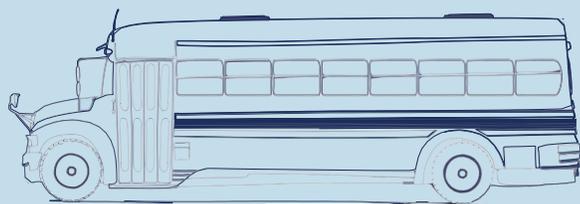
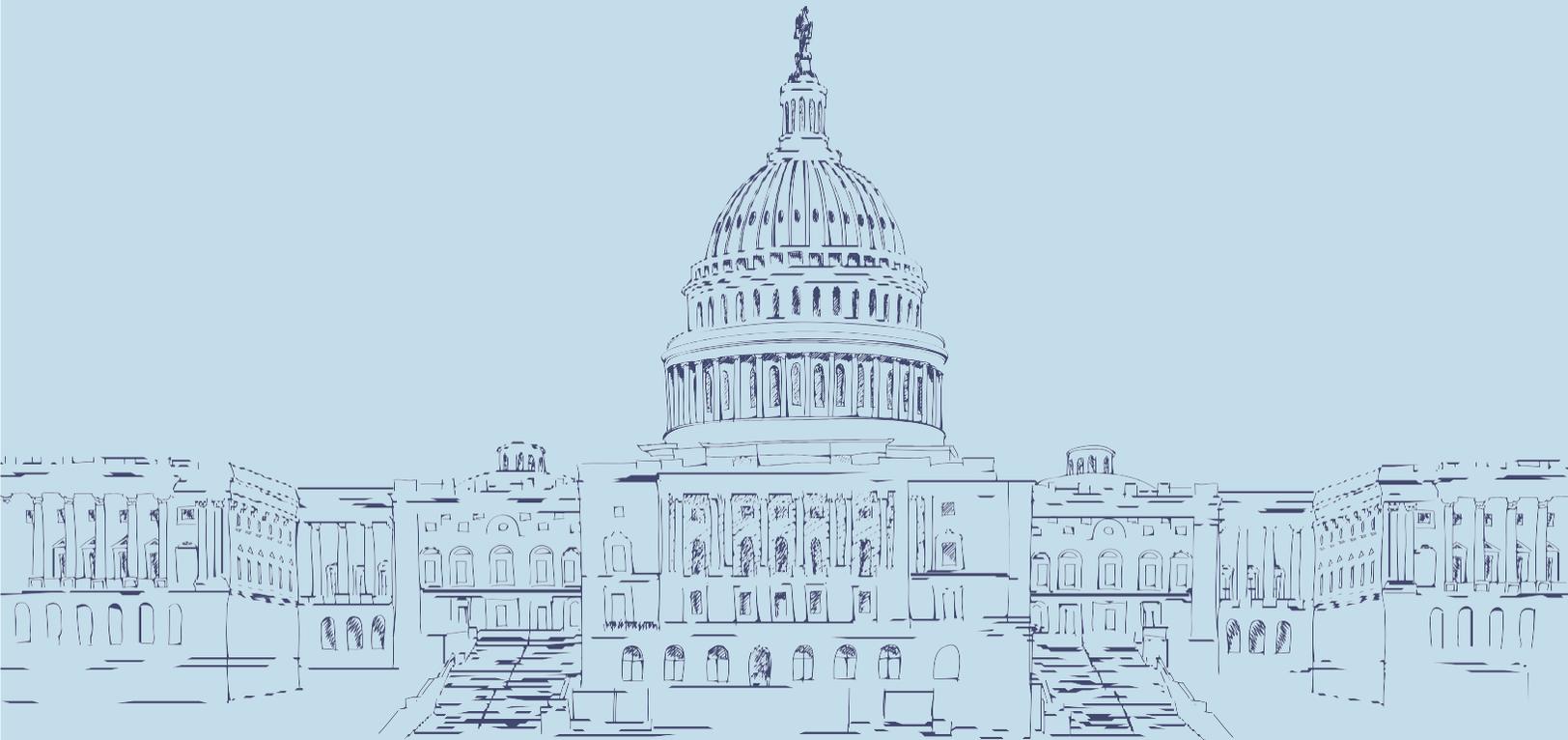


# America's **CORNERSTONE**

Advocacy Agenda 2017-2018



Every day, tens of millions of children receive a world-class education in public schools.

# America's CORNERSTONE

**P**ublic schools are educating the most diverse student population in history—a student population with too many children who live in poverty, who struggle to learn English or to be accepted by peers and who, too often, face challenges at home that pose obstacles to learning at school. These issues are not excuses but, rather, they are the reality in which public schools operate. Our public schools have been advancing public education despite our society's failure to address critical social issues as well as dealing with federal mandates and regulatory requirements that curbed school board members' ability to devise even more innovative educational opportunities.

Unlike non-public schools, community-based public schools are accountable to the people in their neighborhood. They can't cherry pick students or deny them needed services and public schools don't want to. They gladly accept the immense responsibility given to them: to not only welcome every child every day, but also to educate them at levels no previous generation even attempted to achieve. Neighborhood public schools across the country are spurring higher student achievement despite enormous headwinds,

including budget cuts, efforts to privatize K-12 education and, too often, a lack of support by state and federal officials.

Every day, tens of millions of children receive a world-class education in public schools. Every day, student achievement rises and the achievement gap narrows. Public schools put more students into Advanced Placement courses and offer more choices to help prepare students for college, careers and life. Graduation rates are rising. The record is indisputable. Incredible progress is being made every day and every year.

Despite this clear progress, more can be done to improve public education and support students. There are schools not performing well and students who are struggling. Evidence shows us that low-performing schools can improve if the will is there. The solution is not to gut our public schools but to strategically invest in them. Some schools require administrative adjustments or a structural change—teaching math through an arts curriculum, for example—or technology upgrades or the addition of specific resources including specialists to teach particular subjects or to meet social needs. With commitment and creativity, students can get help so they are not left behind, so they can succeed in school and life.



The National School Boards Association (NSBA) is committed to bringing about policies that ensure public education continues to improve to meet students' needs today and into the future. To realize this objective, the federation of 49 state associations and one territory association are working to secure policies that affirm decisions about education standards and achievement are made by people in the community, safeguard children while they are in school, and offer resources to educate the whole child and prepare them for a lifetime of learning.

No group is better positioned, or has been as successful, as NSBA and its state association members to bring about policies that ensure all children can receive a high-quality education. For more than 75 years, NSBA has led the effort to shape public education, which is a cornerstone of our country and the foundation for educating generations of students.

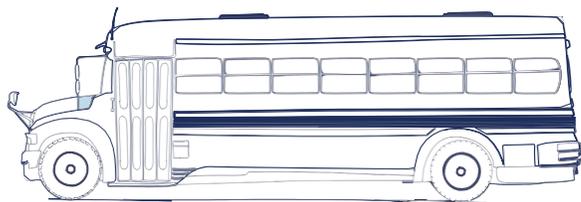
Most recently, NSBA worked with our state associations—and the more than 90,000 school board members they represent—to ensure the federal government implemented the Every Student Succeeds Act (ESSA) in the spirit intended. The landmark law restored local governance to education leaders at the state and local levels and created an environment that enables local educators to fully use its flexibilities. These important and fundamental changes will produce more locally driven innovation that benefits students.

NSBA continues to ensure ESSA is properly administered. This past year, we helped secure a change in the federal rules that protect local school districts from state-level monitoring due to the testing of students with the most significant cognitive disabilities. At NSBA's recommendation, the U.S.

Department of Education (ED) removed language from proposed assessment regulations that would have inappropriately expanded state oversight of certain school districts, which was the only substantive change made to the final regulations.

NSBA strives to strengthen our good reputation as the leading advocate for public education, increase our reach and supporter base, and defend public education so it is not defined by its detractors. This enables us to 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. We seek to build on our accomplishments in the legal, legislative, public and regulatory spaces by continuing to use all of our tools, 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.

NSBA continues to form and strengthen relationships with new and current members of the House and Senate education committees; officials at key federal agencies and the White House Domestic Policy Council; opinion leaders at influential think tanks; legal scholars; leaders within the education and business community; and members of the media. We will continue working to secure legal outcomes in federal and state courts that result in equitable opportunities for students. We will continue challenging regulatory actions that exceed the federal role and conflict with ESSA and other laws. We will go on communicating with key stakeholders to tell the true story of public education.



# Advocacy AGENDA

**P**ublic schools are extraordinary by their mere existence, and no education system in the world works harder to ensure every student gets a high-quality education. Indeed, there is no education system that surpasses ours in scope, opportunity, history of innovation and success, and choice.

NSBA remains steadfast in our commitment to making sure our public education system is supported appropriately by federal policymakers, so public schools can offer the best possible environment for students to realize their dreams. Among our priorities, NSBA will work to:

- See that ESSA is implemented in a manner that recognizes the law's clear directive to restore local governance and community ownership in public education
- Champion equity
- Defend against privatization by challenging vouchers, tuition tax credits and similar schemes
- Obtain adequate funding for the Individuals with Disabilities Education Act (IDEA)
- Ensure that school districts have the flexibility and support needed to successfully administer school meal programs

- Secure reauthorization for the Carl D. Perkins Career and Technical Education Act

With direction from our Delegate Assembly, which is our policymaking body, NSBA will pursue our mission by addressing a robust set of public policy issues facing public education, including the following:

## EDUCATION CHOICE

A majority of Americans believe public education is the great equalizer, and they are correct. By many measures, public schools are performing better than ever. High school graduation rates are at historic highs, as is the math performance of fourth- and eighth-graders. The success is due, in part, to the innovation constantly taking place and the evolution of more choices within public schools.

Indeed, public education is not the monolith critics make it out to be. Defining choice in a binary way—with the sole focus on choice of school—is outmoded and misguided. It fails to recognize the broad range of choice that exist in public schools. School board members support choice and are employing creative ideas to provide it. Many public school students have the ability to participate in a variety of educational programs that match their interests, aspirations, and preferred learning styles.

NSBA supports public school choices that are rigorous, engaging, and governed by local school boards so they are accountable to students, parents and the community. Unfortunately, the expansion of options within the public system has gone largely unacknowledged in the push for other, non-public choices paid by tax dollars, which is not an appropriate use of taxpayer funds. Without accountability to the community, there is an opportunity for fraud (of which there is ample evidence) and lower or misguided spending on teaching and education resources. It also strips funding for public schools at a time when we need to invest more in public education.

Through our government relations, legal and public affairs work, NSBA will continue to raise public awareness of the success of public education and the breadth and depth of choice that is available. The Stand Up 4 Public Schools campaign, for example, serves as a national platform to inform members of Congress, administration officials, opinion leaders, the media and the public about the educational choices offered by our nation's public schools.

NSBA also will expand our thought leadership by working with our think tank, the Center for Public Education, to report on existing choice options within public schools. A new report and upcoming panel discussion will shed more light on all the variations of choice within public schools.

Choice of school creates a second tier of taxpayer-funded education without proof that it produces better outcomes for students, families, and communities. It does not improve student achievement as its proponents claim. Public school privatization is not a reform strategy. It is not designed to help all children in our country, 90 percent of whom attend neighborhood public schools. Rather, it is a thinly veiled attempt to siphon tax money away and weaken the cornerstone of our democracy.

NSBA advises Congress and the administration to encourage a dialogue on evidence-based choice options. And, we encourage policies that level the playing field so all public schools may benefit from the flexibilities offered to non-public schools, allowing performance to be adequately and appropriately compared.

### FEDERAL EDUCATION INVESTMENTS

Federal education investments provide vital resources to the nation's 50 million public school students and school districts to advance achievement, college and career readiness, and school performance. From Title I grants for disadvantaged students that help raise proficiency levels in reading, math and other subjects to the IDEA state grant program, federal investments through congressional appropriations provide more than \$35 billion each year for elementary and secondary education programs that support student achievement efforts at roughly 90 percent of the 14,000 school districts across the nation.

For Fiscal Year 2017, NSBA successfully advocated for maximized investments in Title I, IDEA and related programs, which yielded an increase in these areas of more than \$1 billion. In the Consolidated Appropriations Act of 2017 (Public Law No. 115-31), Congress provided targeted investments in schools that support the implementation of ESSA, which shifts significant responsibility, control, and accountability for schools back to states and local school districts. Among the increases for Fiscal Year 2017 education investments, Title I grants to local education agencies are funded at \$550 million above the level Fiscal Year 2016; and IDEA Grants to States are funded at \$90 million above Fiscal Year 2016, to support special education services for children with disabilities.

Of significant concern for many school boards and districts is the Impact Aid program that provides

flexible support to local school districts impacted by the presence of federally owned land and activities, such as military bases. Partnering with the National Association of Federally Impacted Schools, NSBA successfully opposed proposals to eliminate the federal properties program under Impact Aid, which would have reduced critical funds of more than \$68 million for approximately 200 school districts.

For Fiscal Year 2018, NSBA will continue to advocate for increased investments in public school students and school districts. Moreover, NSBA continues to oppose general budget reductions by formula, such as the across-the-board cuts imposed in Fiscal Year 2013 by sequestration, which circumvent Congress' responsibility to set funding priorities among government functions.

## **HEALTHCARE**

School districts do their utmost to tend to the health and safety of both students and employees, as they provide significant healthcare that too often goes unnoticed. The ongoing national debate in Congress regarding healthcare reform includes provisions that would have a significant negative impact on students, if passed into law.

In recent years, NSBA has successfully advocated for continued healthcare services for students, including those educated under IDEA. Both the Children's Health Insurance Program and school-based Medicaid reimbursement are vital resources for students, providing services including speech-language pathology, occupational therapy, school social workers and school nurses.

As Congress debates healthcare reform, NSBA will continue advocating for these important investments for children's healthcare. During consideration of the American Health Care Act (H.R. 1628), NSBA opposed provisions that would change the way states receive Medicaid funding by imposing a per capita allotment

funding structure. Such a proposal would significantly impact the ability of students with disabilities and students in poverty to receive necessary health services in public schools, thus jeopardizing the \$4 billion in Medicaid funding public schools receive annually. Additionally, the measure would have required schools to compete for limited Medicaid funding, resulting in the institution of arbitrary caps on how much Medicaid reimbursements are made to public schools. Finally, public schools will be significantly affected by any repeal of the Medicaid expansion authorized under the Affordable Care Act.

Not only will children and families potentially lose vital healthcare coverage, but the overall health of America's children will suffer. States intending to maintain current Medicaid programs will be forced to continue providing expanded coverage with state funds, potentially diverting even more money from public schools.

Conversely, NSBA has worked with other state and local governmental groups to oppose the collection of a 40 percent excise tax on employer-sponsored healthcare coverage that would have become effective in 2018. Our advocacy efforts have secured a two-year delay in the implementation of this excise tax, known as the "Cadillac tax." NSBA supports legislation to repeal this tax, which would impose severe fiscal constraints upon thousands of school districts and communities.

## **IMPROVEMENT OF FEDERAL AGENCY ENFORCEMENT PROCESSES**

NSBA will continue engaging agency officials in the U.S. Department of Education's Office for Civil Rights (OCR) and the Civil Rights Division of the U.S. Department of Justice to promote positive changes in the enforcement processes those agencies use to investigate and sanction school districts. NSBA will seek to enlighten incoming agency leaders about overreach in federal positions



and practices that impose liability on districts based on expansive and unsupported interpretations of the law, and that create untenable burdens on school districts and OCR staff alike.

NSBA will encourage the agencies to limit their efforts to those intended by Congress and to seek informal, collaborative resolutions that provide quicker remedies to complainants and support district efforts to provide safe learning environments for all students. NSBA will keep open channels for the agencies to communicate with school officials and their attorneys before issuing proposed regulations and guidance documents that affect public school operations.

### IMMIGRATION REFORM

NSBA will continue to voice support for education as a civil right for all children regardless of immigration status. NSBA will set the record straight on the constitutional protections and relevant statutory provisions that bear on the obligations of school boards to the education and care of immigrant students.

To help accomplish these goals, NSBA will provide much-needed information on the many legal questions that have emerged by releasing a regularly updated online guide (based on NSBA's 2009 immigration FAQ). We will provide school boards and their attorneys with the latest developments on such issues as the right to receive an education, admission to school, requesting and reporting information about students' and families' immigration status, and interacting with the federal Immigration and Customs Enforcement agency.

### SPECIAL EDUCATION

NSBA will continue to be a leading voice at the forefront of any proposed changes to the Individuals with Disabilities Education Act (IDEA). The U.S. Supreme Court has issued two special education

decisions this year in *Fry v. Napoleon Comm. Sch.* and *Andrew F. v. Douglas County Sch.* Following up on our amicus efforts in both cases, NSBA will work to ensure that school boards and their attorneys understand the implications of these cases and how to adapt the delivery of services to children with disabilities in compliance with these rulings.

Through NSBA's COSA learning opportunities and state association events, the legal staff will provide both in-depth legal analysis and the practical strategies school districts need to know as they work to develop Individualized Education Programs for children in light of these decisions. COSA's IDEA Reauthorization Working Group will continue work on its white paper detailing recommendations for needed changes to the IDEA in preparation for reauthorization. This is an example of collaboration within NSBA that strengthens our advocacy efforts and enhances the organization's impact on policymaking.

### STRENGTHENING PUBLIC SCHOOLS

NSBA will continue to advocate on behalf of local school boards to urge Congress and the administration to reduce overreaching federal mandates—and take steps to strengthen public education by empowering local school boards. NSBA has long contended that local governance—the ability for local education leaders to respond to community needs and challenges—is the best way to strengthen public education. The federal government's "top-down" approach to education does not support local school districts or benefit public school students. Rather, reducing administrative burdens and implementing systems that support and strengthen the capacity of local school boards are key to restoring the proper balance between the states and the federal government, and states and local school districts.

The all too common "one size fits all" solutions to

strengthen public schools do not work. NSBA will focus on both legislative and regulatory advocacy to ensure Congress and the administration pass laws and promulgate regulations that create flexibility, enhance opportunities for local school board action, and strengthen the role of locally elected or appointed school board members.

### **IMPLEMENTATION OF ESSA**

NSBA's continued advocacy relating to the implementation of ESSA is key to recalibrating the role of the federal government in education. Last year, NSBA conducted targeted advocacy within ED and Congress to ensure appropriate implementation of ESSA. Most notably, we submitted four extensive public comments in response to the department's proposed regulations aimed at shaping the federal government's implementation of the new law. NSBA focused on reducing the federal footprint in education and urged the department to eliminate overly prescriptive federal requirements. As previously mentioned, NSBA successfully secured a change in proposed assessment regulations to protect the autonomy of local school districts, and to prevent unwarranted state intervention.

In addition to filing formal public comments, NSBA participated in stakeholder meetings and public forums hosted by ED, and provided informal input on non-regulatory guidance and regulations. We secured meetings with the Office of Management and Budget to seek additional changes to the draft regulations and reiterate concerns expressed during public comment. NSBA advocated on Capitol Hill to urge members of Congress to conduct oversight and hold hearings to examine the department's implementation of ESSA. NSBA met with staff in over 95 congressional offices to encourage oversight of ESSA implementation.

Moving forward, NSBA will continue to provide input to ED on how to best restore local

governance. Additionally, NSBA will continue to urge members of Congress to monitor the department's implementation of ESSA and ensure the law is being implemented as Congress intended. Moving forward, NSBA will focus on state-level consultation with stakeholders, including local school board members.

NSBA continues to provide significant input on the issue of securing the rights of stakeholders to be directly involved in ESSA implementation. In May, NSBA submitted correspondence to ED urging it to focus on enforcing stakeholder engagement requirements in the law.

### **CHILD NUTRITION**

The Healthy, Hunger-Free Kids Act expired in 2015. NSBA will continue to advocate for reauthorization of a bill that reduces burdensome federal mandates and provides flexibility and relief for school districts to administer programs that best serve students—while protecting students most in need.

The U.S. Department of Agriculture (USDA) previously estimated that school food requirements cost local school districts and states \$1.22 billion in FY2015. This demonstrates that overreaching federal requirements not only affect the ability of local schools to meet student needs, but also are costly and result in school boards diverting funds from other programs to meet onerous federal requirements.

NSBA has advised members of Congress and officials within the USDA to reduce burdensome administrative requirements established by the law. For example:

- NSBA has focused on increasing reimbursement levels and other federal funds to cover the cost of compliance and increasing flexibility for whole grain content and sodium reduction targets.

- NSBA has recommended creating opportunities for school districts to make implementation of the law feasible within available federal resources.
- Additionally, NSBA has urged USDA officials to increase stakeholder engagement and create mechanisms for local school board members to provide information on policy issues and implementation of the law.

NSBA will work with USDA officials and members of Congress to accomplish these important changes to the law, each of which further school board autonomy. Since January, the department has taken steps to create flexibility in regulatory requirements, such as food content and sodium requirements. NSBA is supportive of this effort and will assist department officials to ensure long-term, sustained flexibility for local school boards.

NSBA also is engaging with members of Congress to support legislation that provides relief to public schools in meeting the burdensome requirements of the law. As an example, NSBA supports the Permanent Flexibility for School Meals Act, and other bills aimed at creating flexibility, reducing cost, eliminating restrictions, and decreasing food waste.

#### **CARL D. PERKINS CAREER AND TECHNICAL EDUCATION ACT**

Public schools are unable to meet existing local needs with the antiquated and outdated system of career and technical education. The law, which has not been reauthorized since 2006, must be updated to address 21<sup>st</sup> century needs and match the innovation within public schools. NSBA will

underscore the need for reauthorization of the Perkins Act to ensure that local school boards have the funding, resources and tools to meet current and future workforce demands to help students prepare for both college and careers.

It is vital that public schools can prepare their students and provide practical training through apprenticeships and other opportunities. Additionally, public schools must have the flexibility to include a strong academic component and credentialing programs to advance 21<sup>st</sup> century skills. Local school boards must be able to use local partnerships and access secondary and post-secondary programs to provide the best education possible for students, including alignment with state and local industries.

NSBA has urged members of Congress to reauthorize the Perkins Act. In addition to providing materials to committee staff, submitting support letters, initiating calls to action, and engaging with congressional staff, NSBA has provided success stories to demonstrate the invaluable contribution of career and technical education programs. We are working with the business community to promote passage of this legislation.

NSBA will continue to urge Congress to prioritize career and technical education, given its importance to U.S. competitiveness. The U.S. House of Representatives is moving forward with the Strengthening Career and Technical Education for the 21<sup>st</sup> Century Act—and NSBA supports this legislation. We will strategically engage the U.S. Senate to advocate for its consideration and swift action.



# Special PROGRAMS

## **NATIONAL SCHOOL BOARDS ACTION CENTER**

The National School Boards Action Center (NSBAC) is a not-for-profit organization founded by NSBA to advocate on behalf of our nation's 90,000 local school board members, who are responsible for governing nearly 14,000 school systems serving 50 million public school students.

In support of NSBA's legislative, legal, and public advocacy agenda, NSBAC works to expand the number and effectiveness of grassroots advocates with the support and collaboration of state school board associations through NSBA's CSALs network, FPE and FRN.

Through NSBAC's "First 100 Days Campaign," local school board members and public education advocates urged the Trump administration and the 115th Congress to pursue policy initiatives in support of public education. Specifically, the campaign implemented a successful digital and social media engagement strategy that accomplished the following in early 2017:

- 12,000 messages sent and calls made to Congress and the administration to keep public funds in public schools, invest in critical programs, and protect Medicaid funding for disadvantaged students.

- 80,000 people reached on Facebook.
- 6,400 engagements/actions generated on Facebook in support of public schools.
- 44,000 people reached on Twitter.
- 720 engagements/actions generated on Twitter in support of public schools.

In addition, NSBAC offered information and resources for public education advocates, such as the 100 Days School Choice Toolkit and Grassroots Voter Engagement Guide. Further, NSBAC held events during the Republican and Democratic National Conventions and a thought-leader forum, Public Education Agenda for America's Success, one day before President Trump's inauguration.

Moving forward, NSBAC will launch the Public Schools 1st Campaign: #MAKEYOURIMPACT to mobilize local school board members, public education advocates and other community stakeholders to advocate at the federal, state and local level about the importance of supporting one of our nation's most vital institutions.

## **STAND UP 4 PUBLIC SCHOOLS**

The Stand Up 4 Public Schools campaign, NSBA's national education program, aims to heighten awareness of the importance of public education and generate broad support by sharing the rich

story of our nation's public schools. Through personal stories, the Stand Up campaign shows that every day in a public school is unique, rewarding, fruitful and filled with acts of heroism. It is also a tangible way for people to demonstrate their support for children and their community.

The Stand Up campaign provides the public with an accurate and thorough perspective of public schools. It highlights the creativity that is prevalent in public schools, which produce unique programs and experiences and amazing outcomes every day. The public will learn more about innovative programs in communities, from the smallest to the largest school districts across the country. They will learn about the dauntless and bold actions of educators, administrators, parent volunteers, and non-profit and business executives helping prepare students for the future. They will see public schools going beyond academics by providing food, clothing, health care and other services. They will see people participating in GED classes and career and technical training. They will see public schools welcoming all children and people who want an education.

A redesigned website—[standup4publicschools.org](http://standup4publicschools.org)—features a short award-winning movie titled No Ordinary Day. Through the first-person accounts of students and teachers, viewers learn about a student who solves a quadratic equation for the first time, a child who studies birds of prey, and the goals educators set for themselves. The final student in the video expresses the most important and true statement about public schools when he says that “every day my education makes a difference in my life.” Multiply these successes, these experiences, these victories, by the millions, and the public will see a more accurate picture of what public education is accomplishing—every hour, every day, every year.

Everyone who is part of public education is encouraged to submit stories that capture extraordinary activities that take place during the school day. NSBA is working with and through its state associations as well as accepting information through the website.

The website also offers state school board associations, school board members, administrators, teachers, parents and citizens a variety of tools, including video and visuals suitable for social media, they can use to promote the campaign and demonstrate support for public schools. The red wristband remains an iconic symbol of the campaign and provides another way for people to express their support.

For far too long, detractors have defined the state of public schools. Much of their opinion is based on misinformation about what happens in classrooms, or worse, they are deliberately trying to undermine support for public education. The refreshed campaign directly challenges the old narrative that is based on incorrect assumptions. Vibrant public schools are essential to the economic, civic and social health of the country, and they need the public's support to continue to do great work. NSBA will, through the campaign and other advocacy work, make sure public schools get the support they deserve.

Indeed, supporters of public education also can sign the Pledge to support public schools on the Stand Up website. The Pledge, a demonstration of broad support for public education and an ongoing commitment to seek policies that enhance public schools, will be presented to members of Congress including the congressional leadership, members of the Senate Health, Education, Labor & Pensions and House Education and the Workforce committees, and officials in ED.





## 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.

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## NSBA OFFICERS AND EXECUTIVE DIRECTOR

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Secretary-Treasurer  
**ElizBeth "Beth" Branham**

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**Miranda Beard**

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## FOR MORE INFORMATION

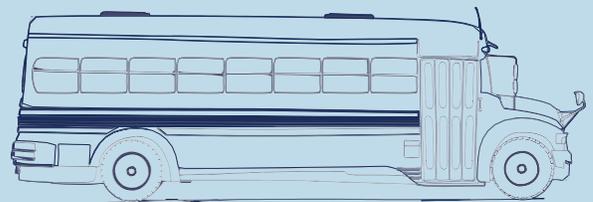
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No group is better positioned, or has been as successful, as the National School Boards Association and its state association members to bring about policies that ensure all children can receive a high-quality education.





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