

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 NO. ONE

9.22. Behavioral Interventionists as Support Positions (NEW)

The VSBA supports the addition of Behavioral Interventionists, as a Standards of Quality (SOQ) position, to reinforce and complement the work of school counselors in the Commonwealth's elementary classrooms. This position would assist in achieving a workable ratio between students and Mental Health providers. Behavioral Interventionists will serve the immediate needs of a child(ren) in crisis, consult with the school counselor, and intervene in the classroom setting to assist in maintaining the learning environment, to provide academic achievement for all students. Each local division will determine their individual need for Behavioral Interventionist positions at a ratio to be determined by the Virginia General Assembly.

(Proposed by Culpeper County)

RATIONALE: Culpeper County introduced the position of Behavioral Interventionist two years ago. The positions provided additional support to our elementary school counselors. Our classroom teachers were experiencing a number of students whose behavior would be described as "uncontrollable". Counselors were involved with small groups, individual sessions, in class lessons, contact with social services, and various other duties. Our division responded to our student's needs for a more immediate and personal intervention on a one to one basis. Public schools are concerned with school safety as it relates to our student's mental health issues. Children who have experienced trauma, are anxious, or depressed need support and security. When students are able to return to the classroom, and experience the new normal for in person education, we believe they will need more support than before the pandemic. If the general assembly continues along the path to reduce counselor to student ratio our districts will all need to hire additional counselors. We know the problem with that is there are not enough counselors to fill all of the open positions that will be in the Commonwealth. The position of Behavioral Interventionist could fill our needs, support our students and counselors, as well as assist with family engagement and positive school-community relations. Adding this position to the Standards of Quality will help with student- mental health ratios and offer additional support to those students who may be students of underserved reporting categories. Interventionists could create a more equitable playing field for students who are needing the most support and encouragement. Culpeper County has 6 Elementary schools and employs 7 Behavioral Interventionists, one of our Title I schools needed two Interventionists. Since the position is not an SOQ position we received no state funding for the positions, all funds were budgeted through the local budget. This year is financially challenging for all localities, and we have been so pleased with our interventionists and the difference they have made in student's lives, school climate, and teacher morale that we would like the Commonwealth to recognize the position as one of the supportive mental health positions.

Motion to Accept Proposal as Amended: Charlette McQuilkin

Motion Seconded: David Woodard

LPC Vote: 8-1. Committee member Brooks-Buck voting "No." Committee Chair Coleman not voting.

Motion Carried

LEGISLATIVE POSITION NO. TWO

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. The Virginia School Boards Association also supports a comprehensive review of state content standards, curriculum guidelines, and assessments to ensure state policies promote culturally responsive educational practices free of systemic racism, discrimination, and background knowledge biases.

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. All End-of-Course Standards of Learning Assessments may be performance-based.

(Proposed by Fairfax County)

RATIONALE: The Virginia Board/Department of Education conducts bias reviews as part of its normal test development process but has not looked at the issue more systematically across curriculum materials.

Motion to Accept Proposal: Judith Brooks-Buck

Motion Seconded: Brenda Sheridan

LPC Vote: 9-0. Committee Chair Coleman not voting.

Motion Carried

LEGISLATIVE POSITION NO. THREE

12.9. Affordability of Dual Enrollment (AMEND)

The Virginia School Boards Association supports making dual enrollment affordable for eligible students no matter where or how instruction takes place and allowing local school boards and community colleges to collaborate in establishing tuition for these students. The Virginia School Boards Association opposes a mandatory tuition floor on dual enrollment courses.

(Proposed by Fairfax County)

RATIONALE: Clarifies existing position allowing school divisions and institutions of higher education to determine its own tuition structure for dual enrollment courses and clarifies that mode of instruction (face to face, hybrid, online) should not matter to cost structure discussions.

Motion to Accept Proposal: Judith Brooks-Buck
Motion Seconded: Bambi Thompson
LPC Vote: 9-0. Committee Chair Coleman not voting.
Motion Carried

LEGISLATIVE PROPOSAL NO. FOUR

4.19. Volunteers (AMEND)

The VSBA believes that programs to promote volunteerism and reward and retain volunteers should be developed throughout the Commonwealth. In this period of limited resources, the services provided by volunteers are essential. The value of volunteerism is especially noticeable in many public school systems in the state. Volunteers perform services in the schools which would have to be provided otherwise by the government. At the same time that many schools and localities have a greater need for the services of volunteers, many forces serve as a deterrent to volunteering-such as the need for full-time employment and the decrease in the number of adults with school-age children. To offset factors which diminish and discourage volunteerism, plans which encourage voluntary participation-such as tax incentives, recruitment and training programs, recognition and reward ceremonies, should be established throughout the state.

In an attempt to increase the pool of individuals who may apply as a volunteer, school divisions in the Commonwealth of Virginia should consider applicants on a case by case basis who have a felony conviction but who have fulfilled their legal commitment to society. The application process would consider the type of crime committed, the duration of time since conviction and the volunteer role being requested. This action would address the inequity in the candidate volunteer pool of men of color in particular and provide a group of volunteers of all ethnicities and genders who would be good mentors for the students at high risk in our schools.

(Proposed by Lynchburg City)

RATIONALE: The United States has 5 percent of the world population, yet approximately 25 percent of its prisoners. More than 60 percent of the people in prison are people of color. For black males in their twenties, one in every eight is in prison or jail on any given day. This inequity is a problem being actively discussed in our country now, but many school districts continue to perpetuate this problem by denying individuals with a history of felony conviction the option to apply as a volunteer in schools. The Lynchburg City School Board has enacted a formal process to screen applicants with felony convictions that excludes individuals who have a history of crimes against children or violent crimes with final determination made by the superintendent. We recognize that the safety of the children in our schools is the primary responsibility of our board, but we also believe this policy promotes equity in our volunteer pool and demonstrates appropriate respect to all individuals who desire to help our students succeed.

Motion to Accept Proposal as Amended: Gregory Strickland
Motion Seconded: Brenda Sheridan
LPC Vote: 9-0. Committee Chair Coleman not voting.
Motion Carried

LEGISLATIVE POSITION NO. FIVE

3.9. Access to Electronic Textbooks and Adequate Connectivity (NEW)

The VSBA supports bills that promote access to electronic textbooks and adequate connectivity as follows:

- A. It shall be the policy of the Commonwealth that all textbooks approved by the Board for use in grades six through 12 shall be equally accessible to all students at school and in their residence.
- B. By July 1, 2022, every household in the Commonwealth shall have access to fixed broadband or wireless broadband connection service with unlimited data allowances and speeds of at least 10 Mbps download and 3 Mbps upload.
- C. The Commonwealth shall provide funding on a per-pupil basis to the local School Board for any student eligible for free or reduced meals to be provided free or reduced-price data access accordingly.

(Proposed by Prince William County)

RATIONALE: The use of interactive textbooks is now prevalent throughout Virginia school divisions. Nevertheless, internet service is still not available to many households both in rural areas and geographic pockets within more populated regions. As a result, all students are not able to benefit from the use of some of the latest education technology.

Motion to Accept Proposal as Amended: Judith Brooks-Buck

Motion Seconded: Barbara Pittman

LPC Vote: 9-0. Committee Chair Coleman not voting.

Motion Carried

LEGISLATIVE POSITION NO. SIX

5.3. Twenty-first Century Communication for School Boards (AMEND)

Where a quorum of a public body is physically assembled at one location for the purpose of conducting a meeting, additional members of such public body may participate in the meeting through telephonic or video means provided such participation may be heard by the public, as authorized under the Virginia Freedom of Information Act. A quorum may be accounted for via an electronic roll call.

The VSBA supports changes to Virginia's law to allow local school boards to conduct public electronic meetings without the quorum of the public body or any member of the governing board physically assembled at one location when the Governor has declared a state of emergency and the nature of the declared emergency makes it impractical or unsafe for the board to assemble in person.

The VSBA supports revision of the records management regulations issued by the Library of Virginia, especially those regulations regarding the management and retention of school board e-mail, in order to achieve a suitable balance between access to and archiving of public records and the resources required for compliance.

(Proposed by Virginia Beach City)

RATIONALE: On April 22, 2020, the General Assembly adopted Budget language that

allowed local bodies to meet electronically to conduct normal business in light of the coronavirus pandemic. While this will help localities and school boards continue to conduct business in the short-term, Virginia's open meeting laws should come into alignment with modern technology and not require additional Executive or General Assembly action to allow local governments to operate in the event that they are unable to meet during a state of emergency.

Motion to Accept Proposal as Amended: David Woodard

Motion Seconded: Priscilla Liggon

LPC Vote: 9-0. Committee Chair Coleman not voting.

Motion Carried

XI.

Proposed Changes to VSBA Bylaws



To: Members of the Delegate Assembly

From: Rodney Jordan, 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 its regular business meeting on December 6, 2019, the VSBA Board of Directors considered a change to the Bylaws Art. VIII sec 1. The change for consideration to Art. VIII sec 1., is to add the underlined language below.

Bylaws Art. VIII sec. 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, Chairs of the Standing Committees, and Regional Chairs of the Association. No member school board may have more than one person serve on the Board of Directors at the same time. All members of the Board of Directors 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.

Proposed Change #2

At its regular business meeting on December 6, 2019, the VSBA Board of Directors considered a change to the Bylaws Art. XII sec 2. The change for consideration to Art. XII sec 2., is to add the underlined language below.

Bylaws Art XII sec 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. No member school board may have more than one person serve as a regional officer at the same time.

**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 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 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, Chairs of the Standing Committees, and Regional Chairs of the Association. All members of the Board of Directors, 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 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 Chair and 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 chair or a delegate elected by that school board. The regional 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 Chair when the 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 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 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; 11/19/19