries but also for state expenditures for elementary and secondary education. The VSBA supports an equitable and understandable formula for state funding of elementary and secondary education that is timely and reflects local ability to pay, local revenue generation capacity, differences in local cost of living, and the varying resource needs of local school divisions.

The VSBA urges the General Assembly to annually study the Standards of Quality funding for public education and provide funding at a level that realistically reflects current practices in local school divisions. The VSBA urges the Governor and General Assembly to a) recognize that unintended or unexpected negative impacts may result from adjustments in the state funding formula and b) allocate funds to/or otherwise provide support for local school divisions thus affected.

(Proposed by Fairfax County)

Rationale: Source of proposed Amendment: *Fairfax County School Board 2014 Legislative Program*, Education Funding – State position (p.8). Adopted 10/24/2013.

Motion to Approve the Proposed Legislative Position: John Wright (Goochland County)
Motion Seconded: James Meyer (Spotsylvania County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION NO. 6

9.10 Standards of Quality and State Education Funding (AMEND)

The VSBA strongly supports the Standards of Quality as the foundation of the education program in Virginia.

The VSBA believes all mandated programs and services of education should be funded on the basis of realistic costs, more specifically the costs that are actually incurred by local school divisions to provide a high quality education, and the state should bear a fair share of those costs. The state should increase the percentage of general SOQ funds appropriated to elementary and secondary education. Full funding, rather than just modification of the formula or creation of new categories, should be the goal. The VSBA believes that:

- It is the responsibility of the state to fund, on a statewide basis, at least fifty-five percent of the actual cost for providing a quality educational program to all students in the Commonwealth, and to provide cost-for-competing add-on funding to all Virginia school divisions.
- Supplemental state funds should be directed to legitimate areas of state concern including, but not limited to, educational technology, alternative education, remedial programs, the gifted and talented, special education, vocational education, English-as-a-second-language programs, textbooks, summer school, staff development, management skills, regional cooperative programs and facilities, and transportation. Maximum caps related to percentages or number of students for which funding is available should be eliminated. Present categorical incentive and grant funds should not be folded into basic SOQ aid.
- All full-time school employees should be included in the Virginia Retirement System (VRS), and the entire employer's share of VRS costs (retirement and life insurance) and federal Social Security should be budgeted by and paid directly by the state, and should not be subject to the equalization formula.
- State funds should be made available to local school divisions for school construction, renovations, additions and debt service, including those related to state mandates and federal requirements which result in facilities impact, including the requirements of the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.
- Waiver requests seeking relief from certain mandated requirements when reductions in state aid occur during the school years should be approved. Waiver requests should also be approved if the General Assembly fails to fully fund the biennial "rebenchmarking" of Standards of Quality accounts.
- Unallocated state revenue streams should continue to be provided to the localities to be used at the discretion of the school board and not to fund new mandates.
- State funds should continue to be made available to local school divisions for a lunch program based on the number of children served regardless of the amount of federal funding for this program.
- The state should fully fund its share of all currently mandated programs. All new mandated programs, including those implemented by the Virginia State Board of Education through the rulemaking process, and should be fully funded.
- The Local Composite Index should be provided annually to localities no later than August 15 of the specified official base year for the biennium.
- Periodic adjustments to the equalization formula should be made when such changes improve the accuracy of the formula in estimating the true wealth of a locality.
- A floor should be established in the computation of the Local Composite Index, whereby a city or county with less than 8,000 population and whose school division has less than 1,000 Average Daily Membership (ADM) may use 8,000 population and 1,000 ADM for purposes of determining the composite index of ability-to-pay.
- The cost of the required triennial school census should be reimbursed in full by the state to each school division.
- The state should adjust basic aid payments when actual sales tax receipts are less than the state fiscal year estimate used in the basic aid formula.
- Categorical funding should be provided for required elementary guidance counselors and reading specialists.

- The state should provide adequate and realistic funding for the provision of school health services to assist in the delivery of such services to students, according to the model selected by each locality.
- The state should expand funding for the Virginia Teaching Scholarship Loan Program to no less than \$1 million so that the Commonwealth of Virginia will have a sufficient quantity of qualified teachers eligible for employment.
- The state should reinstitute the policy of forgiving student loans on a one-for-one year basis for those who teach in a Virginia public school.
- The statewide salary figures used in calculating basic aid payments should be determined by applying an unweighted measure of the arithmetic mean to the actual salaries paid instructional personnel in Virginia, using the employee rather than the school division as the basic unit of measurement.
- The VSBA is encouraged to provide information to and support for statewide and regional coalitions that promote this policy.
- Program and service requirements enacted by the state that exceed the minimum regularly funded programs and services mandated by Congress should be implemented only if 100% of the cost difference is funded by the state.
- It is the state's responsibility to fund 100 % of the costs of all testing required by state and federal accountability programs, including mandated tests of English language proficiency and the development and administration of "plain English" versions of every NCLB-mandated test for LEP students.
- The state should use the actual costs of educational and support services as faced by local school divisions in its biennial "re-benchmark" of state education funding formulas. Statistical methodologies that purposely disassociate local costs from the costs included in state reimbursement formulas or that place artificial caps on state reimbursements including, for example, the use of general measures of inflation (e.g. the Consumer Price Index) instead of actual cost increases in school divisions, only serve to reduce required and appropriate state contributions to education.
- Additional state resources should be targeted to assist school divisions and individual schools with high levels of student poverty. In addition, there should be coordinated local, state and federal policies and resources available to help address the needs of students in poverty within a school's community.

(Proposed by Fairfax County)

Rationale: No written rationale provided

Motion to Approve the Proposed Legislative Position: Shawn Kelly (Caroline County)

Motion Seconded: James Meyer (Spotsylvania County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 7

6.10 Local Health Plan Choice (NEW)

The VSBA supports legislation that allows Local Boards (Divisions) to have the option to participate in the Commonwealth of Virginia's Healthcare Plan (COVA Care).

(Proposed by Harrisonburg City)

Rationale:

There are no budgetary repercussions for the State – each locality would pay their portion and the individual would pay theirs. All employees of a division participate and contribute to the Virginia Retirement System, division salaries are supported by State funding (similar to state universities – where all participate in the COVA Care Program). School division employees tend to be low risk pools. The financial benefit, particularly for smaller divisions, could be substantial. The quality of coverage for school divisions could vastly improve as well.

Motion to Approve the Proposed Legislative Position: John Wright (Goochland County)

Motion Seconded: Shelly Simonds (Newport News City)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 8

9.14 Instructional Expenditures (NEW)

The VSBA supports broadly defining criteria for the 65% of division expenditures spent on instruction to include instructional support services.

(Proposed by Prince William County)

Rationale:

It is too difficult to define what is and what is not an instructional expense. For instance, you can't instruct the students if you don't have buses to bring them to school; school administrators are not in the classroom, but they lead and positively affect instruction.

Motion to Approve the Proposed Legislative Position: John Wright (Goochland County)

Motion Seconded: Shawn Kelly (Caroline County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 9

9.15 Funding for Governor's Schools (NEW)

The VSBA supports additional state funding for Governor's Schools.

(Proposed by Prince William County)

Rationale:

Additional funding is needed to provide the advanced instruction, equipment, and supplies associated with the operation of Governor's Schools.

Motion to Approve the Proposed Legislative Position: James Meyer (Spotsylvania County)

Motion Seconded: Shawn Kelly (Caroline County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 10

6.11 Fee Schedule for Medical Costs (NEW)

The VSBA supports a state-adopted regional fee schedule for medical costs for self-insured employers rather than the current prevailing community rate.

(Proposed by Prince William County)

Rationale:

Support for this request would provide self-insured school divisions the opportunity to reduce health benefit costs.

Motion to Approve the Proposed Legislative Position: Shawn Kelly (Caroline County)

Motion Seconded: Ryan McElveen (Fairfax County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 11

9.16 Unfunded Physical Education Requirement (NEW)

VSBA opposes the requirement of additional time for physical education until the state provides the funding to meet this requirement.

(Proposed by Prince William County)

Rationale:

The additional physical education time would require a longer instructional day and there is a cost for doing so.

Motion to Approve the Proposed Legislative Position: Ryan McElveen (Fairfax County)

Motion Seconded: James Meyer (Spotsylvania County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 12

9.10 Standards of Quality and State Education Funding (AMEND)

The VSBA strongly supports the Standards of Quality as the foundation of the education program in Virginia.

The VSBA believes all mandated programs and services of education should be funded on the basis of realistic costs, more specifically the costs that are actually incurred by local school divisions to provide a high quality education, and the state should bear a fair share of those costs. The state should increase the percentage of general SOQ funds appropriated to elementary and secondary education. Full funding, rather than just modification of the formula or creation of new categories, should be the goal. The VSBA believes that:

- It is the responsibility of the state to fund, on a statewide basis, at least fifty-five percent of the actual cost for providing a quality educational program to all students in the Commonwealth, and to provide cost-for-competing add-on funding to all Virginia school divisions.
- Supplemental state funds should be directed to legitimate areas of state concern including, but not limited to, educational technology, alternative education, remedial programs, the gifted and talented, special education, vocational education, English-as-a-second-language programs, textbooks, summer school, staff development, management skills, regional cooperative programs and facilities, and transportation. Maximum caps related to percentages or number of students for which funding is available should be eliminated. Present categorical incentive and grant funds should not be folded into basic SOQ aid.

- All full-time school employees should be included in the Virginia Retirement System (VRS), and the entire employer's share of VRS costs (retirement and life insurance) and federal Social Security should be budgeted by and paid directly by the state, and should not be subject to the equalization formula.
- State funds should be made available to local school divisions for school construction, renovations, additions and debt service, including those related to state mandates and federal requirements which result in facilities impact, including the requirements of the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act and the Americans with Disabilities Act.
- Waiver requests seeking relief from certain mandated requirements when reductions in state aid occur during the school years should be approved. Waiver requests should also be approved if the General Assembly fails to fully fund the biennial "rebenchmarking" of Standards of Quality accounts.
- Unallocated state revenue streams should continue to be provided to the localities to be used at the discretion of the school board and not to fund new mandates.
- State funds should continue to be made available to local school divisions for a lunch program based on the number of children served regardless of the amount of federal funding for this program.
- The state should fully fund its share of all currently mandated programs. All new mandated programs, including those implemented by the Virginia State Board of Education through the rulemaking process, and should be fully funded.
- The Local Composite Index should be provided annually to localities no later than August 15 of the specified official base year for the biennium.
- Periodic adjustments to the equalization formula should be made when such changes improve the accuracy of the formula in estimating the true wealth of a locality.
- A floor should be established in the computation of the Local Composite Index, whereby a city or county with less than 8,000 population and whose school division has less than 1,000 Average Daily Membership (ADM) may use 8,000 population and 1,000 ADM for purposes of determining the composite index of ability-to-pay.
- The cost of the required triennial school census should be reimbursed in full by the state to each school division.
- The state should adjust basic aid payments when actual sales tax receipts are less than the state fiscal year estimate used in the basic aid formula.
- Categorical funding should be provided for required elementary guidance counselors and reading specialists.
- The state should provide adequate and realistic funding for the provision of school health services to assist in the delivery of such services to students, according to the model selected by each locality.
- The VSBA supports an adjustment in support staff funding to provide school divisions with one nurse for every 750 students, as prescribed by the National Association of School Nurses.
- The state should expand funding for the Virginia Teaching Scholarship Loan Program to no less than \$1 million so that the Commonwealth of Virginia will have a sufficient quantity of qualified teachers eligible for employment.
- The state should reinstitute the policy of forgiving student loans on a one-for-one year basis for those who teach in a Virginia public school.
- The statewide salary figures used in calculating basic aid payments should be determined by applying an unweighted measure of the arithmetic mean to the actual salaries paid

instructional personnel in Virginia, using the employee rather than the school division as the basic unit of measurement.

- The VSBA is encouraged to provide information to and support for statewide and regional coalitions that promote this policy.
- Program and service requirements enacted by the state that exceed the minimum regularly funded programs and services mandated by Congress should be implemented only if 100% of the cost difference is funded by the state.
- It is the state's responsibility to fund 100 % of the costs of all testing required by state and federal accountability programs, including mandated tests of English language proficiency and the development and administration of "plain English" versions of every NCLB-mandated test for LEP students.
- The state should use the actual costs of educational and support services as faced by local school divisions in its biennial "re-benchmark" of state education funding formulas. Statistical methodologies that purposely disassociate local costs from the costs included in state reimbursement formulas or that place artificial caps on state reimbursements including, for example, the use of general measures of inflation (e.g. the Consumer Price Index) instead of actual cost increases in school divisions, only serve to reduce required and appropriate state contributions to education.

Rationale:

For the last three General Assembly sessions, additional healthcare responsibilities have been placed upon school divisions without any additional state funding. This priority would address this continuing trend and secure additional state funding.

Motion to Approve the Proposed Legislative Position: James Meyer (Spotsylvania County)
Motion Seconded: Shawn Kelly (Caroline County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 13

3.6 Funding for Virtual Programs (NEW)

VSBA opposes the transfer of local, state, and federal funds when the resident school division offers a full-time virtual school program but the student elects to enroll in a program offered by another school division. Additionally, VSBA opposes the transfer of local funding when the resident school division doesn't offer a full-time virtual school program and the student chooses to enroll in a full-time virtual program outside of the school division of residence.
VSBA encourages the Board of Education to develop regulations and standards of accreditation for virtual school courses and programs to ensure high-quality instruction and curriculum.
(Proposed by Prince William County)

Rationale:

We anticipate that similar bills relating to virtual school funding will again be introduced in the 2015 General Assembly session. PWCS considers it a legislative priority that funding for students enrolling in virtual programs be addressed. More specifically, PWCS considers it both logical and imperative that, when a school division has invested its resources to develop virtual courses or more comprehensive programs for its students, then state and local funding should not follow the student when he or she, nevertheless, elects to take comparable virtual courses or programs from other school divisions. Contrary to the provisions of previously introduced bills funding should remain with the resident school division.

Motion to Approve the Proposed Legislative Position: John Wright (Goochland County)

Motion Seconded: James Meyer (Spotsylvania County)

LPC Committee Vote: Unanimous – For

Motion Carried

**LEGISLATIVE POSITION PROPOSAL NO. 14****3.2 Educational Technological Equipment and Grants Programs (AMEND)**

The VSBA recognizes the significant instructional improvements and gains in student achievement that can result from the appropriate use of educational technology. Many school divisions are striving to provide students with instruction in the use of technological equipment as computer-assisted instruction is a viable teaching tool. However, school systems are often unable financially to equip their schools with the necessary equipment.

The VSBA supports legislation which would provide incentives to companies donating computers, other state-of-the-art technological equipment, training programs and maintenance services to elementary and secondary schools, including programs for students with disabilities, preschool through age twenty-two.

The VSBA requests the Governor and the General Assembly continue the Educational Technology Grants Program and initiate other programs of assistance so that all local school divisions in the Commonwealth are able to develop and sustain adequate and equitable educational technology plans.

VSBA supports the usage of Virginia Public School Authority (VSPA) funds to lease technology refresh equipment. The usage of these funds should not be limited to only the purchase of such devices.

The VSBA supports identifying a consistent source of revenue for such programs, and that they not rely on a limited and non-recurring source such as bond proceeds.

The VSBA support such programs that are structured so as to place minimal restrictions on local school divisions related to the use of educational technology assistance, thus allowing the

divisions to follow their locally developed, individualized technology plans in meeting specific school and program needs, and that they also be structured so as to prohibit the supplanting of these funds dedicated to the improvement of educational technology.

(Proposed by Prince William County)

Rationale:

Flexibility to use Virginia Public School Authority (VPSA) funds would allow school divisions to afford more technology faster and provide an opportunity to move to new technologies more quickly.

Motion to Approve the Proposed Legislative Position: James Meyer (Spotsylvania County)

Motion Seconded: Shawn Kelly (Caroline County)

LPC Committee Vote: Unanimous – For

Motion Carried



LEGISLATIVE POSITION PROPOSAL NO. 15

3.7 STAR Program Expansion (NEW)

The VSBA encourages the General Assembly and Superintendent of Public Instruction to facilitate the expansion of the Virginia Student Training and Refurbishment Program (STAR) in Virginia's school divisions.

(Proposed by Williamsburg/James City County)

Rationale:

The purpose of this proposal is to expand participation in the Virginia Student Training and Refurbishment Program (STAR). This program provides hands-on learning for our students, aids non-profits and community members by providing computer technology, thus improving access to technology and enriching services to the community while protecting the environment.

Motion to Approve the Proposed Legislative Position: Shelly Simonds (Newport News City)

Motion Seconded: John Wright (Goochland County)

LPC Committee Vote: Unanimous – For

Motion Carried



TAB XI

Proposed Changes
VSBA Bylaws



To: Members of the Delegate Assembly

From: Kerri Wilson, VSBA President

RE: Proposed Changes to VSBA Bylaws

The members of the 2014 VSBA Board of Directors met for the regular business meeting in March, June and August of this year. At each of these meetings, a discussion regarding association leadership, continuity and board member requirements took place. The result of these discussions are proposed changes to the VSBA Bylaws, which will add one At-Large member position to the Board of Directors and change the term of office for Regional Officers.

The first change, highlighted in yellow, adds a second At-Large position. If approved by the Delegate Assembly, this position will be nominated through the nominating committee, elected at the Annual Convention and serve on the Board of Directors for a one-year term.

The second change, highlighted in red, changes the term of office for Regional Officers from two one-year terms to one two-year term. The election of these Regional Officers will occur biennially in any year in which there is a vacancy in an officer position.

The third change to the VSBA Bylaws, highlighted in green, was approved by the 2013 Board of Directors and inadvertently omitted from the 2013 Delegate Assembly Handbook. This change will move the election of the Regional Officers from the spring meeting to the fall regional meeting, and clarifies that each region will hold an annual meeting in the spring and fall.

If approved by a majority vote of the Delegate Assembly, these changes will take effect in 2015.



**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 the 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 a-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.

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~~ ~~annually~~ at ~~the fall~~ regional meetings of the Association. No regional officer ~~shall be elected~~ to ~~will~~ serve more than ~~one two-year term~~ ~~two one-year terms~~ 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~~ ~~spring 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 ~~spring 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~~ ~~an annual spring meeting.~~ 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