



Arizona School Board Association

POLITICAL AGENDA

2010

QUALITY LEADERSHIP AND ADVOCACY FOR CHILDREN IN PUBLIC SCHOOLS



HOW ASBA'S POLITICAL AGENDA IS DETERMINED

THE DELEGATE ASSEMBLY

Article VI, Section Three of ASBA's bylaws outlines the annual Delegate Assembly process. The annual Delegate Assembly is held to establish the beliefs of the association and the Legislative Action Agenda items which support those beliefs in the legislative process and in the priorities of the association. The timeline is as follows:

FEBRUARY

Reminders provided for the ASBA Delegate Assembly in June. Forms sent to every school district superintendent and governing board member for submitting Action Agenda items to the ASBA Delegate Assembly.

MID-APRIL

Proposed Action Agenda items must be returned to ASBA after being approved by the governing board.

FIRST FRIDAY IN MAY

The ASBA Legislative Committee reviews the Action Agenda proposals received and votes to support or do not support the proposal, and provides the rationale for the Committee's position.

FIRST WEEK IN JUNE

Packets with each Action Agenda proposal, as well as the Action Agenda adopted the previous year, are sent to each superintendent and governing board member. In addition, the local governing board is directed to select a voting delegate to represent the board at the Delegate Assembly and instruct its delegate as to how to vote on the issues presented.

LAST SATURDAY IN JUNE - THE ANNUAL DELEGATE ASSEMBLY

Delegates debate and vote on the proposals before the body. The adopted positions of the Delegate Assembly become the position of the Association until the next Delegate Assembly.

SEPTEMBER

Adopted Political Agenda is sent to each superintendent and governing board member to discuss and adopt as a board 10 priorities that will be submitted to ASBA Governmental Relations for compilation. These items will be collected at the October county meetings.

DECEMBER 9, 2009

ASBA, the Arizona Association of School Business Officials' (AASBO) and the Arizona School Administrators joint legislative workshop that provides a full-day preview of the coming Legislative session with an examination of current education public policy issues and informative, interactive panel discussions with influential state lawmakers. ASBA's Top Ten Priorities are distributed at the workshop and sent to all governing board members and superintendents.



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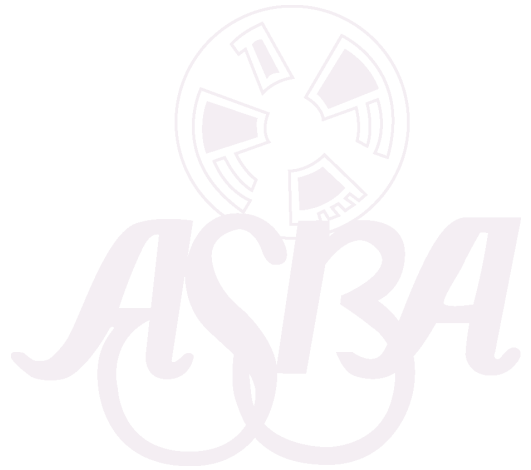
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The ASBA Vision

The Arizona School Boards Association will be guided by our Vision:
Quality leadership and advocacy for children in public schools.

Based on ASBA's vision, the organization believes that it needs
to address the following critical areas:

- Advocacy for Children and Student Needs
- Local Control/Governance
- Accountability
- Taxation/Revenues
- Funding
- Personnel
- Federal Concerns



ASBA Leadership



Debbie King
2010 ASBA President,
Vail Unified School District



Panfilo H. Contreras
ASBA Executive
Director



**Suzanne
Schweiger-Nitchals**
2010 Legislative Chair,
Creighton Elementary
School District

GOVERNMENTAL RELATIONS



Janice Palmer
Director of Governmental
Relations



Beth Sauer
Governmental Relations
Analyst

LEGAL SERVICES



Chris Thomas
Director of Legal Services

I. Advocacy for Children and Student Needs

LEGISLATIVE ACTION AGENDA

ASBA believes that for children to succeed in school, their basic life needs must be met and are the responsibilities of home, school, and community. Further, the needs of students must be the foundation of, and driving force behind, the entire educational system and that it is the responsibility of the local school district, with the support of the state and federal governments, to create opportunities for success for each and every student. **In support of this belief, ASBA will:**

1. Seek and support legislation that adequately encourages, assists and financially supports the curriculum and instructional needs of Arizona's public schools to ensure college and career readiness of all students to include, but not limited to:
 - Legislation that would provide additional funding for alternative educational opportunities for all students who need them.
 - Categorical funding within block grants to local districts based on student need and not enrollment.
 - Continuation of dual credit for high school students enrolled in community college classes.
 - Legislation to increase distance learning opportunities.
 - Legislation to promote Career and Technical Education opportunities for all Arizona students.
 - Legislation that provides for the specialized instructional needs and testing that appropriately evaluates proficiency of Arizona's students who are English Language Learners.
2. Seek and support legislation to increase mandatory school attendance requirements until graduation-level competency has been reached or until 18 years of age.



3. Oppose efforts to undermine the authority of the Arizona Interscholastic Association and its members to determine eligibility for student participation in interscholastic activities.
4. Seek and support legislation or initiatives that will fund programs to prepare and support children and families for success in public schools.
5. Oppose efforts to curtail communications, not including instruction, in a language other than English for students, parents and other constituents and advocate for the Arizona Department of Education to publish critical items intended for parent distribution in Spanish as well as English.
6. Seek and support legislation that amends A.R.S. 15-756(A) to provide for an identification process that includes a primary home language determination for classification as English Language Learner for pupils in those districts with corrective action agreements for English Language Learner programs with the Office of Civil Rights.

II. Local Control/Governance

LEGISLATIVE ACTION AGENDA

ASBA believes that the primary responsibility for the governance of public schools in Arizona lies, and should lie, with local, directly elected and accountable school district governing boards. **In support of this belief, ASBA will:**

1. Advocate for preservation of community governance of school districts through elected representation and oppose efforts to erode the authority of governing boards.
2. Oppose unfunded and burdensome legislative mandates.
3. Oppose any effort that does not allow local school districts, through their governing boards and voters, to both initiate and decide for themselves efforts to consolidate or unify their districts.
4. Seek and support legislation that ensures that all public schools are funded and governed in a manner consistent with the Arizona Constitution's requirement of a general and uniform public school system.
5. Oppose legislation that would limit district control of performance pay for teachers under the Classroom Site Fund, while acknowledging statewide best practices as demonstrated by the Performance Pay Task Force.
6. Advocate the consistent treatment of school districts with other political subdivisions and governing board members with other elected public officials in matters of general governance, open meeting law, and public records law.
7. Seek and support changes to law regarding elections and school district resources that clearly articulate the free speech rights of both school employees and school board members.
8. Oppose efforts by tribal governments to assume authority that now rests with school district governing boards.



9. Advocate that the Legislature revise A.R.S. 15-424 (D) to allow candidates in an uncontested election, which has been cancelled, to be declared duly elected by the supervisors of that county rather than appointed.
10. Oppose requiring school districts to adopt the city/manager model.
11. Seek and support a change to student enrollment laws that would allow a school district to honor a disciplinary action of a student from another district when enrolling that student.
12. Seek and support a school district's ability to procure utilities through competitive pricing and providers.

III. Accountability

LEGISLATIVE ACTION AGENDA

ASBA believes that accountability for meeting fair standards that encourage high student achievement and responsible and informed citizenship is the common responsibility of the elected school district governing board, staff members, parents, the students themselves and the community at large. **In support of this belief, ASBA will:**

1. Seek and support the continued re-evaluation and refinement of the Arizona Instrument to Measure Standards including:
 - a. Accommodation of students with special needs to ensure that language or other impediments do not deny students, in violation of their civil rights, a fair opportunity to gain promotion or earn a high school diploma.
 - b. Reexamination of the Standards to ascertain the 10th-grade level of achievement for all high school graduates.
 - c. Examination and development of end-of-course testing.
 - d. Limitation of AIMS testing to reading, writing, and mathematics for high school graduation.
2. Seek and support legislation to ensure that all schools receiving public funds are equally accountable financially to the public by complying with conflict of interest laws. Further, efforts to create charter funding systems are transparent, do not allow comingling of funds, and reverts all public funds and property to the state if a charter school ceases to operate or loses its charter.
3. Advocate for the adoption of a single software package for student accounting and data collection (ADM, address, phone, etc.) for the entire state of Arizona, the cost of implementation to be funded and provided to each district by the state.
4. Advocate for continued local control of school improvement plans created and implemented for underperforming schools.

5. Oppose efforts to require verification of free and reduced lunch applications beyond federal guidelines.
6. Advocate a change to the Arizona Constitution to state that the State Superintendent of Public Instruction meets the same qualifications as all other local school district superintendents and that the Superintendent of Public Instruction be employed by the State and appointed by the Arizona State Board of Education.
7. Seek and support legislation to allow school districts and property owners to reach a solution to the Pesticide Covenant as it relates to new school sites.
8. Encourage the Arizona Department of Education to conduct research to determine the N number that is statistically valid.
9. Seek and support legislation which creates greater flexibility in procurement policies and procedures as they apply to rural districts.
10. Seek and support the implementation of assessment tools to measure college and career readiness.
11. Oppose attempts to weaken Arizona's Voter Protection Act.



IV. Taxation/Revenues

LEGISLATIVE ACTION AGENDA

ASBA believes that the tax structure that supports public education must be broad-based and stable and must ensure that each taxpayer, individual or corporation contributes a just, proportionate share. **In support of this belief, ASBA will:**

1. Advocate structural change to Arizona's tax system through legislation or initiative to support a competitive business climate and funding for public education and other child support services and oppose any change to the existing property tax structure unless a comprehensive tax reform proposal is implemented to adequately address the needs of public education.
2. Oppose any legislation that prohibits local school district governing boards from supplementing state funding and budget provisions through M&O and flexible capital overrides as well as bond authorizations.
3. Oppose any legislation that results in the direct or indirect use of public funds to support private schools, including school vouchers and tax credits.
4. Seek and support legislation to clarify A.R.S. 15-915 and require the Arizona Department of Education to provide the commensurate state aid revenue to districts that lose assessed value regardless of the cause of the reduction so that there is no loss of revenue to the district.
5. Seek and support efforts that would serve to maintain and increase the earnings of the school trust lands for the benefit of K-12 public education.
6. Seek and support legislation to ensure all property owners in the state of Arizona are paying the full qualifying tax rate to support education.
7. Seek and support legislation that allows the use of M&O interest for current year budget increases for technology maintenance and training.
8. Oppose any measure that requires a two-thirds vote or supermajority to increase state or local revenues.

9. Oppose efforts to permanently repeal the state equalization assistance rate.
10. Oppose Arizona's Proposition 13 initiative.
11. Oppose the various Taxpayer Bill of Rights (TABOR) legislation.
12. Oppose efforts to undercut voter-approved measures.
13. Seek and support legislation to exempt public schools from municipal impact fees.
14. Allow school districts an appeals process to seek correction of census estimates.
15. Seek and support legislation to permanently address the Constitutional Aggregate Expenditure Limit formula.
16. Advocate for a review of all proposed legislative mandates to ensure any new requirements will have an identified funding stream.
17. Seek and support legislation requiring the Arizona State Legislature to pass a state budget for the ensuing fiscal year no later than April 1 of the previous fiscal year.
18. Promote legislation that would allow districts to use extracurricular tax credits for soft capital and school equipment.
19. Seek and support legislation to provide for direct reimbursement, grants, and/or other incentives to schools for energy efficiencies.
20. Advocate that the Legislature modify the current freeze on the acquisition of school sites to allow acquisition of sites from the School Facilities Board or school district on State Trust Land according to the Arizona Constitution highest and best use provision.
21. Advocate to allow the purchase of equipment with bond money.
22. Seek and support state funding for any tax judgments that are due to inaccurate rate settings by a county or state.



V. Funding

LEGISLATIVE ACTION AGENDA

ASBA believes that funding for public schools, which is the primary responsibility of the state, should be increased to a level that assures that every student will receive an adequate education based on his or her needs. Funds should be appropriated in a manner that preserves the ability of governing boards to allocate funds within their districts based on the diverse needs of their students and communities. **In support of this belief, ASBA will:**

1. Advocate for a complete revision of the school finance formula to:
 - Reflect the actual costs of the individual educational needs of all students, particularly in the areas of:
 - a. Special education including specific learning disabilities
 - b. English Language Learners
 - c. Gifted and talented
 - d. At-risk factors
 - e. Vocational/ technological education
 - f. Seventh and eighth grade
 - g. Foreign language requirements
 - h. Dual language programs
 - Provide for re-evaluation of the school finance formula on a regular basis to adjust the weighting factors as necessary and to compensate for other costs that escalate faster than the GDP-IPD such as health insurance, property/casualty insurance and utilities
 - Provide funding to improve instruction through the use of technology and to promote computer literacy
 - Provide for a transportation support level that reflects actual students transported and actual costs, including, but not limited to: route miles costs, activity miles costs, costs related to students with disabilities, homeless students, or special needs, and how these costs may differ between urban, rural, and remote districts.
 - Provide funding for an extended school year as a local option



- Provide for a funding formula that allows small and/or rural school districts the ability to fund basic school functions and programs such as maintenance, utilities, health, music, arts and be competitive with the urban schools for teacher services
 - Ensure schools are held harmless for increases in state retirement contribution rates
 - Equalization of performance incentive funding for districts across the state.
2. Seek and support legislation that addresses issues related to the implementation of Students FIRST including:
- a) Advocate for a dedicated funding source for Students FIRST.
 - b) Allowing preschool and kindergarten students to be counted as full ADM for computing square footage requirements for all-day kindergarten programs and districts that have preschool programs.
 - c) Supporting the need for specialty spaces including adequate space for vocational and alternative education programs, including furniture and equipment.
 - d) Advocating for school facility guidelines that are educationally sound, research based and reflective of the quality and quantity of school buildings, facilities and equipment necessary and appropriate to enable pupils to meet the academic standards while resisting efforts to erode the adopted standards.
 - e) Advocating for a spring election date for B bonds and capital overrides.
 - f) Advocating for better definition of extraordinary and geographic factors.
 - g) Advocating for additional square footage per seventh and eighth grade student.

Funding

- h) Incorporating best practices in school safety and security design and energy conservation into facility planning and retrofitting.
- i) Supporting an increase to the square footage allocation per student that the School Facilities Board utilizes to provide school buildings.
- j) Encourage the Legislature to review and revise the current criteria used by the School Facilities Board in the allocation of funds for construction facilities to reduce or avoid overcrowding situations in our public schools; the School Facilities Board should have the latitude to allocate funds for facilities more closely located to the citizens they serve.
- k) Promote legislation to fully fund a building renewal formula that reflects actual costs.
- l) Seek to change Arizona Revised Statute to allow a small percentage of revenues collected by the passage of Class B bonds to sustain the Unrestricted Capital Fund.
- m) Revise the formula for new school construction in order for school districts to adequately keep up with new student growth.
- n) Revise the formula to include inflationary and other increased costs in construction that occur between project approval and the start of construction.



- o) Seek legislation to clarify that the School Facilities Board does not have statutory authority to override decisions of the locally elected school district governing board that is acting on behalf of the citizens and students of the entire school district.
 - p) Appropriate all aspects of the School Facilities Board mandate to maintain court sanctioned capital standards and maintain all school capital facilities expenditures such as plumbing, roofing, electrical, etc.
 - q) Advocate for changing the inflation factor on Fund 625, soft capital, to a rate that reflects the actual average increases for items paid out of this fund.
 - r) Seek and support legislation recognizing and defining school district hyper-growth and providing for accelerated funding for construction and operation of schools in recognized hyper-growth areas.
 - s) Seek legislation to change the capital formula so that districts growing in excess of the state growth factor receive a 4.0 percentage increase of the change in prior years 100th day ADM count to provide funding for the numbers of students enrolling after the 100th day count.
 - t) Revise formula to ensure that elementary districts that choose to become a unified district are able to receive state funding for building high school facilities.
3. Seek and support full funding for preschool.
 4. Seek and support legislation that would assist districts declining at a rate of less than 5 percent over consecutive (2 percent or more) years to have the same fiscal assistance as those with a 5 percent or more decline in one year (A.R.S. 15-942.A.1).
 5. Seek and support legislation to adequately fund English Language Learners.
 6. Continue to work with the Legislature to ensure full funding for inflation, especially in years in which the rate of inflation is greater than 2 percent and vigorously oppose at the legislature and in the courts any attempts to not fully fund at least the 2 percent inflation factor as approved by the voters in Proposition 301 (2000).
 7. Oppose legislation that takes away district authority to comply with federal desegregation court orders and Office of Civil Rights agreements.
 8. Seek and support legislation to fully fund utility costs inside the Revenue Control Limit (RCL).
 9. Oppose any effort to divert Medicaid in Public School (MIPS) reimbursement dollars from school districts to the state general fund.

Funding

10. Advocate for the continuation of funding vocational education at both the state and federal levels.
11. Oppose any measure that would require a certain percentage of district budgets be allocated to classroom expenditures, as defined by the State Auditor General, with the recognition that some "outside the classroom" expenditures directly benefit classroom learning of students.
12. Seek and support legislation that enables Joint Technological Education Districts (JTEDs):
 - a. To promote and expand Career and Technical Education programs, including summer programs, for high school students through JTED central campus programs and allow communities wishing to form a JTED to do so following all regulations as required by law and to receive similar funding as existing JTEDs.
 - b. Receive equal recognition and funding benefits under state statutes of K-12 public school districts and Joint Technological Education Districts.
 - c. Revise the definition of a JTED Centralized Campus Model to include virtual campuses.
 - d. Continue to work with the Legislature to ensure 100 percent funding for JTED and full funding for inflation, especially in years in which the rate of inflation is greater than 2 percent.
13. Seek and support legislation to eliminate the Budget Balance Carry Forward limit in the M&O funding calculation.
14. Seek and support funding of programs that are proven to enhance school safety, including, but not limited to gang and drug prevention programs.
15. Seek and support legislation that would move the determination of the construction inflation costs from the Joint Legislative Budget Committee to the School Facilities Board.
16. Advocate for full state funding of Arizona State Retirement System employer contribution increases.
17. Encourage legislation to increase instructional days from the required 180 days (A.R.S. 15-341.01) to 185 by adding one day per year for the next five (5) years and all relevant school funding formulas to be adjusted to reflect the increase in instructional days.
18. Encourage legislation to provide funding for school districts to cover the cost of elections that are state mandated.

19. Seek and support legislation that will increase the Soft Capital and Unrestricted Capital funding levels by a percentage corresponding to the annual increases received in the Maintenance and Operation Budget since 1998-1999.
20. Seek and support efforts to create a statewide database of digital content to be used in the classroom to enhance student achievement while lowering costs.
21. Seek and support funding to hold harmless for any loss of revenue and to cover transitional costs associated with district approved unification efforts.
22. Encourage legislation which requires the state to pay 100 percent of the cost of the Structured English Immersion model to districts to implement the program.
23. Seek and support legislation that stipulates the 2009 and 2010 reductions taken in K-12 funding are temporary.
24. Advocate the Legislature allow all school districts to provide online learning classes and to count the students in those classes as revenue-producing students.
25. Seek and support legislation that provides governing boards with flexibility in committing and prioritizing the use of education funds.



VI. Personnel

LEGISLATIVE ACTION AGENDA

ASBA believes that the public education system must hire and retain the highest quality staff, while at the same time have the ability to terminate, in a timely manner, staff that do not meet high expectations. **In support of this belief, ASBA will:**

1. Seek and support legislation that provides increased funding for school personnel salaries.
2. Seek and support legislation providing all school districts with 5.5 percent in revenue to fund a Career Ladder program, other locally-determined professional development program or other state or federal system that promotes or rewards teacher individual performance, including merit pay.
3. Oppose any legislation that would further restrict the local board's ability to terminate non-certificated personnel.
4. Oppose any legislation to impose mandatory collective bargaining as a method of determining salaries and working conditions for employees.



5. Oppose any legislative attempts to reduce the governing board's authority to use lawful forms of affirmative action.
6. Seek and support legislation that prevents the award of unemployment compensation to substitute teachers and other substitute employees.
7. Seek and support legislation providing that the school district may require medical or psychological examination of an employee by a physician of the board's choosing and at the district's expense.
8. Seek and support legislation to relieve school districts of the duty to rehire a teacher who chooses to leave the district to teach in a charter school and later wishes to return to the district.
9. Expand existing programs for the provision of instruction from proficient teachers through technological means such as interactive classes, video, video-conferencing, or computerized, on-line classroom settings to offset shortages in prioritized areas of math, science, reading and languages, in multiple school districts.
10. Encourage legislation to provide additional funding for signing bonuses to help low income and small rural/isolated schools, as well as for high-need subject areas, to attract and retain highly qualified teachers.
11. Encourage legislation which allows public colleges and universities to offer a tuition discount to teachers who need to meet the No Child Left Behind (NCLB) criteria for becoming "highly qualified" and continue to teach in schools that have a high concentration of economically disadvantaged students.
12. Seek and support legislation that would set a mandatory minimum contribution rate for the Arizona State Retirement System that would be based on historical averages and prevent large variant increases or decreases from year to year.
13. Encourage the development of a comprehensive professional education certification system to establish an independent Professional Licensing Board.
14. Seek and support alternative pathways for certification that are determined by the State Board of Education's regulatory process.
15. Initiate a change to current legislation which will allow for the superintendent evaluation to be confidential and not public record similar to the A.R.S. 15-537 regarding teacher evaluations.

VII. Federal Concerns

LEGISLATIVE ACTION AGENDA

ASBA believes that the federal government's limited but increasing role in K-12 education should focus on creating incentives and support for increased student achievement and that federal mandates should be accompanied by the funding needed to implement those mandates. **In support of these beliefs, ASBA will:**

1. Advocate for increasing the federal investment in public education to meet the federally-imposed mandates and subsequent cost increases for special education (IDEA) and implementation of the No Child Left Behind (NCLB) Act.
2. Advocate for the following changes in the new reauthorization of the federal No Child Left Behind Act:
 - Increase the flexibility for states to use additional types of assessments for measuring Adequate Yearly Progress (AYP) – including growth models.
 - Grant states more flexibility in assessing students with disabilities and students not proficient in English for AYP purposes.
 - Create a student testing participation range, providing flexibility for uncontrollable variations in student attendance.
 - Allow schools to target resources to those student populations who need the most attention by applying sanctions only when the same student group fails to make AYP in the same subject for two consecutive years.
 - Ensure that students are counted properly in assessment and reporting systems.
 - Allow supplemental services to be offered in the first year of “improvement,” seek a greater role for Local Education Agencies (LEAs) in approving supplemental education service providers, and for LEAs to be able to provide such services even if identified as in need of improvements.
 - Strengthen federal responsibility for funding.
 - Require NCLB testing and reporting for non-public schools for students receiving Title I services.

- Flexibility and expanded authority for states and LEAs.
 - Seek changes this year, or temporary relief, to LEAs from the restructuring sanctions until such time as it is reauthorized.
3. Urge the Arizona congressional delegation to ensure that adequate federal funds are available to support and sustain federally initiated supplemental programs such as Title 1, Title 2 and gifted programs as well as federally mandated programs.
 4. Advocate for the continuation of full funding for federal impact aid for Group A and Group B students through Public Law 81-874 and for increased funding for school construction through Public Law 81-815.
 5. Encourage legislation that would direct disbursement of forest fees and payment in lieu of taxes on all federal land on a formula basis whereby a minimum of fifty percent would be distributed to the public schools in the county.
 6. Seek and support legislation that makes student/parent collegiate grant and loan programs more accessible and affordable.
 7. Urge the codification of congressional intent to firmly establish Medicaid responsibility for IDEA activities and direct medical services while recognizing that school-based Medicaid programs are good fiscal policy.
 8. Ensure that the E-Rate is continued, making advanced telecommunications services affordable for the nation's schools and libraries.
 9. Defeat all federal voucher and tuition tax subsidy proposals that result in public funds supporting private K-12 institutions.
 10. Seek and support legislation aligning the Higher Education Act with NCLB to ensure a pool of highly qualified teachers.
 11. Seek and support developmentally appropriate early education standards for Head Start that are aligned with state academic content standards and reflective of the expectations of local schools.
 12. Seek and support legislation that resolves the conflict between federal laws to ensure equal opportunity of disabled students.



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