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 *Legislative Positions of the Virginia School Boards Association* 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. That information is available on the VSBA website, http://www.vsba.org/advocacy_government_relations/legislative_services/.

LEGISLATIVE POSITION PROPOSAL NO. 1

1.7 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. <u>All End-of-Course Standards of Learning Assessments may be performance-based.</u>

(Proposed by Arlington County)

RATIONALE: In his comments on April 10, 2019, Secretary of Education Atif Qarni indicated that he would like to move away from the present standardized testing model, which he called "toxic." He added that he wants to eventually see project-based assessments not only supplementing but replacing standardized tests.

There is language in the 2020 budget which states: . . . "end-of course Standards of Learning assessments shall not be a performance-based assessment." We propose that this language be eliminated.

Motion to accept as amended: Brenda Sheridan
Motion Seconded: Jennifer McKeever
LPC Vote: Unanimous-- For
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 2

10.16 State School Health Advisory Committee (NEW)

<u>VSBA supports establishing the State School Health Advisory Committee, consisting of no more than 20 non-legislative health, mental health, and educational professionals and parents to advise the Board of Education, the Governor, and the General Assembly on (i) the role of employees in public elementary or secondary schools in providing health and mental health services and (ii) the need for training associated with delivery of such services.</u>

(Proposed by Arlington County)

RATIONALE: Every year, there is legislation in the General Assembly regarding requests

for health services in the public schools. Decisions are often made with little regard to the ability of schools to provide these services and without consideration about the costs. An advisory committee consisting of both health professionals and education personnel would be able to study the requests and make recommendations as to their implications for school divisions.

Motion to accept as amended: Jennifer McKeever
Motion Seconded: Brenda Sheridan
LPC Vote: Unanimous-- For
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 3

10.17 Mandatory Reporting of Misdemeanors and Status Offenses (NEW)

VSBA supports eliminating mandatory reporting of misdemeanors and status offenses by students to law enforcement for school based incidents.

(Proposed by Arlington County)

RATIONALE**:** This legislation would make school officials' reporting of student misdemeanor and status offense conduct to law enforcement discretionary. Currently, Virginia State Code § 22.1-279.3:1 requires schools to report a wide level of school-based conduct and over 40 offenses to police, including misdemeanors and status offenses. Virginia ranks first in the nation in the rate of school-based referrals of students to law enforcement. This revision would allow school staff to exercise their professional judgment in making referrals and would reduce the burden on law enforcement of responding to referrals for minor misbehavior. Additionally, it safeguards positive school climate and the authority of school staff as well as reduces school-based referrals, arrests, and court involvement for children.

Motion to accept: Elizabeth Lowe
Motion Seconded: Jennifer McKeever
LPC Vote: 6-1, James Meyer voting "No" (Barbara Pittman not present for vote on conference line)
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 4

10.18: Disorderly Conduct for School Based Offenses (NEW)

VSBA supports decriminalizing disorderly conduct for school based offenses.

(Proposed by Arlington County)

RATIONALE**:** Virginia's "Disorderly Conduct" statute specifically criminalizes highly subjective student behavior issues that often would not be considered criminal outside the schoolhouse door.

The greatest racial disparities in school discipline can be found in highly subjective code of conduct violations such as "disorderly conduct." The added issue for many students—and especially Black students—is that disorderly conduct violations are also criminalized by Virginia code and can result in thousands of arrests, court petitions,

unnecessary diversion requirements, or even probation and deeper court involvement—all for behavior that can and should be managed at the school level, with more effective tools that serve as alternatives not only to arrest, but also exclusionary discipline. Virginia's laws should not single out student misbehavior in school as a special version of criminal disorderly conduct.

This legislation would eliminate the unnecessary criminalization of student behavior. The current statute deems Disorderly Conduct as any behavior that "prevents or interferes with the orderly conduct" of any school operation or activity. This change places student school-based "disorderly conduct" in its proper context - the student code of conduct, rather than under the purview of law enforcement and the courts. Currently, such behavior doesn't have to hurt, threaten, or damage any other person or even any property; in fact, a student doesn't even have to intend to be disruptive, they can simply "recklessly create a risk" of such disruption. Disorderly Conduct is a Class 1 misdemeanor, which means it carries a penalty of up to one year in jail (detention) and a $2500 fine. Such a finding can also amplify consequences of any future charges for youth, even if they are low-level offenses. Subjective charges like Disorderly Conduct often fall hardest on students with disabilities, the symptoms of which (because schools tend to use non-disabled students as a norm) can sometimes manifest in disruptions that are then deemed criminally "disorderly." School-based "disorderly conduct" is about school behavior, not criminal behavior—therefore school administrators are best equipped to respond, especially when the behavior is only deemed "criminal" because it's happening in a school setting. And because the charge is really in the eye of the beholder, students often have little-to-no notice of how to avoid committing the "crime" as opposed to simply a disciplinary infraction.

Motion to accept: Jennifer McKeever
Motion Seconded: Brenda Sheridan
LPC Vote: Unanimous-- For
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 5

1.11 Graduation and Completion Index <u>and Dropout Rate</u> Calculation for English Learners (AMEND)

The Virginia School Boards Association supports:

- ~~Adjusting Graduation and Completion Index (GCI) calculations for English Learners, whereby students who enter a Virginia public school as WIDA English Language Proficiency (ELP) Level 1 or 2 would not be entered in their GCI cohort until they have received English for Speakers of Other Languages (ESOL) services in Virginia for approximately the time necessary for a newly arrived English Learner to achieve a WIDA ELP Level of 3.~~
- <u>Adjusting Graduation and Completion Index (GCI) and dropout rate calculations for English learners, such that English learners who have not yet completed 4 semesters of enrollment in Virginia public schools would be eligible for a one-time adjustment out of the 4-year GCI and dropout rate calculations.</u>
- Allowing English Learners who have a WIDA ELP Level of 3 or 4 who arrive in a Virginia high school for the first time in the second semester of an academic year to delay their addition to a GCI cohort until the following year.

(Proposed by Fairfax County)

RATIONALE: An ever-increasing number of students enter Virginia schools with both limited English language skills as well as limited formal schooling of any kind, including many older students. The proposed changes would help to adjust the state's calculation of the Graduation and Completion Index to better reflect where many English Learners start their schooling in Virginia as well as how long it takes to acquire both English language skills as well as content knowledge.

Motion to accept as written: Elizabeth Lowe
Motion Seconded: Harold Jones
LPC Vote: Unanimous—For (Diana Williams not present for vote on conference line)
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 6

4.7 Education of Teachers (AMEND)

The need for excellent teachers is prevalent throughout the Commonwealth. Rigorous academic and experience standards are desired for those entering the teaching profession and mentoring and staff development programs are desired for those actively teaching so that all teachers may provide the Commonwealth's students suitable instruction in both the Standards of Learning and the local curriculum.
The VSBA supports the following:

- Changes in the state teacher licensure requirements that will emphasize greater academic discipline and practical training experience;
- Increased funding for the Virginia Teacher Scholarship Loan Program to encourage individuals to enter the teaching profession in shortage areas and to remain in Virginia;
- State funding to local school divisions for staff development programs so that teachers have the skills to ensure that students are able to meet the new Standards of Learning and Standards of Accreditation;
- The allowance of alternative entry routes into the teaching profession to provide localities flexibility in hiring qualified persons who have not formally prepared for teaching careers;
- Increased state funding for the Beginning Teacher Mentor Program, with a greater stipend for mentors of teachers entering the profession through alternative routes who have not had practical training experiences prior to teaching, comparable to our Virginia college and university programs, and for mentors of teachers with provisional licenses;
- Substantial state awards for public school teachers who have earned certification from the National Board for Professional Teaching Standards as well as meaningful financial assistance from the state for those teachers pursuing such rigorous certification;
- Better coordinated credentialing standards between local school divisions and institutions of higher learning, which would allow both K-12 and higher education faculty to teach in mixed classrooms where students can earn both high school and post-secondary course credit as appropriate;
- Ongoing studies by the legislature or Board of Education to address the shortage of teachers in the state; and
- A comprehensive evaluation of initial teacher licensure and licensure renewal requirements, particularly in light of the piecemeal accumulation of legislative mandates for new licensure requirements over time.

(Proposed by Fairfax County)

RATIONALE: Builds on ground work established with the passage of SB 1575 during the 2019 General Assembly Session, which creates a temporary solution for part of the issue but requires a more comprehensive Advisory Board on Teacher Education and Licensure study and solution. Would help to address increasing staff recruitment issues for more highly technical course work provided by both K12 and higher education and allow for granting appropriate student course credit at both levels under a single instructor.

Motion to accept as written: Mark Cathey
Motion Seconded: Elizabeth Lowe
LPC Vote: Unanimous—For (Diana Williams not present for vote on conference line)
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 7

9.18 Amend the Standards of Quality to Include Dedicated Funding for Mental Health Student Support Positions and School Security Personnel (AMEND)

VSBA supports the amending the Standards of Quality to include specific funding for mental health professionals and school safety and security personnel at a rate that is commensurate with the current needs of our Commonwealth's school divisions. In addition, VSBA supports maintaining locally-based authority and flexibility to determine the school health, mental health and counseling models that most appropriately meet a division's needs via local policies and staffing, including preservation of the role that local health departments play in the provision of school health services.

(Proposed by Fairfax County)

RATIONALE: Comprehensive preventative state efforts to ensure student safety and well-being must include resources devoted to student mental health, but different school divisions may approach staffing in varying ways, both in terms of numbers and types of positions that each division finds appropriate. Local flexibility will help school divisions meet the overall goal of addressing student health and mental health issues without prescriptive mandates.

Motion to accept as written: Jennifer McKeever
Motion Seconded: Harold Jones
LPC Committee Vote: Unanimous—For (Diana Williams not present for vote on conference line)

LEGISLATIVE POSITION PROPOSAL NO. 8

5.11 Scheduling of Elections (AMEND)

The primary location of polling places in the Commonwealth of Virginia is the public schools. ~~Because of the General Assembly action, public schools are not permitted to open prior to Labor Day of any given year as the opening days of any school year may create unforeseen problems and adjustments.~~

~~The VSBA requests that the Virginia General Assembly refrain from scheduling any elections on dates which coincide with the opening or first day of any school year.~~

VSBA supports legislative changes at the state and national level to shift voting activities from weekdays to weekends in order to enhance school safety and safeguard the operational effectiveness of public schools.

(Proposed by Loudoun County)

Motion to accept VSBA Legislative Position 5.11 as amended: Jennifer McKeever
Motion Seconded: Brenda Sheridan
LPC Vote: 6-1, Harold Jones voting "No" (Diana Williams not present for vote on conference line)
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 9

4.23 Expansion of the Virginia Human Rights Act (AMEND)

The VSBA requests the expansion of classifications contained in the Virginia Human Rights Act, Code of Virginia §§ 2.2-3900 and 2.2-3901, to include ~~gender~~ sexual orientation and gender identity and to further amend the Code of Virginia, § 22.1-78, to allow local school boards to similarly expand the protected classifications contained in local school board policies and regulations.

(Proposed by Loudoun County)

RATIONALE: Sexual orientation and gender identity discrimination have been part of American society for decades, and while increased social awareness and some successes in the judicial system have improved the situation, many people still face significant obstacles at work related to sexual orientation and gender identity. The Commonwealth should do all that it can to protect these individuals from discrimination.

Motion to modify VSBA Legislative Position 4.23 as amended: Brenda Sheridan
Motion Seconded: Mark Cathey
LPC Vote: 6-0-1, Elizabeth Lowe abstaining (Diana Williams not present to vote on conference line)
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 10

5.12 Unexpended Funds (AMEND)

Unexpended funds at the end of each fiscal year should be retained in the existing ~~contingency fund line item,~~ school fund balance, not subject to reappropriation as "new fiscal year" funds, instead of being returned to the local appropriating bodies.

(Proposed by Newport News City)

Motion to reaffirm VSBA Legislative Position 5.12 as amended: Jennifer McKeever
Motion Seconded: Barbara Sheridan
LPC Vote: Unanimous—For (Diana Williams and Barbara Pittman not present for vote on conference line)
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 11

1.12 Attendance Requirements for Accreditation (NEW)

The General Assembly should direct the Board of Education to remove attendance under 8 VAC 20-131-380 as a measurement of School Quality for accreditation.

(Proposed by Prince William County)

RATIONALE: Establishing absent students as a measure of accreditation as defined "as those who are enrolled in a given school who miss 10% or more of the school year, regardless of reason" unfairly discriminates against school with high transient minority populations, at-risk students, and working students.

Motion to accept: Jennifer McKeever
Motion Seconded: Brenda Sheridan
LPC Vote: Unanimous—For (Diana Williams and Barbara Pittman not present for vote on conference line)
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 12

9.20 Modify Requirements for Advanced Studies Diploma (NEW)

Requirements for the science sequence for an Advanced Studies Diploma should be changed to permit either: completion of courses in three scientific disciplines from among: earth sciences, biology, chemistry, or physics; or the completion of advanced sequences of courses in two of the disciplines (e.g., Pre-AP biology, Pre-AP chemistry, AP chemistry, and AP biology).

(Proposed by Prince William County)

RATIONALE: Current requirements specify credits required and state that: Courses completed to satisfy this requirement shall include course selections from at least three different science disciplines from among: earth sciences, biology, chemistry, or physics or completion of the sequence of science courses required for the International Baccalaureate Diploma. The Board shall approve courses to satisfy this requirement.

Students who seek to excel by taking the most rigorous courses available are currently penalized by the requirement to devote time to a third discipline if they want to earn the Advanced Studies Diploma. Changing the requirement will allow students to earn the Advanced Studies Diploma while taking their study of fewer disciplines to the highest level possible.

Motion to accept as amended: Elizabeth Lowe
Motion Seconded: Jennifer McKeever
LPC Vote: Unanimous—For (Diana Williams and Barbara Pittman not present for vote on conference line)
Motion Carried

LEGISLATIVE POSITION PROPOSAL NO. 13

9.21 Standards of Quality and State Education Funding for Support Positions (NEW)

The VSBA supports eliminating the state's arbitrary cap on funding for support positions, which would help more directly link state funding with actual local staffing needs and costs.

(Proposed by Prince William County)

RATIONALE: With the significant increase in mental health and other wellness challenges for students, critical services provided by schools should be funded accordingly.

Motion to accept: Elizabeth Lowe
Motion Seconded: Harold Jones
LPC Vote: Unanimous—For (Diana Williams and Barbara Pittman not present for vote on conference line)
Motion Carried

XI.

Proposed Changes to VSBA Bylaws

To: Members of the Delegate Assembly

From: R. Tyrone Foster, VSBA President

Re: Proposed Change to VSBA Bylaws

The Board of Directors presents two sets of changes to the VSBA Bylaws to the Delegate Assembly for Approval.

Proposed Change #1
At is regular business meeting on August 22, 2019, the VSBA Board of Directors considered a change to Art. VIII sec. 1 of the Bylaws. Currently, the Bylaws state that all members of the Board, with the exception of the immediate past-president, must be members of a local school board that is a member of the Association when they take office. The Board approved a change which would remove the exception for the immediate past-president. If the proposed amendment is approved by the Delegate Assembly, every member of the Board would have to be a member of a local school board when they assume office.

Proposed Change #2
At its regular business meeting on March 15, 2019, the VSBA Board of Directors discussed the usage of the term “chairman” in VSBA documents. The Board decided that going forward VSBA would use the term “chair” rather than “chairman”.

In accordance with that decision, proposed amendments to the VSBA Bylaws reflecting the new usage are presented to the Delegate Assembly for its consideration.

The proposed amendments substitute “chair” for “chairman” throughout the VSBA Bylaws.

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~~ Chair 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~~ chair 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~~ Chairs of the Standing Committees, and Regional ~~Chairmen~~ Chairs 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~~ Chair 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~~ Chair and ~~Vice-Chairman~~ Vice-Chair. 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~~ chair or a delegate elected by that school board. The regional ~~chairman~~ chair and his/her designee shall determine the number and persons approved to vote at the beginning of each meeting of the region. It shall be the duty of every candidate to provide a written nomination, approved by the candidate's school board, and a signed letter from the candidate confirming willingness to serve.

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~~ Chair when the ~~Vice-Chairman~~ Chair 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~~ Chairs 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~~ Chair 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; 11/17/16; 11/16/17