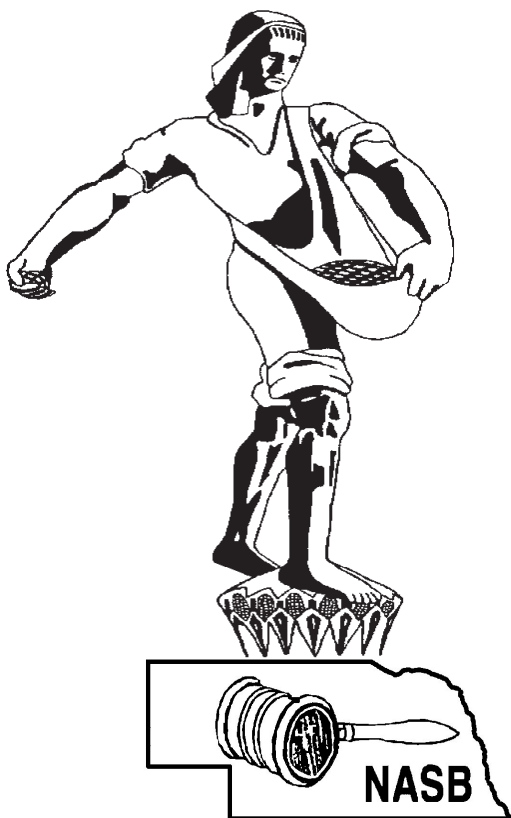


NASB's 2011 Legislative Resolutions and Standing Positions



*as adopted by the
Delegate Assembly
on November 19, 2010*

NASB's 2010-2011 Legislation Committee

Richard Zimmerman, Fairbury, Chair	marizim@diodecom.net
Suzan DeCamp, St. Paul, President	ssdecamp@charter.net
Brian Holcomb, VP, Coleridge	bholcomb@nntc.net
Nancy Kratky, Omaha	nancy.kratky@ops.org
Nancy Huston, Omaha	nancy.huston@ops.org
Shirley Tyree, Omaha	shirley.tyree@ops.org
Ed Zimmer, Lincoln	ezimmer@lps.org
Kathy Danek, Lincoln	Kmdanek@aol.com
Linda Poole, Millard	lindapoole1@cox.net
Bonnie Hinkle, Grand Island	bhinkle@gips.org
Thomas Baker, Westside	Thomas.Baker@AON.com
Molly O'Holleran, No. Platte	oholleran@charter.net
Jane Rapp, So. Sioux City	sscjrapp@aol.com
Kent Gydesen, Lexington	kgydesen@charter.net
Pam O'Neal, Gering	onealp@rwmc.net
Kathy Bartek, Falls City	kbartek@cmfcf.org
Daryl Anderson, St. Paul	darly@cornhusker.net
Mike Marotz, Stanton	marotzsf@hotmail.com
Dale Fornander, Creek Valley	fornanderinc@embarqmail.com
Tom Hamernik, Clarkson	tom@bluebirdnursery.com
Jim Stock, ESU 3	jstock@sblcweb.com
Jon Anderjaska, Wauneta-Palisade	jon.anderjaska@windstream.net
Kevin Cooksley, Broken Bow	kscooksley@gmail.com
Doug Keener, Mitchell	dougkeener@gmail.com
Mike Tomes, Centennial	miketomes@windstream.net

Alternates:

Sandy Jensen (Omaha), Julie Agard (Kearney), Mike Goos (Columbus), Linda Richards (Ralston), Laura Schneider (Hastings), Laura Ebke (Crete), Dale Rolofson (Waverly), Cindi Allen (Ogallala), Dave Lynn (Adams Central), Mike Waller (Holdrege), David Grimes (Raymond Central), Sheila Stromberger (Chase County), Brian Himmelberg (Friend), Claude Hoatson (Sutherland), Barb Overleese (Franklin), Deb Wilhelm (Heartland), Kirk Gardels (Wilcox-Hildreth), Lila Koop (Wallace 65 R), Casey Meyer (Maxwell), Jerry Smith (Wheeler Central), Rosella Whipple (Santee)

NASB Positions Enclosed

The Nebraska Association of School Boards is the only state organization created by school board members to represent the interests of school board members. Your Association's legislative agenda is initiated each year with the submission of local board proposals. The NASB President then appoints four members of the Board of Directors to join a team of officers in working with the 18 elected members of the Legislation Committee. The Committee submits its recommendations to the NASB Board of Directors. The Board can then review and amend the list of legislative resolutions and new standing positions before presenting them to the NASB Delegate Assembly. The Delegate Assembly gives each member school district a voice in shaping the agenda of NASB.

This publication represents the final agenda, set by the Delegate Assembly, for the 2011 legislative session. Standing positions remain in effect until they are repealed by the Assembly. Legislative Resolutions are in effect for one year only.

What Does This Represent?

The statements you read inside the pages of this book represent a set of belief statements which guide NASB's government relations efforts. These words guide our lobbying efforts at the State Capitol, with the State Board of Education and NDE, as well as with our representatives in Washington, D.C.

While this work represents some effort to describe an issue or condition to be addressed, rarely is a bill written in such plain language. Actual legislative bills are a blend of several ideas (or perhaps a good idea, and a substantial price tag). Hence, when NASB analyzes how we will testify on a bill, we take into account a number of factors, including regular reviews by the Legislation Committee which offers guidance on the course corrections necessary to navigate the turbulent amendment process.

Standing Positions

Standing Positions are considered annually by the Delegate Assembly and remain in effect until they are actively removed.

Belief Statements for an Effective Board

Board Development

NASB encourages boards of education to take part in board inservice and development programs and to budget funds for such programs.

Board Recognition

NASB believes the service of school boardsmanship is fundamental to participatory democracy and deserves recognition collectively and individually from state and local communities.

Business and Education Partnerships

NASB encourages boards of education to develop mutually beneficial partnerships with business to ensure mutual understanding and cooperation.

Collaborative Services to Youth

NASB urges collaborative linkages between schools and other public and private agencies that serve children.

Leadership Team

NASB believes that each board of education should create a leadership team, including the superintendent and board members.

Parent Involvement

NASB urges boards of education to support partnerships between parents and schools that encourage parent involvement in the education process.

Policy

NASB considers it imperative that boards of education adopt clearly defined, flexible policies after input from the administration, parents, employees,

and other interested parties. Policies, based on a clear understanding of the education process, should be thoroughly reviewed annually. The execution of policy is the responsibility of professional administrators and staff.

Child Care and Development

Abuse of Alcohol, Tobacco, and Other Drugs

NASB supports efforts by boards of education and state and national officials to strictly enforce policies regarding the sale, use, or possession of illegal drugs, alcohol, and tobacco on school property. The designation of “drug free zones” near schools is also urged.

Early Childhood Education

NASB supports quality early childhood education programs accessible to all children and advocates programs that provide age-appropriate activities to prepare children for school.

Conditions of Children

Access to Equal Education Opportunities

NASB supports equal educational opportunities for all students, regardless of their race, wealth or family circumstance, and urges the Legislature, the State Department of Education and boards of education to remove all barriers that may prevent any child from having full access to such education opportunities.

At-Risk Students and the Achievement Gap

NASB recognizes that there are many children and youth who are experiencing special difficulties in achieving high education standards. NASB supports increased funding to help close the gap in educational opportunity and educational achievement, and urges boards of education to work with, and obtain increased funding from the state Legislature, as well as state and federal education agencies to assist at-risk children and youth in making adequate educational progress.

Methamphetamine in Rural & Urban Nebraska

NASB supports efforts by boards of education, and local, state, and national law enforcement officials to strictly enforce existing policies and laws, and to support and promote the strengthening of laws, enforcement, and financial efforts to address the growing problem of methamphetamine across Nebraska.

Nutrition Education/Student Wellness

NASB believes that wellness programs for schools should emphasize healthy lifestyles and eating habits, mindful of all eating disorders, as well as obesity.

Safe School Environment

NASB supports efforts to provide a school environment that is free from weapons, harassment, violence, drugs (including alcohol and tobacco), and other factors which threaten the safety of students and staff.

Student Discipline

NASB supports student discipline as an essential, mutual responsibility of parents, teachers, and administrators, with final responsibility resting with school boards.

Curriculum and Instruction

Achievement Test Score Use

NASB opposes the use of test scores for the comparison of school districts or for the ranking of schools.

Assessment of Student Learning

NASB supports multiple approaches to assess student learning, with decisions on assessment made at the local district level, and opposes a single “high-stakes” testing procedure.

Cultural Diversity

NASB urges all boards of education to support and implement curriculum which recognizes cultural diversity and enhances the knowledge of students about various ethnic and cultural backgrounds.

Education Program Opportunities

NASB believes that each student should have access to a challenging instructional program which is relevant and prepares him or her for work or further education.

Technology

NASB supports equal access to current technology for all school districts so they may engage all students in the curriculum, to equip them for an increasingly technological society and job market, and to provide them greater access to education services.

Funding and Finance

Accounting of Funds

NASB supports transparent accounting and full disclosure of all funds received and expended for public education consistent with federal regulations.

Adjustment of Expenditure Limitation

NASB supports legislation eliminating the limitation on general fund expenditures.

Financing Capital Improvements

NASB supports adequate funding for maintenance or replacement of our rapidly deteriorating school buildings.

Fiscal Policy

NASB believes the Governor and Legislature must work together to create fiscal policy that will adequately fund public education statewide based upon the needs of students and not driven by a pre-set allocation of funds for education regardless of need. Nebraska demographics and student needs are dynamic, as are the changing education standards required to be competitive nationally and internationally. To meet this challenge, fiscal policy would be built upon a broad base with the lowest possible rates to provide stability in the tax base and revenue stream, provide local government with the tools to generate adequate financial resources, yet equalize financial support among taxpayers, and assure the principle of uniform assessment.

Funding of Mandated Programs

NASB urges full funding by the state and federal governments at statutory levels of all programs, standards, activities, and services mandated to public schools by the Legislature and Congress, and further urges that any shortages of appropriations for such purposes be made up by supplementary appropriations.

Including Gifts, Donations, or Foundation Funds as Receivables

NASB opposes the inclusion of gifts, endorsements, donations, or foundation expenditures that are not regular operating expenses in the calculation of receivables in the state aid formula.

State Funding System

NASB supports a stable, equitable, and adequate system of financing the real cost of public education for all Nebraska students to include, but not limited to:

- Maintaining revenue from the current funding systems;
- Strengthening the concepts of existing statutes;
- Identifying new funding sources, and mechanisms to increase stability of state education funding;

- The fiscal independence of school districts and local control of funds;
- The utilization of new and additional sources of local funding;
- The principle of equalization, which includes both property and income wealth, and a standard baseline of state support for education; and
- The option to raise additional funds locally.

Vouchers and Tax Credits

NASB opposes any attempt to amend or circumvent the Nebraska and United States Constitutions to permit the use of public funds for the support, either direct or indirect, of schools not controlled by the public at large. NASB opposes any state or federal legislation allowing either tax credits or vouchers for children, or the parents or guardians of children attending nonpublic schools.

Governance and Structure

Accountability

NASB believes that boards of education are accountable to students, parents, taxpayers, and employees for providing education programs, striving for education excellence, identifying education needs, adopting clearly defined written policies, measuring the success of instruction programs, and interpreting and disseminating information to the public through a public relations plan.

Authority of School Boards

NASB supports the authority of boards of education to suspend or expel students, including special education students, who violate school rules.

Charter Schools

NASB supports legislation requiring charter schools involved with any aspect of K-12 education be sponsored by a public school district, be located within the boundaries of such public school district and be accountable to the sponsoring district for their student achievement, finances and operations.

Duties of Schools

NASB believes that the primary function of Nebraska schools should be the education of students and that the Legislature should be discouraged from placing duties on school districts which are not directly related to education.

Interactive Electronic Board Participation

NASB supports legislation allowing board members to attend board meetings by interactive electronic communication no more than twice per year for each board of education, learning community coordinating council, or ESU board of directors.

Personal Liability

NASB supports the repeal of those statutes which make individual members of a governing board of a political subdivision personally liable for damage judgments which result from lawsuits filed against the political subdivision.

Reorganization

NASB favors increased cooperation between school districts and ESUs to promote orderly and voluntary reorganization into more efficient governing and administrative units to best serve the educational needs of Nebraska's children.

Restriction of Resources and Board Responsibilities

NASB supports legislation allowing local boards to function as elected officials and to continue to establish policies, including finance policies, as representatives of the constituents who elected them.

School Activities

NASB supports direct involvement by boards of education in the governance and activities of the Nebraska School Activities Association.

School Calendars

NASB opposes state mandated uniform opening and closing dates for local school districts.

Scope of Bargaining

NASB believes negotiations with employees should be limited to matters of employee salaries and fringe benefits and opposes any attempt to broaden the scope of negotiations to include matters of policy and management rights.

Staff Development & Evaluation

NASB supports inservice training, enrichment programs, and continuing education for professional staff. Regular evaluations of performance, competency in the subject areas, and demonstrated ability to instruct or manage, in part as shown through student performance, should be conducted to promote professional growth.

Teacher Recognition

NASB urges local school boards to develop and implement programs which recognize teachers for significant accomplishments and community service, experience, and competency.

State Policy

Advisory Groups

NASB requests that there be board of education representatives on all government commissions, councils, and committees which could have an impact on local school district policy or finance.

Choice and Affiliation

NASB supports the concepts of choice and affiliation among public schools as a means to maximize education opportunity. NASB believes any such program should result in the least amount of disruption and uncertainty for the affected school districts.

Educational Service Units

NASB supports Educational Service Units as an effective and efficient means to provide educational services to local school districts. ESUs should be responsible to the local school boards they serve.

ESU Core Services Funding

NASB supports legislation to provide full Core Services funding to all ESUs.

Professional Standards and Employee Relations

Activity Assignments

NASB opposes legislation that would require a separate written employment contract for coaching or any other activity assignment that would require that a person be notified by a specified date of the termination of an assignment for the following year.

Compensation

NASB will support a concept of compensation for teachers which is not based solely upon the experience and education attainment of teachers as found on standard salary schedules.

Criminal Background Checks

NASB supports legislation which would aid public schools and ESUs in obtaining criminal background history information on prospective and current employees, and personnel provided through any contract service provider or anyone working on school property.

Medical Insurance

NASB supports the concept of exploring alternatives to the costs of health insurance for the purpose of assuring the greatest allocation of our financial resources to education programs and services for children.

Retirement

NASB supports a sound and adequate retirement system for school employees which would include these general principles: equity of employee treatment; pre-funding according to actuarial principles with unfunded liabilities amortized within 25 years; total benefits providing income replacement to insure an adequate standard of living; cost of living increases; school district contributions not to exceed 101 percent of employee contributions; and continued state funding for the granting of past service benefits.

K-12 School Trust Land and Permanent School Fund

NASB opposes reduction of any assets of the school trust or diversion of the Permanent School Fund.

Local District Advocacy

NASB supports the right and obligation of local school districts to advocate for legislative action that impacts their individual interests.

Nonpublic Schools Standards

NASB believes that nonpublic schools should have the same state standards as the public schools, including school approval, accreditation, teacher certification and endorsement, and safety standards.

Policy Leadership and Vision in the Future of Nebraska's K-12 Schools

NASB supports efforts to bring policy makers of the executive and legislative branches, educators, school boards, learning community coordinating councils, ESU boards, and citizens together to determine the best course for the future delivery of K-12 education to the students of the State. NASB boards emphasize increasing student achievement through governance structures that are clear, efficient, and controlled by the local district.

2011 NASB Legislative Issues Conference Lincoln's Cornhusker Hotel January 23-24, 2011



- **Critical Issues Update**
- **Lunch With Your Senator**
- **Education Committee Hearings**

Legislative Resolutions

Resolutions are approved at the Delegate Assembly and are in effect for one year. These resolutions were adopted Nov. 19, 2010.

Adopt a School District Claims Statute

NASB supports the adoption of a notification of claims statute for school districts, ESUs and learning communities similar to other governmental units.

Barriers to School District Consolidations

NASB supports legislation that would remove all barriers and penalties to voluntary school district consolidations.

Budget Lid: Growth Factor

NASB supports legislation which would establish an education expenditures “growth factor” which reflects the actual cost of providing a public education for school districts, learning communities, and ESUs.

Collective Bargaining Alternatives

NASB supports changes to the Industrial Relations Act which would allow alternatives to impasse resolution for school boards to address collective bargaining agreements with its employees in an environment where the state limits school district budget growth and resources available to fund these agreements.

Compensation for Statewide Assessments

NASB supports adequate funding to compensate school districts/ESUs for the cost of implementing and managing the statewide learning assessments.

Constitutional Rights and Responsibilities

NASB, and each school board member by his or her oath of office, fully supports the U.S. Constitution and the rights and responsibilities embodied within it. NASB therefore supports education and behavior that teaches and models expression of these rights and responsibilities.

Corporate Sponsorships in Schools

NASB opposes restrictions on school districts' ability to exercise their best judgment in entering into corporate sponsorship agreements.

County Treasurer Collection Fee; Exemptions

NASB supports legislation to exempt the 1 percent County Treasurer's commission from the total property tax requirement for all funds for the purpose of calculating the levy cap and to limit that fee to apply to no more than \$1.00 of the schools' general fund levy.

County Valuation Certification

NASB supports a July 1 deadline for all counties to certify valuation to school districts and ESUs.

Educational Service Unit Governance

NASB supports governance of ESUs by elected boards and supports local determination of specific mechanisms of that governance.

Educational Service Unit Reorganization

NASB supports the continuation of ESUs as an effective means of delivering educational services to school districts and their students. Any reforms would provide for a statutory hold harmless provision in the distribution formula for Core Service funding when an Equity Unit reorganizes with any other ESU, and must be mindful of ESUs' essential role of delivering direct services and being responsible to the local school districts they serve.

Elimination of Budget Reserve Limits

NASB supports legislation that eliminates reserve limitation in the Tax Equity and Educational Opportunities Support Act.

Elimination of Reserve Limitations in Debt Service Funds

NASB supports legislation that eliminates reserve limitations in debt service funds.

Enrollment Option; Homebound Students

NASB supports legislation stating that when an option student becomes homebound, the school district in which the student resides assumes full responsibility for educating the student.

Enrollment Option Limitation

NASB supports legislation returning option students to the resident school district if the option district must contract with another school district or agency for the educational services needed by the student.

Exceeding Levy Limit/Expenditure Limits for Compensation Increases

NASB supports legislation that would allow school districts to exceed the levy and expenditure limits by the amount needed to underwrite the cost of increases in salaries and fringe benefits.

Expand Use of Qualified Capital Purpose Undertaking Fund

NASB supports the expansion of the Qualified Capital Purpose Undertaking Fund to include modifications for student and staff security.

For-Profit Entities Operating in Tax-Exempt Zones

NASB supports legislation to ensure equitable tax payments by for-profit business ventures operating on publicly owned or otherwise exempt property.

Funding: School District Infrastructure, Site Purchases & Building Operating Expenses

NASB supports legislation that would provide an alternative to property taxes for financing facility development, maintenance, and operation.

Funding of K-12 Education

NASB supports a statewide school finance system that provides resources adequate for every student to have an equal opportunity to meet the standards set by the State of Nebraska no matter the size or wealth of the school district in which each student resides.

General Fund Reserve Limit Exception

NASB supports legislation that would not penalize school districts in the state aid formula when they receive money for the purpose of correcting errors in calculations.

Guiding the P-16 Effort: 21st Century Skills

NASB urges state and local policymakers to forge a new working relationship in redesigning Nebraska's public education system for the 21st century, with a focus on improving student achievement and holding each level of the system accountable, from preschool through post-secondary education or training, in a manner that:

- a) promotes multi-level communication and interaction between all P-16 partners to enhance student academic success;
- b) offers all students a rigorous developmentally-appropriate curriculum designed to provide opportunities and choice, regardless of the post-secondary path they choose;
- c) engages the assets of the full community;
- d) utilizes data and technology to individualize education for students and to incorporate new learning into the design;
- e) closes the achievement gap by focusing on quality teaching and learning opportunities;
- f) implements standards-based education fully in a seamless curriculum, so one level of the system builds on the next and the end result is known and understood from the beginning;
- g) provides sufficient resources that are adequate and sustainable at every level of the system to meet the challenge, resisting unfunded or underfunded mandates; and
- h) preserves the ability of local school boards and their communities to address local needs and challenges in a flexible manner using a variety of options.

Highly Qualified Teachers

NASB supports actions by the State of Nebraska to create a comprehensive plan to recruit, retain, and reward highly qualified individuals for the teaching profession throughout the state.

IDEA and Special Education Funding

NASB supports efforts by the Nebraska Department of Education and the Legislature to align Nebraska special education law and regulations with IDEA.

Independent School Districts

NASB supports the independence of established K-12 school districts and also supports the cooperation and equalization of opportunity among school districts within learning communities. NASB believes that any legislation introduced impacting school districts or learning communities should seek to give districts and learning communities equalized resources. Any legislation should also allow these independent districts to maintain their right to governance, district curriculum, and the allocation of resources.

Legislation Implementation

NASB supports a requirement that any legislative bill passed after March 1 which limits financial resources, or requires additional financial resources, will not be effective until the beginning of the fiscal year at least one school year after its passage.

Levy Limit Exemptions: Qualified Capital Purpose Undertaking Fund

NASB supports legislation, which would exclude the Qualified Capital Purpose Undertaking Fund levy from the property tax levy limitation.

Liability for Medication Administration

NASB supports legislation that would limit school district and school district representatives from liability for the administering of prescription medication to students.

Liability Limitation for Employee Performance Evaluation

NASB supports legislation that would provide school districts, ESUs, and their representatives more protection when providing candid appraisals concerning a former employee's job performance without threat of legal action.

Local Control for Public K-12 Schools

NASB believes public K-12 systems should be organized to serve communities throughout Nebraska without arbitrary size limits or a single model, which would not fit our state's varied communities. NASB opposes legislating arbitrary size limits and will work to remedy such limits currently in statute.

New Employee Bonuses and Incentives

NASB supports legislation allowing school districts to offer incentives to encourage prospective employees to sign a contract of employment.

Notification of Non-Renewal

NASB supports legislation that would amend state statute 79-831 to extend the notification date from April 15 to the equivalent date reflecting any delay in final state aid certification by NDE.

Parental Liability for Child's Actions

NASB supports legislation that establishes that parents or guardians may be held financially responsible for willful and intentional acts of their child that disrupt the school day.

Pooling Personnel for Insurance Coverage

NASB supports legislation that allows all public entities to pool their personnel for any insurance purposes.

Prekindergarten Programs

NASB supports legislation that would allow schools to serve children with early childhood programs prior to the time in which the student must enroll in a K-12 program according to the terms of the state's Compulsory Education Law.

Property Condemnation Requirements

NASB supports legislation that would eliminate a specific number of acres that may be condemned by a school district.

Responding to Special Education Costs

NASB supports legislative efforts to give school districts that incur unforeseeable additional special education expenses assistance to alleviate cash flow problems.

Revenue Reductions for School Districts Affected by Property Valuation Losses

NASB supports legislation that would create a hold harmless effect for districts which experience a decrease in valuation.

Salary Related Items and the CIR

NASB supports legislation to: 1) include “ability to pay” among the factors considered by the Commission of Industrial Relations; and, 2) authorize districts to levy funds to satisfy CIR judgments.

School Board Members/Numbers

NASB supports giving communities and school districts the option of selecting the number of governing board members.

School District Options in Dealing with Large, Unanticipated Revenues

NASB supports legislation giving school boards options in dealing with large, unanticipated revenue increases in order to minimize fluctuations in state aid.

Special Building Fund Tax Levy Exclusion

NASB supports amending the Nebraska Statutes that address budgeting and spending lid restrictions to allow school districts the ability to utilize up to seven cents of the Special Building Fund tax level outside of the budgeting and spending lid restriction so that districts can plan for and fund capital improvement projects, building repairs and upgrades, and school district infrastructure needs.

Student Expression

NASB supports the authority of the local boards of education and school administration to regulate the content of school-sponsored publications and curriculum.

Tax Increment Financing

NASB supports mandatory advance notification to all affected school districts before public hearings and decisions on redevelopment plans and agreements utilizing tax increment financing. NASB also supports annual publication of all approved TIF agreements.

Use of Uniform Valuation Calculation to Determine Local Resources and State Aid

NASB supports a property tax assessment system that utilizes uniform accounting practices to determine the property valuation number from which local and state officials can calculate both the local resources available to fund schools from property taxes, and the resulting calculation of state aid payments to school districts.



**1311 Stockwell Street
Lincoln, NE 68502**

**Non-profit org.
U.S. Postage
PAID
Nebraska Assn.
of School Boards**