



New York State
School Boards
Association

2016

Proposed Bylaw Amendments & Resolutions Book



NYSSBA
97th ANNUAL
CONVENTION & EDUCATION EXPC
BUFFALO 2016
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New York State School Boards Association

Better School Boards Lead to Better Student Performance

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TO: School Board Members and Chief School Administrators

FROM: Cathy Lewis, Resolutions Committee Chair

DATE: September 2016

This is the report of the recommendations of the Resolutions Committee on proposed resolutions, which will be acted upon by the delegates at the New York State School Boards Association's Annual Business Meeting on **Saturday, October 29, 2016 at 8:00 a.m. in the Convention Center Ballroom.**

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ANNUAL BUSINESS MEETING

SATURDAY, OCTOBER 29, 8:00 A.M., CONVENTION CENTER BALLROOM

DELEGATE ORIENTATION / ASK THE PARLIAMENTARIAN

FRIDAY, OCTOBER 28, 2:45 – 4:00 P.M.

HYATT, GRAND BALLROOM E-F-G, MEZZANINE LEVEL

An orientation for delegates will be led by Jay Worona, NYSSBA's Deputy Executive Director, General Counsel and Parliamentarian and Julie M. Marlette, Director of Governmental Relations and Staff Liaison to the Resolutions Committee for the Annual Business Meeting. This meeting will acquaint voting delegates with the business meeting process and answer any questions regarding conduct of the meeting.

NYSSBA BOARD OF DIRECTORS

President	SUSAN BERGTRAUM
1 st Vice President	WILLIAM MILLER
2 nd Vice President	FRED LANGSTAFF
Treasurer	THOMAS NESPECA
Immediate Past President	LYNNE L. LENHARDT
Area 1	LINDA R. HOFFMAN
Area 2	RODNEY GEORGE
Area 3	CHRISTINE SCHNARS
Area 4	SANDRA H. RUFFO
Area 5	WILLIAM MILLER
Area 6	WAYNE ROGERS
Area 7	BARBARA MAURO
Area 8	BRIAN LATOURETTE
Area 9	DOROTHY SLATTERY
Area 10	PEGGY ZUGIBE
Area 11	ROBERT "B.A." SCHOEN
Area 12	FRED LANGSTAFF
Area 13	CARMEN FARIÑA
Director, Big 5 School Districts	WILLA POWELL

RESOLUTIONS COMMITTEE

Area 7	CATHY LEWIS
Area 1	JANICE COVELL
Area 2	JAMES COLT
Area 3	ANITA RAY
Area 4	MARISSA JOY MIMS
Area 5	DOUGLAS GUSTIN
Area 6	EDWARD MARIN
Area 8	ELEANOR-LYNN BROWN
Area 9	RON SOMMER
Area 10	ROBERT JOHNSON
Area 11	FRANK CHIACHIERE
Area 12	DANIENE BYRNE
Area 13	SHARON RENCHER
Big 5	ELIZABETH HALLMARK

Alternates: Area 1 - Scott Johnson, Area 7 - Dave Gaynor

ORDER OF BUSINESS 2016 BUSINESS MEETING

ORDER OF BUSINESS

- President's Welcome and Comments
- Announcement of a Quorum
- Adoption of Order of Business
- Adoption of Rules of Conduct for the Business Meeting

THE BUSINESS MEETING

- Announcement of Election Results – Areas 2, 4, 6, 8, 10 and 12
- Introduction of Officers and Directors

ELECTION OF OFFICERS

- President
- 1st Vice President
- 2nd Vice President
- Treasurer

PRESENTATIONS

- Report of the Executive Director
- Report of the Treasurer

ADOPTION OF PROPOSED BYLAW AMENDMENTS AND RESOLUTIONS

- Report of the Resolutions Committee
 - Consideration of Proposed Bylaw Amendments Recommended for Adoption
 - Consideration of Expiring NYSSBA Positions Recommended for Adoption
 - Consideration of Proposed Resolutions Recommended for Adoption
- Consideration of Proposed Bylaw Amendment Not Recommended for Adoption
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**PROPOSED BYLAW AMENDMENTS
RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION**

NOTE: Language struck out (-----) and shaded represents proposed deletions to the existing bylaw and underlined language represents proposed additions to the existing bylaw.

**PROPOSED BYLAW AMENDMENT A - ARTICLE 6 – BOARD OF DIRECTORS
Submitted by the *NYSSBA Board of Directors***

- 1 **RESOLVED**, that Article 6 of the bylaws of the New York State School Boards Association shall be
2 amended to expand membership on the Board of Directors to include a director from the New York
3 State Caucus of Black School Board Members.

ARTICLE 6. BOARD OF DIRECTORS

There shall be a Board of Directors consisting of the president of the Association, who shall chair the board, the immediate past president, the first vice president, the second vice president, the treasurer, a director from each area, ~~and~~ a director from the Conference of Big 5 School Districts (consisting of the cities of Yonkers, Syracuse, Rochester, New York and Buffalo) and a director from the New York State Caucus of Black School Board Members.

Any New York State board of education member who is serving as a director or officer of the National School Boards Association shall be a non-voting member of the board of directors of this Association. It shall be the duty of the Board of Directors to appoint an executive director, whose appointment; compensation, duties, and period and terms of employment shall be determined by a majority vote of the Board of Directors.

The Board shall adopt an annual budget and decide general policies of the Association. The general policies adopted by the Board of Directors shall be consistent with resolutions adopted by the membership. The Board of Directors shall review adopted resolutions annually to determine if the purposes of the resolutions have been accomplished or if the resolutions are due to expire, and to determine whether they have been modified by the adoption of subsequent resolutions.

The Board of Directors shall meet at least four times during each year and upon the call of the president at such other times as the president may deem advisable. A majority of the total voting membership of the Board shall constitute a quorum. Any action taken shall require a majority of the full voting membership of the Board.

Meetings also may be called by the executive director, upon the written request of five members of the Association's Board of Directors, which shall state the purpose of the meeting. Written notice of all meetings stating the purpose(s) of the meeting shall be sent so as to reach directors at least five days prior to the proposed meeting.

At the request of the president, in addition to the regularly schedules meetings set forth in this article, the board of directors may meet by means of a telephone conference or electronic communication permitted by the Not-for-Profit Corporation Law. Notice of such meeting shall be given to members of the board at least 48 hours prior to such meeting.

Rationale

In 2014, the New York State Caucus of Black School Board Members (Caucus) petitioned the NYSSBA Board of Directors (Board) seeking greater cooperation and engagement between our organizations. The Board invited the Caucus to designate one of its members to be a special guest at all non-executive session Board meetings commencing in September 2014. By a letter dated January 19, 2016 the Caucus requested that the Association convert its non-voting seat to a seat with full voting rights in order to add the diversity that the Association seeks to promote across the state. The Board feels this relationship has proven successful and has provided the Board with perspectives on education issues it might not otherwise receive. It is crucially important to ensure minority view points are heard. Accordingly, the Board believes it is appropriate to extend membership, with full voting rights, to a designee of the Caucus on a permanent basis.

PROPOSED BYLAW AMENDMENT B - ARTICLE 8- DIRECTORS AND THEIR DUTIES **Submitted by the NYSSBA Board of Directors**

- 1 **RESOLVED**, that Article 8 of the bylaws of the New York State School Boards Association shall be
- 2 amended to expand membership on the Board of Directors to include a director from the New York
- 3 State Caucus of Black School Board Members.

ARTICLE 8. DIRECTORS AND THEIR DUTIES

As amended October 29, 2005

A director from each Association area, as defined in Article 3, shall be nominated and elected by the member school board(s) of that area. In even-numbered years, directors from even-numbered areas shall be elected for terms of two years, and in odd-numbered years, directors from the odd-numbered areas shall be elected for terms of two years.

Each candidate shall be a member of an active member board, as defined in Article 1 of these Bylaws. A director's term shall begin on January 1 of the calendar year following election. A director no longer serving on a member board may serve only through the current calendar year.

Nominations of persons to be directors shall be in writing and endorsed by at least five member boards from the nominating area, except in Area 13, where nominations will be accepted if endorsed by at least one member board from that area. Nominations must be received at the Association office before the close of the business day on July 31 of the year in which those directors are to be elected. Where July 31 is not a business day, such nominations must be received before the close of the business day on the Monday following such date.

A ballot containing the names of all persons duly nominated for the office of director shall be sent by mail or electronically to each member board within the area no later than August 10 of the year in which such directors are to be elected except in those areas where only one (1) individual has been nominated, in which case, such individual will be deemed the elected area representative who will take office on January 1. In those areas where more than one individual has been nominated, only those ballots verified as being from the president or vice president of the member board and received at the Association headquarters before the close of the business day on October 10 of the year in which such directors are to be elected shall be valid. Where October 10 is not a business day, such ballots must be received before the close of the business day on the Tuesday following such date. In the event there is a tie vote, a new ballot containing only those names of candidates who have tied for election shall be sent by mail or electronically to all member boards of the area within 10 days of such

occurrence. Those signed ballots received at the Association office within 45 days of such occurrence shall be used to determine the director. This process shall be repeated until a director is elected.

In the event a vacancy shall occur in the office of area director during the first year of a term of such director, the Board of Directors shall hold an election within such area to fill the unexpired term. In the event a vacancy shall occur in the office of any director during the second year of a term of such director, the Board of Directors shall hold an election to fill the unexpired term, and the person elected to fill such unexpired term shall also be deemed elected to fill the next succeeding full term. In the event that a vacancy shall occur in the office of any director during the second year of a term of such director after an election has been held to fill the next succeeding full term, the person elected to fill the next succeeding full-term vacancy shall also be deemed elected to fill the remainder of the term preceding the full term and shall take office immediately upon the occurrence of such vacancy.

In addition, the Conference of Big 5 School Districts shall be authorized to designate a member of one of its boards, which is a member of the Association, to serve on the Board of Directors. The New York State Caucus of Black School Board Members shall be authorized to designate one of its members, who sits on a board which is a member of the Association, to serve on the Board of Directors. Such designations shall be filed with the Association annually.

Directors shall promote the interest of education and the Association throughout the state. Within their respective areas, directors shall preside at Association-sponsored meetings and provide liaison with related individuals and groups. They shall be the means of communication between their constituency and the Association.

Rationale

This proposed amendment to Article 8 corresponds to the previous proposal to amend Article 6, therefore the rationale is the same.

PROPOSED BYLAW AMENDMENT C - ARTICLE 9 – COMMITTEES **Submitted by the NYSSBA Board of Directors**

- 1 **RESOLVED**, that Article 9 of the bylaws of the New York State School Boards Association
- 2 (“Association”) shall be amended to change the date for the election of additional members to the
- 3 Executive Committee and provide that the Association will annually set a due date for proposed
- 4 resolutions and bylaw amendments.

ARTICLE 9. COMMITTEES

A. There shall be:

1. An Executive Committee of the board of directors, consisting of not more than eight members of the board of directors established annually by the board at the last meeting of the year of the board. Terms of office for the Executive Committee shall begin on January 1 following the meeting in which such members are chosen and shall continue for one year. ~~first meeting of the newly elected board of directors.~~ The composition of the committee shall be as set forth in board policy. The committee shall have such powers as may be specifically delegated to it by the Board consistent with this paragraph of

these Bylaws and the Not-for-Profit Corporation Law. The Board may vest the committee with the authority to:

- a. Approve the Association's participation as *amicus* in cases of statewide interest to NYSSBA's membership, upon its own initiative or when requested to do so by a member board.
- b. Approve the commencement of litigation on matters of statewide importance in court or before administrative agencies, either upon its own initiative or when requested to do so by any member board, except that lawsuits initiated to collect monies or fees owed to the Association may be authorized by the executive director.
- c. Review matters that are brought to it by the executive director and to act upon such matters as appropriate, except that the committee shall not have the authority to alter or amend any policy established by the Board of Directors.

A majority of the total membership of the committee shall constitute a quorum. Any action taken shall require a majority of the full membership of the committee. It shall meet upon the call of the chair or upon the written request of three members of the committee addressed to the executive director. Such written request shall state the purpose(s) of the meeting and, upon its receipt, the executive director shall issue the call for the meeting. The notices of all meetings shall be sent so as to reach the members of the committee at least five days prior to the proposed meeting.

2. A Resolutions Committee, consisting of one school board member from each Association area, and one member from one of the five large city school boards, appointed by the president at the first meeting of the newly elected board of directors subject to confirmation by the board. The committee shall review, but may not amend, resolutions and bylaw amendments submitted to it by any member board or the Board of Directors.

Proposed resolutions or bylaw amendments must reach the Association office before the close of business on a date set annually by the Association. Such due date shall not be later than August 1 or on the Monday following August 1 if this date falls on a Saturday or a Sunday, immediately preceding the annual meeting. Each resolution shall consist of a single "resolved" clause without "whereas" clauses, and shall address only one subject. A brief rationale statement may be included with each resolution or proposed Bylaw amendment.

The Resolutions Committee shall present a report of its recommendations to NYSSBA membership in a printed document for action at the annual business meeting. A resolution adopted at an annual meeting shall remain in effect and shall be part of NYSSBA's active program for five years, unless sooner rescinded, reaffirmed, implemented or enacted.

3. Other committees as the Board of Directors determines; the members of such committees to be appointed by the president, subject to confirmation by the Board of Directors; and such committees shall report at such times and at such places as the Board of Directors may determine.

B. At the request of the President, any committee appointed by the Board of Directors may meet by means of a telephone conference or similar communication permitted by the Not-for-Profit Corporation Law. Notice of such meeting shall be given to members of the committee at least 24 hours prior to such meeting.

Rationale

Executive Committee

The Board of Directors (Board) seeks to change the timing of when it chooses Board members to serve on its Executive Committee. Under the express provisions of Article 9 of the Association's current bylaws, the Board must establish its Executive Committee. This proposed bylaw change would enable the Board to choose the members of its Executive Committee in December of each year. Such members would begin their terms of office on January 1 and continue for a one year period. Such a change would allow the newly seated Executive Committee to begin conducting business as needed immediately as of January 1.

Deadline for proposed resolutions and bylaw amendments

The Association's bylaws currently provide that proposed resolutions or bylaw amendments are due to the Association by August 1, or the next business day if said date falls on a weekend. In years when the annual meeting is scheduled for late October, the August 1 due date provides sufficient time for the receipt and distribution of proposed resolutions and bylaw amendments, amendments to resolutions and rebuttals in order to give member boards adequate time to review all these items. However, when the annual meeting is scheduled for early October, the August 1 deadline may not afford sufficient time. The proposed amendment would require the Association to annually set the deadline for receipt of the proposed resolutions and bylaw amendments and would provide the Association flexibility to set a date earlier than August 1 if the date of the annual meeting necessitates such a change. Such flexibility will allow the Association to establish a schedule for the resolutions process that gives member districts adequate time to consider these important materials.

PROPOSED BYLAW AMENDMENT D - ARTICLE 17 – AMENDMENT AND SUSPENSION

Submitted by the NYSSBA Board of Directors

- 1 **RESOLVED**, that Article 17 of the bylaws of the New York State School Boards Association
2 (“Association”) shall be amended to provide that the Association will annually set a due date for
3 proposed bylaw amendments.

ARTICLE 17. AMENDMENT AND SUSPENSION

1. These bylaws may be amended only at an Annual Meeting by approval of two-thirds of those member boards present and voting.
2. Proposed amendments may be submitted by any member board or the Board of Directors, provided that any proposed amendment to the bylaws must reach the Association office before the close of business on a date set annually by the Association. Such due date shall not be later than ~~on~~ August 1 or ~~on~~ the Monday following August 1 if this date falls on a Saturday or a Sunday, ~~immediately preceding the Annual meeting.~~ Each such proposed amendment of the bylaws shall be reviewed by the Resolutions Committee and its recommendations shall be reported to the membership. An amendment to any proposed amendment of the bylaws made in accordance with the foregoing provisions may be considered at the Annual Meeting provided that the amendment to the proposed amendment shall be mailed to each member board at least 30 days prior to the day of the Annual Meeting.
3. The operation of Article 9, Section 2 of these bylaws may be suspended for the purpose of introducing a resolution at any annual meeting by two thirds of those member boards present and voting.

4. Bylaws cannot be suspended for the purpose of considering an amendment to the bylaws which was not timely submitted in accordance with the provisions of paragraph 2 of this article.

Rationale

This proposed amendment to Article 17 corresponds to the previous proposal to amend Article 9, and therefore the rationale is the same.

**PROPOSED RESOLUTIONS (2011 SUNSETTING POSITION STATEMENTS)
RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION ON CONSENT**

**PROPOSED RESOLUTION 1 (Expiring Position Statement)
Submitted by the *NYSSBA Board of Directors***

- 1 **RESOLVED**, that the New York State School Boards Association support state proposals affecting
2 public education that:
- 3 • Provide access to programs that prepare students to be college-and-career-ready;
 - 4 • Achieve equity and adequacy in funding;
 - 5 • Promote efficiency and cost-effectiveness;
 - 6 • Advance high expectations for all students;
 - 7 • Embrace innovative approaches and assessments;
 - 8 • Foster community engagement and regional cooperation.

Rationale

Each year many policy proposals are advanced that could impact public school districts and education. These proposals juggle competing interests and priorities that sometimes place academic programs and strong fiscal stewardship at odds.

In an era of increasing and changing academic expectations for students and unpredictable financial resources school districts will continue to face tremendous pressure to find creative but fiscally and educationally responsible ways to approach the provision of programs and services.

Such a complex process requires a shared understanding of the priorities to be considered when evaluating the appropriateness of policies, legislative proposals, budgetary considerations, proposed state regulations or executive orders for school districts.

Boards of education must balance a number of interests when setting district policy. Those include the academic needs of all of their students, the financial health of the district and the financial capacity of their community. The same balance of perspectives that is required by local school boards should be asked of our state and federal policy makers when making decisions that affect school districts, students and school boards. As such, support for any proposal should also address these questions.

**PROPOSED RESOLUTION 2 (Expiring Position Statement)
Submitted by the *NYSSBA Board of Directors***

- 1 **RESOLVED**, that the New York State School Boards Association support legislation requiring current
2 district employees to contribute at least 15 percent of the cost of individual health care coverage and at
3 least 25 percent of the cost of family health care coverage.

Rationale

Under current law, healthcare contribution rates are a subject of collective bargaining and therefore vary widely. The Triborough amendment to the Taylor Law puts school districts at a significant disadvantage when attempting to negotiate new contribution rates to reflect current conditions and costs.

There is little incentive for collective bargaining units to agree to increase contribution rates on behalf of their members. An expired collective bargaining agreement maintains benefits at existing contribution levels, whereas a new agreement could lead to increased contribution rates.

School districts continue to experience increases in the cost of healthcare. Establishing a floor for health insurance contribution rates would help regulate these costs. This would make available additional resources for the benefit of students and communities.

PROPOSED RESOLUTION 3 (Expiring Position Statement) **Submitted by the *Port Chester-Rye Union Free School Board***

- 1 ***RESOLVED***, that the New York State School Boards Association oppose legislation that would
2 provide tuition tax credits or educational vouchers that benefit private or parochial schools.

Rationale

Allocation of public funds to or for nonpublic schools diverts much-needed resources from the state general fund that could have been used to meet the state's obligation to public education.

New York State's constitution guarantees all children, regardless of their race, gender, religion or economic status a sound basic public education. Publicly-funded tax credits and educational vouchers divert state resources and undermine the ability of such schools to appropriately serve their students. Private schools are free to control which students gain admission to their schools and expel students who do not measure up to the academic or behavioral standards of such institutions. Additionally, as a rule, private schools are not required to follow many state-imposed educational mandates or engage in collective bargaining.

The state is years and billions of dollars behind in the full funding of public school districts. Diverting those public funds for the benefit of nonpublic schools should not be considered when the state still is not meeting its existing obligations.

**PROPOSED RESOLUTIONS
RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION**

PROPOSED RESOLUTION 4

Submitted by the Shenendehowa Central School Board

- 1 ***RESOLVED***, that the New York State School Boards Association urges the NYS Board of Regents to
2 reconsider the higher passing scores* and high school graduation requirements under consideration
3 for future graduating classes, starting in the year 2022.

Rationale

*If adopted the seventh grade class of September entering 9th grade in the 2018-2019 school year would be required to pass Common Core Regents Examinations at the aspirational college and career readiness level (ELA at 75 and math at 80 percent).

There is absolute need to pay attention this issue now. This year's sixth-grade class will have to meet graduation requirements of 80 percent on one math Regents exam (presumably Algebra I) and 75 percent on the English Regents exam if the requirements are not abandoned. At the same time, the rigor of state tests would be raised to reflect the greater rigor of the Common Core Learning Standards—standards that are under review and likely to change drastically. Only students who are able to manage the higher-level standards, the increased rigor of the tests and the requirement of higher passing grades on the assessments would be eligible to graduate from a New York State public high school.

Data analysis provided by NYSED, projects that students who currently score a level 2 on the grade 3-8 ELA tests are expected to achieve a 65 on the Regents exam—passing the test and eligible for graduation under the current standard. Based on this trajectory, school districts across the state would see nearly a 50 percent reduction in graduation rates if the aspirational graduation rates were applied today. The graduation rate in many large city and rural schools falls to single digit percentages when the aspirational passing rates are applied. The 2022 Common Core graduation requirements will have a disastrous effect on students—including an increase in dropout rates as students become condemned to failure and disengagement from the learning process.

The most challenged schools with a high turnover in their student population would not retain students long enough to address deficiencies in hope of raising student performance. Larger numbers of special needs and potentially English Language Learner (ELL) students would fail—putting the goal of earning a high school diploma out of reach. Schools already stretched financially would be unable to provide the needed support and extra sections of classes required by those who fail one or both of these exams, sometimes repeatedly.

The need for attention is real. If these requirements are imposed, all schools, regardless of student demographics, will see a significant reduction in the passing rate of their students—resulting in a decline in graduation rates and an increase in dropout rates across the state. We cannot wait for the state to respond as it did with the recent wave of reform efforts, we cannot wait until this situation becomes a crisis and a political conundrum before the Regents and other educational leaders deal with the consequences.

It is time for the NYS Board of Regents to reconsider their proposed 2022 goals and reaffirm 65 percent as the passing score before anyone is adversely affected.

PROPOSED RESOLUTION 5
Submitted by the NYSSBA Board of Directors

- 1 **RESOLVED**, that the New York State School Boards Association support limiting the duration of
2 teacher and principal tenure protections to renewable periods of not more than five years.

Rationale

In general, teachers and principals must serve probationary periods of three years if appointed prior to July 1, 2015 or four years if appointed after such date. Further, teachers and principals subject to annual professional performance reviews must have received an effective or highly effective rating in three of the four years and not have been ineffective in the final year to be eligible for tenure.

Limiting tenure protections to renewable periods of not more than five years would allow boards to have the opportunity to review educator performance on an ongoing basis. At the same time, the due process protections would shield educators against arbitrary and unfair employment actions for the duration of the contract. This change would level the playing field and help districts make informed decisions about their staffing needs.

PROPOSED RESOLUTION 6
Submitted by the NYSSBA Board of Directors

- 1 **RESOLVED**, that the New York State School Boards Association support proposals that would allow
2 all district employees the option to join a defined contribution retirement plan.

Rationale

The vast majority of school district employees are required to enroll in mandatory defined benefit retirement systems. Those employees who “vest” (work for a defined period of time) are entitled to a pension payment upon retirement, based on their salary and years of service. These payments are funded through three sources: employee contributions (for a set number of years), employer contributions (for the duration of employment) and investment revenue. Local boards of education are required to make contributions on behalf of their employees.

Under a defined contribution retirement plan, employee and employer contribute fixed amounts to an investment account for the duration of employment, and at a certain age, the employee may receive payments from that account. These systems can be portable, and follow an employee throughout his or her career.

The concept of a defined contribution plan being made available to New York’s public employees is not new. Many employees of the State University of New York are eligible for and participate in a defined contribution system. Tier VI of the New York State and Local Employee Retirement system provides that individuals first employed after April 1, 2012 are eligible to join (at their option) a defined contribution plan so long as the employee made over \$75,000 per year and was not a member of a union.

Defined contribution plans reduce long-term risk for employers while also allowing employees to better plan for their own retirement without tying them to a single employer. This option should be made available to all employees regardless of tier, compensation or union status.

PROPOSED RESOLUTION 7
Submitted by the *NYSSBA Board of Directors*

- 1 ***RESOLVED***, that the New York State School Boards Association support proposals that would allow
2 students with disabilities to be tested at their developmental age.

Rationale

Under current law, students are required to be assessed for accountability purposes at grade level, closely tracking their chronological age. There are narrow exceptions for students with very severe cognitive disabilities. The Every Student Succeeds Act (reauthorization of the Elementary and Secondary Education Act) continues to allow 1 percent of the most severely disabled students to take alternative state assessments, as was the case under No Child Left Behind. However, the 1 percent safe harbor provision does not go far enough.

New York State has repeatedly applied for a waiver to allow the state to test the most severely disabled students at their developmental age rather than their chronological age. Unfortunately these requests were not granted, and the reauthorization of ESEA did not include such a provision. In order to help accomplish this goal increased flexibility is needed. The federal government should authorize states to test students with disabilities at their developmental age rather than their chronological age.

PROPOSED RESOLUTION 8
Submitted by the *NYSSBA Board of Directors*
Endorsed by the *Orleans-Niagara BOCES*

- 1 ***RESOLVED***, that the New York State School Boards Association support proposals authorizing
2 school districts to create a reserve fund to finance employee benefit obligations.

Rationale

Planning for future expenses is a basic financial management principle that should be encouraged. As stewards of local tax dollars, it is fiscally prudent for school districts to plan for the future burden and anticipate costs of employee benefits.

It is difficult for school districts to predict the exact amount of future employee benefit costs, however, it is well known that employee benefits are expensive and the cost of these benefits have and will continue to increase. Many school districts are struggling and will continue to struggle to pay for these benefits both now and in the future.

Recognizing this burden, the New York State Comptroller has recommended that school districts and local governments set aside funds to help finance the cost of future employee benefits. Financial rating agencies view districts that save for other post employee benefits favorably because of the amount of possible savings that could occur by offsetting the cost now.

School districts should be authorized to create reserve funds that can take in money for future financial obligations, such as health insurance costs and allowed to transfer money from current EBALR surpluses to other reserve funds. The greater flexibility school districts have when managing district finances and establishing reserve funds the more effective they can be when budgeting and planning for the future.

PROPOSED RESOLUTION 9
Submitted by the NYSSBA Board of Directors

- 1 **RESOLVED**, that the New York State School Boards Association support the appropriate use of
2 technology to enhance academic programs.

Rationale

Today's students are facing a different academic environment than even a few years ago. Colleges look at more than GPA and SAT scores; they consider what kind of program a student secured those scores in, weighing complexity and rigor. An "A" in advance placement, or other advanced course counts more than an "A" in a traditional course. Multiple languages and diverse science, technology, engineering, arts and mathematics offerings make for a more impressive transcript. Students, who are unable to access these classes because they were not offered in their school, are at a disadvantage.

Unfortunately not all school districts are able to offer their students the diversity of programming their peers have access to. Sometime this is due to fiscal constraints. In other instances, the geographic remoteness or population sparsity of the district may limit course offerings.

Technology could be used to help fill these gaps. Video and other electronic communications could allow all districts to share devices, programs and staff in new, cost effective ways. Not every district has to have an advance placement physics teacher physically in their building to offer its students access to a program. By utilizing the technology available, school districts could provide students access to richer academic programs.

PROPOSED RESOLUTION 10

Submitted by the Broome-Tioga BOCES

Endorsed by the Capital Region BOCES, Erie 1 BOCES, Orange-Ulster BOCES, Onondaga-Cortland-Madison BOCES, Wayne-Finger Lakes BOCES, Eastern Suffolk BOCES, Madison-Oneida BOCES, Erie 2-Chautauqua-Cattaraugus BOCES, Western Suffolk BOCES, Delaware-Chenango-Madison-Otsego BOCES, Nassau BOCES, Monroe 2-Orleans BOCES, Hamilton-Fulton-Montgomery BOCES, Tompkins-Seneca-Tioga BOCES, Washington-Saratoga-Warren-Hamilton-Essex BOCES, Genesee Valley Educational Partnership, Franklin-Essex-Hamilton BOCES, Ulster BOCES, Monroe #1 BOCES, St. Lawrence-Lewis BOCES and Nanuet Public School Board)

- 1 **RESOLVED**, that the New York State School Boards Association seek legislation to amend limitations
2 on BOCES district superintendents compensation.

Rationale

BOCES play an important role in improving the education of students as well as helping school districts and the State to save money by regularly achieving collaborations and greater efficiencies. This role requires experienced District Superintendents who are leaders in their field who have the skills and strong educational background to lead and meet the challenges necessary to ensure our students succeed.

Section 1950(4)(a)(2) of the Education Law caps a BOCES district superintendent salary at 98 percent of the commissioner's 2003-2004 salary. The current cap equates to less than 70 percent of the commissioner's current salary.

Amendment of the salary cap legislation would update the more than decade old cap, and would ensure that BOCES boards could fill district superintendent vacancies with qualified candidates that would receive similar salaries to those earned by superintendents in their component school districts.

Currently, each district superintendent receives an annual salary from the state in the amount of \$43,499.00. The local BOCES may pay a local salary to the maximum provided by the cap. In 2016, in most areas of the State, the BOCES District Superintendent, who serves as the representative of the Commissioner of Education in the BOCES, is the lowest paid chief school officer in the BOCES. In addition, the Education Law prohibits a sitting District Superintendent from receiving any remuneration for serving as an interim District Superintendent in another BOCES regardless of time spent or distance traveled [Education Law §2204(4)], or from engaging in any outside business [Education Law §§ 2213 and 2214].

Each BOCES Board should be able to decide, as a matter of local control, what salary is appropriate for their BOCES size and budget. Any salary increase granted by the local BOCES Board must respect the component district's maximum levy limit, and be included in the BOCES administrative budget provided to the board members of each component district.

PROPOSED RESOLUTION 11
Submitted by the *Waterville Central School Board*

- 1 ***RESOLVED***, that the New York State School Boards Association (NYSSBA) support legislation at the
2 state level that would modify the reimbursement formula for school lunches.

Rationale

The reimbursement rate for school lunches is set at six cents and it hasn't been increased in 40 years. The low reimbursement rate hinders school district's abilities to purchase locally grown commodities.

Increases in reimbursement rates would be dependent on the percentage of locally grown products that school districts purchase each year, thus modifying the state's reimbursement formula for school lunches by increasing reimbursement rates by an additional five to 25 cents per meal respectively.

PROPOSED RESOLUTION 12
Submitted by the *Valley Stream Central High School Board*

- 1 ***RESOLVED***, that the New York State School Boards Association include as a legislative priority issue,
2 reforms to Article 18-A of the General Municipal Law to obligate Industrial Development Agencies
3 across New York State:
4
5 i. To provide notice of any proposed tax exemption to each affected taxing jurisdiction, including
6 each affected school district,
7
8 ii. To respond to requests for information from such affected taxing jurisdiction regarding the
9 financial implications of proposed tax exemptions, and
10
11 iii. To provide a meaningful opportunity for school districts to be heard prior to voting upon or
12 approving any such tax exemption.

Rationale

It has come to the attention of the Board, that certain actions taken by local Industrial Development Agencies in granting tax exemptions have a significant and burdensome impact on each of the component school districts within the Valley Stream Central High School District.

The Board believes that legislative action is necessary to require Industrial Development Agencies to notify school districts of the impact of proposed tax exemptions prior to voting upon or approving such tax exemptions.

PROPOSED RESOLUTION 13

Submitted by the *Mount Pleasant Cottage Union Free School Board*

Endorsed by the *Mount Pleasant Blythedale Union Free, Hawthorne Cedar Knolls Union Free, Greenburgh-Graham Union Free, Lakeland Central and Millbrook Central School Boards*

- 1 **RESOLVED**, that the New York State School Boards Association support legislation and regulations
- 2 that ensure that Special Act School Districts are treated equitably with all other public school districts,
- 3 including a tuition rate that reflects public expenses.

Rationale

Special Act Public School Districts (SASDs) are public school districts created by special action of the state legislature for the purpose of providing education and related services to students with disabilities - physical, emotional and/or cognitive. The ten Special Act Districts in NYS serve some of the neediest students in our state, many of whom are placed in these schools as the last option available in the continuum of services. The students also include those at Mt. Pleasant Blythedale UFSD who are recovering from life-threatening illnesses or surgeries.

This current system is unsustainable. Over the past few years, 10 SASDs have been forced to close (half of the original number), leaving fewer and fewer viable options for New York State's neediest students.

Despite being public school districts, the methodology to calculate SASD tuition rates is the same as that used for non-public schools. Yet, unlike private schools, SASDs have additional public school expenses in order to: comply with all federal and state regulations; meet all mandates; adhere to NYS curriculum standards, assessments and graduation requirements; make NYS ERS and TRS contributions; and hire NYS certified faculty. At the same time, SASDs have been closed out of most NYS aid categories, and cannot access many of the funding sources available to public school districts such as Medicaid funding, textbook and library aid, building aid, computer software, technology and supplemental instruction.

It is also imperative that the authority of governance for SASDs, like all local school districts, remain with the local school board. Special Act school districts consistently must be treated the same as all other NY public school districts, and not as residential treatment centers.

All SASD tuition rates should be based on public education tuition expenses and reflect current year costs. Presently, the tuition formula is based on costs from two years ago, and thus does not reflect current costs, staffing requirements, and mandates. This methodology is chaotic, unpredictable and punitive to children. These

students are high risk and underserved, yet, given the tuition formula, it is impossible to provide the minimally required academic programs and services for a sound basic education.

Without adequate funding to support these students on the path to high school graduation, we risk them becoming unproductive citizens who will burden our public welfare and criminal justice systems for decades. It is imperative that Special Act School Districts be adequately funded now, or we will all face a higher cost to society in the future.

PROPOSED RESOLUTION 14
Submitted by the *Fairport Central School Board*

- 1 ***RESOLVED***, that the New York State School Boards Association support legislation that ensures aid
2 **provided to districts is not correlated to the percentage of students taking state or federally required**
3 **tests, recognizing parents will make decisions in the best interest of their individual children,**
4 **independent of Districts' overall requirements.**

Rationale

- The threat of punishment related to aid has no rationale nor correlation with the stated goal to increase education performance.
- Penalties, if levied, impact all children, further decreasing the ability to reach the stated goal of the related legislation.
- We affirm our belief as parents/guardians, educators and duly elected members of the School District Board of Education in the State of New York that parents/guardians retain the unqualified right to direct their child(ren)'s education. The Boards of Education are partners with parents/guardians in providing said education. We further recognize the community at large, through its voting rights and tax dollars, influence the policies and direction of education of their districts.
- Parents/guardians are uniquely qualified in knowing the physical, academic and social/emotional needs of their children.
- The current state of education in New York is in flux, with State elected officials engaging in political, not educational, changes that are not grounded in sound educational research.
- Boards of Education recognize the professional qualifications of their staff and their collective ability to assess, through multi-faceted means, the real progress and needs of each child for whom they have responsibility, independent of state and federally-required assessments.
- Current effort by the New York State Education Department to measure educational progress within the state, in accordance with Federal Laws and regulations, continues to remain in flux and administered through a high-stakes test that provides minimal educational value to students, teachers, parents/guardians and the school district by:
 - Denying timely and useful feedback as to individual child progress.
 - Reducing the ability to measure individual progress by manipulating cut scores each year.
 - Developing tests at levels inappropriate for specific age groups.
 - Diverting valuable instruction time for test prep and test-taking.
 - Adding additional unfunded costs related to test preparation and administration.
 - Placing significant anxiety into our system for children, families, teachers and administrators.
 - Implementing a value added model without considering the unintended consequences for students.

PROPOSED RESOLUTION 15
Submitted by the *Fairport Central School Board*

- 1 **RESOLVED**, that the New York State School Boards Association pursue and support legislation that
2 will fully restore to all school districts, over a period of five to ten years, those funds withheld through
3 Gap Elimination Adjustments (GEA).

Rationale

- Education of all children is a primary and basic government function. When savings are required in a state budget due to downturn in economic conditions, such savings should not be sought from the most basic and important of government functions.
- Education planning must be made with long-term perspectives. Significant reduction in state formula aid introduced uncertainty and reduced School District ability to make appropriate long-term decisions (e.g. technology planning, facilities planning, etc...). Restoration of GEA over a five to ten year period will allow districts to more confidently plan for the long-term.
- GEA has significantly reduced reserves by School Districts, leaving them ill prepared for another economic downturn. Such downturns are always a matter of “when” they will occur and not “if” they will occur. GEA required Districts to use their reserve funds based on a State budget shortfall and not based on decisions made at the local level.
- New York has a history of high academic achievements, recognizing the arts and sciences, providing support for children of varying capabilities, providing opportunities in extra-curricular activities, and providing opportunities for post-secondary success. GEA has jeopardized the state’s ability to maintain the high academic achievement.

PROPOSED RESOLUTION 16
Submitted by the *Half Hollow Hills Central School Board*

- 1 **RESOLVED**, that the New York State School Boards Association support legislation requiring the
2 State to repay all public school districts over a five year period every dollar withheld under the GEA for
3 the period 2010-2016.

Rationale

By enacting the property tax levy cap in 2011, the State limited school districts’ ability to raise local revenue. Not only did the State restrict school districts from raising funds, it also utilized the GEA to withhold state aid. The GEA allowed the State to withhold billions of dollars in state aid to public school districts at an average of \$15 million per district over the six years.

While the property tax levy cap was intended to rein in and limit school spending, the purpose of the GEA was to reduce the State's budget deficit. The GEA exacerbated the shortfalls that districts faced as a result of the levy cap. The State simply took funds previously committed to schools to fill holes in its own budget. The impact was keenly felt by school districts throughout the state. School districts were confronted with significant setbacks, with no alternative way to raise the funds denied to them, at a time when they need to keep pace with the demands of the twenty-first century. The results included increases in class size; modification or even elimination of sports, art and other programs; layoffs of teachers and administrators; reduction of non-mandated curriculum; and foregoing building repairs and capital improvements.

With the elimination of the GEA for the 2016-17 school year, some politicians, after years of standing idly by, finally stood up for public education. What occurred was wrong. The time has come for those same politicians and others to make sure the State repays what was taken away and refund to all school districts the interest-free loans that were never authorized. A firm time frame should be set and in the future the State should not be permitted to balance its budget on the backs of our children.

PROPOSED RESOLUTION 17

Submitted by the *Port Chester-Rye Union Free School Board*

RESOLVED, that the New York State School Boards Association calls upon the state Legislature and the Governor to reform New York State education funding in accordance with the following tenets to ensure adequate resources to public schools in the State of New York by providing for:

- **Adequacy** that provides sufficient resources to assure the opportunity for a sound basic education for all students; and
- **Equity** to distribute a foundation level of state aid for every student that is based on the actual cost of providing a sound basic education that fairly compensates for differences in community costs, needs and resources while precluding municipalities from using state aid to replace local education resources; and
- **Flexibility** to increase the percentage of operating aid so that boards of education retain the discretion to determine what educational programs best address local needs while local communities should not be restrained from determining the level of funding they will expend to support educational programs; and
- **Predictability** based on timely passage of the state budget and stable funding distributed through a consistent, uniformly applied formula that would not require annual manipulation by the Legislature and that would facilitate long-term planning by school districts; and
- **Clarity** by establishing a funding formula that is easily explained and understood.

Rationale

Education funding is one of the most critical components of a successful educational system. Because financial support for schools is a significant part of the state budget, such funding should be clearly thought out and rooted in sound policy.

The provision of a sound basic education understandably comes with many costs. Funding should be provided in a way that allows school districts to adequately educate their students and operate their schools.

Communities have different resources and students have different needs. Funding should be provided in a way that meets those needs, while allowing local school district leadership the flexibility to allocate those resources in the most appropriate way.

These funds must also be delivered with predictability, to allow school districts to develop their budgets and helps prevent volatility that can then be transferred to taxpayers. Informed discussions are the best way to improve our education funding system, so clarity is necessary to permit all parties involved to play an effective role in that conversation.

These principles should be the basis of the state's aid formula and should direct NYSSBA's advocacy around state aid until these goals are achieved.

PROPOSED RESOLUTION 18

Submitted by the *Ossining Union Free School Board*

- 1 ***RESOLVED***, that the New York State School Boards Association will advocate for statewide policies
- 2 and legislation that would update education funding formulas with 2015-16 student enrollment, wealth
- 3 and poverty factors, and the needs resource capacity index data for districts experiencing increased
- 4 enrollments and significant student population changes over the past eight years.

Rationale

The freezing of New York State Education Foundation Aid at 2008 levels fails to address current realities facing school districts and exacerbates known flaws with education funding formulas which Foundation Aid was intended to address. NYSSBA should advocate to address fundamental issues of inequity resulting in a lack of funding to address significant student needs and obstacles to preparation for college and careers. Raising standards without ensuring adequate supports for all students fails to live up to New York State's responsibility to ensure a sound basic education for all.

PROPOSED BYLAW AMENDMENT
NOT RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION

NOTE: Language struck out (-----) and shaded represents proposed deletions to the existing bylaw and underlined language represents proposed additions to the existing bylaw.

PROPOSED BYLAW AMENDMENT E - ARTICLE 4 – MEETINGS: QUORUM
Submitted by the Ardsley Union Free School Board

- 1 **RESOLVED**, that Article 4 of the bylaws of the New York State School Boards Association be
2 amended to allow the Annual Meeting to continue all business on the agenda even if a quorum no
3 longer remains in the room.

ARTICLE 4. MEETINGS: QUORUM
As amended October 29, 2005

There shall be an Annual Meeting of the association to be held not earlier than September 1, nor later than November 30 of each year, at a time and place designated by the board of directors. The Board of Directors shall determine the time and place of each annual meeting and shall notify the membership at least six months prior to that Annual Meeting. Two hundred official delegates shall constitute a quorum.

Other meetings may be called by the president, with the concurrence of the Board of Directors, at such times and places as the president and said board may designate; and shall be called when requested by at least eight member boards from each of at least eight areas of the Association. Written notice of a special meeting of the Association shall be mailed to each member board at least 14 days prior to date of the meeting, together with a statement of the purpose or purposes of the meeting. Such special meeting shall act only in respect of the stated purpose or purposes of the meeting and 200 official delegates shall constitute a quorum for doing business.

Once a quorum is established at an Annual Meeting or a Special Meeting it shall continue to be a quorum regardless of the number of official delegates remaining at the meeting.

Rationale

As we have experienced several times in the last few years, our annual meetings can come to an abrupt end with the chair announcing that a quorum is no longer present. Items that have been appropriately placed on the agenda by member districts are not considered and their official delegate who may have been sent primarily for that agenda item was not even heard. While it should be the accepted duty of official delegates to stay through the end of the meeting, it is obvious that many of us do not view it as a particularly important duty. We know of no way to effectively change our members' perception of their duty and have proposed the bylaw change as a remedy for everyone's benefit.

The proposed amendment accords with related corporate law. *Revised Model Business Corporation Act ("RMBCA") SECTION 725 provides, in relevant part:*

§ 7.25 QUORUM AND VOTING REQUIREMENTS FOR VOTING GROUPS

...(b) Once a share is represented for any purpose at a meeting, it is deemed present for quorum purposes for the remainder of the meeting.....

Similarly, the *New York Business Corporation Law Section 608* on shareholder meetings provides
(c) *When a quorum is once present to organize a meeting, it is not broken by the subsequent withdrawal of any shareholders.*

An important reason for this provision is that a shareholder should not be able to look around the room, count votes, determine that he will lose a vote, and leave the meeting to break the quorum, but the most important reason is that it allows the business of a duly called and convened meeting to be completed.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The committee did not recommend this bylaw amendment as it does not provide a minimum number of participants for business to be conducted. While the committee appreciates the sponsor's intent to have all agenda items be heard by the delegates, if adopted the amendment would allow for all business to continue once quorum is achieved, no matter how few delegates are in the room. This could lead to just a handful of delegates determining the official positions of the organization, which remain for five years.

The current bylaw relating to the necessary quorum to conduct business at the annual business meeting is 200 delegates. This represents slightly more than 30 percent of the Associations total membership.

The boards of education that NYSSBA represents and other publicly elected bodies must attain and maintain quorum of a majority of members to legally conduct business.

To ensure that the process is as representative as possible the committee determined that to be approved, there needs to be a "critical mass" in place to ensure that adopted positions are a legitimate representation of the Association's membership.

PROPOSED RESOLUTIONS
NOT RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION

PROPOSED RESOLUTION 19
Submitted by the NYSSBA Board of Directors

- 1 **RESOLVED**, that the New York State School Boards Association support proposals to allow any
2 school district that has successfully completed three consecutive internal audits, with no significant
3 findings, to change its internal audit schedule to a two-year cycle rather than one.

Rationale

In New York State most school districts are required to annually perform an extensive internal audit. The purpose of the internal audit is to assist local school boards in preventing fraud, waste and abuse in a variety of operational areas. Each school district must go through a review of: (1) An initial risk assessment of district operations including, but not limited to, a review of school district business policies and procedures, (2) A review and update of such risk assessment, (3) Periodic testing and evaluation of one or more areas of the district's internal controls, and (4) Preparation of reports, which identify significant risks and recommended changes for strengthening controls and reducing risks.

Appropriately, school districts annually devote significant time and resources to the preparation of the internal audit and the resulting reports. An internal audit report can cost a school district approximately \$10,000 to \$25,000 annually.

In addition to the internal audit, school districts are also required to obtain an annual external audit. The New York State Comptroller also regularly conducts audits of school districts. In instances where school districts reduce the frequency of their internal audits there are still adequate controls and protections in place to ensure adequate oversight.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The committee did not recommend this resolution because the committee believes the additional layer of fiscal oversight is important to the successful operation of the school district.

In New York State, school district financial accountability was strengthened substantially by 2005 legislation known informally as the Five Point Plan, which set forth a number of enhanced training and auditing requirements for school districts, including a strengthening of the internal audit function. The intent of the legislation was to set requirements to help ensure a prudent use of taxpayer dollars, provide a sound internal control structure and safeguard district assets, for the benefit of our children and our communities.

Current law requires most school districts establish an internal audit function, exempting districts that have either less than eight teachers, less than \$5 million in general fund expenditures in the previous school years, or less than 1,500 enrolled students in the previous year.

The committee determined that this requirement should remain in place for districts as the proposal fails to consider those circumstances that could necessitate more frequent internal audits. In the event that there are changes in key financial personnel or significant changes in financial policies and procedures, the circumstances

and environment that led to the successful past could change. Absent such protections the committee felt that they must not recommend this resolution.

PROPOSED RESOLUTION 20

Submitted by the *Hewlett-Woodmere Public School Board*

- 1 ***RESOLVED***, that the New York State School Boards Association calls upon the New York State
- 2 Department of Education to revise the current pathways toward achieving a high school diploma for
- 3 New York students including the reinstatement of the Local High School Diploma, the use of
- 4 performance-based assessments and multiple pathways to graduation, the modification of
- 5 requirements for students completing a BOCES, career, or technical education program, and the
- 6 reinstatement of the Regents Competency Tests.

Rationale

Revisions to the current pathways toward achieving a high school diploma would benefit large numbers of students who have been negatively impacted by the State's move to an all regents program throughout New York State. Specifically,

1. The consequences of the elimination of the Local High School Diploma are vast and varied. Graduation rates will plummet, and in best case scenarios, students will require five years to meet the new requirements and graduate, rather than the typical four years. The most unfortunate by-product of this decision is that it negatively affects the neediest of populations, the struggling learner. The recent adoption of the amendment to the appeals process simply waters down requirements in the hopes that more students will be able to pass.

Perhaps the most devastating of consequences is the fact that both the Skills and Achievement Commencement Credential and the Career Development and Occupational Studies Commencement Credential (stand-alone) provide students with limited options for future success. These "less-than" credentials are not recognized by institutions of higher education, employers, or the military as high school diplomas, significantly reducing opportunities for advanced study or employment. These credentials identify recipients as students with disabilities because they are only awarded to students with IEPs, which could compromise confidentiality.

This decision has resulted in anxiety-ridden parents and apathetic students who see nothing but limitations to future success, hardly a motivator for achievement. The Local High School Diploma provided an avenue that now no longer exists for the students who needed it most.

A Regents Diploma should be an option, not a requirement.

2. The use of performance based assessments and multiple pathways to graduation would be most welcome and helpful to all student populations because they would provide students with different learning styles the ability to demonstrate understanding of course subject matter. Meaningful performance based assessments provide options to showcase critical thinking and abstract skills through performance tasks, rather than through the use of standardized methods that typically require little more than recall.

3. It is extremely challenging for students to complete a BOCES, career, or technical education program in four years because of the amount of time they are out of the high school building. The expansive coursework they now have to complete, on top of their ancillary educational studies, is prohibitive. The new requirement provides students who are seeking a post high school career path with virtually no options.
4. Regents Competency Tests provide opportunities for students to demonstrate a core level of knowledge and understanding on a standardized exam. The RCTs provide a pathway for struggling learners to achieve a legitimate high school diploma, one that would be recognized by colleges and universities, employers, and the United States Military.

It is imperative that NYSSBA support diploma options that will allow the highest level of New York students to graduate from high school and achieve future success.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The committee did not recommend this resolution due to concern that an emphasis on a return to the local diploma might be interpreted as organizational support for a lowering of the standards our students need to be successful in college and career. While there are other components to the resolution, the committee also noted that NYSSBA has existing position statements in support of funding for career and technical education expansion, supporting early college or dual enrollment programs and access to enrichment programs such as AP and IB. Because of these existing position statements, the committee determined that the only new element being offered was that of the local diploma.

PROPOSED RESOLUTION 21

Submitted by the *Fairport Central School Board*

- 1 **RESOLVED**, that the New York State School Boards Association support legislation that recognizes
- 2 **parents/guardians, with support from their local school district, are best qualified to determine the**
- 3 **educational needs of their children.**

Rationale

- The threat of punishment related to aid has no rationale nor correlation with the stated goal to increase education performance.
- Penalties, if levied, impact all children, further decreasing the ability to reach the stated goal of the related legislation.
- We affirm our belief as parents/guardians, educators and duly elected members of the School District Board of Education in the State of New York that parents/guardians retain the unqualified right to direct their child(ren)'s education. The Boards of Education are partners with parents/guardians in providing said education. We further recognize the community at large, through its voting rights and tax dollars, influence the policies and direction of education of their districts.
- Parents/guardians are uniquely qualified in knowing the physical, academic and social/emotional needs of their children.
- The current state of education in New York is in flux, with State elected officials engaging in political, not educational, changes that are not grounded in sound educational research.

- Boards of Education recognize the professional qualifications of their staff and their collective ability to assess, through multi-faceted means, the real progress and needs of each child for whom they have responsibility, independent of state and federally-required assessments.
- Current effort by the New York State Education Department to measure educational progress within the state, in accordance with Federal Laws and regulations, continues to remain in flux and administered through a high-stakes test that provides minimal educational value to students, teachers, parents/guardians and the school district by:
 - Denying timely and useful feedback as to individual child progress.
 - Reducing the ability to measure individual progress by manipulating cut scores each year.
 - Developing tests at levels inappropriate for specific age groups.
 - Diverting valuable instruction time for test prep and test-taking.
 - Adding additional unfunded costs related to test preparation and administration.
 - Placing significant anxiety into our system for children, families, teachers and administrators.
 - Implementing a value added model without considering the unintended consequences for students.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The committee did not recommend this resolution because the committee believes that the proposed position is too broad.

Parents and guardians are critical partners, and the committee wholeheartedly recognizes their role as decision makers for their children. However, the committee was concerned that recommendation of this resolution could inadvertently signal support for policies that would deprive parents and guardians of needed information. The committee determined that information about student performance and achievement is part of that needed information. This decision was not one in support of chronologically or developmentally inappropriate testing, or in support of tests being used for high stakes decision making for students or staff. However the committee did determine that it is important for districts to have the ability to engage in measures of student performance, including assessments, and to share that information with parents and guardians.

PROPOSED RESOLUTION 22 **Submitted by the *Fairport Central School Board***

- 1 ***RESOLVED***, that the New York State School Boards Association work with the Governor, legislators,
- 2 and NYSED to support the adoption of well-founded, researched-based educational policies and
- 3 programs such as:
- 4 • **Programs that are deemed developmentally appropriate for children by education professionals.**
- 5 • **Providing appropriate and legally required financial support to local school districts that are not**
- 6 **tied to any political agendas.**
- 7 • **Locally controlled human resource practices.**
- 8 • **Eliminating high-stakes tests bound to teacher evaluations.**

Rationale

- Standards should be supported by longitudinal* and replicable research that is indicative of child-centered best practices.

- The Public Schools of the State of New York primary purpose is to educate every child regardless of background, socioeconomic status or any other status which society may place upon them.
- New York has a history of high academic achievements, recognizing the arts and sciences, providing support for children of varying capabilities, providing opportunities in extra-curricular activities, and providing opportunities for post-secondary success; areas which current high stakes testing “reform” does not assess.
- NYSSBA represents duly elected board members and school boards tasked with the responsibility to guide their districts in the completion of their missions.
- The local school districts wish to inspire all children to exercise their inherent curiosity in whichever field they wish to pursue and to provide for them with a solid foundation in multiple disciplines that enables each to function at the highest levels in society.
- It is the role and responsibility of NYSSBA to work with state and local educational professionals and elected officials, to continuously evaluate current practices and areas needing improvement, and help assess appropriate changes required to meet the needs of the member districts. A statewide reform agenda does not recognize the unique challenges experienced by individual school districts.
- There are decades of education and child development research, which should inform the professional decisions impacting students, teachers and administrators. NYSSBA is often the conduit to Legislators and NYSED of this information.
- The various school boards have approved the hiring of professionals in all employment areas to effectuate the education of the whole child, and have policies and procedures for hiring, evaluating and dismissing staff as necessary.

*Longitudinal: correlational research study that involves repeated observations of the same variables over long periods of time, often many decades.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The committee did not recommend this resolution because they believe that the reauthorization of Resolution 1 already sets forth the necessary criteria for the kinds of educational policies and programs important to NYSSBA members.

This position statement calls for NYSSBA’s support and advocacy for state proposals affecting public education that:

- Provide access to programs that prepare students to be college-and-career-ready;
- Achieve equity and adequacy in funding;
- Promote efficiency and cost-effectiveness;
- Advance high expectations for all students;
- Embrace innovative approaches and assessments;
- Foster community engagement and regional cooperation.

PROPOSED RESOLUTION 23
Submitted by the *Ossining Union Free School Board*

- 1 **RESOLVED**, the New York State School Boards Association shall provide all members with an annual
2 report going forward and for each of the past ten years, detailing any funds or services received outside
3 of school district member dues in excess of \$5,000.

Rationale

Over the past few years serious questions have been raised regarding the influence of outside donors, privately funded programs and state agencies upon NYSSBA's policy recommendations and advocacy positions.

NYSSBA's stated purpose is serving as the, "statewide voice for the interests of public boards of education." However, approximately 40 percent of NYSSBA's revenues come from outside school district dues. The lack of transparency regarding the sources of this funding and its potential to influence NYSSBA recommendations must be addressed.

A June, 2016 *Los Angeles Times* editorial declared private donors should not set national education policy. "Philanthropists are not generally education experts, and even if they hire scholars and experts, public officials shouldn't be allowing them to set the policy agenda for the nation's public schools."
(<http://www.latimes.com/opinion/editorials/la-ed-gates-education-20160601-snap-story.html>)

Even in light of similar concerns of outside influence raised by member school boards, as recently as this past spring NYSSBA's executive director participated in a donor funded advocacy video as part of the How's My Kid Doing Project. (<http://howismykiddoing.com/stories/843/lab-rats-and-robo-calls>)

Prior to the onset of the Opt-Out movement in New York, a 2013 poll of NYSSBA school board members revealed over 80 percent believed there was too much standardized testing in their schools. In spite of the fact NYSSBA often issues press releases for even much less compelling polls of its membership, no press release regarding testing concerns of board members was issued.

The code of conduct of the New York State School Board Association calls on its members, "to resist temptation and outside pressure...to benefit either ourselves or any other individual or agency apart from the total interest of our school districts."

In order to maintain its position as a trusted statewide voice for public boards of education, NYSSBA must clear the air and open its books to its members.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The committee did not recommend this resolution due to their determination that the Association is already transparent in the financial information provided to the membership. Moreover, NYSSBA receives no revenue from "philanthropists" or organizations supporting a specific political agenda, as is implied by their resolution.

On an annual basis NYSSBA produces and sends to the entire membership the Annual Report, which includes the annual Audit of the Financial Statements identifying in the Statement of Activities the various revenue streams for NYSSBA. The Statement of Activities includes revenue totals from all non-dues revenue categories.

In addition, at the Annual Business Meeting, the NYSSBA Treasurer delivers a presentation to the delegates that includes specific information about our revenue sources and the financial condition of the Association.

NYSSBA's overall budgeted revenue breakdown from the 2016 Budget, which was approved by the Board of Directors in December 2015, is as follows;

Item	Amount	Percent
Membership Dues	\$5,400,000	55%
Management Services Contracts and Endorsements	\$1,577,760	16%
Convention Registration Revenue	\$614,480	6%
Convention Tradeshow Exhibitors and Sponsorships	\$518,800	5%
Rental Income	\$405,285	4%
Seminars and Workshops	\$401,560	4%
Publication Sales	\$294,300	3%
Policy Services	\$256,050	3%
Custom Board Retreats	\$150,000	2%
Investment Income	\$113,000	1%
Advertising and Miscellaneous Income	\$85,000	1%
Legal Partners	\$65,150	1%
Total Revenue	\$9,881,385	

Management service contracts and endorsed programs include BoardDocs (a paperless board meeting software platform), PaySchools (an online payment system), PERMA (a workers' compensation program), School Aid Specialists (a state aid recovery program), US Communities (a national cooperative purchasing program) and VisdomK12 (a stakeholder collaboration software platform). All endorsed programs are vetted by the NYSSBA staff and approved by the NYSSBA Board of Directors.

The video referenced in the rationale, for which NYSSBA's executive director was interviewed, was produced by the Council for a Strong America (CSA). CSA is a non-profit, non-partisan organization, which promotes policies and practices geared towards a healthier, more secure, and better educated nation.

CSA has been aggressive in advocating for high academic standards, increases in funding for career and technical education, and expansion of prekindergarten programs, all of which are NYSSBA priorities as well. NYSSBA has no affiliation with CSA nor does the Association receive any funding from CSA or its donors.

The committee also noted that the poll referenced in the rationale was invalidated when it was posted on external websites and the Association determined that numerous non-school board members had responded, therefore preventing NYSSBA from representing the responses as those of school board members.

PROPOSED RESOLUTION 24

Submitted by the *Jericho Union Free School Board*

- 1 **RESOLVED**, the New York State School Boards Association supports legislation that allows school
- 2 districts to provide, and count toward the required 180 days, on-line instruction on those scheduled
- 3 school days on which schools are unable to open due to adverse weather, utility failure, and other
- 4 unanticipated emergencies.

Rationale

For state aid purposes, school districts must be in session no fewer than 180 days, and those 180 days may not be scheduled during the months of July or August, weekends, or on certain holidays, and “should not” be scheduled after the June Regents exams. From time to time, adverse weather, utility failure, and other unanticipated emergencies require schools to be closed, cutting into those 180 days. This disruption is detrimental to the learning process, and rescheduling the lost days during previously scheduled vacation time often results in high absenteeism, as well as significant inconvenience to school district families and staff.

Staff and students have become accustomed to communicating via the Internet and often continue to have access to the Internet, when such use of the internet is capable of being accessed, during these unanticipated closures. Providing instruction via the Internet on such “snow days” would reduce disruption and allow administration to make “snow day” decisions based on an abundance of safety, without consideration as to how many days remain available in the academic year.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The committee did not recommend this resolution due to concerns with implementation.

Current law requires a minimum 180 days of session for all grade levels in order for a school district to receive full Foundation Aid. The 180 days of session include: traditional instructional days, Regents examination days, New York State assessment days and up to four Superintendent’s conference days.

In addition, the Commissioner is authorized to excuse up to five days for “extraordinary conditions,” which includes adverse weather conditions (this does not include regular snow days), an impairment of heating facilities, an insufficient water supply, a fuel shortage, a lack of electricity, a natural gas leak, unacceptable levels of chemical substances, or the destruction of a school building. The 2016-17 state budget added credible threats to student safety to that eligibility list. However, in order to apply for an extraordinary condition designation, the district must first “make up” those affected days using any remaining scheduled vacation days. In short, there are already sufficient means to accommodate scheduling disruptions.

When a district fails to reach the required 180 days of session within a school year, 1/180th of the Foundation Aid due that year for each day below 180 is withheld for the affected grade level(s). Special legislation has often made exemptions to these requirements, at both the district-level and statewide, in order to prevent loss of aid.

Not every area of the state has sufficient access to broadband. As a result, even if every district had the resources to deliver instruction in this way they may not have the infrastructure. The same problem would arise in the homes of students in those areas. However, even in those areas of the state where internet service is available, there are still gaps in access, especially in poorer communities.

Moreover, in the event that school is closed due to an extreme weather situation, power and internet service may also be restricted.

AMENDMENTS, REBUTTALS AND LATE RESOLUTIONS

Proposed resolutions and bylaw amendments were submitted to NYSSBA by August 1 (and reviewed by the Resolutions Committee on August 15).

No additional bylaw amendments can be proposed at this time. However a member school board may propose an amendment or rebuttal to any resolution printed in this report. A member school board may also propose a late resolution.

Amendments and rebuttals intended to be included in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions*, must be received in NYSSBA's office by **Monday, September 19 at 5:00 p.m.**

Amendments to resolutions printed in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions* need not be submitted in writing at the rostrum of the Annual Business Meeting, but must be moved and seconded from the floor to be considered.

***Any amendments not received in the NYSSBA offices by 5:00 p.m. September 19**, and not included in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions*, must be submitted in writing at the rostrum, moved, seconded and voted upon at the Annual Business Meeting. A majority of those voting is necessary to approve an amendment. Proposed amendments to the bylaws may not be amended on the floor.

Members may also choose to transmit amendments and rebuttals to the membership directly rather than submitting to NYSSBA for inclusion in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions*. Even if transmitted to the membership directly, amendments and rebuttals not included in the *Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions* will need to be submitted in writing at the rostrum of the Annual Business Meeting and must be moved and seconded from the floor to be considered.

Members may also wish to advance resolutions that were not considered by the resolutions committee. These "late" resolutions may be considered at the business meeting under "Other Business." At that time a motion to suspend the bylaws for the purpose of considering a particular resolution may be offered. A motion to suspend the bylaws is required to be moved, seconded and adopted by a two-thirds vote for every resolution submitted from the floor. Once the motion to suspend the bylaws is adopted, the new resolution can be moved and seconded, and a simple majority of those present and voting is required to be approved. If the motion to suspend the bylaws fails, the resolution cannot be considered.

***Amendments and rebuttal statements to proposed resolutions must reach NYSSBA's headquarters before the close of business on September 19.**

- Amendments and rebuttal statements must be on school district letterhead and emailed, faxed or mailed directly to NYSSBA.
 - Email: penny.martiniano@nyssba.org
 - Fax: (518)783-3542, Attention: Penny Martiniano
 - Mail: NYSSBA, 24 Century Hill Drive, Suite 200, Latham, NY 12110, Attention: Penny Martiniano

PRECEDENCE OF MOTIONS

Included here are those motions likely to be used in meetings of this Association.

While any motion on this list is under consideration, any other motion below it may be introduced.

1. Action on resolution
2. Postpone consideration of the resolution indefinitely
3. Amend resolution
 - a. by striking out designated words, or
by adding words at the end of the resolution, or
by inserting words somewhere within the resolution (specify where), or
by striking out certain words and **in the same place** inserting new words
 - b. amend above amendment of resolution – by any of the four methods above
4. Refer that resolution to a committee
 - a. amend above motion to refer
 - b. amend above amendment of motion to refer
5. Postpone consideration of a resolution to a specified time later in this meeting
 - a. amend time to which it is to be postponed
 - b. amend above amendment of motion to limit or extend debate
6. Limit or extend debate on any debatable motion
 - a. amend above motion to limit or extend debate
7. Close debate and vote immediately on any debatable motion
8. Lay the resolution on the table (in order to take it from the table later in the meeting)
9. Any “incidental” motion
 - a. a motion to withdraw a motion previously introduced
 - b. a request for information
 - c. call for division (i.e., for a show of hands or standing count when the result of any “yes” and “no” vote is in doubt)
 - d. a parliamentary inquiry
 - e. a point of order (be sure that it designates a parliamentary error by the president)
 - f. an appeal from any decision of the president
 - g. a quorum call
10. A request to raise a question of privilege
11. Recess
12. Adjourn

PROPOSED RULES OF CONDUCT FOR THE BUSINESS MEETING

The following rules are recommended for adoption by the delegates. Once adopted, all delegates will know the rules by which they will be bound. Following them will make for orderly progress.

1. **CREDENTIALS.** The credentials of all voting delegates shall be displayed where they may be easily recognized.
2. **PARLIAMENTARIAN.** There shall be an official parliamentarian to whom questions may be directed only through the chair.
3. **FLOOR ACCESS.** All voting delegates shall be seated on the convention floor. Voting delegates shall be permitted full access to the floor including the right to speak on proposed bylaw amendments, resolutions and nominations. All nonvoting members in attendance shall be seated in locations designated by the chair. Seats on the floor shall be designated for the resolutions committee as well as the board of directors and non-board members serving as tellers. Such members shall not be permitted to speak on bylaw amendments and resolutions unless they are also the voting delegate for their district; with the exception of the members of the resolutions committee who may address the delegates if called upon by the chair or chair of the resolutions committee.
4. **NOMINATIONS.** Pursuant to Article 7 of the Association's bylaws, the chair, or his or her designee, shall announce the nominations from the Board of Directors for the offices of President, First Vice President, Second Vice President, and Treasurer. As set forth in Rule No. 8, once the nominee's consent has been secured, that individual shall have the right to address the delegates for not more than two minutes, after nominations are closed and prior to debate by the delegates as set forth in Rule No. 8. The order in which such nominees are asked to address the delegates will be determined by the drawing of lots.

If there are nominations from the floor, consistent with Article 7 of the Association's bylaws, such vote shall be by ballot. If more than two individuals are nominated for any office, the individual or individuals securing the greatest number of votes cast will be elected. If there are no such nominations from the floor, the vote shall be by a showing of hands.

If the chair of the meeting is nominated for any office in which other individuals are also nominated, the chair will call upon a Vice President, who has not also been nominated for such office, to chair the meeting during the time that the election for such office occurs. In the event that both vice presidents are also nominated for the same office for which the chair has been nominated, the chair will call upon another officer of the Association's Board of Directors, who has not been nominated for such office, to chair the meeting during the time that the election for such office occurs.

5. **BYLAW AMENDMENTS AND RESOLUTIONS.** All bylaw amendments and resolutions will be considered in the order printed in the *2016 Voting Delegate Guide – Proposed Bylaw Amendments and Resolutions*. Resolutions recommended for adoption by the Resolutions Committee require no second (Robert's Rules of Order, Newly Revised).
6. **PRESENTATION OF BYLAW AMENDMENTS AND RESOLUTIONS.** The Resolutions Committee chair, or his or her designee, shall move resolutions recommended by the committee and such motions shall not require a second.

- 6A. **RESOLUTIONS ON CONSENT.** Existing NYSSBA positions that have been resubmitted and recommended for adoption by the Resolutions Committee will be considered first, on consent, as a single motion. Any delegate wishing to remove a resolution from the consent agenda (and thus have it debated by the delegates) may do so by simply requesting that action when the consent agenda is called. If a resolution is removed from the consent agenda, it will be considered under "Recommended Resolutions" and needs no second.
7. **RECOGNITION BY CHAIR.** A voting delegate wishing to speak from the floor shall rise and secure recognition of the chair before speaking. The delegate shall give his or her name in full and the name of the board he or she represents.
8. **DEBATE ON THE FLOOR.** No voting delegate shall speak in debate more than twice on the same question or nomination, with the first presentation limited to two minutes and the second limited to one minute. No voting delegate shall speak a second time on the same question or nomination until all other voting delegates have had an opportunity to speak once.

Discussion on nominations for officers shall be limited to five minutes per nominee. If more than one individual is nominated for any office and accepts, each such individual nominated will be permitted to address the delegates for no more than two minutes, which shall not be subtracted from the total time allotted for discussion of nominations described above.

In the event that there are two or more nominees for any office, the chair shall recognize delegates wishing to speak from the floor in support of particular nominees on a rotating basis at microphones designated for each candidate.

Discussion on a proposed amendment to the bylaws shall be limited to 15 minutes.

Discussion on a proposed resolution shall be limited to 10 minutes.

Debate on any amendment to a resolution shall be limited to five minutes. Such time is not to be counted in the time allotted to debate on the resolution itself. Amendments shall be considered and voted upon in the order presented. Amendments to a resolution should be voted upon prior to consideration of a second amendment. "Amendments to the amendment" should be avoided.

If continuation of a debate on a proposed amendment to the bylaws or a resolution is desired, a motion may be passed by a majority vote to extend the debate for no more than five minutes. A separate motion is required for each such extension of debate time.

If continuation of a debate on such a proposed amendment to the bylaws or a resolution is desired after the time has already been extended once, a motion may be passed by a majority vote to extend the debate time for no more than two minutes. A separate motion is required for each such extension of debate time.

9. **WRITTEN SUBMISSION OF RESOLUTIONS.** No late resolution may be introduced until it has been submitted in writing at the rostrum. A late resolution shall be considered under "Other Business." Such resolution shall be submitted by a motion to suspend Article 9, Section 2, of the Association's bylaws. Such motion shall identify the subject matter and purpose of the resolution, shall require a second, be debatable, and shall require a two-thirds vote of the voting delegates present and voting.

10. **WRITTEN SUBMISSION OF AMENDMENTS.** No amendment to a resolution may be introduced until it has been submitted in writing at the rostrum.
11. **PRIVILEGE OF THE CHAIR.** The chair may call upon the Parliamentarian, Association staff members, members of the Board of Directors, and members of the Resolutions Committee to provide delegates with essential information regarding resolutions, bylaws and procedures. Time allotted for such requested explanations shall not be deducted from the total time allotted for discussion of the resolution.
12. **RECORDING AND APPROVAL OF MINUTES.** The Secretary shall be responsible for recording the minutes of the Annual Business Meeting. The Board of Directors is authorized to review and approve the minutes of the Annual Business Meeting at the first regular meeting of the board subsequent to the Annual Business Meeting.

INFORMATION FOR THE VOTING DELEGATES

The voting delegates at the Annual Business Meeting vote on a slate of officers for the Association, including a President, a First Vice President, a Second Vice President and a Treasurer. They debate and vote on changes to the Association's bylaws; and debate and vote on resolutions that will establish the Association's position on various legislative and policy matters.

CHECK-IN PROCEDURE

NYSSBA's bylaws require that a quorum of 200 voting delegates be present at the Annual Business Meeting in order for any business to be conducted. **The 2016 meeting starts promptly at 8:00 a.m., Saturday, October 29.** There is a check-in/check-out procedure for Business Meeting delegates. Each delegate must wear a delegate button to be admitted to the delegate floor where he or she will be issued a voting paddle. To ensure a quorum is present throughout the meeting, each delegate will be issued a number. This number will be on the voting paddle. The voting paddle must be turned in each time a delegate leaves the floor. This procedure will allow NYSSBA to ensure only voting delegates are voting. If a delegate's alternate takes over during any part of the meeting, the alternate must follow the same procedure.

ORDER OF BUSINESS

The Order of Business for the Annual Business Meeting (page 3) is the agenda for the meeting. It sets forth the items of business which are scheduled to be accomplished during the course of the meeting.

The meeting will begin promptly at 8:00 a.m. with several procedural items. First, the Association President, who presides throughout the meeting, announces the presence of a **quorum**.

Following the announcement of a quorum, the President calls for a **motion to adopt the Order of Business**. The President also calls for a **motion to adopt the Proposed Rules of Conduct** for the meeting. These rules were prepared to be consistent with the Association's bylaws. The rules describe how delegates must conduct themselves during the meeting, such as setting out the time allotted for discussion of certain items. Delegates can find a summary and clarification of the Proposed Rules of Conduct on pages 36 through 38.

THE BUSINESS MEETING

Next, the President will announce the winners of this year's Area Director Elections, which was conducted locally in each of the designated areas. According to NYSSBA's bylaws, Area Directors serve for two-year terms. Election of Area Directors in Areas 1, 3, 5, 7, 9 and 11 occur in odd-numbered years. Election of Area Directors in Areas 2, 4, 6, 8, 10 and 12 occur in even-numbered years. This year, election results will be announced for Areas 2, 4, 6, 8, 10 and 12.

ELECTION OF THE NYSSBA OFFICERS

Next item on the Order of Business, each June the Board of Directors, which acts as the nominating committee for the delegates to the Annual Business Meeting, nominates a slate of officers who stand for election at the Annual Business Meeting. These individuals are automatically placed in nomination.

Once this occurs, the President, or his or her designee, calls for other nominations from the floor. If there are no such nominations, the vote is taken by hand at the time. If there is a nomination from the floor, the vote is also taken by ballot after such individual accepts the nomination. The President then announces the winner.

PRESENTATIONS

A series of reports from the following individuals and committees will be given next:

- President Elect
- Executive Director
- Treasurer

ADOPTION OF RESOLUTIONS

The next Order of Business is the Report of the Resolutions Committee. The Resolutions Committee is a standing committee of the Association created by Article 9 of the Association's bylaws. The committee chair reports directly to the delegates rather than the Board of Directors. The Resolutions Committee is appointed by the President upon recommendation of the Area Directors. The committee has one member from each Association area and one representative from the Conference of Big 5 School Districts.

The chair is designated by the President from among those appointed to the committee. In accordance with Robert's Rules of Order, once the chair moves adoption of a bylaw amendment or resolution recommended for adoption by the Resolutions Committee, no second is required.

The Resolution Committee Chair first moves recommended bylaw amendments. Each recommended bylaw amendment will be debated and voted on separately. *Any amendment to the bylaws must have the approval of a two-thirds majority of those present and voting.* In accordance with Article 17 (2) of the bylaws, bylaw amendments may not be proposed or amended from the floor of the business meeting. Thus, all proposed bylaw amendments must be submitted by August 1 and all amendments to the bylaws must be sent to each member board by a date that will allow each member board time to review them in advance of the Annual Business Meeting.

The Resolutions Committee Chair next moves those existing NYSSBA positions that have been recommended for adoption under a consent agenda. These previously approved resolutions are established NYSSBA positions that are scheduled to sunset if they are not renewed. Because these resolutions have been previously approved by voting delegates, these resolutions are moved on consent (where several resolutions may be voted on en masse). Delegates may remove any resolution from the consent agenda simply by making a request at the time the resolution is called for consideration. No second or vote is required. Resolutions removed from the consent agenda are considered under the "Resolutions Recommended for Adoption" portion of the meeting.

After the consent agenda has been considered and voted upon, delegates will next be asked to address newly recommended resolutions individually. The Resolutions Committee Chair moves each resolution recommended for adoption by the committee. Each recommended resolution is presented and voted upon separately. The Resolutions Committee Chair will move those resolutions recommended by the committee for adoption; a second is not needed. Resolutions require approval by a simple majority of those present and voting for passage. Any resolution submitted to the Resolutions Committee may be amended from the floor. All information on how to offer amendments from the floor, as well as the length of debate, can be found in the Proposed Rules of Conduct on pages 36 through 38.

Following consideration of the report of the Resolutions Committee consisting of those bylaw amendments and resolutions recommended for adoption, the President shall provide voting delegates the opportunity to move any of the "not recommended" bylaw amendments and resolutions. (Since the Resolutions

Committee Chair will not move items that were not recommended, each motion requires a second by a voting delegate).

OTHER BUSINESS

At the end of the Annual Business Meeting, the President will open the floor to Other Business. **Other Business** may include a motion to suspend the rules for the purpose of considering a particular resolution submitted from the floor. This motion requires a second and a two-thirds majority vote of the delegates before the resolution may be considered. A two-thirds majority is required because this type of motion calls for suspending the bylaws. A motion to suspend the bylaws is required to be moved, seconded and adopted for each and every resolution submitted from the floor. Once the motion to suspend the bylaws is adopted, the new resolution can be moved and seconded, and a simple majority of those present and voting is all that is required to adopt a resolution proposed under **Other Business**. If the motion to suspend the bylaws fails, the resolution cannot be considered.