



**2016-2017
ADVOCACY AGENDA**



LEADING THE WAY TO THE NEW FRONTIER

Public education is the New Frontier, a place of unknown opportunities and perils, of possibilities, of dreams. Our public schools give us reason for optimism—for hope. Our hope stems from our knowledge that public education is an integral part of the solution if we honestly look at our challenges and what we need to do.

Public education offers solutions on the issues of our economy, the shrinking middle class, and the future prosperity of America. It is our public schools that provide the educated, innovative, and creative workforce of tomorrow—the entrepreneurs, engineers, scientists, political leaders, and people from across the

workforce who will ensure our nation will flourish in an increasingly competitive global economy.

It's also important to acknowledge and embrace the ethnic, cultural, and economic diversity of our public schools and the communities they serve. It is our legal and moral responsibility to provide a high-quality and equitable education to all students regardless of their circumstances, background, means, or place of birth. It also is our obligation to provide opportunities for academic development as well as enhance life skills, build character, enrich citizenship, and instill a passion for lifelong learning.

The National School Boards Association (NSBA),



During the coming year NSBA will direct its advocacy efforts to:

- Shape the implementation of ESSA
- Champion equity
- Protect federal investments in Title I grants for disadvantaged students
- Prevent the diversion of public tax dollars for non-public institutions
- Defend against privatization by challenging state legislation promoting vouchers, tuition tax credits, and similar schemes, including charter schools not approved by school boards
- Modernize the Individuals with Disabilities Education Act (IDEA)
- Defend the rights of school districts, collectively the nation's largest employer
- Challenge federal agency overreach
- Secure reauthorization of the Child Nutrition Act, Individuals with Disabilities Education Act, Carl D. Perkins Career and Technical Education Act, and the Family Educational Rights and Privacy Act
- Create a healthy and safe school environment and climate
- Elevate awareness of local school board governance
- Generate broad and active support for public education

a vibrant federation of state and territorial school board associations representing more than 90,000 school board officials, is the leading advocate for public education. Working with and through our state associations, NSBA advocates for equity and excellence in public education through school board leadership. We believe education is a civil right necessary to the dignity and freedom of the American people, and every child should have equal access to an education that maximizes his or her individual potential. We believe public education is America's most vital institution.

No group of people is as well positioned as NSBA to realize the important mission we hold. School boards

represent the community's beliefs and values, are responsible for setting the standard for achievement, are the stewards of taxpayer dollars, and are accountable to the community.

NSBA has led the effort to support and enhance public education for more than 75 years. Since its inception, NSBA has succeeded in its efforts to create the best possible environment for students to realize their dreams. Indeed, NSBA has shaped our nation's federal education policy during the past year in profound ways. Without question, the Every Student Succeeds Act (ESSA) was tremendously important as it restored some balance to education policymaking. It created a "new federalism,"



shifting more decision-making back to state and local education leaders where it belongs. The historic law also mandates consultation before federal regulations are proposed and implemented. In fact, ESSA requires the Department of Education to constructively engage and secure input from educators. The consultation provision, a vital part of the law, ensures the people who are closest to the student, who understand the needs in their community, and who have governance responsibility are fully engaged in the decision-making process.

NSBA is working to build on this landmark legislation, ESSA, and make additional progress on a range of issues that impact public education today and well into the future. NSBA's

integrated approach is critical to our continued success as it enables us to engage, inform, and mobilize support in the legal, public opinion, and public policy spaces.

Our advocacy work centers on strengthening NSBA's good reputation as the leading advocate for public education and student achievement, increasing our reach and supporter base, and defining public education so it is not defined by its detractors. This focus helps us shape the debate on key issues, create a better understanding of the importance and benefits of the role of school boards and local governance, and generate greater appreciation for public schools. To achieve these objectives, we will continue utilizing all of our assets including the Council of School Attorneys (COSA), Council of Urban Boards of Education (CUBE), council and caucus groups, Conference of State Association Legislative Staff (CSALS), Federal Relations Network (FRN), Friends of Public Education Network (FPE), National School Boards Action Center (NSBAC), the Stand Up 4 Public Education campaign, and a robust continuous media program to advocate for public policies that truly enhance public education.



NSBAs will build on its accomplishments in the legal, legislative, public opinion, and regulatory spaces by building additional and stronger relationships with members of the House and Senate education committees, officials at key federal agencies and White House Domestic Policy Council, opinion leaders at influential think tanks, and members of the media; securing legal outcomes that result in positive change in federal and state courts; challenging regulatory actions of federal agencies; and shaping public opinion.

NSBA's Delegate Assembly, the association's policymaking body, identifies critical issues facing public education, and the priorities for 2016-2017 include:

EVERY STUDENT SUCCEEDS ACT

NSBA's legislative governing body informed the development of provisions to support local governance

in the reauthorization of the Elementary and Secondary Education Act (ESEA), now known as ESSA. Specifically, Congress included Title VIII Section 8541, a local governance provision drafted by NSBA, which strengthens support for local autonomy in managing school administration, budget development, and related operations for school district responsibilities. The inclusion of the local governance provision presents a significant opportunity for school board members to shape the future of public education over the next two decades. This legislative win, of a bipartisan bill passed by a Republican Congress and a Democratic administration, also strengthens NSBA's ability to advocate for the development of innovative programs that address the unique needs of each school district and respective community, including programmatic flexibility for school districts and the recruitment and retention of highly effective teachers and school leaders.

The Department of Education is in the process



of drafting regulations and guidance documents, and NSBA continues to work with agency officials, members of Congress, key third-parties, and members of the media to ensure that the interests of school boards are meaningfully considered at every stage of the implementation process.

To ensure the Department of Education upholds the spirit of the law and local governance structure, NSBA will:

- Use the NSBA-crafted legislative language embedded in the new law as the anchor to fully explain the concept of local governance and the strong role school boards play in ensuring that the nation’s schoolchildren receive access to a world-class public education;
- Work with policymakers to explain local governance in the new federalism paradigm post-ESEA reauthorization, particularly as it relates to meaningfully engaging local school board members during the ESSA transition;
- Build support for NSBA’s positions among influential third parties and work with them to ensure their voices are considered;

- Continue to work with the media to frame key issues and generate media coverage highlighting NSBA’s position.

AMICUS ADVOCACY IN SUPPORT OF SCHOOL LAW ISSUES

NSBA will continue to protect the interests of public schools through its amicus curiae (friend of the court) program and its corresponding media relations work. Working in collaboration with its state associations and other national education and state and local government associations, NSBA will file in federal and state courts eight to 12 briefs that advance the public education perspective on a wide range of issues, such as diversity, employment, special education, First Amendment, and school choice, and will support the briefs with traditional and social media efforts as appropriate. Written by school law experts from the NSBA COSA and nationally recognized appellate litigators, the briefs will provide judicial decision-makers with clear analysis of law and policy issue and crucial on-the-ground information about how public schools work.

CHILD NUTRITION ACT — THE HEALTHY, HUNGER-FREE KIDS ACT

The Child Nutrition Act (CNR), known as the Healthy, Hunger-Free Kids Act, that consists of six major nutrition programs—including school breakfast and lunch—expired on September 30, 2015. NSBA has spearheaded efforts to reauthorize this important law through congressional testimony before the House Education and the Workforce Committee and meetings of school board members with their members of Congress in their districts and Washington, D.C.

This year, the House Education and the Workforce Committee released its reauthorization bill, the Improving Child Nutrition and Education Act of 2016, and the Senate Agriculture Committee released its reauthorization bill, The Improving Child Nutrition Integrity and Access Act of 2016. As a result of our efforts, both bills take steps to increase flexibility for school districts, improve stakeholder engagement (including school boards), and enhance program integrity provisions.

NSBA will pursue additional initiatives to help lawmakers recognize the full impact of federal administration of the school meal programs on school districts, so that children receive healthy, nutritious, and appetizing meals without diverting instruction dollars away from the classroom. More specifically, we are working to secure grant flexibility and relief for school districts to successfully administer school meal programs by increasing reimbursement levels and other federal funds to cover the cost of compliance, and authorizing local school districts to make implementation feasible within available federal resources.

NSBA also is working with Department of Agriculture and other federal agencies to incorporate the following in proposed rules or non-regulatory guidance:

- Improved and coordinated inspection, notification, and other protocols to ensure the nutritional value and safety of foods served in school lunch, breakfast, and snack programs;
- Restrictions on requiring school districts to redirect non-federal funds from instruction and other district services to the school food authority in order to comply with federal mandates.

INDIVIDUALS WITH DISABILITIES EDUCATION ACT

NSBA has consistently advocated for full funding of the federal share of investments in IDEA and championed provisions to improve efficiency and effectiveness of the program for both students and schools. Originally enacted in 1975 as the Education for All Handicapped Children Act, IDEA has grown to provide increasingly detailed requirements for states, school districts, and families on issues such as discipline, placement, and due process. During the last reauthorization process in 2004, NSBA successfully secured significant changes that shifted program emphasis from complying with legal requirements to improving education outcomes and accountability for all students.

In the coming year, NSBA is dedicated to securing the reauthorization of IDEA and adequate levels of federal funding required to meet the average per-pupil cost for every student served under the law. NSBA seeks legislation that recognizes the authority of local school boards, and accomplishes the following:

- Fully funded IDEA at the level of 40 percent in accordance with Congress' legislative intent. (last year, the federal

share of funding for services provided through IDEA was roughly 16 percent — \$11.4 billion);

- Reduced complexity of compliance, and flexibility to schools so they are better positioned to improve student success, enhance the success of early intervention, support the collaborative process for developing individualized education plans (IEPs), and better serve the needs of the more than 6 million students who are educated through this program.

NSBA's COSA IDEA Working Group will remain fully engaged in identifying potential issues, recommending modifications to the current law, and developing proposed legislative language. It also will participate in and work through national coalitions to address issues of mutual interest, such as the National Universal Design for Learning Task Force, the National Coalition on Personnel Shortages in Special Education and Related Services, and other education and disability associations.

CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT

NSBA is working to secure reauthorization for the Carl D. Perkins Career and Technical Education Act of 2006 (CTE), specifically by exploring options to expand the capacity of programs in school districts throughout the country. CTE, which was last authorized in 2006 as a principal source of federal funding to states and discretionary grantees for the improvement of secondary and postsecondary career and technical education programs, has not been able to meet current needs. Since the law expired in 2012, education advocates and business leaders have highlighted the importance of aligning career and technical education programs with current and future workforce demands

to help prepare students for both college and careers.

The perspective NSBA is sharing with policymakers and key constituencies on the issue stems, in part, from the insightful work undertaken by CPE, our national resource for information about public education and its importance to the well-being of our nation. In June 2016, CPE released its third report in the Path Least Taken series, which is an examination of the paths graduates pursue in the years following high school. Informed by our research and other input, NSBA is urging Congress to reauthorize CTE to provide the necessary support to school districts to ensure students receive access to high-quality career and technical education programs with a strong academic component. We are also seeking:

- Support for school districts in their efforts to develop curricula that provide 21st century skills, knowledge, and practical training through apprenticeships and other opportunities;
- Alignment of career and technical education programs with the needs of employers to help prepare more students for careers in various sectors;
- Full backing for academic, career, and technical skills educational opportunities for secondary and postsecondary students who elect to enroll in career and technical education programs.

FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

The Family Educational Rights and Privacy Act (FERPA), enacted in 1974, needs an updated approach that reflects the new and emerging reality of how schools collect, store, manage, and work with student information



in the 21st century. In Congress, the House Education and the Workforce Committee introduced bipartisan legislation to hold schools, states, and school districts accountable for the use of student information.

NSBA is committed to ensuring FERPA is updated so school districts have a sensible and workable federal framework of privacy protections for student information held by schools and their delegates. The framework must allow states and local school districts to have the ability to continue to fashion policy consistent with local priorities and existing data systems.

NSBA submitted the following recommendations to the House committee on how to incorporate the interests of school boards in reauthorizing FERPA:

- Refrain from expanding FERPA's scope to non-educational record data held by providers, and adding layers of federal regulation, especially fines

against school districts;

- Limit the administrative burden placed on schools by providing flexibility for contracting and security requirements;
- Provide the necessary funding so that schools can provide adequate personnel training and address capacity issues to meet data collection requirements.

To advance NSBA's recommendations we will collaborate with state school board associations and constituent groups, such as COSA, to respond to U.S. Supreme Court and lower court decisions concerning FERPA legal issues influencing school board governance and implement a media program to inform stakeholders about this key issue. NSBA also will continue to work with members of Congress to ensure that they take into account the administrative burden and operational costs proposed legislation may impose if passed into law.



NATIONAL SCHOOL BOARDS ACTION CENTER



The National School Boards Action Center (NSBAC) is a not-for-profit organization

founded by NSBA to actively advocate on behalf of the more than 90,000 local school board members, who are responsible for governing nearly 14,000 school systems serving 50 million public school students. Through its Building America's Future in Public Schools national campaign, NSBAC offers the resources and tools needed for education stakeholders to effectively amplify the importance of public education in America's future with federal policymakers.

More specifically, NSBAC's legislative, legal, and communications activities are geared to mobilizing advocates to take action to ensure federal policy supports and strengthens the nation's public schools by:

- Actively messaging around the new education law, CUBE's Equity Initiative, CPE's research, and other initiatives across NSBA;
- Participating in the Republican and Democratic National Conventions, and engaging in post-election messaging around the new President and Congress heading into January 2017 and beyond;

- Expanding the number and effectiveness of grassroots advocates with the support and collaboration of state school board associations through NSBA's CSALS, FRN, and FPE.

NSBAC will continue to use digital channels and social media tools to engage voters during the election and continuously engage supporters of public education.

STAND UP 4 PUBLIC SCHOOLS

STAND UP
4 PUBLIC
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NSBA's reputation is a vital asset in our advocacy work. We are a respected authority on public education issues and considered a nexus of relationships with people who have valuable insight and experience. The work we do through meaningful and altruistic programs such as our Stand Up 4 Public Schools campaign further strengthens the positive orientation policymakers, the media, and the public have toward school boards.

The Stand Up 4 Public Schools campaign, our grassroots-driven national program, promoted and conducted by the state school board associations with assistance and support from NSBA, continues to elevate awareness of and appreciation for local school board governance and generate broad and active support

for public education. Entering its third year, the Stand Up campaign is poised to inspire broader participation and accomplish the following:

- Heighten awareness of the importance of supporting public education,
- Generate visibility and recognition of NSBA, state school board associations, and school boards,
- Highlight the accomplishments of public schools,
- Demonstrate widespread support for our point-of-view on a range of public policy proposals and legal matters,

- Secure new supporters,
- Bring about positive change.

The ongoing campaign enjoys the support of respected people across a spectrum of society including Earvin “Magic” Johnson, Jr., basketball legend and business icon; Sal Khan, founder of the not-for-profit Khan Academy; Barbara Morgan, former NASA astronaut and educator; and Montel Williams, actor and former talk show host. These advocates for public education join people from all walks of life to testify to the benefits of public schools.

ABOUT NSBA

The National School Boards Association (NSBA) is the leading advocate for public education. For more than 75 years, we have been leading the effort to support and enhance public education. We are succeeding in creating the best possible environment for students to realize their dreams.

NSBA is a federation of 50 state and territorial associations representing more than 90,000 school board officials across the United States. These local officials govern more than 13,600 local school districts serving the nation’s 50 million public school students. Working with and through our state associations, and serving as their Washington, D.C. office, NSBA advocates for equity and excellence in public education through school board governance.

We believe public education is America’s most vital institution. It is a civil right necessary to the dignity and freedom of the American people, and all children deserve equal access to an education that allows them to reach their potential.

In pursuit of these beliefs, NSBA and its members will continue to lead the national conversation about public education, advocate for public policies that ensure all students everywhere have access to a great public education where they live, create a better understanding of the importance and benefits of the role of school boards and local governance, and enhance the effectiveness of school boards.

NSBA is a not-for-profit organization. The public policy agenda is determined by a 150-member Delegate Assembly made up of local school board members who represent their state associations of school boards. The Board of Directors translates this policy into action. Programs and services are administered by the NSBA Executive Director and professional staff. NSBA is headquartered in Alexandria, Virginia, part of the metropolitan Washington, D.C., area.

NSBA Officers and Executive Director

President
Miranda A. Beard

President-elect
Kevin E. Ciak

Secretary-Treasurer
Frank C. Pugh

Immediate Past President
John D. Tuttle

Executive Director
Thomas J. Gentzel

NSBA Advocacy Agenda 2016-2017

FOR MORE INFORMATION

For more information about NSBA’s advocacy agenda and insight into the issues, please contact:

Francisco Negrón, Jr.
fnegron@nsba.org
703-838-6710

Lucy Gettman
lgettman@nsba.org
703-838-6763

Rory Davenport
rdavenport@nsba.org
703-838-6784



National **School Boards** Association

1680 Duke Street, FL 2
Alexandria, VA 22314-3493