



GOVERNING BOARD AGENDA ITEM AMPHITHEATER UNIFIED SCHOOL DISTRICT NO. 10

DATE OF MEETING: September 8, 2020

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

BACKGROUND: The Arizona School Boards Association (ASBA), of which the Governing Board is a member board, will hold its annual ASBA Delegate Assembly on October 17, 2020. The Delegate Assembly determines ASBA's positions for any future Special Sessions of the current legislature and for the second regular session of the Fifty-fifth Legislature. The purpose of this agenda item is to provide the Governing Board with an opportunity to: (1) select a delegate and alternate delegate to attend the ASBA Delegate Assembly, and (2) provide direction to those individuals for actions to be taken at the Delegate Assembly. The delegate may also represent the Board at the county meeting where a County Director will be elected.

Last spring, ASBA requested that member school boards review the ASBA 2020 Political Agenda (which was compiled at ASBA's 2019 Delegate Assembly) and compile a list of each district's top priorities for consideration at the upcoming 2020 ASBA Delegate Assembly. Consistent with this request, Amphitheater's Governing Board studied the ASBA Political Agenda at its meeting of May 12, 2020 and approved a list of priorities at its May 26, 2020 Board meeting. Those priorities were then submitted to the ASBA.

ASBA's Legislative Committee has compiled a list of the priorities submitted by each of its member school districts into a single draft Political Agenda for consideration at the 2020 Delegate Assembly. The delegates will then discuss and vote on the proposed document at the Delegate Assembly to identify ASBA's agenda for advocacy on issues of concern through the State during the 2020-2021 fiscal year.

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. The delegate who is designated by the Governing Board to attend the Delegate Assembly will make that vote. Therefore, 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.

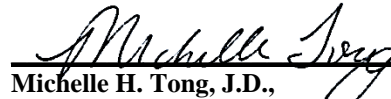
RECOMMENDATION:

This Administration recommends that the Governing Board:

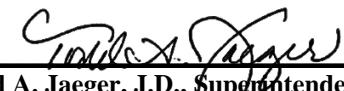
1. Appoint a delegate from the Board membership to attend the October 17, 2020 ASBA Legislative Conference and Delegate Assembly and vote on behalf of the Board;
2. Appoint an alternate delegate from the Board membership to attend the ASBA Legislative Conference and Delegate Assembly and, in the absence 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.

INITIATED BY:


Michelle H. Tong, J.D.,
Associate to the Superintendent and General Counsel

Date: August 31, 2020


Todd A. Jaeger, J.D., Superintendent



TO: GOVERNING BOARD PRESIDENTS AND SUPERINTENDENTS

FROM: Ann O'Brien, Legislative Committee Chair

DATE: August 10, 2020

SUBJECT: PROPOSED 2021 POLITICAL AGENDA AND DELEGATE ASSEMBLY PROCESS

Thank you for lending your voice to every public-school student in Arizona. Enclosed you will find ASBA's Vision, Mission, and Core Beliefs; and the proposed 2021 Political Agenda.

The Legislative Committee reviewed and discussed every submitted proposal at its meeting on June 15th. Most boards indicated support for items included in the 2020 Political Agenda, and the committee appreciates your overwhelming support of ASBA's agenda to advance public education statewide.

This year, the committee modified the streamlined political agenda approved in years past to reflect the current public health concerns school leaders face. You will see in the enclosed report:

1. **The *draft* 2021 ASBA Political Agenda.** As with the 2020 agenda, the committee feels this 4-item document will create a simple, readily digestible agenda that will serve as a guide to advocating for legislation aligned with ASBA's mission and values, but also allow for the expression of more specific related concerns by ASBA member districts. This document will be the one given to legislators outlining ASBA's priorities.
2. **COVID-19 Appendix.** This year, the Legislative Committee created a fifth section to the Political Agenda based on member submissions related to addressing the COVID-19 pandemic. While it is challenging to create a document to adequately address a rapidly-changing situation, we feel the items presented strike the right balance between specific enough to be actionable and flexible enough to adapt to changing circumstances.

The Delegate Assembly determines the positions of the Arizona School Boards Association and will consider both documents. Registration for Delegate Assembly will open on August 31st. You may register via the [registration page](#). **We look forward to seeing you at the Delegate Assembly on October 17th.**

The Delegate Assembly will be held remotely this year, with opportunities for non-delegate members to watch as participants. ASBA is in the process of creating rules of procedure to make the process as smooth as possible and will communicate these with delegates and alternates well in advance of the meeting.

Please copy and distribute this ENTIRE packet to all board members and place the proposed 2021 Political Agenda on your next board agenda for discussion and to provide any instruction to your district delegate as to your board's position on proposed agenda items. A sample board agenda item has been included for your reference. While all board members and superintendents are welcome to attend the Delegate Assembly, each member district has only one official delegate.

Delegate registration can be completed [online beginning August 31st](#).

**Core Purpose (Mission):**

We cultivate excellence in locally-governed school districts.

Core Beliefs:

- The basic life needs of children must be met for them to succeed.
- Meeting the unique educational needs of all students must be the foundation of our school systems.
- The governance of publicly-funded schools must lie with locally-elected and publicly-accountable governing boards.
- The responsibility for student success is shared by students, parents, governing board, district staff and the community.
- Public education funding must be broad-based, stable and at a level that assures all students are successful.
- Knowledgeable and professionally trained governing board members are fundamental for ensuring student success.
- Closing the opportunity and achievement gap is a moral and economic imperative that must be addressed to ensure all Arizona's students are successful.

Model Governing Board Agenda Items

Model agenda item for selection of district delegate (may be consent if no discussion required)

1. Consideration and possible action to appoint [NAME] to represent [DISTRICT NAME] as the district delegate to the Arizona School Boards Association delegate assembly on October 17, 2020

Model agenda item for board consideration of the draft political agenda in general session

1. Governing Board to discuss and may consider action to approve the Arizona School Boards Association's (ASBA) draft 2021 Political Agenda, and, direct the District's delegate to the ASBA delegate assembly to represent the Board's determined position.

ASBA Draft 2021 Political Agenda

I. Adequately and Equitably Fund District Schools to at least the National Median per Pupil Funding

1. Maximize state funding for nationally and locally competitive salaries to attract, recruit, and retain talented teachers and staff, including incentives for difficult to fill positions.

Rationale: This item is of primary concern to ASBA member districts. Despite investments made in the 20x2020 plan, teacher salaries will remain a concern in the near term.

2. Revise the School Finance formula to:

- a. Provide a stable, dedicated revenue source less reliant on the general fund or annual legislative appropriation.
- b. Provide dedicated school capital funding consistent with the constitutional requirement of a general and uniform public school system.
- c. Ensure the formula addresses the unique financial needs of schools serving students in poverty and in rural & remote schools.
- d. Revise the funding formula to add funding for student mental health and well-being initiatives.

Rationale: Given that the Legislature has (until 2018) been remiss in dedicating General Fund dollars to K-12 education, the system would be best served by establishing a revenue source outside the reach of the Legislature to increase /maintain funding. An economically stable revenue source would be less vulnerable to a decline in state revenue collections due to a downturn or tax cuts.

Poverty weights (i.e. a weight per-student where the community served by the district meet established poverty thresholds) have long been recommended as a means to recognize and reduce educational disparities associated with growing up in poverty. A poverty weight speaks to adequacy and would reduce dependence on other funding sources in low Socio-economic Status (SES) districts. Rural and remote school districts also have unique financial challenges to due to economies of scale and geography that require consideration beyond what urban/suburban schools require. Item (D) was added by the Legislative Committee this year to emphasize the importance of school counselors, social workers, mental health professional development for all staff, and other wellbeing programs.

3. Fully fund full-day kindergarten and include kindergarten students in the override calculations.

Rationale: All-day Kindergarten, when funded, should be funded as 1.0 ADM rather than a Group B weight as before. This would allow districts to generate override capacity for 1.0 ADM rather than 0.5 ADM.

4. Advocate to preserve and protect the voters' original intent of Prop 301.

Rationale: Given that the Legislature created a mechanism to continue the 0.6% sales tax beyond its original expiration, the focus should now shift to protecting the voters' intent for Prop. 301 to increase base compensation for teachers, and supplement, not supplant, other state funding for public schools.

5. Index district additional assistance (DAA) funding for inflation

Rationale: District additional assistance is an important source of funding for districts that is now set to be fully restored in FY2022. Therefore, it is not possible to accelerate it any further. Indexing the DAA formula to inflation would allow a fully funded formula to keep pace with growing needs for capital replacement. The charter additional assistance formula is already indexed for inflation.

6. Provide funding for new space before existing schools exceed their maximum capacity and become overcrowded, and provide dedicated and flexible ongoing maintenance funding, including building replacement. Advocate for capacity standards that reflect the design of instructional space.

Rationale: ASBA believes that it is not appropriate to require students to attend an overcrowded school for years before state-funded facilities are provided.

7. Eliminate unfunded mandates and administrative burdens.

Rationale: It is a fundamental position of ASBA to oppose all new, and work to eliminate all existing, unfunded mandates.

8. Return desegregation funding to a primary tax levy.

Rationale: The Legislature moved desegregation levies to the secondary property tax in FY19. This was intended to both save the state money and create political pressure on certain districts due to their high tax levies by raising property liability for homeowners in those districts. The secondary property tax is designated for voter-approved taxes. Desegregation funding is not and should not be a voter-approved tax. It is a tax levied to remedy civil rights complaints, which are not by their nature items for a public vote. Deseg funding should be a primary tax levy.

9. Conduct an exceptional student services cost study to assure students, including in rural or remote areas, are being funded at the actual cost of their services.

Rationale: Special education funding weights have not been updated in many years, and the cost of serving exceptional students far exceeds the amount the state provides. In addition, individual weights for specific diagnoses are not necessarily reasonably aligned to the cost of services for students.

10. Adequately fund the cost of student transportation.

Rationale: In some districts, the transportation budget, including TRCL levy, is greater than the total transportation budget. In others, transportation must be subsidized with other funds. In some districts, state funding does not cover the costs, and in others, they are forced to levy a local tax to make up for inadequate funding elsewhere.

11. Provide funding for preschool programs.

Rationale: Currently, Arizona only provides publicly funded preschool for students with disabilities. All other preschool programs must be tuition-based or grant-funded.

12. Reform current year funding to a system that provides districts with appropriate stable annual budgeting ability and technical reliability.

Rationale: Current year funding does not provide enough predictability for school districts to make efficient budgeting decisions. Without access to timely, reliable data, planning is very difficult. Current year funding hits declining districts especially hard.

13. Prorate funding over the entire school year among all public schools that a student has attended during the year.

Rationale: Prorating funding over the entire 180-day school year (as opposed to the first 100 days) would guarantee a district funding for a student who switches to a new district/charter some funding for that year.

14. Provide funding to individual districts to implement locally directed school safety programs as well as student mental health and wellbeing initiatives.

Rationale: School districts should retain the authority to operate a comprehensive school safety program according to the needs of each individual community. School safety must include a comprehensive approach that addresses mental health.

15. Equitably invest in technology and reliable internet access for all students.

Rationale: While this has been a topic for several years, the COVID-19 pandemic has highlighted the inequitable access to technology that exists statewide. Districts and students must have access to technology that allows for remote instruction when the need arises.

16. Adequately fund programs under exceptional student services.

Rationale: The cost of delivering special education services often outweighs funding available via federal and state sources. Support should be increased.

17. Provide funding for districts to improve student achievement by addressing social-emotional learning needs and create training programs for school staff in cultural proficiency and responsiveness.

Rationale: Cultural proficiency is an essential element to eliminate disparities in the educational status of students of diverse racial, ethnic, and cultural backgrounds. Establishing a culturally proficient foundation requires districts to train employees to enable them to engage effectively and appropriately with all students.

II. Preserve and Strengthen Local Control

1. Ensure local control and flexibility in managing funds and programs when possible, given the Arizona constitutional requirements of a general and uniform public school system.

Rationale: The ability of districts to have flexibility in managing funds is important, but flexibility in the use of certain funds does not relieve the state of its responsibilities to maintain the public schools in the manner prescribed in the Arizona Constitution.

2. Change “override/budget increase” language to better reflect what voters are being asked to support.

Rationale: “Budget override” is an outdated term that tends to lead voters to believe that something is wrong in the district. If transparency is important, the terminology should accurately reflect what is being asked of the voters.

3. Allow school districts greater flexibility in the divestiture or use of taxpayer-funded assets.

Rationale: School district buildings and equipment are the property of the taxpayers in the school district, even if they are built partially with state funds. School boards and the voters they represent should have the final say over when and how school district buildings are used, repurposed, and/or disposed of without burdensome and intrusive state regulation.

4. Oppose legislative intrusion on school site budgeting decisions.

Rationale: This was included to challenge efforts by the Legislature to continue restricting district decision making on how to allocate funding. This item was initially intended to challenge true “backpack funding” that would require funding to follow a student to their specific school site.

5. Maintain exclusive local authority over any measure that would propose to consolidate and/or unify any number of school districts into a larger district.

Rationale: The ultimate approval of any measure that proposes the consolidation and/or unification of school districts must lie with the voters of those school districts or their locally elected boards. The tax and expenditure implications of combining districts are great enough that local residents absolutely deserve the final say, either directly or via their elected representatives on the school board.

6. Support local board authority for student suspensions and open enrollment.

Rationale: School boards should have the final say in determining whether or not a student who has been suspended from another school should be admitted.

7. Support policy that eliminates the use of corporal punishment in Arizona schools.

Rationale: In the few districts where it is still authorized, corporal punishment is rarely if ever used. Staff was not able to determine a recent case of use during research last year. More positive forms of discipline are more effective. Removing its use permanently from statute conforms to current educational best practice.

8. Amend current statute to allow school board members to use the E-Qual system in addition to in-person signatures to appear on the ballot.

Rationale: School board candidates are some of the only candidates not able to use E-Qual to electronically collect signatures to appear on the ballot. Allowing the use of electronic signatures in addition to in-person petitions will bring parity to school board candidates, and is especially crucial during the current pandemic.

III. Improve Outcomes For All Students

1. Increase the compulsory attendance age from 16 to 18 years.

Rationale: Increasing the compulsory age of attendance will increase graduation rate/educational attainment and decrease the number of students who become “opportunity youth” rather than pursuing college or a career.

2. Enact research-based reform of the English Language Learner model of instruction that may include primary language literacy to improve student achievement that does not segregate English Language Learners from English speaking peers; integrates reading, writing and oral language instruction; and incorporates multiple assessment measures to demonstrate English proficiency.

Rationale: The four-hour model of ELL instruction has become a hindrance to the success of ELL students. ASBA advocates allowing flexibility in the four-hour requirement for all students, but especially those who are in their second or subsequent year of ELL instruction. The current

system does not allow for sufficient content delivery and causes students to fall behind academically.

3. Fully restore 9th grade CTE/CTED eligibility and funding to allow students to explore career fields and/or certification completion.

Rationale: Allowing 9th grade students to enroll in CTED courses increases the probability a student will be engaged throughout high school and will complete a CTE certification by the time the student graduates.

4. Allow CTEDs to serve students through age 21 regardless of graduation status.

Rationale: Currently, JTEDs are not able to continue to serve students once they graduate from high school, because the state ceases to provide funding for students who have received a diploma. They must transition to a community college program if one is available.

5. Support policy that recognizes, respects, and promotes teaching as a profession.

Rationale: It is important for the Legislature and the public in general to recognize, as ASBA does, that teaching is a profession that requires a set of standards for qualification. Undermining those standards is harmful to the K-12 system.

6. Defend against efforts to chill the free speech rights of school employees.

Rationale: In the wake of the work stoppage and Red for Ed demonstrations of 2018, it was necessary to affirmatively state that governing boards, not the Legislature, are responsible of the oversight and discipline of employees for violation of district policy regarding conduct in the classroom.

This may become an issue again in 2020 as employees advocate for safe work environments.

7. State standardized testing shall not be used for any purpose other than a year over year measurement of student growth in the tested subject.

Rationale: The insistence on using standardized testing to “grade” schools as a method of encouraging them to improve has not been successful. Testing results and any type of accountability system should be used only to identify potential instructional deficiencies and improve them, without public shaming or financial repercussions.

8. Support policy that protects school district employees and students from discrimination based on sexual orientation and gender identity.

Rationale: As a matter of educational equity and encouraging opportunity for all individuals, ASBA should support efforts to include prohibitions on discrimination on the basis of sexual orientation and gender identity in federal, state, and local educational and employment policies where they do not currently exist.

IV. Require Public Accountability for Taxpayer Dollars Spent on Education

1. Establish financial and academic transparency for all institutions and individuals that accept public funds.

Rationale: ASBA believes that all public funds, including those that go to charter schools and private schools through ESAs/vouchers, should be accounted for in the same manner, and if the public policy of Arizona is to make assessment results available for all public education programs, the public has a right to the same information on all the education programs it is funding.

2. Repeal any program that gives public funds for private schools, vouchers (Empowerment Scholarship Accounts) and private school subsidies (Student Tuition Organizations) and prevent any future expansion.

Rationale: ASBA does not support public funding of private schools.

3. Require comparative classroom spending audits for school districts and all other institutions that accept public funds and define “classroom spending” as both instructional spending and student support spending.

Rationale: The auditor general’s current classroom spending report is applied only to school districts, so the public has no similar window into the spending patterns of charter schools. Further, the definition of “classroom spending” is too narrow and does not encompass all that is essential to helping students succeed.

4. Enforce financial requirements and seek recovery of improperly received and/or expended public funds by charter and private schools and organizations.

Rationale: School districts face strict accountability standards and repercussions for misusing public funds. Charter schools and private schools accepting public money, whether directly or indirectly, should be bound by similar standards to ensure funds are used for their intended purpose.

V. COVID-19 Response

1. Hold school districts harmless for significant enrollment losses for school year 2020-2021.

Rationale: Fluctuating and declining enrollments are likely to occur this school year as parents make decisions whether to send their children to school based on rapidly evolving local infection rates. Ensuring districts have budgetary stability will allow administrators to focus on creating the best school environment possible.

2. Provide flexibility in seat time and attendance requirements for school districts for the 2020-2021 school year.

Rationale: Given the use of online and hybrid learning models being used this school year, flexibility in seat time requirements may be necessary to ensure school districts aren't punished financially for adhering to public health guidelines by keeping students at home.

3. Suspend state standardized testing requirements for school year 2020-2021.

Rationale: Given the high stakes of our standardized tests, suspending state standardized testing requirements for this school year will allow instructors to focus on adapting to distance learning with engaging curriculum, not standardized test preparation.

4. Enact a moratorium on school letter grades for school year 2020-2021.

Rationale: Given that school letter grades are largely based on standardized test performance, and the added pressure of Results-Based Funding, schools should not be punished with a bad letter grade given the equity issues and challenges associated with distance learning.

5. Provide districts flexibility in teacher evaluation requirements and procedures.

Rationale: Procedures for teacher evaluations are strictly laid out in state statute, but flexibility around notification and evaluation dates may be necessary to ensure both administrators and teachers have adequate time and are fairly represented in the process.

6. Regulatory relief in the event the pandemic continues to (or does so at a future date) interrupt the academic year.

Rationale: Many federal and state regulatory requirements have been difficult or impossible to comply with during the pandemic. Waiving any such issues that arise will help school leaders focus on delivering educational services, rather than working around government regulations.

7. A state-funded program designed to bulk purchase sanitation supplies (i.e. PPE, cleaning supplies, etc.) for distribution to school districts & schools.

Rationale: Shortages and price gouging of sanitation supplies has been a nationwide problem during this pandemic. School districts need guaranteed access to affordable supplies that will keep schools open safely.

8. Funding for increased expenses incurred due to COVID-19, including costs to meet the social/emotional needs of students.

Rationale: The social and emotional impact of the pandemic has hurt students, particularly those who rely on the safety and stability of the school environment to succeed.

9. Technology modernization and accessibility to ensure students have the technology and equipment to use during times like these with the current COVID-19 pandemic.

Rationale: Lack of modern technology at home has highlighted an equity gap among our students during the pandemic. Schools need resources to ensure every student and staff member has a quality device to stay connected with their schools from home.

10. Unless a public emergency is declared, maintain the right of school districts to close for safety concerns related to COVID-19 outbreak in the community.

Rationale: School districts should maintain flexibility to adapt to the public health circumstances in their community to safely serve students in the most effective manner.

11. Protect public schools from liability if a community member contracts COVID-19 while engaged in school-sponsored activities.

Rationale: While it's difficult to prove with certainty where and how a person contracts COVID-19, ensuring school districts don't have liability concerns will allow them to remain open to the community to the fullest extent possible given the circumstances.