



RESOLUTIONS

of the National School Boards Association

The following is the complete and official text of the resolutions enacted by the 2012 Delegate Assembly of the National School Boards Association which met in Boston, Massachusetts on April 20, 2012. The resolutions, which determine NSBA policy, originate from numerous school board sources throughout the United States, its territories, and possessions. Resolutions are submitted to the Delegate Assembly for consideration by the Policies and Resolutions Committee. Final debate and enactment are effected by the Delegate Assembly which consists of local school board members from the various states and the U.S. Virgin Islands.

1. Allocation of Federal Funding to School Districts

NSBA supports federal legislative and regulatory efforts to ensure that the allocation of federal funding for school districts is adhered to, including strict protections on statutory caps for funding reserved for state administrative purposes. NSBA urges Congress to ensure that oversight is provided that addresses the goals for program administration and does not extend or expand state authority in the distribution or sub-allocation process so that funding is allocated to school districts in the manner that Congress intended.

2. Federal Impact Aid

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

Further, NSBA urges Congress to review the threshold for eligibility in those circumstances where the parent or legal guardian has been called to active duty outside the geographical boundaries of a school district that does not meet the 400 students or 3% enrollment requirement for Impact Aid. The review would explore the possibility of expanding eligibility requirements for Impact Aid by displacing funds from districts that are currently eligible.

3. Targeted Investments in Public Education

As the federal budget is realigned to meet deficit reduction goals, NSBA urges targeted investments in public education that will leverage increased economic growth and productivity that will strengthen American competitiveness in the global economy and ultimately help reduce the national debt. NSBA urges Congress and the Executive Branch to appropriate and administer accelerating investments in public education that support local efforts to continue raising student achievement. Further, NSBA continues to urge Congress to fully fund Title I and the Individuals with Disabilities Education Act (IDEA) at their statutorily authorized levels.

4. Tax-Exempt Financing

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

5. Vouchers/Tuition Tax Credits

NSBA petitions Congress to oppose any efforts to subsidize tuition or expenses at elementary or secondary private, religious, or home schools with public tax dollars. Specifically, NSBA opposes vouchers, tax credits, and tax subsidies for use at non-public K-12 schools.

6. Elementary and Secondary Education Act (ESEA)

NSBA urges Congress to complete the reauthorization of the Elementary and Secondary Education Act (ESEA) before the 112th Congress adjourns, and strongly believes it should include provisions that would:

- (a) ensure states and local school districts have greater flexibility to make educationally sound decisions, and be free of mandates that unnecessarily or counterproductively hinder school districts from achieving their goals (i.e., mandating the expansion of charter schools and standardized tests as a measure of accountability, and conditioning federal funding on adoption of state-led common core standards);
- (b) ensure the accountability systems accurately and fairly report student, school, and school district performance;
- (c) ensure high-quality, valid, and reliable assessments for all students, including English language learners and students with disabilities;
- (d) support the use of multiple measures of academic achievement that will more accurately determine students' knowledge and performance that reflect a well-rounded education necessary to be successful in the 21st century economy, as opposed to judging success on their performance in a single assessment;
- (e) permit the use of growth models and other measures of student achievement that more accurately reflect student and school performance;
- (f) facilitate strategic interventions that are designed at the local or state level and are targeted to students and schools most in need, rather than impose ineffective and costly sanctions;
- (g) provide support to states and school districts and ensure their flexibility to establish programs to enhance teacher/principal quality focusing on preparation, recruitment, retention, and evaluation;
- (h) provide support to school districts to give all children, including migratory children, the opportunity to reach their full potential;
- (i) support efforts by school districts, through a separate funding stream, to develop, expand, coordinate, and enhance the quality and availability of voluntary preschool programs for all three and four year old children; and,
- (j) fully fund the law, along with other federal assistance programs that are critical to successfully achieving the goals of the new law, and limit the expansion of competitive

grants where such expansion would result in level funding of formula-based grants so critical to students in poverty.

7. Teacher and Principal Effectiveness

NSBA urges Congress to provide funding for research and implementation that supports a broad range of locally developed strategies to improve teacher and principal effectiveness to increase student achievement through:

- (a) evidence-based preparation and professional development;
- (b) evidence-based evaluation systems that include student performance;
- (c) alternative certification programs; and,
- (d) state and school district flexibility regarding credentials for small and/or rural schools and specialized programs such as science, technology, engineering, mathematics, and the arts.

8. Standards and Testing

NSBA urges Congress and the President to take the following legislative and executive branch action with regard to standards and testing:

- (a) support state and local efforts to provide students with an education that is appropriately focused on the skills and knowledge needed for success in the global and technological world of the 21st century by funding multiple education entities, including regional education entities, to develop model standards for voluntary adoption;
- (b) support 1) funding for research; 2) financial assistance to states or groups of states, when requested, to assist them in developing and implementing standards around the skills and uses of knowledge that students will need in the 21st century; and 3) direct financial assistance to states or groups of states, when requested to assist them in developing and implementing content standards;
- (c) oppose efforts to make the aforementioned activities mandatory on states or local school districts by making it a condition for the receipt of other federal aid;
- (d) oppose efforts to involve the federal government directly or indirectly (e.g. through an entity over which it can exercise control) to develop mandatory or model national content standards or to mandate the development of common content standards among groups of states; and,
- (e) ensure that the National Assessment of Educational Progress (NAEP) and other national assessments as well as international tests do not exceed their current use to provide comparative data through sampling; and oppose requiring or coercing the use of these assessments by states in developing their own standards or for high stakes accountability purposes.

9. 21st Century Skills

NSBA urges Congress to support programs and research that focus on problem-solving, creativity, critical thinking, world-language proficiency, and other high-level 21st century skills that are important for success in a global workplace. Congress should support school district capacity to provide the technology and tools necessary to foster innovative learning

practices and instructional methods that bridge school and real-world experiences, provide for greater individualization of education, and prepare students for college and/or career.

In addition, Congress should provide funding and other incentives to states and local school districts to design and implement rigorous science, technology, engineering, math, and arts curriculum and encourage geographical and cultural awareness.

10. E-Rate

NSBA urges Congress and the Federal Communications Commission (FCC) to strengthen the E-Rate program to ensure efficient operation of the program, improve the quality and speed of connectivity in our nation's schools, and address the technology gaps that remain. Congress and the FCC should increase availability of E-rate discounts, maintain the current eligibility of schools and libraries, and refrain from adding uses or types of recipients for E-Rate funds until current demand is met for schools and libraries. Congress and the Administration should also implement a permanent exemption or other long-term solutions to the Anti-Deficiency Act.

11. Early Learning

NSBA urges Congress to provide a separate funding stream for school districts to establish and maintain voluntary preschool programs for all three and four year olds. The purpose would be to develop, coordinate, and enhance the quality and availability of preschool programs. NSBA also urges Congress and the Administration to refrain from imposing mandates on states or school districts with regard to Pre-K and K-3 education such as teacher and principal training and credentials, compensation, instruction, standards or other areas of local decision making.

12. Childhood Nutrition and Food Products

NSBA petitions Congress and the U.S. Department of Agriculture to close the funding gap between the cost of implementing new national standards for subsidized meals and the limited reimbursement increase available for schools to comply with the standards by 1) increasing reimbursement level and other federal funds to cover the cost of compliance and/or 2) adjusting standards and policy to make implementation feasible within available resources.

NSBA also urges Congress and the Department to rectify the cumulative negative impact of all provisions of the child nutrition reauthorization (PL 111-296) on school district budgets and operations, including indirect cost rules, mandatory standards for competitive foods, paid meal pricing regulations, training and certification requirements, etc.

NSBA urges Congress to involve local school boards in designing regulations and policy for implementation so that no policy results in re-directing state and local funds from instruction to the school food authority or imposes additional costs on school districts. In addition, NSBA urges the Department of Agriculture and other federal and state agencies responsible for food safety to improve and coordinate inspection, notification, and other protocols to ensure the nutritional value and safety of foods served in school lunch and breakfast programs.

13. Comprehensive Tobacco Free Schools

NSBA urges Congress to continue to support tobacco-free school environments in the ESEA reauthorization.

14. Medicaid and Administrative Claims

NSBA urges the Centers for Medicaid and Medicare Services to ensure school-based health care programs on the same footing as any other health care program and to support the critical role played by schools in providing timely services and assistance to all eligible children. School-based programs should be incorporated into the Medicaid law, to prevent the uneven treatment this program often encounters in changing administrations.

Furthermore, NSBA urges Congress, courts, and administrative agencies to support policies that enable and provide timely federal reimbursement to schools for Medicaid-eligible services provided to students, regardless of whether such students are classified as disabled under the Individuals with Disabilities Education Act (IDEA) and have an Individualized Education Program (IEP). Specifically, Title XIX should be amended utilizing language similar to the language of IDEA to clearly establish the statutory basis for Medicaid service in schools for all eligible children, not just those covered under IDEA. NSBA also supports federal Medicaid reimbursement to schools for administrative and transportation services provided in support of states' Medicaid plans.

15. Individuals with Disabilities Education Act (IDEA)

NSBA urges Congress to amend the Individuals with Disabilities Education Act to:

- (a) limit responsibilities for child find and evaluation of students with disabilities to those students who reside within the boundaries of the local school district rather than requiring school districts to provide such services for all children who attend private schools within the boundaries of the school district;
- (b) prohibit any court, administrative body or other entity from requiring a school board or state within the United States to provide for a child's education, residential cost or the cost of any other services provided outside the United States;
- (c) prohibit tuition reimbursement for students with disabilities unilaterally placed by their parents in private schools; and,
- (d) always place the burden of proof in challenges to a student's Individualized Education Program (IEP) upon the party bringing the challenge.

16. Student Mobility

NSBA urges Congress to take the following actions:

- (a) authorize and fund a national longitudinal study of the social, economic and academic issues that confront transient and mobile students, including migrant students, homeless students, and military-dependent children, utilizing research-based strategies to improve services to these children;
- (b) direct state departments of education to track and report mobile student populations and also coordinate and interface existing data systems to acknowledge the existing federally-funded migrant student data system and other data systems that have been developed;

- (c) create a pilot program to provide financial assistance for school districts with a high mobility student population; and,
- (d) direct state departments of education to track and report standardized test results for the mobile student population.

17. Student Privacy

Federal policy increasingly calls for public school districts to collect and share data on individual students. Federal initiatives require data collection to ascertain, among other things, individual student progress, student demographics, and student disciplinary actions. NSBA recognizes that this data collection and sharing may be required to achieve important goals such as interagency collaboration in youth services, closing the achievement gap, and improving instruction and student outcomes.

NSBA urges Congress and federal agencies to remain mindful, however, of federal and state requirements regarding student privacy to which school districts are subject. NSBA asks that federal agencies regularly issue clear guidance for school districts to assist with school district compliance on data collection, while still respecting student privacy.

18. Educational Opportunity

NSBA urges Congress to amend the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to authorize the cancellation of removal, and the adjustment of status, of undocumented immigrant students who are long-term United States residents.

19. Federal Efforts to Reduce Poverty

NSBA recognizes the importance of holding high expectations for all children while addressing our national crisis of poverty that undermines public education's ability to educate and fully develop the potential of our student population. NSBA urges Congress to include the school board voice in developing and implementing a comprehensive strategy for addressing this national crisis.

20. "Volunteers" under the Fair Labor Standards Act

NSBA urges Congress to enact legislation to define "volunteer" clearly to allow school district flexibility in addressing volunteers, including non-exempt employees of school districts, under the Fair Labor Standards Act, and create a well-defined "safe harbor" for school districts that utilize "volunteer" school staff.

TOPICAL INDEX TO RESOLUTIONS

A-C

Allocation of Federal Funding to School Districts, 1
arts, 7, 8
Centers for Medicaid and Medicare Services, 14
Childhood Nutrition and Food Products, 12
Comprehensive Tobacco-Free Schools, 13

D-F

Early Learning, 11
Educational Opportunity, 18
Elementary and Secondary Education Act (ESEA), 6
English Language Learners, 6
E-Rate, 10
Fair Labor Standards Act, 20
Federal Efforts to Reduce Poverty, 19
Federal Impact Aid, 2

G-I

homeless students, 16
Impact Aid, 2
Individuals with Disabilities Education Act (IDEA), 3, 14, 15
Illegal Immigration Reform and Immigrant Responsibility Act of 1996, 18
Individualized Education Program (IEP), 6, 14, 15

L-R

Medicaid and Administrative Claims, 14
migrant students, 16
migratory children, 6
military-dependent children, 16
mobile student populations, 16
National Assessment of Educational Progress (NAEP), 8
national crisis of poverty, 19
Poverty, 19

S-Z

science, technology, engineering, mathematics, 7, 8

Standards and Testing, 8

student achievement, 3, 6

Student Mobility, 16

Student Privacy, 17

Targeted Investments in Public Education, 3

Tax-Exempt Financing, 4

Teacher and Principal Effectiveness, 7

Title I, 3

Title XIX, 14

Tobacco-Free Schools, 13

transient and mobile students, 16

Tuition Tax Credits, 5

undocumented immigrant students, 18

U.S. Department of Agriculture, 12

“Volunteers” under the Fair Labor Standards Act, 20

volunteer school staff, 20

Vouchers/Tuition Tax Credits, 5

vouchers, 5

21st Century Skills, 9