Dinner Activity at Your Table

• Select a recorder and a spokesperson at your table.

• Have a discussion during your meal. Using the blue sheet (A side):
  • Top Half: record concerns, problems, barriers, ideas, etc. in law, rule or regulation that inhibits your efforts to maximize benefits for students.
  • Lower Half: list/describe SPECIFIC legislation for how these issues may be addressed in the 2019 legislative session. We will report out and discuss this as a group later tonight.

• Be thinking about additional training ASBA should provide. Please be prepared to list these subjects on the evaluation form you’ll be completing at the end of this session.
Welcome and Business Meeting
ASBA Regionals - 2017
The Changing Landscape of Public Education
Agenda for Tonight

- ASBA Legislative Packet
- Preparing for the 2019 Legislative Session
  - Concerns
  - Needs
  - Suggestions
  - Activity
- Recurring Legislative Issues
- Election Changes/Considerations/Reporting Form
  - May or November
  - Activity
- New Award Certification
- Beliefs and Resolutions/Bylaw Changes and Timeline for Submission(s)
“Why We Do What We Do”
ASBA Legislative Package Development

• ASBA is attentive to the concerns and needs of school board members and school districts across the state
• Before each session ASBA develops legislative proposals for consideration during the session
• ASBA identifies legislative sponsor(s) to carry the proposed bill
• Ideas for proposals often come from board members, administrators, other educators, legislator comments, meetings with other groups, etc.
• Proposals may be of direct benefit to board members or perhaps just to students, staff or school districts in general
• Proposals normally address known needs or concerns and are of broad benefit across the state
2017 ASBA Legislative Package

ARKANSAS SCHOOL BOARDS ASSOCIATION

ASBA
Student Focused Leadership
HB1144 — Automated School Bus Cameras

• Addresses exterior mounted automated bus cameras capturing traffic flow during bus stops
• Intent is to help reduce school bus passing violations
• Requires a school district or charter school to provide automated bus camera footage, if available, to law enforcement upon request
• Allows that evidence to be used by law enforcement or the courts in prosecution of those violations
HB1523 — Board Vacancy for Failure to Train

- Creates a vacancy if a board member fails to receive the required training within the time period specified in statute
- Requires superintendent to prepare a report for the regular January board meeting that reflects the training hour status of each member
- Member(s) not having required training have 30 days to correct
- Member not allowed to participate in official board business until issue corrected
- Exception for extreme medical issues or military
- If not corrected, vacancy filled in same manner as other vacancies
HB1552 — Amends Lifetime Teaching License

- Allows educator to apply for a lifetime teaching license at any age if requirements are met.
- Educator must have retired from active teaching under:
  1) §§ 24-7-701 – 60 years old with at least 5 years experience or
  2) §§ 24-7-702 – any age with at least 25 years of experience or
  3) §§ 24-7-704 – any age with at least 5 years experience and meeting disability requirements.
- Upon application for and receipt of lifetime license, educator no longer must reapply or pay licensure fee.
- Also removes PD requirement for holder of lifetime license prior to re-entry into the profession.
HB1632 — Verification of Proper Zone

- Intent is to ensure board candidates:
  1) Identify the proper position number on the petition
  2) Live in the proper zone to be a qualified candidate for the open position
- Clerk will not accept petition for candidacy unless both above requirements are met
- Addresses same issues with write-in candidates
HB1905 — Expands Late Arrival or Early Dismissal

• Current statute only allows late arrival or early dismissal without having to make up the time if due to inclement weather
• This expands that to include:
  1) contagious disease outbreak
  2) utility outage
• Total days per year to utilize this provision is still five (5)
You’ve seen examples of legislation ASBA has developed and promoted.

During dinner you discussed and wrote down on side A of your blue sheet some of your concerns/ideas for consideration in the ASBA Legislative Packet for 2019.

Take a few minutes to finalize that discussion, record it on the blue sheet and be prepared to report out your thoughts.

Report out by groups.
Some Will Be Back-
Stronger than Before

the return
Vouchers, Tax Deductions, Tax Credits and Scholarship Bills
Vouchers, Tax Credits, Tax Deductions, Scholarships

• In general, all use funds that either are or are intended to be public funds to pay private education expenses – often with little or no accountability for performance
• Many efforts by legislature in recent years to pass different versions of these bills
• First bill of this type was passed in Arkansas in the 2015 session – Succeed Scholarship Program (Act 1178 of 2015) – provided very limited funding and targeted only severely handicapped students
• Succeed Scholarship expanded in 2017 session to include foster children in group homes
• Expect legislators to continue to propose legislation that uses public funds to fund education services by private sources
• Some examples of bills from the 2017 session are:
HB1222 — The AR Parental Empowerment for Education Choice Act of 2017
Rep. Dotson

• Tax credit bill for home school and private school expenses
• Originally also allowed for college savings accounts
• Was amended six times to address legislator concerns
• Would have reduced state revenue $6 million annually
• Passed House Education Committee
• Failed on House floor
SB746 — Parental Choice Pilot Program  
Senator Johnson

- Resurrected from HB 1222
- Tax credit would have diverted funds from general revenue to pay:
  1) Private school tuition
  2) Home school expenses
  3) Certain education related costs
  4) Transportation
- Reduction to general revenue of $3 million annually
- Had Governor support late in the session
- Passed Senate
- Failed on House floor
SB112 — Tax Deduction for Tuition and other Educational Expenses

Senator English

• Tax deduction allowed for certain education expenses including private school tuition and home school expenses
• Potential reduction to general revenue was $7 million annually
• Sponsor did not run the bill in committee
Activity II

• ASBA has traditionally spent a great deal of time/other resources to protecting the use of public $$ for public schools

Ask yourself and be ready to respond to the following:
• As we move forward, is ASBA representing your interests when we do this and thus, should we continue using our resources for this?
• If so, name at least 3 arguments you have for protecting/preserving public funds for public education.
• Will you be committed enough to actively use these arguments to advocate for the preservation of public dollars for public education?
School Elections

- Twenty-seven (27) states now have school election in whole or part with general or preferential primary election
- In general, those wishing to include school elections with the general election give their reasoning as “more voters making the decisions”
- A consequence, either intentional or not, is that it is likely to make it more difficult to pass a tax proposal due to voter opposition to increased taxes in general
- Major change made in school election will begin in 2018
- Able to make a choice in when election is held but choice is restrictive
- District still able to have separate millage election
- Probable we will see effort to further restrict taxing option
Election-Related Bills that Have Failed **BUT** May Resurface
HB2162 — Move All Special Elections to Preferential Primary or General

Rep. Gonzales

- Required school elections to be held with the general election
- Special millage elections also limited to preferential primary or general election
- Most restrictive of all the special election bills
- Bill was never introduced in committee
SB504 – Move School Election to November
Senator English

- Required annual school election to be held with general election in November
- Left special millage election as it is currently
- Sponsor was also a primary sponsor of HB 1621
- Bill was not introduced in committee
SB723 — Amend Special Elections
Senator Wallace

- All special elections (except regular school board elections) would have been moved to the preferential primary or general election
- Special school millage elections would have been held ONLY on those two dates
- Bill passed the Senate
- Failed in the House chamber by only one vote at end of session
HB1151 – Postcard Notice of Special Election
Rep. Davis

- Required county clerk to mail a postcard notice of special elections to registered voters
- Intent was to increase voter turnout
- Would add additional cost to holding a special election
- Sponsor of election would bear the cost
- Not likely to increase voter turnout
- Sponsor did not introduce this bill but instead supported SB 723
HB1583 — School Board Member Recall
Rep. Dotson

• Sitting school board member could be removed by a majority vote of the electors qualified to vote for that office

• Process would involve:
  1) Petition with signatures of 35% of qualified electors for that office
  2) Verification of the signatures (clerk)
  3) Certification of the petition (clerk)
  4) Issue placed on ballot of next annual election unless that is than less than 60 days (the next year annual election if less than 60 days)
  5) Bill was placed in interim study
SB536 — Requires Additional School Districts to Elect Members by Zone

Senator Cheatham

• No change if ADM under 2,000
• If district ADM over 2,000, board member structure would be:
  1) Five or seven single member zones or
  2) Five single member zones and two at-large
• Board adopts resolution stating which structure they prefer
• County election commission establishes zone boundaries to ensure equal population and appropriate minority representation based on last census
• Sponsor did not introduce the bill in committee
School Board Elections: Planning for Change
Act 910 of 2017

Introduced as HB1261 and is now Act 910 of 2017

FACT: ASBA opposed and testified against this and all other school election bills.

NOTE: This bill was the least restrictive of the bills that would have eliminated September school elections.

Points to Consider

- Elections continued in September, (or for a few districts November), 2017 as in past years.

- **ACT 910 ELIMINATED SEPTEMBER SCHOOL BOARD ELECTIONS AFTER THE 2017 ELECTION!**

- Effective Date is January, 2018 – Districts must have school election in calendar year 2018.

- Special Millage Elections (must be held prior to regular school election (again, calendar year).
School Board must choose Preferential Primary or General Election for 2018 School Election prior to first day of candidate filing period for Preferential Primary (February 22, 2018) and must notify county clerks of the decision.

Written notification isn’t required but ASBA recommends districts make the decision and notify clerks in writing by January 1, 2018. Sample forms are on your table and will be included in the October policy update.

Board member terms scheduled to end in September of 2018, will now end in May or November 2018.
Regional meetings last Fall indicated almost all districts prefer a May school board election over November.

Correspondence with members has outlined some reasons for that decision.

The May, 2018 election will be held Tuesday, May 22, 2018.

Filing deadlines will correspond with the new election date.
As discussed earlier, the overwhelming majority of districts have indicated they favor May over November for the annual school election.

May election would:
- bring in new board member at beginning of new school year
- give new board member input into upcoming budget
- better prepare new board member to evaluate superintendent
- provide more convenient opportunities for critical new board member training

November election would:
- allow district to hold special millage election later in the year (a majority of special millage elections are currently held in the first few months of the calendar year)

Special note: Although current statute does not prohibit boards from switching the date of the annual school election back and forth between May and November, ASBA does not recommend this due to the likelihood of voter confusion about when the school election is held.
Items to Think About in May (or November) Election

- Expect heavier voter turnout so message will need to be heard by larger audience to make informed decisions.
- Many may be disinterested in school elections when coming to polls, but will cast votes anyway.
- Now competing with other political races: Message can be easily lost in the political frenzy and media outlets.
- Opponents may have political backing or other resources for campaign.
- The New Board Member Institute normally held in October, will be moved to June 21, 2018 in Hot Springs.
Think and discuss at your table any issues that might impact your decision between a May or November school board election in your district. Why?
Share Your Thoughts
Candidate Campaign Considerations

- Financing requirements and how and where to find the funds.
- Campaign Manager or not?
- Signage for yards, billboards, newspaper ads, etc....
- Motto or Tag?
- Educational Platform (Other Platforms: Gun Control, Health Care, etc...)
- Speeches or Debates?
- Volunteer Call vs. RoboCall?
- Facebook, Twitter, Social Media?
As seen earlier, legislation was introduced in 2017 to restrict special millage election dates to only Preferential Primary or General Election.

It is probable that those bills will be introduced again in 2019.

Many districts will consider millage elections in the interim (odd years).

Remember that in odd numbered years school election will be stand alone for school districts.

Money is tight.

There are many entities competing for fewer resources.

It will likely be difficult to obtain a tax extension or increase, due to increased, stronger, and more publicized opposition.

Prepare yourself for the possibility of multiple attempts before passing millage.
New Awards and Certification Program

For members newly elected after January 1, 2018 only

Certificate of Boardsmanship

- Takes the place of Outstanding Board Member Award
- At least 25 hours of ASBA training credit
- Must include the following:
  - 6 hours of the ASBA New Board Member Institute
  - 3 hours of ASBA Regional Meeting
  - 2 hours additional ASBA hours in each of the following areas: Finance, Governance, Legal, and Student Achievement (academic programs/needs, understanding data, etc.)
  - 8 additional hours of ASBA electives

Members elected after January 1, 2018 must earn a Certificate of Boardsmanship before being eligible to earn any other ASBA awards
Proposed Change* in Bylaws (to be voted on at Delegate Assembly on December 6 at the ASBA Annual Conference:

“For an initial term as a Regional Director, the Nomination Form shall include verification on behalf of a candidate that he/she has sufficient time left in his/her local board term to fulfill a full, three-year term as an ASBA Director, a minimum of two years remaining on their local board term or the length of time sufficient to fill the remainder of an unexpired term and has completed a minimum of twenty-five (25) ASBA training hours.”

* Due to new changes in the board member election date
Upcoming ASBA Professional Development Opportunities

**New Board Member Institute**
Tuesday, October 17, 2017
Embassy Suites, West Little Rock

**Annual Conference**
December 6th – December 8th, 2017
Marriott Hotel & Statehouse Convention Center, Little Rock

**School Law Seminar**
January 22nd, 2018
Embassy Suites, Little Rock

**Winter (Four-Corners) Institutes**
TBD – March 2018 – Various Locations

To request and schedule additional specialized or on-site training, please contact Dr. Anne Butcher, ASBA Board Training Director at (501) 492-4814
Questions?
Thank You for your time