

**GOVERNING BOARD AGENDA ITEM  
AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10**

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**DATE OF MEETING:** June 19, 2012

**TITLE:** Selection of Governing Board Delegate and Alternate for Arizona School Board Association (ASBA) Delegate Assembly; Determination of Governing Board Position on ASBA Legislative Action Agenda Items; Direction to Delegate and Alternate

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**BACKGROUND:** The Arizona School Boards Association, of which the District is a member, is holding its annual ASBA Delegate Assembly on June 30, 2012.

The Delegate Assembly determines ASBA's positions for any future Special Sessions of the current legislature and for the First Regular Session of the Fifty-First Legislature.

The assembly meets each year to consider input from districts across the state on action agenda items that have been culled from written proposals from district for inclusion in the organization's official agenda. The Governing Board previously determined its own recommendations to ASBA for consideration at the delegate assembly. The attached packet, in fact, reflects some of the Board's proposals and makes recommendations to the ASBA body regarding the same.

While all superintendents and governing board members from member districts are invited to and may participate in the discussions held during the Assembly, each member district is only permitted one vote on each matter presented to the assembly for a vote.

Thus, one component of this item is the selection of the Board's official and voting delegate to the assembly. The Board is also advised to select an alternate delegate who would be authorized to attend the assembly, along with the delegate, and to vote in the event the delegate was unable to do so for some reason.

After doing so, the Board may, through discussion and/or motion, direct the delegate and alternate delegate how to vote or otherwise represent the interests of the Board in the development of the official ASBA political agenda. A copy of the Proposed Action Agenda for FY 2013 is attached for reference and discussion.

In addition to playing a role in the development of the ASBA legislative agenda through appointment of its delegate and alternated delegate to the assembly, the Governing Board also develops and pursues its own legislative agenda. The Board's legislative agenda for the District need not, and sometimes does not, comport with the ASBA agenda.

On April 10, 2011, the Governing Board discussed and developed ASBA Agenda Action Proposals reflecting Amphitheater's Legislative Priorities. The district's proposals, along with those of other ASBA member districts, were then submitted to ASBA. In turn, the ASBA Legislative Committee reviewed all the proposals received and has made recommendations of "support", "support with changes" or "do not support". The proposals and the Committee's support rationale will be presented for assembly consideration at the June meeting.

The draft proposals are provided for the Board's discussion and direction to the Delegate.

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**RECOMMENDATION:** This Administration recommends that the Governing Board:

1. Appoint a delegate from the Board membership to attend the ASBA Legislative Conference and Delegate Assembly and vote on behalf of the Board;
2. Appoint an alternate delegate from the Board membership to attend the ASBA Legislative Conference and Delegate Assembly and, in the absence of the delegate, vote on behalf of the Board; and
3. Provide direction, as it determines, to the delegate and alternate delegate on legislative matters of concern to the Board and/or provide direction on how the delegate or alternate delegate should vote on matters.

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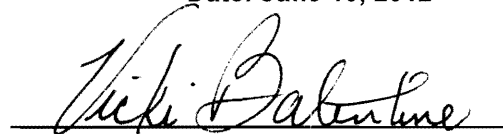
**INITIATED BY:**



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Todd A. Jaeger, Associate to the Superintendent

Date: June 13, 2012



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Vicki Balentine, Ph.D., Superintendent

## SPECIAL NOTICE

IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE IV. SECTION 2(A) OF THE ASSOCIATION BYLAWS, A GOVERNING BOARD THAT IS AN ACTIVE MEMBER OF THE ASSOCIATION SHALL BE DEEMED TO BE PRESENT AT A MEMBERSHIP MEETING IF ONE OR MORE MEMBERS OF SUCH GOVERNING BOARD ARE IN ATTENDANCE. ON EACH MATTER PRESENTED TO THE MEMBERSHIP FOR VOTE, EACH GOVERNING BOARD THAT IS AN ACTIVE MEMBER SHALL BE ENTITLED TO ONE VOTE, PROVIDED SUCH GOVERNING BOARD OF A SCHOOL DISTRICT HAS PAID DUES AS ESTABLISHED AND ASSESSED AS IN SECTION 3(A) HEREAFTER. THE RIGHT TO THE FLOOR FOR THE PURPOSE OF DISCUSSION SHALL, HOWEVER, BE OPEN TO ANY AND ALL MEMBERS OF A GOVERNING BOARD THAT IS AN ACTIVE MEMBER.

### SECTION 3. DUES OF MEMBERSHIP

- (A) ACTIVE--THE DUES OF EACH SCHOOL DISTRICT SHALL BE AS ESTABLISHED BY THE ASSOCIATION AT ITS ANNUAL MEMBERSHIP MEETING OR AS ESTABLISHED BY THE LAW.

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## ASBA OFFICIAL DELEGATE FORM



TO ENSURE AN ORDERLY PROCESS WITH WHICH TO CONDUCT THE MEETING OF THE ASBA DELEGATE ASSEMBLY ON SATURDAY, JUNE 30, 2012, PLEASE SEND US THE NAMES OF THE DELEGATE AND ALTERNATE WHO WILL REPRESENT YOUR BOARD AT THE MEETING.

Name of Delegate: \_\_\_\_\_  
(Please print)

Name of Alternate Delegate: \_\_\_\_\_  
(Please print)

School District: \_\_\_\_\_  
(Please print)

County: \_\_\_\_\_  
(Please print)

I am a first-time delegate (please check here).

**MAIL TO: Arizona School Boards Association, 2100 N. Central Avenue, Suite 200, Phoenix, AZ 85004 - NO LATER THAN JUNE 15, 2012!**



ARIZONA SCHOOL BOARDS ASSOCIATION  
MEETING OF THE DELEGATE ASSEMBLY  
SATURDAY, JUNE 30, 2012  
THE FAIRMONTSCOTTSDALE

DRAFT AGENDA

7:00 a.m.	PRE-MEETING ON DELEGATE ASSEMBLY PROCESS AND POLICIES	<i>Marvin Marlatt Antelope UHS District</i>
8:00 a.m.	REGISTRATION/CONTINENTAL BREAKFAST	<i>Registration Area</i>
8:30 a.m.	CERTIFICATION AND SEATING OF DELEGATES	
9:00 a.m.	OPENING OF DELEGATE ASSEMBLY	
	Presiding, ASBA President	<i>Mike Hughes Mesa Unified District</i>
	Chair, Legislative Committee	<i>Marvin Marlatt Antelope UHS District</i>
	Parliamentarian	<i>TBD Professional Registered Parliamentarian</i>
	Call to Order	<i>Mike Hughes</i>
	Moment of Silence	
	Pledge of Allegiance	<i>Mike Hughes</i>
	Introductions	<i>Mike Hughes</i>
	Report of Credentials Committee	<i>Luis Marquez</i>
	Adoption of Rules of Procedures	<i>Mike Hughes</i>
	Adoption of Agenda	<i>Mike Hughes</i>
	Report of the Legislative Committee Disposition of Action Proposals	<i>Marvin Marlatt Delegate Assembly</i>
11:30	LUNCHEON	
12:45 p.m.	Continuation of Action Proposals Other Business ADJOURNMENT	<i>Marvin Marlatt Mike Hughes Mike Hughes</i>

# VISION

## THE ASBA VISION

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

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

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

***Committee Recommendation: Pass a motion that allows staff to make technical, grammatical, and/or format changes to the Political Agenda as needed.***

# **I. ADVOCACY FOR CHILDREN AND STUDENT NEEDS**

## LEGISLATIVE ACTION AGENDA

**ASBA** believes that for children to succeed in school, their basic life needs must be met, and that **PRIMARILY BY THE** home and family, with the support of the community, the local school district, and the state and federal governments, are responsible for meeting these needs. Further, the needs of students must be the driving force behind, the entire educational system. **In support of this belief, ASBA will SUPPORT ACTIONS THAT WILL:**

***Committee Rationale: There was concern last year that the introductory paragraph of this section equated the responsibility of the family and school on the same level. Amphitheater Unified School District submitted its expansive proposal; however, the Committee believes that the above more succinctly captures the essence of Amphitheater's concern.***

***Committee Recommendation: To better streamline the Political Agenda, the Committee recommends adding "Support Actions that Will" as an introductory statement to all seven sections of the Political Agenda to avoid the redundancy of the below "seek and support legislation." You will see this recommendation made throughout the Political Agenda sections; however, not as individual motions.***

1. ~~Seek and support legislation that adequately~~ **Encourages, assists and *provide adequate*** financially supports **of** the curriculum and instructional needs of Arizona's public schools to ensure college and career readiness of all students ~~to include, but not limited to:~~

- ~~• legislation that would provide additional funding for alternative educational opportunities for all students who need them.~~
- ~~• continuation of dual credit for high school students enrolled in community college classes.~~
- ~~• legislation to increase distance learning opportunities.~~
- ~~• legislation to promote Career and Technical Education opportunities for All Arizona students.~~
- ~~• legislation that provides for the specialized instructional needs of Arizona's students who are English Language Learners.~~
- ~~• resources necessary to meet the legal requirements that every 3<sup>rd</sup> grader is reading at grade level.~~

***Committee Rationale: The Committee recommends the change to the overarching statement of #1 to reflect the need for adequate funding, not adequately encourage, assist, etc. The Committee further recommends the deletions of the bullets that support the overarching statement. All of these items support the instructional needs of Arizona's public schools; however, some items are already included as individual items, while others are examples that don't represent the comprehensive list of supports our schools need. The overarching statement provides the staff with the direction needed.***



2. ~~Seek and support legislation to~~ Increase mandatory school attendance requirements until graduation level competency has been reached or until 18 years of age.
3. Oppose efforts to undermine the authority of the Arizona Interscholastic Association and its members to determine eligibility for student participation in interscholastic activities.
4. ~~Seek and support legislation that will~~ fund programs to prepare and support children and families for success in public schools.
5. Oppose efforts to curtail communications in a language other than English for students, parents and other constituents and advocate for ADE to publish critical items intended for parent distribution in Spanish as well as English.
6. Oppose legislation to require school districts to report or determine the immigration status of students.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Bowie Unified School District

**BELIEF STATEMENT:** I. Advocacy for Children/Student Needs

**PROPOSAL:** Promote the importance of and put an emphasis on parent-teacher conferences and, further, to promote parent-teacher organizations and encourage these organizations to reach out to parents who are not involved.

**DISTRICT RATIONALE:** Involved parents are better informed, their students tend to be more successful and active in their education. We believe that the home and family hold the highest responsibility for children/students.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** Parent involvement is critical to the success of our students and public schools; however, this proposal is a best practice rather than a Political Agenda item.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Amphitheater Unified School District

**BELIEF STATEMENT:** I. Advocacy for Children/Student Needs

**PROPOSAL:** Revise the introductory language for Critical Area/Belief Statement No. 1, to read as follows, in order to be more encompassing and reflect an overall focus on advocacy of support for funding of public education as contemplated by the State Constitution:

Parents have the primary responsibility to provide all of the basic needs of their children. When parents choose to entrust their children to public education, our state is constitutionally required to provide a “general and uniform” system for that purpose. The state supervision of our public education is vested, ultimately, in our local school systems run by locally elected school boards. In cooperation with parents, our local school systems function *in loco parentis* (in the place of parents) and are legally responsible for the children entrusted to them from the time they leave home for school until they return home. For our local school boards to adequately fulfill their responsibility requires that our state legislature honor Arizona’s constitutional mandate that it “shall make such appropriations, to be met by taxation, as shall insure the proper maintenance of all state educational institutions, and shall make such special appropriations as shall provide for their development and improvement.” In support of this belief, ASBA will:

**DISTRICT  
RATIONALE:**

The present introduction correctly states the primary responsibility of parents. However, the present introduction seriously understates the legal responsibility of local school boards to adequately educate and care for those children entrusted to them by parents. Further, the present introduction fails to address the constitutional responsibility of the legislature to support public schools by providing “proper maintenance” and making “special appropriations as shall provide for their development and improvement.” Without the legislature fulfilling its constitutional responsibilities, local school boards cannot adequately fulfill their responsibilities to the children entrusted to them.

**COMMITTEE  
RECOMMENDATION: DO NOT SUPPORT**

**COMMITTEE  
RATIONALE:**

The Committee believes that the recommended change in the introductory paragraph addresses Amphitheater's concern, as the funding items are included in Section. V, Funding. In addition, the Committee recommends a change to the introductory paragraph of IV. Taxation/Revenues to include the Constitutional mandate included in Amphitheater's proposal.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Amphitheater Unified School District

**BELIEF STATEMENT:** I. Advocacy for Children/Student Needs

**PROPOSAL:** Modify current belief statement 1, under Critical Area 1 (Advocacy for Children and Student Needs): to read as follows:

1. Bring to the public's attention and to the legislators' attention that legislators have taken an oath to support the Constitution of the State of Arizona, and that the Arizona Constitution requires that the legislature "shall make such appropriations, to be met by taxation, as shall insure the proper maintenance of all state educational institutions and shall make such special appropriations as shall provide for their development and improvement." The needs for honoring those Constitutional requirements include, but are not limited to:
  - Legislation to remediate the current state support level for most special education students, currently less than \$10 per student per year, an amount that is blatantly inadequate and requires shifting of funds from already under-supported non-special education students.
  - Legislation that fully restores the Building Renewal Fund so that school buildings do not have to shut down due to leaking roofs and failed heating, cooling, and ventilation systems.
  - Legislation that fully funds soft capital so that students can have needed textbooks and supportive technological equipment.
  - Legislation that provides schools adequate funding to hire enough teachers to reduce student-to-teacher ratios from destructively frequent 35:1 to a reasonable 28:1.
  - Continuation of dual credit for high school students enrolled in community college classes.
  - Legislation to increase distance learning opportunities.
  - Legislation to promote Career and Technical Education opportunities for all Arizona students.
  - Legislation that provides for the specialized instructional needs of Arizona's students who are English Language Learners.

- Legislation to provide resources necessary to meet the legal requirements that every third grader is reading at grade level, to include restoration of all-day Kindergarten funding.

**DISTRICT  
RATIONALE:**

If the legislative assembly approves the amended belief statement proposal for Critical Area I, Advocacy for Children and Student Needs, corresponding changes should be made to the belief support statements. We proposed an increased focus on legislative duties to adequately fund public education under the state constitution. Specifically, ASBA should highlight the legislature's failure to meet constitutional duties as potentially raising ethical, and perhaps legal, concerns that have previously received insufficient attention thus far. The specific items listed above complement the items previously listed by ASBA. The new items add specifically to poignant and attention-getting needs critical to the continued functioning of all state districts.

**COMMITTEE  
RECOMMENDATION:**

**DO NOT SUPPORT**

**COMMITTEE  
RATIONALE:**

The Committee believes that the current overarching statement under Section I. Advocacy for Children/Student Needs, Item #1 and that the items included below that item are included in other areas of the Political Agenda, mostly in Section V. Funding.

## **CONSENT AGENDA**

The Legislative Committee supports the following items; however, they are already contained in ASBA's Political Agenda and, thus, current policy. Therefore, the Legislative Committee recommends that the following proposals are reaffirmed in the 2013 Political Agenda. The actual district proposals are included after this consent agenda.

1. Yuma Union High School District – Page 11
  - “Seek and support legislation that adequately encourages, assists, and financially supports the curriculum and instructional needs of Arizona public schools to ensure college and career readiness of all students.”

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Yuma Union High School District

**BELIEF STATEMENT:** I. Advocacy for Children/Student Needs

**PROPOSAL:** Seek and support legislation that adequately encourages, assists, and financially supports the curriculum and instructional needs of Arizona's public schools to ensure college and career readiness of all students.

**DISTRICT  
RATIONALE:**

The Arizona legislature must prove that our state is worthy of investment. Current practices of cuts to education, on top of a 30-year history of diminishing per pupil expenditures have cost our state's reputation and perception by outside entities as a state worthy of investment. Evidence of this negative economic impact mounts as bond ratings decrease, government dollars such as the i3 grants flow to other states, and national foundations invest in other states as opposed to Arizona. Federal grants formulas take into account the idea that if a state invests in their children, the federal government will invest in our children. State per pupil funding is a variable in those formulas. Thus, every year Arizona's children receive less federal assistance than other states because our state invests the least in their children.

The legislature must take actions that make our Arizona public education system worthy of investment. The consequence of not taking those actions puts the economic development of Arizona at great risk.

Education is not a charity. Education is not a cost. Education is an investment.

**COMMITTEE  
RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE  
RATIONALE:** This is already included in this Section of the Political Agenda.



## **II. LOCAL CONTROL / GOVERNANCE**

## LEGISLATIVE ACTION AGENDA

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

1. Advocate for preservation of community governance of school districts through elected representation and oppose federal, tribal, state, **county, city**, or administrative efforts to erode the authority of governing boards.

**Committee Rationale: The addition of county and city would proactively ensure that no encroachment on local school board decisions is made by county or city officials.**

2. Oppose unfunded and burdensome legislative mandates.

3. Oppose any effort not initiated by local school districts, through their governing boards or voters, to consolidate or unify school districts.

4. ~~Seek and support legislation that ensures that~~ **Ensure** all public schools are funded and governed in a manner consistent with the Arizona Constitution's requirement of a general and uniform public school system, so that substantial disparities in the treatment of schools are not created by the law.

5. Oppose legislation that would limit district control of performance pay for teachers under the Classroom Site Fund, while acknowledging statewide best practices as demonstrated by the Performance Pay Task Force.

6. ~~Advocate~~ **Oppose unreasonable differential** the consistent treatment of school districts with other political subdivisions and governing board members with other elected public officials in matters of general governance, **including the** open meeting law, and public records laws.

**Committee Rationale: The current statement does not account for the difference in governing board members versus other elected officials. School district governing board members are volunteers and thus, there are instances where there are reasonable differences between other elected officials (i.e. cancellation of board elections due to lack of competition, campaign finance laws, petition signature requirements).**

7. ~~Seek and support changes to law regarding elections and school district resources that~~ **Clearly articulate the free speech rights of ASBA, both school employees, and school board members regarding elections and school district resources.**

**Committee Rationale: The inclusion of ASBA recognizes last year's legislation that prohibits school district's from paying dues to an organization that electioneers.**

8. ~~Advocate that the Legislature~~ **Revise** A.R.S. 15-424 (D) to allow candidates in an uncontested election, which has been cancelled, to be declared duly elected by the supervisors of that county rather than appointed.
9. ~~Seek and support a~~ **Change** to student enrollment laws ~~to that would~~ allow a school district to honor a disciplinary action of a student from another district when enrolling that student.
10. ~~Seek and support Legislation that~~ **Provides** Governing Boards with flexibility in committing and prioritizing the use of education funds.
11. ~~Seek and support legislation that would~~ **Allow** the removal of a governing board member for excessive absences at meetings.
12. ~~Support the retention of~~ **Retain** the county school superintendent's **statutory authority and the school district governing boards** role in appointing governing board **members when** vacancies **occur**.

***Committee Rationale: The verbiage change ensures that ASBA's supports the retention of the county school superintendent's current authority to appoint governing board vacancies and not an expanded version.***

13. ~~Seek and support the ability of~~ **Provide** a school district governing board **with the authority** to create a process to censure a board member.

***Committee Rationale: The verbiage change better articulates the need to provide governing boards the authority to establish a process to censure a board member.***

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Scottsdale Unified School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Support limited cuts to education

**DISTRICT  
RATIONALE:** None provided.

**COMMITTEE  
RECOMMENDATION:** **DO NOT SUPPORT**

**COMMITTEE  
RATIONALE:** "Limited cuts" is a matter of perception, and many times, dependent on circumstances making this item unenforceable.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Yuma Union High School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Advocate for changes in statute to give school districts discretion and flexibility in acquisition and divestiture of real property.

**DISTRICT  
RATIONALE:**

Democratic changes in Arizona school districts have been abrupt and continual over the course of the last half century and even in the last five years. However, the ability of districts to adapt to those changes by closing and/or building schools to appropriately serve students is unduly hampered by unnecessary statutes.

In order to sell real property, an election must be held and the process is extremely extensive, expensive and inordinately punitive.

If a district chooses to lease property to another entity, statutes hamper the school districts with unreasonable restrictions and continue to keep the district's property on the square foot total for the purpose of SFB calculations.

If a district is interested in acquiring state trust lands set aside for K-12 schools in the district's boundaries, the land can only be leased, thereby limiting the district's ability to include collaborative enterprises, like cell phone towers or a public library, that would prove advantageous to the district, because the land continues to be owned by Arizona and managed by the School Facilities Board.

**COMMITTEE  
RECOMMENDATION:**

**SUPPORT WITH CHANGES**  
*Provide school districts discretion and flexibility in divestiture of real property.*

**COMMITTEE  
RATIONALE:**

School districts used to have flexibility in the divestiture of property by the majority vote of the governing board. Unfortunately, tax payer interest groups have not agreed with certain district decisions and, because of this, laws have been passed to restrict the divestiture of property without a local vote. The Committee believes this responsibility should be returned to local boards.

The Committee recommends not including acquisition of real property, as the district focuses on trust lands, which are Constitutionally-required to be managed by the State Land Department for highest and best use.

## **CONSENT AGENDA**

The Legislative Committee supports the following items; however, they are already contained in ASBA's Political Agenda and, thus, current policy. Therefore, the Legislative Committee recommends that the following proposals are reaffirmed in the 2013 Political Agenda. The actual district proposals are included after this consent agenda.

1. Clarkdale-Jerome School District – Page 20
  - “Oppose strongly unfunded and burdensome legislative mandates.”
2. Clarkdale-Jerome School District – Page 21
  - “Oppose with great effort any action not initiated by local school districts, through governing boards or voters to consolidate or unify schools districts.”
3. Yuma Union High School District – Page 22
  - “Seek and support legislation that provides Governing Boards with flexibility in committing and prioritizing the use of education funds.”
4. Yuma Union High School District – Page 23
  - “Oppose unfunded and burdensome legislative mandates and advocate for a review of all proposed legislative mandates to ensure any new requirements will have an identified state provided funding stream.”
5. Scottsdale Unified School District – Page 24
  - “Support local control.”
6. Scottsdale Unified School District – Page 25
  - “Support no unfunded mandates to education.”
7. San Fernando Elementary School District – Page 26
  - “Support the advocacy for preservation of community governance through elected representation.”

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Clarkdale-Jerome School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Oppose strongly unfunded and burdensome legislative mandates.

**DISTRICT RATIONALE:** The AZ legislature continues to initiate unfunded mandates that affects education and the quality of education in a negative way.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already contained in this Section, Item #2.



## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Clarkdale-Jerome School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Oppose with great effort any action not initiated by local school districts, through governing boards or voters to consolidate or unify school districts.

**DISTRICT RATIONALE:** Communities and voters understand what is best for their community and their children. Local governing boards represent the community and the voters of the district, not the legislature.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already contained in this Section, Item #3.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Yuma Union High School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Seek and support Legislation that provides Governing Boards with flexibility in committing and prioritizing the use of education funds.

**DISTRICT RATIONALE:** The Arizona legislature has provided temporary flexibility to Governing Boards in how they use their state funds during the fiscal challenging years. The flexibility needs to be legislated permanently in order for public school districts to operate efficiently and achieve to high standards.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already contained in this Section, Item #10.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Yuma Union High School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Oppose unfunded and burdensome legislative mandates and advocate for a review of all proposed legislative mandates to ensure any new requirements will have an identified state provided funding stream.

**DISTRICT  
RATIONALE:**

Arizona legislature continues to add requirements and mandates to the public schools and public school districts that require personnel time and money, adding burdens for which there are no resources. By doing so, the legislature literally costs our students their futures by diminishing their educational opportunities during their K-12 experience in Arizona.

By doing so, the legislature also costs our state the opportunity of perception by outside entities as a state worthy of investment. Evidence of this negative economic impact mounts as bond ratings decrease, government dollars such as the i3 grants flow to other states, and national foundations invest in other states as opposed to Arizona.

The legislature must take actions that make our Arizona public education system worthy of investment. The consequence of not taking those actions puts the economic development of Arizona at great risk.

**COMMITTEE  
RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE  
RATIONALE:**

This item is already contained in this Section, Item #2 and Section IV. Taxation/Revenues #14.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Scottsdale Unified School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Support local control.

**DISTRICT  
RATIONALE:** No rationale provided.

**COMMITTEE  
RECOMMENDATION:** **DO NOT SUPPORT**

**COMMITTEE  
RATIONALE:** This item is already contained in this Section, Item #1.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Scottsdale Unified School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Support no unfunded mandates.

**DISTRICT  
RATIONALE:** No rationale provided.

**COMMITTEE  
RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE  
RATIONALE:** This item is already contained in this Section, Item #2.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** San Fernando Elementary School District

**BELIEF STATEMENT:** II. Local Control/Governance

**PROPOSAL:** Support the advocacy for preservation of community governance through elected representation.

**DISTRICT RATIONALE:** School districts – and local boards – are more in-tune with district’s local needs, and understanding needs of local community and population.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already contained in this Section, Item #1.

# **III. ACCOUNTABILITY**

## LEGISLATIVE ACTION AGENDA

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

1. ~~Seek and support the continued re-evaluation and refinement of~~ ***Reevaluate and refine*** the Arizona Instrument to Measure Standards including:
  - a. Accommodation of students with special needs to ensure that language or other impediments do not deny students, in violation of their civil rights, a fair opportunity to gain promotion or earn a high school diploma
  - b. Reexamination of the Standards to ascertain the 10<sup>th</sup> grade level of achievement.
  - c. Examination and development of end-of-course testing, and other assessment tools to demonstrate proficiency.
  - d. Limitation of AIMS testing to reading, writing, and mathematics for high school graduation.
  - e. Protect the AIMS scholarship that incentivizes outstanding performance on AIMS.
2. ~~Seek and support legislation to~~ **Ensure** that all schools receiving public funds are equally accountable financially to the public by complying with conflict of interest laws, ~~Further, seek to ensure that charter funding systems are transparent, do not allow comingling of funds, and reverts all public funds and property to the state, if a charter school ceases to operate or loses its charter.~~
3. Advocate for continued local control of school improvement plans created and implemented for underperforming and persistently low performing schools and support other interventions as a last resort.
4. Oppose efforts to require verification of free and reduced lunch applications beyond federal guidelines.
5. Advocate a change to the Arizona Constitution to state that the State Superintendent of Public Instruction hold a teaching, principal, or superintendent certificate and that the Superintendent of Public Instruction be employed by the State.
6. ~~Seek and support legislation to~~ **Allow** school districts and property owners to reach a solution to the Pesticide Covenant as it relates to new school sites.
7. Encourage the Arizona Department of Education to conduct research to determine the N number that is statistically valid.



8. ~~Seek and support legislation which~~ **C**reates greater flexibility in procurement policies and procedures.
9. ~~Support legislation that~~ **A**ccurately, consistently and fairly measures the academic performance of individual schools and the district as a whole.
10. ~~Support efforts to~~ **I**mplement an accurate, statewide data system that enables local districts to use data to inform financial, student, and personnel decision-making, with the cost of implementation to be funded and provided to each district by the state.
11. ~~Support a requirement~~ **R**equire that county school superintendents have a teaching, administrative, or superintendent certificate.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Chandler Unified School District

**BELIEF STATEMENT:** III. Accountability

**PROPOSAL:** Strike #1 of the proposal and replace with:  
**Establish a student comprehensive measure of student performance based on common core standards.**

**DISTRICT RATIONALE:** AIMS will be replaced in the next 2-3 years. ASBA should begin work now to influence development of a comprehensive student performance measurement system based on the Common Core Standards.

**COMMITTEE RECOMMENDATION:** **SUPPORT WITH CHANGES**  
Delete #1 and replace with:  
***Foster continuous improvement of standards and assessments adopted by the State Board of Education, including the common core.***

**COMMITTEE RATIONALE:** The Committee agrees with the district's rationale.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Grand Canyon Unified School District

**BELIEF STATEMENT:** III. Accountability

**PROPOSAL:** Support legislation that would require the same number of instructional hours for middle school students as upper elementary students.

**DISTRICT RATIONALE:** No rationale provided.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** Two years ago, statutes were changed to increase the number of hours for middle school students – 7<sup>th</sup> and 8<sup>th</sup> grade – to 1,000 hours. In addition, the local school district can choose to offer additional hours for other grade levels.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Saddle Mountain Unified School District

**BELIEF STATEMENT:** III. Accountability

**PROPOSAL:** Amend Item #5 to read:  
Advocate a change to the Arizona constitution to state ~~that the State Superintendent of Public Instruction hold a teaching, principal or superintendent certificate and that the~~ Superintendent of Public Instruction be employed by the state.

**DISTRICT RATIONALE:** Removing the requirement that the Superintendent of Public Instruction have education certificate shall be consistent with our Belief Statement of Local Control/Governance item 6. "Advocate consistent treatment of schools districts with other political subdivisions and governing board members with other elected public officials ..." Can we with due conscience ask that the Superintendent to have special qualifications when we seek not to have the same requirement?

**COMMITTEE RECOMMENDATION:** **SUPPORT WITH CHANGES**  
*Delete Item #5*

**COMMITTEE RATIONALE:** The Committee agrees with the removal of the certificate requirement, as the State Superintendent of Public Instruction (SPI) is a policy leader and has staff with the knowledge and experience to address specific items. However, with that removal, there is no need for the entire statement, as the SPI is currently employed by the state.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Saddle Mountain Unified School District

**BELIEF STATEMENT:** III. Accountability

**PROPOSAL:** Delete Item #11: Support a requirement that the county school superintendents have a teacher, administrative or superintendent certificate.

**DISTRICT RATIONALE:** Removing the requirement that the County Superintendents have education certificate shall be with our Belief Statement of Local Control/Governance item 6. "Advocate consistent treatment of schools districts with other political subdivisions and governing board members with other elected public officials ..." Can we with due conscience ask that the Superintendent to have special qualifications when we seek not to have the same requirement?

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** county school superintendents serve a different function than the State Superintendent of Public Instruction, as there is the statutory obligation to assist districts with the use of student data, staff development, curriculum alignment, etc. This is especially critical in rural districts that many times rely upon their County Superintendent to provide direct educational services and leadership.

## **CONSENT AGENDA**

The Legislative Committee supports the following items; however, they are already contained in ASBA's Political Agenda and, thus, current policy. Therefore, the Legislative Committee recommends that the following proposals are reaffirmed in the 2013 Political Agenda. The actual district proposals are included after this consent agenda.

***None***

# **IV. TAXATION/ REVENUES**

## LEGISLATIVE ACTION AGENDA

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

1. Advocate **for** structural change to Arizona's tax system to support funding for public education, ~~other child support services, and a competitive business climate~~ while opposing any change to the existing property tax structure unless a comprehensive tax reform proposal is implemented to adequately address the needs of public education.

***Committee Rationale: While there are a number of needs in Arizona, ASBA's focus must be on a tax system that supports public education.***

***COMMITTEE RECOMMENDATION TO ADD ITEM – "Oppose any measure that uses state monies to fund private schools, including vouchers and empowerment accounts."***

***Committee Rationale: ASBA's Political Agenda does not have a specific item opposing vouchers. This has been a central position of the Association and was likely left out in last year's change to item #3.***

2. Oppose any action that prohibits local school district governing boards from supplementing state funding and budget provisions through M&O and flexible capital overrides as well as bond authorizations.

~~3. Advocate for repeal of both private student tuition and public extracurricular tax credits with those funds to be dedicated to public education, while demanding additional accountability for student tuition organizations until ultimate repeal is accomplished.~~

***Committee Recommendation: The Committee recommends a rewording, as the current item consists of 2-3 different items: "Repeal private school tax credits, while demanding greater financial restrictions and public accountability in the program until such time as repeal is accomplished."***

4. ~~Seek and support legislation to~~ Clarify A.R.S. 15-915 and require ADE to provide the commensurate state aid revenue to districts that lose assessed value regardless of the cause of the reduction so that there is no loss of revenue to the district.

5. ~~Seek and support efforts that would~~ Serve to maintain and increase the earnings of the school trust lands for the benefit of K-12 public education.

6. ~~Seek and support legislation to~~ Ensure all property owners in the state of Arizona are paying the full qualifying tax rate to support education.



7. Oppose, or advocate the repeal of, any measure that requires a supermajority vote to increase state or local revenues.
8. Oppose efforts to permanently repeal the state equalization assistance rate.
9. Oppose the various Taxpayer Bill of Rights (TABOR) legislation.
10. Oppose efforts to undercut voter-approved measures.
11. ~~Seek and support legislation to~~ **Exempt** public schools from municipal impact fees.
12. Allow school districts an appeals process to seek correction of census estimates.
13. ~~Seek and support legislation to~~ **P**ermanently address the Constitutional Aggregate Expenditure Limit formula.
14. Advocate for a review of all proposed legislative mandates to ensure any new requirements will have an identified funding stream.
15. ~~Seek and support legislation requiring the Arizona State Legislature to pass a state budget for the ensuing fiscal year no later than April 1 of the previous fiscal year.~~

***Committee Rationale: This item is now dated, as the April 1<sup>st</sup> deadline was used when statute mandated certain dates for teacher contracts. In addition, while it is helpful to have a target date for a budget; an artificial date certain can actually be detrimental to schools. Many times, budget projections increase as the year goes on, resulting in less cuts or additional investment.***

16. ~~Seek and support legislation to~~ **P**rovide for direct reimbursement, grants, and/or other incentives to schools for energy efficiencies.
17. ~~Advocate that the Legislature~~ **M**odify the current freeze on the acquisition of school sites to allow acquisition of sites from the School Facilities Board or school district on State Trust Land according to the Arizona Constitution highest and best use provision.
18. ~~Advocate to~~ **A**llow the purchase of equipment with bond money.
19. ~~Seek and~~ **S**upport state funding for any tax judgments that are due to inaccurate rate settings by a county or state.
20. Strike the bonded indebtedness limits found in Arizona statutes so that districts may utilize the limits found in Arizona's Constitution.
21. ~~Advocate the Legislature~~ **C**hange the designation of "override" elections to "local effort" elections and adjust other language in the law suggesting that these elections provide "extra" funding.

22. Advocate for greater flexibility to public schools/districts to determine how tax credit funds are used.
23. Advocate for legislation that requires an annual review/revision of travel mileage reimbursement rates.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Alhambra Elementary School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Support a new initiative for 1 cent sales tax dedicated to Education.

**DISTRICT  
RATIONALE:**

The current 1 cent sales tax that is shared between education, health care, and public safety will expire on May 31, 2013. Arizona per-pupil funding is currently among the lowest in the nation. In addition, Arizona schools have already absorbed several rounds of cuts over the past several years. Due to these cuts, Arizona schools are experiencing increased class sizes; cuts to extra-curricular activities and athletics; and the loss of PE, music, librarians, books, and even paper.

**COMMITTEE  
RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE  
RATIONALE:** ASBA is prohibited from engaging in ballot measures.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Santa Cruz Valley Unified School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Advocate for the continuation of the one (1) cent sales tax that will expire in 2013.

**DISTRICT RATIONALE:** Without the continuation of this tax, the State will once again have a deficit and programs could be threatened.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** The one-cent sales tax was a temporary measure to bridge the economic downturn. The Committee believes that the revision of the school finance formula and tax structure, both currently included in the Political Agenda, addresses the concern.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Alhambra Elementary School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Encourage a statewide property tax to fund public education and improve the K-20 education system.

**DISTRICT RATIONALE:** Demonstrate a commitment to preserve Arizona's long-term future by ensuring better schools through a dedicated revenue stream.

Provide Arizona students with better education in order to create a ready workforce for the knowledge-based 21<sup>st</sup> century economy (source: Lead With Five).

30.7% of Arizona's 25-34 year olds have a college degree, ranking Arizona 44 out of 50 states and the District of Columbia (source: Completion Agenda, College Board Report 2010).

In 2007-2008 the United States average education spending per student was \$10,259, while in Arizona the spending per student was \$7,608 (source: Census Bureau).

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already included in the Political Agenda, under Section IV. Taxation/Revenues, item #1.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Alhambra Elementary School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Encourage distribution of all tax credit dollars, public and private, to state coffer to be equitably distributed to school district using the current state formula.

**DISTRICT RATIONALE:** Tax credit donations issued in more affluent districts and private schools far exceed the dollar amount received in low SES districts. This only contributes to further disparities in the educational programs and services that can be provided.

**COMMITTEE RECOMMENDATION:** **DO NOT SUPPORT**

**COMMITTEE RATIONALE:** While there are disparities in tax credit monies collected by school districts, the intention behind the program is to encourage community investment in their local schools. To have these monies collected and then distributed equally could not only lessen the amount collected, but discourage local vestedness.

Collecting private school tax credit monies and distributing equitably to school districts would be a steep climb to get legislative support to accomplish.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Chandler Unified School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Initiate and support legislation to Increase the bonding capacity for unified districts to 20% and elementary/union districts to 10%.

**DISTRICT RATIONALE:** The constitutional limit for bonding capacity is 30% which was reduced when Students FIRST school funding was initiated. Since the state has not funded Students FIRST for the past few years, the local school districts need to be allowed to increase bonding capacity in order to pay for school maintenance and school construction.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already addressed in Section IV. Taxation/Revenues, Item # 20.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Chandler Unified School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Initiate and support legislation to make permanent district override calculations based on a fully funded all day kindergarten formula.

**DISTRICT RATIONALE:** Currently district override funding is based on a fully funded all day kindergarten formula even though the state authorized full day kindergarten but only funds half day kindergarten. This temporary funding formula will expire next year. We are asking to make this a permanent change to permit more funding for districts which have overrides.

**COMMITTEE RECOMMENDATION:** **SUPPORT WITH CHANGES:**  
*Permanently count a kindergarten student as a full student for district override purposes.*

**COMMITTEE RATIONALE:** The Committee agrees with Chandler's rationale; however, the proposal has been established through session law. Thus, the Committee recommends support with changes to make this a permanent change without referring to a previous, non-existent law.



## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Payson Unified School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Advocate that the amount that married couples and single adults can claim as a tax credit for supporting public school extracurricular and/or character education programs, should be increased to exactly match the amount allowed for married couples and single adults to claim as a tax credit contribution to a School Tuition Organization (STO) for private school tuition.

**DISTRICT RATIONALE:** To bring public schools into equity with private schools.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** Both Yuma Union and Payson Unified had similar policy proposals; however, the Committee prefers the verbiage of Yuma Union.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Yuma Union High School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Advocate for tax credit opportunities for public schools/districts equal to the eligible amounts for private school tax credits, and advocate for full autonomy to public schools/districts to determine how the funds are used.

**DISTRICT  
RATIONALE:**

Current legislation allows up to \$1,000 tax credit per married couple for donations to private schools in Arizona. Similar legislation allows up to \$400 tax credit per married couple for public schools in Arizona. Given the millions of dollars in cuts and additional millions of dollars in deferred payments to public school districts, public schools and public school districts should be able to enjoy the largesse of tax credit donations to the same extent as private schools, and should have the same autonomy of rules regarding how dollars are expended to maximize the student educational experience.

Current Department of Revenue rules forbid the use of Extra-Curricular Tax Credit donations for any expense related to credit bearing courses and force districts to charge a fee for extra-curricular activities in order to be eligible. Both rules are obstacles to the better use of donations for access and equity to high quality educational experiences that prepare students for success in college and careers.

Revision of the tax credit statutes is necessary for fair and equitable treatment of students in public schools.

**COMMITTEE  
RECOMMENDATION:** **SUPPORT AND DELETE ITEM #22**

**COMMITTEE  
RATIONALE:**

The Committee agrees with the district rationale, especially when a number of schools have monies in their ECA accounts, but are unable to spend it due to the current restrictions.

In addition, we have seen the expansion of the private school tax credits. At the same time, public school funding continues to languish.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Yuma Union High School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Advocate for a freeze on STO private school tax credits, both individual and corporate, until school district payments are current.

**DISTRICT  
RATIONALE:**

Currently, SB 1047 outlines the following relative to STO Tax Credits. *“As defined by statute, a school tuition organization (STO) is a 501(c)3 charitable organization that allocates at least 90 percent of its annual revenue for education scholarships or tuition grants to allow children to attend any qualified school of their parent’s choice.*

*Currently a nonrefundable individual and corporate tax credit is allowed for cash contributions made to an STO. The individual credit is equal to the cash contribution made, and is capped at \$500 for individual filers and \$1000 for joint filers. The statewide amount of the corporate credit is capped at \$10,000,000 on a first-come, first-served basis, increasing by 20 percent each fiscal year thereafter. Any unused individual or corporate credits may be carried forward up to five consecutive years.*

*JLBC states in its fiscal note that the bill is estimated to decrease state General Fund revenues by approximately \$4 million in FY 2013. This estimate is speculative, as the taxpayer response to changing incentives under the bill is difficult to predict with certainty. If the bill results in the diversion of students from public to private schools, there would be an offsetting state savings from lower state K-12 costs. Under the \$4 million estimate, approximately 800 students would have to be diverted from public schools in FY 2012 in order for the bill to have no net state fiscal impact for that year. The Department of Revenue (DOR) estimates that the fiscal impact of the bill ‘will not be significant.’”*

Currently the State of Arizona is behind in its payment of allocated resources to public school districts. The “roll over” of

the payments into future months and years has put additional financial hardship on public school districts in a number of ways:

- Cost of interest when districts have to register warrants or use their line of credit with their banks to pay their bills (payroll, utilities, and other on-going operations expenses) due to late payments by the state.
- Cost of lower bond ratings due to lack of confidence in the State of Arizona on the part of the rating agencies in the State of Arizona, which increases the likelihood of higher interest rates on future bonds.
- Cost of credit ratings being lowered and credit lines being unduly limited to school districts. This limits school districts' abilities to take care of expenses in emergencies as well as in long range planning.

The Arizona Constitution guarantees and binds the Arizona Legislature to fund public schools. Constitutionally, the Legislature has a responsibility to pay its bills and fund public school districts, as allocated in the annual budget, before granting tax credits and incentives for private schools or charter schools run by for-profit organizations.

**COMMITTEE  
RECOMMENDATION:      SUPPORT**

**COMMITTEE  
RATIONALE:**                      The Committee agrees with the district's rationale.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Santa Cruz Valley Unified School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Advocate structural change to Arizona's tax system to exempt all maintenance and operation, soft capital, and capital bond purchases from Arizona state sales and use taxes.

**DISTRICT  
RATIONALE:**

The paying of sales and use taxes by school districts merely moves monies back and forth between these two entities. EG: A school district (SD) receives \$1,000,000 from the State for purchases. The SD contracts with a vendor for \$920,000 for goods. The SD pays the vendor \$920,000 plus \$80,000 in sales taxes. The vendor remits the \$80,000 to the State. The State collects this, pools it, and then sends it back to the SD. Allowing for these purchases to be tax exempt will allow the SD to increase its available purchasing power.

Arizona is in financial trouble but it is not the responsibility of the SDs' to fix this. School boards' responsibility is to manage district funds and to keep them financially strong however that may be accomplished.

**COMMITTEE  
RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE  
RATIONALE:**

While the Committee understands the district's rationale, there are a number of concerns with this proposal. First, allowing districts exemption from taxes could allow vendors to go through districts for products to take advantage of the exemption. Second, all schools receive a portion of the sales tax monies from the General Fund appropriations and Prop. 301 sales tax. Last, other political subdivisions aren't exempt from sales tax, and receive a portion of those monies, creating a political challenge and hurting local communities.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Higley Unified School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Amend 15-943.01 and any associated current provisions including 15-903, and 15-947, Amend 15-482, and any associated provisions including 15-2011, 15-962 or all applicable statutes to reflect removal of restrictions that limit the use of maintenance and operations budget balance by permitting through new language the use of the budget balance for current year capital needs.

**DISTRICT RATIONALE:** Currently soft capital can be used for an M&O purpose but M&O can not be used for a capital purchase. This legislative amendment if passed, would allow more flexibility for school districts to purchase capital items in the same fiscal year which otherwise may not be purchased under current statute. This would in turn provide additional flexibility for HUSD to meet the needs no longer funded by the State of Arizona.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already addressed in Section III. Local Control/Governance, Item #10.

## CONSENT AGENDA

The Legislative Committee supports the following items; however, they are already contained in ASBA's Political Agenda and, thus, current policy. Therefore, the Legislative Committee recommends that the following proposals are reaffirmed in the 2013 Political Agenda. The actual district proposals are included after this consent agenda.

1. Northeast AZ Technological Institute of Vocational Education (NATIVE) – Page 52
  - “Seek and support legislation that requires an annual review/revision of reimbursement rates for travel to reflect increasing fuel pricing and vehicle ownership/maintenance for governing board members so that they can receive fair compensation for Board related travel expenses.”
  
2. Yuma Union High School District – Page 53
  - “Seek and support legislation to exempt public schools from municipal impact fees.”
  
3. Cave Creek Unified School District – Page 54
  - “Advocate a structural change to existing property tax structures through a comprehensive tax reform proposal.”

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Northeast AZ Technological Institute of Vocational Education  
(N.A.T.I.V.E)

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Seek and Support legislation that requires an annual review/revision of reimbursement rates for travel to reflect increasing fuel pricing and vehicle ownership/maintenance for governing board members so that they can receive fair compensation for Board related travel expenses.

**DISTRICT RATIONALE:** Travel rates have not been changed since November, 2006, and are not aligned with current economic conditions. The government travel rates should have legislative guidelines for annual rate/revision for alignment with current fuel costs and economy in order to fairly reimburse expenses for volunteer Governing Board members. Gas rates are expected to fluctuate between \$4 to \$5.50 gallon this year. Governing Board members in rural school districts may travel between 100 to 300 miles to attend board meetings and the low reimbursement rates create an extreme hardship on Board members and a potential disservice to students in isolated rural districts.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already contained in this Section, Item #23.



## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Yuma Union High School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Seek and support Legislation to exempt public schools from municipal impact fees.

**DISTRICT RATIONALE:** School Districts are supported through taxation and should be exempt from taxes to their funding that siphon off their much-needed allocations to other entities supported by taxation. It is not logical or ethical to require school districts to pay municipal impact fees.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already contained in this Section, Item #11.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Cave Creek Unified School District

**BELIEF STATEMENT:** IV. Taxation/Revenues

**PROPOSAL:** Advocate a structural change to existing property tax structures through a comprehensive tax reform proposal.

**DISTRICT RATIONALE:** It's time that ASBA and schools begin the process that looks at funding schools equally – not accepting some schools getting extra state and federal aid beyond what they get from the local tax base.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already contained in this Section, Item #1.

# V. FUNDING

## LEGISLATIVE ACTION AGENDA

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

1. Advocate for a complete revision of the school finance formula to:
  - a. reflect the actual costs of the individual educational needs of all students
  - b. provide for re-evaluation of the school finance formula on a regular basis to adjust the weighting factors as necessary and to compensate for other costs that escalate faster than the GDP-IPD such as: health insurance, property/casualty insurance and utilities
  - c. provide funding to improve instruction through the use of technology
  - d. provide for a transportation support level that reflects actual students transported and actual costs
  - e. provide funding for an extended school year as a local option
  - f. provide for a funding formula that allows small and/or rural school districts the ability to fund basic school functions and programs such as maintenance, utilities, health, music, arts and be competitive with the urban schools for teacher services
  - g. ensure schools are held harmless for increases in state retirement contribution rates
  - h. Equalization of performance incentive funding for districts across the state.

***Committee Rationale: Change the bullets to letters for easier and better identification.***

- ~~2. Seek and support legislation that~~ **Addresses** issues related to school capital issues, including minimum building standards, new school construction, building renewal, and soft capital.
- ~~3. Seek and support full funding for~~ **Fund** voluntary educational preschool programs and oppose any effort from federal or state bodies or agencies to require preschool in the state of Arizona on a mandatory basis.
- ~~4. Seek and support legislation to~~ **Adequately** fund English Language Learners.
- ~~5. Seek and support legislation to~~ **Ensure** full funding for inflation, especially in years in which the rate of inflation is greater than two percent, and vigorously oppose at the legislature and in the courts any attempts to not fully fund at least the two percent inflation factor as approved by the voters in Proposition 301 (2000).

6. Oppose legislation that takes away district authority to comply with federal desegregation court orders and Office of Civil Rights agreements.
7. ~~Seek and support legislation to~~ Fully fund utility costs inside the Revenue Control Limit (RCL).
8. Oppose any effort to divert Medicaid in Public School (MIPS) reimbursement dollars from school districts to the state general fund.
9. Advocate for the continuation of **state and federal** funding **of** career and technical education ~~at both the State and Federal levels.~~

***Committee Rationale: Rewording to make it clearer that funding of CTE is what needs to be continued, not CTE.***

10. Oppose any measure that would require a certain percentage of district budgets be allocated to classroom expenditures, as defined by the State Auditor General, with the recognition that some “outside the classroom” expenditures directly benefit classroom learning of students.
11. ~~Seek and support legislation that~~ Enables Joint Technological Education Districts (JTEDs):
  - a. To promote and expand Career and Technical Education programs, including summer programs, for high school students through JTED central campus programs and allow communities wishing to form a JTED to do so following all regulations as required by law and to receive similar funding as existing JTEDs;
  - b. Receive equal recognition and funding benefits under state statutes of K-12 public school districts and Joint Technological Education Districts;
  - c. Revise the definition of a JTED Centralized Campus Model to include virtual campuses.
  - d. Continue to work with the legislature to ensure 100% funding for JTED and full funding for inflation, especially in years in which the rate of inflation is greater than two percent.
12. ~~Seek and support legislation to~~ Eliminate the Budget Balance Carry Forward limit in the M&O funding calculation.
13. ~~Seek and support funding of~~ **Fund** programs that are proven to enhance school safety, including, but not limited to gang and drug prevention programs.
14. ~~Seek and support legislation that would~~ **Move** the determination of the construction inflation costs from the Joint Legislative Budget Committee to the School Facilities Board.
15. ~~Advocate for full state funding of ASRS employer contribution increases without shifting that cost to employees.~~

***Committee Rationale: This has been accomplished with the passage of HB 2264.***

~~16. Oppose any mandatory increase in calendar days.~~

***Committee Rationale: Students need more, not less, time in school to ensure a world class education. At the same time, funding is unlikely to happen unless the state changes its formula to a new mandatory school day count.***

17. Encourage legislation to provide funding for school districts to cover the cost of elections that are state mandated.
18. Seek and support efforts to create a statewide database of digital content to be used in the classroom to enhance student achievement while lowering costs.
19. ~~Seek and support funding to~~ **Hold *districts*** harmless for any loss of revenue and to cover transitional costs associated with district approved unification efforts.
20. ~~Encourage legislation which~~ **Require** the state to pay 100% of the cost of the SEI model to districts to implement the program.
21. ~~Seek and support the reenactment and funding of~~ **Reenact and fund** voluntary, full-day kindergarten.
22. Distribute Prop. 301 funds on an unweighted student count versus a weighted student count.
23. ~~Seek and support the removal of~~ **Remove** requirements for public schools to use public school resources to evaluate, test and otherwise serve special education students who are enrolled in private school.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Alhambra Elementary School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Support Governor's \$50 million budget initiative for "Move On When Reading".

**DISTRICT RATIONALE:** The Governor's budget initiative would provide reading specialists, development and implementation of comprehensive curriculum, and intervention and remediation programs to begin in kindergarten. The funding will be generated by an increase in the K-8 Group A weight, which will increase from 1.158 to 1.179 to provide funding for "Move On When Reading." Additional dollars can only be used on programs and services that align with A.R.S. 15-701 in grades K-3.

**COMMITTEE RECOMMENDATION:** **DO NOT SUPPORT**

**COMMITTEE RATIONALE:** This is a specific budget request for the Fiscal Year 2013 budget being considered in the 2012 Legislative Session and won't be relevant for the 2013 Legislative Session and, thus, the 2013 Political Agenda.

In addition, specific dollar request aren't usually included in the Political Agenda; rather, it is to give staff direction when evaluating specific legislative, legal, or other proposals.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Chandler Unified School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Initiate and support legislation to promote a fair allocation of ADM with respect to students enrolling in summer school outside their home district.

**DISTRICT RATIONALE:** Currently state law allows a district or charter school to be awarded a full half year of ADM if a student enrolls in the minimum number of on-line summer school classes. This deprives the home district of half of a year's funding even though the student attended the home district for the full year.

**COMMITTEE RECOMMENDATION:** **SUPPORT WITH CHANGES:**  
*Fairly allocate ADM with respect to students enrolling in on-line summer school outside their home district.*

**COMMITTEE RATIONALE:** The Committee agrees with Chandler's rationale; however, thought the proposal didn't capture all of the items included in the rationale. Thus, the Committee recommends support with changes.



## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Catalina Foothills Unified School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** ASBA's Legislative Agenda for the upcoming year should focus most heavily on funding. The time is now to promote a revision of the school finance formula to create a funding mechanism that is adequate to cover the costs of individual education needs for all Arizona students. This revision should be comprehensive so as to address all aspects of K-12 funding, including but not limited to M&O, capital funding, new facilities, excess utilities, professional development, etc. The revision should also be comprehensive in search for revenues and result in a funding level that at least meets the national median. Finally, ASBA should seek a funding formula that brings school districts together, not pits them against each other in turf battles.

**DISTRICT RATIONALE:** There have been numerous reports, commissions, studies that point to Arizona's failure to address P-20 education issues. ASBA should look to advocating a position that will strengthen K-12 education by advocating a finance formula that will enable all school districts to accomplish their work.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** Prioritization of Political Agenda Items is addressed in the Fall with the Top 10. The item is already encompassed in the ASBA Political Agenda, V. Funding, Agenda Item #1.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Western Maricopa Education Center

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Reinstate 9<sup>th</sup> grade funding for JTED career and technical education.

**DISTRICT RATIONALE:** No rationale provided.

**COMMITTEE RECOMMENDATION:** **SUPPORT WITH PLACEMENT SUGGESTION**

**COMMITTEE RATIONALE:** The Committee supports this proposal; however, recommends adding this to the list of items under Section V. Funding, Item #11.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Western Maricopa Education Center

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Support 100% funding of JTEDS. Restore funding from 91.8% to the full 100% as provided by formula.

**DISTRICT RATIONALE:** No rationale provided.

**COMMITTEE RECOMMENDATION:** **SUPPORT WITH CHANGES AND PLACEMENT SUGGESTION**  
*Restore funding from 91.8% to the full 100% formulaic allocation.*

**COMMITTEE RATIONALE:** The Committee supports this proposal; however, recommends adding this to the list of items under Section V. Funding, Item #11.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Gila Bend Unified School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Support legislative change to not allow school districts to claim transportation mileage up to twenty miles outside of the attendance boundary area each way to and from a pickup point on a regular transportation route to transport eligible students.

**DISTRICT  
RATIONALE:**

Enrollment at Gila Bend Elementary school is reduced by approximately 50 students annually. Of those 50 students an estimated 40-45 are picked up within GBUSD's boundaries by Paloma School District's bus. The cost to the District is approximately \$132,000.

In addition to the monetary consequences, some students transitioning from Paloma Elementary to Gila Bend High School require additional academic support to reduce the achievement gap.

**COMMITTEE  
RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE  
RATIONALE:**

ASBA is committed to providing every student a quality public education. While that may be through the school district's boundaries, open enrollment and various public choices (i.e. magnet schools, dual language programs, etc.) allow public schools to equally offer various options to students. This is an inter-district issue.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Saddle Mountain Unified School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Delete Item #7: Seek and support legislation to fully fund utility cost inside the Revenue Control Limit (RCL).

**DISTRICT RATIONALE:** Excess Utilities is a dead issue with the legislature. We are covering Full Funding in Item 1. We would like to see full funding for all items of the budget but it is inconsistent to then ask for utilities to be funded differently. Belief Statement II Local Control/Governance Item 10 "...to give governing board flexibility in committing and prioritizing the use of education funds."

**COMMITTEE RECOMMENDATION:** SUPPORT

**COMMITTEE RATIONALE:** The Committee agrees with the district's rationale.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Higley Unified School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Amend 15-946 and any associated provisions including 15-881, 15-945 or all applicable statutes to reflect an addition to the (TSL) Transportation Support Level by the addition of a factor to the (TRCL) Transportation Revenue Control Limit Calculation Sheet that would allow additional funding for buses that serve multiple school sites but that log minimal or low mileage to be determined by the State Superintendent of Public Instruction.

**DISTRICT RATIONALE:** This legislative amendment if passed, would provide funding incentives to school districts that have short routes and use the same bus to service multiple schools for daily transportation. Currently, districts with smaller geographic boundaries and subsequently shorter routes are on the same support level as districts with longer and less efficient routes.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already addressed in Section V. Funding, Item #1, d.

## CONSENT AGENDA

The Legislative Committee supports the following items; however, they are already contained in ASBA's Political Agenda and, thus, current policy. Therefore, the Legislative Committee recommends that the following proposals are reaffirmed in the 2013 Political Agenda. The actual district proposals are included after this consent agenda.

1. Yuma Union High School District – Page 68
  - “Advocate for a complete revision of the school finance formula.”
2. Coconino Association for Vocations, Industry and Technology (CAVIAT) – Page 69
  - “Support legislation that enables JTEDs to: Continue to work with the legislature to ensure 100 % funding for JTEDs and full funding for inflation, especially in years in which the rate of inflation is greater than two percent.”
3. Alhambra Elementary School District – Page 70
  - “Encourage legislation which requires the state to pay 100% of the cost of implementing the mandated SEI model defined by the ELL task force.”
4. Alhambra Elementary School District – Page 71
  - “Encourage fully funding early childhood education for all-day kindergarten.”
5. Alhambra Elementary School District – Page 72
  - “Encourage distribution of Prop. 301 funds on an unweighted student count versus a weighted student count.”

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Yuma Union High School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Advocate for a complete revision of the school finance formula.

**DISTRICT  
RATIONALE:**

The school finance formula in Arizona is archaic, complicated, convoluted and irrational. Arizona Business and Education Coalition commissioned an independent study to look at the school finance system and recommend priorities, values and actionable items to improve and revise the school finance formula.

It is in the best interests of the State of Arizona and the economic development of the state to invest in a complete overhaul reform and revision of the school finance formula. It is in the best interests of the citizens of the state and of future investors that the legislature pay attention to the work ABEC and the universities have done in examining the school finance formula. It is in the best interests of the future of Arizona that the legislature reform school finance in order to make it fair, flexible, transparent, to rewards innovations and efficiencies, and to provide sufficient resources to meet our State's expectations for student achievement.

**COMMITTEE  
RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE  
RATIONALE:** This item is already addressed in Section V. Funding, Item #1.



## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** CAVIAT JTED

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Continue to work with the Legislature to ensure 100% funding for JTED and full funding for inflation, especially when inflation is more than 2%.

**DISTRICT RATIONALE:** With the loss of freshman funding coupled with the fact that JTEDs are currently funded at only 91% state aid, full funding must be restored in order for JTEDs to continue to offer comprehensive CTE programs.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already addressed in Section V. Funding, Item #11, d.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Alhambra Elementary School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Encourage legislation that requires the state to pay 100% of the cost of implementing the mandated SEI model defined by the ELL task force.

**DISTRICT  
RATIONALE:**

The state has required four hours of isolated instruction for all qualifying ELL students.

The required reduction in class size will necessitate an additional number of classroom teachers.

The onset of several new teaching positions will require additional classroom instructional materials, furniture, and space.

Staffing requirements also necessitate additional District staff, paraprofessionals, and instructional assistants.

Additional staff development classes will need to be offered to ensure ELL research-based best practices.

**COMMITTEE  
RECOMMENDATION:** **DO NOT SUPPORT**

**COMMITTEE  
RATIONALE:** This item is already addressed in Section V. Funding, Item #20.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Alhambra Elementary School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Encourage fully funding early childhood education for all-day kindergarten.

**DISTRICT  
RATIONALE:**

A meta-analysis of 23 studies on all-day kindergarten, Fusaro (1997) concluded that children who had attended all-day kindergarten achieved at a higher level than children in half-day kindergarten programs. According to Fusaro, all-day kindergarten accounted for approximately 60% of the variance in outcome measures. (Source: Education Resources Information Center)

Children who attend full-day kindergarten programs learn more in literacy and mathematics over the kindergarten year than those in half-day programs. Children who attend full-day kindergarten spend 30% more time on reading and literacy instruction as well as 46% more time on mathematics than children in half-day programs. The full-day advantage in literacy amounts to slightly more than one month of extra learning and the advantage in math is slightly less than one month. (Source: American Journal of Education, 112, February 2006)

**COMMITTEE  
RECOMMENDATION:** **DO NOT SUPPORT**

**COMMITTEE  
RATIONALE:** This item is already addressed in Section V. Funding, Item #21.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Alhambra Elementary School District

**BELIEF STATEMENT:** V. Funding

**PROPOSAL:** Encourage distribution of Prop 301 funds on an unweighted student count versus a weighted student count.

**DISTRICT RATIONALE:** The current funding model creates an inequitable funding distribution between union high school districts and elementary school districts. An unweighted process would allow for a more equitable distribution based on the total number of students enrolled.

**COMMITTEE RECOMMENDATION:** DO NOT SUPPORT

**COMMITTEE RATIONALE:** This item is already addressed in Section V. Funding, Item #22.

# **VI. PERSONNEL**

## LEGISLATIVE ACTION AGENDA

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

1. ~~Seek and support legislation that~~ **Provides** increased funding for school personnel salaries.
2. ~~Seek and support legislation providing~~ **Provide** all school districts with 5.5% in revenue to fund a system that promotes or rewards teacher individual performance, including merit pay.
3. Oppose any legislation that would further restrict the local board's ability to terminate non-certificated personnel.
4. Oppose any legislation to impose mandatory collective bargaining as a method of determining salaries and working conditions for employees.
5. Oppose any legislative attempts to reduce the governing board's authority to use lawful forms of affirmative action.
6. ~~Seek and support legislation that~~ **Prevent** the award of unemployment compensation to substitute teachers and other substitute employees.
7. ~~Seek and support legislation providing~~ **Provide** that the school district may require medical or psychological examination of an employee by a physician of the board's choosing and at the district's expense.
8. Expand existing programs for the provision of instruction from proficient teachers through technological means.
9. ~~Encourage legislation to~~ **Provide** additional funding to help low income and small rural/isolated schools, as well as for high-need subject areas, to attract and retain highly qualified teachers.
10. ~~Encourage legislation which allows~~ **Allow** public colleges and universities to offer a tuition discount to teachers who need to meet the Elementary and Secondary Education Act (ESEA) criteria for becoming "highly qualified" and continue to teach in schools that have a high concentration of economically disadvantaged students.
11. ~~Seek and support legislation that would~~ **Set** a mandatory minimum contribution rate for the Arizona State Retirement System that would be based on historical averages and prevent large variant increases or decreases from year to year.
12. Encourage the development of a comprehensive professional education certification system to establish an independent Professional Licensing Board.

13. ~~Initiate a change to current legislation which will~~ Allow for the **evaluation of** superintendents **and other employees** evaluation to be confidential and not public record similar to the ARS 15-537 regarding teacher evaluations.

***Committee Rationale: This would ensure that all employees' evaluations are confidential, including principals.***

14. ~~Advocate for flexibility with regard to Highly Qualified regulations.~~

***Committee Rationale: The federal waiver process is providing much flexibility as it relates to a variety of No Child Left Behind items; however, the one area where there is not is with highly qualified. ASBA, through NSBA, continues to advocate for the Elementary and Secondary Education reauthorization (Federal Concerns, #2) that would include flexibility, this is an unattainable position on its own.***

## **CONSENT AGENDA**

The Legislative Committee supports the following items; however, they are already contained in ASBA's Political Agenda and, thus, current policy. Therefore, the Legislative Committee recommends that the following proposals are reaffirmed in the 2013 Political Agenda. The actual district proposals are included after this consent agenda.

**None**



# **VII. FEDERAL CONCERNS**

## LEGISLATIVE ACTION AGENDA

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

1. ~~Advocate for increasing~~ **Increase** the federal investment in public education to meet the federally-imposed mandates and subsequent cost increases for special education (IDEA) and implementation of the Elementary and Secondary Education Act (ESEA).

2. ~~Advocate for the following changes in the new reauthorization of~~ **Amend** the federal Elementary and Secondary Education Act (ESEA):

- a. Increase the flexibility for states to use additional types of assessments for measuring AYP—including growth models
- b. Grant states and districts more flexibility in assessing students with disabilities and students not proficient in English for AYP purposes
- c. Create a student testing participation range, providing flexibility for uncontrollable variations in student attendance
- d. Allow schools to target resources to those student populations who need the most attention by applying sanctions only when the same student group fails to make adequate yearly progress (AYP) in the same subject for two consecutive years
- e. Ensure that students are counted properly in assessment and reporting systems
- f. Allow supplemental services to be offered in the first year of “improvement,” seek a greater role for Local Education Agencies (LEAs) in approving supplemental education service providers, and for LEAs to be able to provide such services even if identified as in need of improvements.
- g. Strengthen federal responsibility for funding
- h. Require ESEA testing and reporting for non-public schools for students receiving Title I services
- i. Flexibility and expanded authority for states and LEAs
- j. Seek changes this year, or temporary relief to LEAs from the restructuring sanctions until such time as it is reauthorized

***Committee Rationale: Change the bullets to letters for easier and better identification.***

3. Urge the Arizona congressional delegation to ensure that adequate federal funds are available to support and sustain federally initiated supplemental programs such as Title 1, Title 2 and gifted programs as well as federally mandated programs and oppose efforts to make these programs into competitive grants.

4. ~~Advocate for the continuation of~~ **Continue** full funding for federal impact aid for Group A and Group B students through Public Law 81-874 and for increased funding for school construction through Public Law 81-815.

5. ~~Encourage legislation that would~~ **Direct** disbursement of forest fees and payment in lieu of taxes on all federal land on a formula basis whereby a minimum of fifty percent would be distributed to the public schools in the county.
6. ~~Seek and support legislation that~~ **Makes** student/parent collegiate grant and loan programs more accessible and affordable.
7. ~~Urge the codification of Congressional intent to~~ **Firmly** establish Medicaid responsibility for IDEA activities and direct medical services while recognizing that school-based Medicaid programs are good fiscal policy.
8. Ensure that the E-Rate is continued, making advanced telecommunications services affordable for the nation's schools and libraries.
9. Defeat all federal voucher and tuition tax subsidy proposals that result in public funds supporting private K-12 institutions.
10. ~~Seek and support legislation aligning~~ **Align** the Higher Education Act with ESEA to ensure a pool of highly qualified teachers.
11. ~~Seek and~~ **Support** developmentally appropriate early education standards for Head Start that are aligned with state academic content standards and reflective of the expectations of local schools.
12. ~~Support Arizona's efforts to apply and implement its~~ **Race to the Top** plan.

***Committee Rationale: Arizona was successful in securing Race to the Top, Round 3 monies and is currently implementing its plan.***

13. Support supplemental federal grants to enhance school district innovation and further student success.
14. Advocate Arizona maximize opportunities to receive federal matching monies for all education-related issues.
15. ~~Encourage legislation that will~~ **Allow** classified employees to be hired to fill sports and academic coaching positions and be paid the same stipend as other coaches rather than having to track their hours and be paid hourly.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Pinon Unified School District

**BELIEF STATEMENT:** VII. Federal Concerns

**PROPOSAL:** Revise the language (of #4) to read: "Advocate for the continuation of full funding for federal Impact Aid through HR 1342, the "Local Taxpayer Relief Act" as a stand-a-lone authorization because Impact Aid is a tax responsibility of the federal government to education military children, children residing on Indian Lands, children living in federal low-rent facilities, children of Civilian employees of the Federal Government and school district that encompass large parcels of tax-exempt federal property such as national parks. Impact aid is an obligation of the Federal Government and a tax relief program for local communities.

**DISTRICT  
RATIONALE:**

PL 81-874 and PL 81-815 are no longer on the books. When Impact Aid was created in 1950, the Federal Government accepted the responsibility of a citizen, a business owner, a landlord in helping to finance public education – in areas with a Federal presence. Today, Impact Aid provides critical funding to over 1,300 public school districts nationwide that military children, children residing on Indian Lands, children living in federal low-rent housing facilities, children of Civilian employees of the Federal Government and school district that encompass large parcels of tax-exempt federal property such as national parks. Impact aid is an obligation of the Federal Government and a tax relief program for local communities.

Public schools in the state of Arizona receive approximately \$158,000,000 in Impact Aid annually. H.R. 1342 does not propose major changes to current law, but increases efficiency, eliminates subjectivity, provides greater flexibility to school districts, and seeks funding equity. In addition, the bill will not increase spending, because the authorization level is set at Fiscal year 2010 funding levels. It is important to also recognize the H.R. 1342 is not contentious and enjoys bipartisan support. Please know also that there is a precedent for a stand-a-lone or package approach. Impact Aid was reauthorized in 2000 as part

of a smaller package a year before the 2001 ESEA reauthorization (No Child Left Behind Act of 2001) was passed.

Impact aid is a tax replacement program, not an education funded program.

**COMMITTEE  
RECOMMENDATION:**

**SUPPORT WITH CHANGES:**

***Eliminate #4 and insert: "Advocate full funding of federal Impact Aid."***

**COMMITTEE  
RATIONALE:**

The Committee agrees with the district's rationale; however, suggests the above changes. This will ensure that it is consistent with the other action agenda items that provide staff with guidance, rather than specific legislative measures.

## PROPOSAL FOR 2013 ASBA ACTION

**DISTRICT:** Pinon Unified School District

**BELIEF STATEMENT:** VII. Federal Concerns

**PROPOSAL:** Revise the language (of #5) to read: "Advocate for legislation that funds the Secure Rural Schools Act forest fees and payment in lieu of taxes on all federal land on a formula basis whereby a minimum of 50% would be distributed to the public schools in the county."

**DISTRICT  
RATIONALE:**

This act provides small, rural communities with funding for: 1) construction efforts for road maintenance, including access through natural forests; 2) education funding for local schools; and 3) funding for local conservation efforts and multiple county and federal land-use projects where national forests are designated. There are 729 counties that currently receive funding after the reauthorization of the Secure Rural Schools and Community Self-Determination Act of 2000. The average loss of these payments would be approximately \$467 million per year, starting 2012.

The loss of the Secure Rural Schools Act money has annual losses for the counties and schools currently funded. The losses are not simply to local constructions, education and conservation services and their allied industries. The industries affected by these changes are far and wide based on how construction workers, educators and conservation services employees spend their money and how these rural economies work. The reduction of the Secure Rural Schools Act of 2008 funding not only reduces jobs in these directly-affected industries, but also affects industries such as medical and dental offices, banking, auto repair, grocery and other retail stores, restaurants and bars, and many others. The loss of \$467 million of this funding leads to various businesses throughout the United States losing almost \$1.459 billion in revenues, government at all levels losing over \$225 million in tax receipts, and over 11,460 people losing their job. (Rural Policy: Secure Rural Schools Act: Economic Impact Analysis, Eyler, Robert)

**COMMITTEE  
RECOMMENDATION: SUPPORT**

**COMMITTEE  
RATIONALE:** The Committee agrees with the district's rationale.

## **CONSENT AGENDA**

The Legislative Committee supports the following items; however, they are already contained in ASBA's Political Agenda and, thus, current policy. Therefore, the Legislative Committee recommends that the following proposals are reaffirmed in the 2013 Political Agenda. The actual district proposals are included after this consent agenda.

**None**