New York State School Boards Association

2022 Proposed *Resolutions*

Please Note:

The proposals contained within this booklet are not the official positions of the New York State School Boards Association (NYSSBA). Rather, these proposals represent items introduced by individual NYSSBA member boards or the NYSSBA Board of Directors for consideration at the 2022 Annual Business Meeting.

Moreover, proposals advanced by the NYSSBA Board of Directors are not the positions of the Board, nor should their advancement be considered endorsement by the NYSSBA Board. Proposals advanced by the Board of Directors are done so because the Board of Directors has identified an issue, by way of a resolutions survey sent to all members, on which they seek the membership's input.

No individual board, including the NYSSBA Board of Directors, can adopt a formal position statement or change the Association bylaws. Only by way of a vote of the delegates at the Annual Business Meeting can the Association adopt a formal position statement or change the bylaws.

To view NYSSBA's current bylaws and position statements, please see the links below.

NYSSBA Bylaws
NYSSBA 2022 Position Statements

New York State School Boards Association
Better School Boards Lead to Better Student Performance

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TO: School Board Members and Chief School Administrators

FROM: Scott Johnson, Resolutions Committee Chair

DATE: September 1, 2022

On Thursday, August 18, 2022, the Resolutions Committee met virtually to discuss the proposed resolutions that were received by August 1, 2022. In this book, you will find details regarding the Resolutions Committee's votes to recommend or not recommend the proposed resolutions. All proposed resolutions contained in this book will be considered for a vote on **Monday, October 17, 2022, at 4:00pm** during the New York State School Boards Association's Annual Business Meeting. Each NYSSBA member board is eligible to appoint one member to participate in the business meeting and vote on their behalf.

Within this booklet you will find the following information:

- NYSSBA Board of Directors
- Resolutions Committee Members
- Listing of Proposed Resolutions
- Proposed Resolutions Recommended for Adoption
- Proposed Resolutions Not Recommended for Adoption
- Information on Amendments, Rebuttals and Late Resolutions
- Information for the Voting Delegates

All districts will have the opportunity to suggest amendments to the submitted resolutions and offer rebuttals to the not recommended resolutions by September 16, 2022 to be included in the Voting Delegates Guide.

NYSSBA Board of Directors

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1st Vice President/Area 4	Sandra Ruffo
2nd Vice President/Area 3	Christine Schnars
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Area 11	Robert "B.A." Shoen
Area 12	Catherine Romano
Area 13	David Banks Represented by Sharon Rencher
Director, Big 5 School Districts	Willa Powell
Director, Caucus of Black School Board Members	Sylvester Cleary

Resolution Committee Members

Area	Name	School District/Organization Name
1	Scott Johnson *(Chair)*	Sweet Home Central School District
2	Maureen M. Nupp	Monroe 1 BOCES
3	Mary Weimer	Scio Central School District
4	Kelly Warwick	Chenango Valley Central School District
5	Douglas Gustin	Madison-Oneida BOCES
6	Catherine Hollinshead	Malone Central School District
7	Anne C. Savage	Albany City School District
8	Kerri G. Green	Sidney Central School District
9	William M. Boss	Orange-Ulster BOCES
10	Marjorie Schiff	Katonah-Lewisboro Union Free School District
11	Charmise Desiré	Uniondale Union Free School District
12	Robert Sweeney	Mount Sinai School District
13	Andrea Ferguson	NYCDOE
Big 5	Louis J. Petrucci	Buffalo City School District
Caucus of Black School Board Members	Robin L. Bolling	Westbury Union Free School District
Board Liaison:	Peggy Zugibe	Rockland BOCES

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FOR ADOPTION

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PROPOSED RESOLUTIONS
RECOMMENDED BY THE RESOLUTIONS COMMITTEE FOR ADOPTION

PROPOSED RESOLUTION 1
Submitted by*: Dutchess BOCES (6/10/22)*

RESOLVED, that the New York State School Boards Association support adding fully state funded arts and music education as a common school branch that should be incorporated into the public school curriculum to provide a more well-rounded education for children.

RATIONALE

While New York State Education Department regulations dictate arts and music education, it is not a statutory requirement. As a result, during times of fiscal difficulties, school districts may look to reduce arts and music classes in order to achieve budgetary savings regardless of the importance of these courses for child development. There have been numerous research studies similar to one released in 2012 by the National Endowment for the Arts (NEA) entitled The Arts and Achievement in At-Risk Youth: Findings from four longitudinal studies that document measured academic success and future civic engagement of students, particularly those who are at risk, when they actively participate in arts programming. Along with these types of successes, this study documented that at-risk student with an "in-depth arts involvement" had higher career aspirations and were more likely to pursue higher education. Along with student engagement, music and arts programming offered in school improves participation and aids in the development of critical thinking and creative problem solving. For many years, the national educational focus has been on "STEM"- Science, Technology, Engineering and Math. Educational advocates are now realizing the importance of adding Arts to the discussion. STEAM education provides a more holistic approach that reflects the need for students to develop both creative and analytical skills.

Finally, the post-pandemic climate demands expanded attention to Social Emotional Learning: ample data exist to demonstrate that participation in the arts - music, theatre, dance, art, creative writing, and the media arts - provides unparalleled opportunities to engage, motivate, encourage, and inspire students of all cultures and backgrounds. This legislation recognizes the importance of arts and music programs in public schools and will ensure that all of New York's school-aged children have equal access to these critical learning opportunities.

PROPOSED RESOLUTION 2 – SUNSETTING
Submitted by: *New York State School Boards Association Board of Directors (6/11/22)*

RESOLVED, that the New York State School Boards Association support meaningful reforms to the tax cap levy formula.

RATIONALE

School boards take seriously their responsibility of balancing the needs of their students and district with what their local community is able to afford. Since the enactment of the property tax cap in 2011, school boards have been forced to adjust their budgeting practices to fit the constraints of the tax cap, rather than placing the greatest priority on the needs of their school districts and students.

More than half of school district spending statewide is provided by local revenue, the majority of which is generated through property taxes. The fiscal instability of recent years has further highlighted the constraints of the tax cap environment. This has been especially true in years when the consumer price index is lower than 2%, which has

occurred six times since the cap was instituted. Conversely, when inflation runs higher, as we have seen in 2021 and 2022, the tax cap arbitrarily limits a district's ability to meet those increased costs.

While the property tax cap's sunset clause was repealed in 2019, there was unfortunately little action taken to address the inequities and unintended consequences the cap created when it was established a decade ago. These difficulties still exist and have only compounded over time. In order to make the property tax cap work for all stakeholders, meaningful reforms must be made.

PROPOSED RESOLUTION 3 – SUNSETTING
Submitted by: *New York State School Boards Association Board of Directors (6/11/22)*

RESOLVED, that the New York State School Boards Association support reforming the system of educator discipline to cap the length of time educators awaiting 3020-a proceedings are paid.

RATIONALE

Before disciplinary action can be taken against tenured staff, school districts must follow the extensive administrative hearing procedures established in N.Y. Education Law § 3020-a. Except in very limited circumstances, educators continue to collect their full salary and benefits throughout 3020-a proceedings. Therefore, employees have little incentive to expedite resolution. Placing a cap on the length of time an educator must be paid while 3020-a proceedings are pending maintains due process protections for employees, while also giving protection to school districts against unnecessary delays throughout the hearing process.

PROPOSED RESOLUTION 4
Submitted by: *New York State School Boards Association Board of Directors (6/11/22)*

RESOLVED, that the New York State School Boards Association support the state enhancing support for school districts in response to cybersecurity threats that endanger student and staff personal data and school safety.

RATIONALE

Cybersecurity attacks against local governments have increased dramatically in recent years, whether via ransomware, distributed denial of service, "zero day" exploits, or other methods. According to NYSED's Privacy Office, from 2020 to 2021, there was a 61% increase in reported data incidents from schools across the state. As we enter the digital era of education, many cybersecurity analysts say it is not a question of if an individual school district will be the target of a cyberattack, but when.

Preventing and responding to cybersecurity attacks requires significant planning, training, staff, and funding. These attacks interrupt school operations, drive up district costs, diminish community trust, and potentially lead to breaches of the personal data of students and staff. The state is better positioned, in terms of costs and ability to attract talent, to address cybersecurity risks and breaches.

As New York considers and implements new cybersecurity initiatives, such as the recent creation of the Joint Security Operations Center, school districts should have a seat at the table to ensure they receive the necessary attention and support to address potential threats.

PROPOSED RESOLUTION 5
Submitted by: *New York State School Boards Association Board of Directors (6/11/22)*

RESOLVED, that the New York State School Boards Association support a requirement that districts be fully funded to employ a sufficient number of mental health professionals (ex. Social worker, school psychologist) to properly serve the needs of the students of the districts of New York State.

RATIONALE

Student health is of paramount importance. It requires a holistic view of health care that encompasses both physical and mental well-being. These challenging times have given rise to a greater need than ever for quality mental health care in schools.

The COVID-19 Pandemic has created an unprecedented need for student mental health services. Isolation due to social distancing, anxiety due to the pandemic, and the everyday stresses of being a student have led to unprecedented levels of mental health challenges.

This challenging period for student mental health comes at a time where ongoing staff shortages persist across the entire spectrum of student services. In these times, it is key that students have the resources they need to address their mental health needs. Requiring at least one mental health professional be present in every school across the state will provide vital access to services for our students.

PROPOSED RESOLUTION 6
Submitted by: *East Meadow School Board (6/27/22)*

RESOLVED, that the New York State School Boards Association supports a revision to transportation statutes to permit a School District to provide aidable transportation outside voter approved limits, so long as doing so would not result in an additional cost to the School District and would not displace any students otherwise entitled to transportation.

RATIONALE

Educational Law requires that non-city school districts provide transportation for all children who reside further than the statutory distance from the public school which the children attend. Upon vote from the constituents from a district, such distance may be reduced, but not lengthened, from that reflected in the statute. A district cannot offer transportation and cannot not incur any additional expense to provide transportation to students who do not live outside the statutory or adopted distance However, for many Children who live within the statutory or adopted distance it is still unsafe or impractical for the student to travel to their public school without the aid of transportation. Pursuant to the current statue, it is impermissible for districts to provide bussing for such students even if at no cost to the district. This resolution would potentially allow for programs which could provide students who live within the adopted distance to ride the bus if there is space available and would not increase cost.

PROPOSED RESOLUTION 7
Submitted by: *Freeport School Board (7/6/22)*

RESOLVED, that the New York School Boards Association supports a comprehensive reform of the Foundation Aid Formula.

RATIONALE

After years of advocacy, the initial promise of Foundation Aid is now being kept. However, New York State still needs to address deficiencies in the dated Foundation Aid Formula to assure fair and equitable shares of state aid. In order to accomplish this, New York State needs to conduct a study to determine the current cost of educating a student that takes into consideration changes that have occurred since the creation of the original formula which have impacted that cost including new programs and mandates, use of technology, and increasing student need.

A review and revision of the Foundation Aid Formula should include, among other considerations, updating the regional cost index, adjusting the weightings for high need students, calculation of student-based district wealth factors, replacing the decades old census data used to determine student poverty with the updated and more accurate Small Area Income & Poverty Estimate(SAIPE) formula, and using direct certification student counts in place of Free and Reduced Priced Lunch counts which may not be as accurate.

Adjustments and improvements made to the Foundation Aid Formula are overdue and will ensure that districts are receiving their equitable share of state aid. It is important that the Foundation Aid Formula allows state aid to be predictable and responsive to current educational environments. The New York State School Boards Association should support a comprehensive reform of the Foundation Aid Formula.

PROPOSED RESOLUTION 8
Submitted by: *Onteora School Board (7/7/22)*

RESOLVED, that the New York State School Boards Association supports Universal Pre-K for 3 and 4 year-olds statewide.

RATIONALE

We know that early education creates more equitable, positive outcomes for all children. The average private preschool tuition in New York is $15,409 per year in 2022. According to Spectrum 1 News, only 81 grant applicants received funding under the Statewide Universal Full Day Pre-K program.

PROPOSED RESOLUTION 9
Submitted by: the *Sayville and Sachem School Boards (7/8/22)*

RESOLVED, that the New York State School Boards Association shall petition the New York State Education Department and the Commissioner thereof to include, as a mandatory prerequisite to being employed by a school district in the State of New York as a licensed security guard, that said individual receives as part of their training and licensure a separate and specific credential signifying training and knowledge of the laws, rules, and regulations applicable to schools.

RATIONALE

The 1999 deaths of 12 students at a school shooting in Columbine, Colorado marked a new age for school, an era where school shootings are almost commonplace. Since then, 100 children have been killed at school in mass shootings by culprit who were also students. 17 children were killed in 2018 in a mass shooting. For example. At

Marjory Stoneman Douglas High School in Parkland. Florida. Even the 2012 deaths of 27 elementary-aged children at Sandy Hook Elementary School in Newtown. Connecticut have not moved the nation to action. Sadly. This same trend is continuing with the most recent deaths of 19 school children and 2 teachers in Uvalde, Texas. Proper training is an important way we can make our students more safe. Surprisingly, there is no mandated. School-specific training required of school security guards in New York. There is only a general NYS Security Guard Certification. This training fails to distinguish between school security and warehouse security. A current lesson from this training, for example, identifies the following emergencies: fire, bomb threat, strike/picket medical emergency, natural disaster and crime in progress. Why not train prospective guards on lock downs, lock outs and deescalating distressed students?

Rationale by Sachem:
The 1999 deaths of 12 students at a school shooting in Columbine, Colorado marked a new age for schools, an era where school shootings are almost commonplace. Since then, nearly 100 children have been killed at school in mass shootings by culprits who were also students. 17 children were killed in 2018 in a mass shooting at Marjory Stoneman Douglas HS in Parkland, Fl. Even the 2012 deaths of 27 elementary children at Sandy Hook Elementary in Connecticut have not moved the nation to action. Sadly, this same trend is continuing with the most recent deaths of 19 school children and 2 teachers in Uvalde, Texas. Proper training is an important way we can make our students more safe. Surprisingly, there is no mandated, school-specific training required of school security guards in New York. There is only a general NYS Security Guard Certification. This training fails to distinguish between school security and warehouse security. A current lesson from this training, for example, identifies the following emergencies: fire, bomb threat, strike/picket, medical emergency, natural disaster, and crime in progress. Why not train prospective guards on lock downs, lock outs and deescalating distressed students? Such acts of violence against the Nation's youth and school personnel represent a clear and present danger to the safety and security of students and school personnel nationwide and in particular in the State of New York. The Board of Education of the Sachem Central School District recognizes its duty and responsibility to guard against such reprehensible acts of violence on school grounds and provide a safe, orderly, and respectful environment for students, staff and visitors. The Board of Education employs security staff, watchman and guards to patrol the buildings and grounds of the school district to enforce school rules and ensure the safety of students, staff and visitors; and we believe knowledge of the laws, rules and regulations applicable to a school district are necessary to promoting and maintaining safe and proper conduct, and ensuring the safety of students, staff and visitors while on school grounds. The Board of Education further believes knowledge of the means, tactics and manner of providing security services specific to the unique needs and environment within a school district and the facilities thereof are equally necessary to promoting and maintaining such safe and proper conduct while on school grounds.

PROPOSED RESOLUTION 10 – SUNSETTING
Submitted by: *Freeport School Board (6/11/22)*

RESOLVED, that the New York State School Boards Association support raising the allowable undesignated fund balance for school districts.

RATIONALE

Maintaining an adequate fund balance is a prudent fiscal practice that provides critical benefits for any school district. These include the ability to minimize educational service disruptions, stabilize educational performance, fund educational growth, and manage unforeseen expenditure demands and revenue shortfalls. Optimum fund balance levels are a significant component of the well-being of a district or, for that matter, any organization.

Across the United States, 40 states have no mention of fund balance restrictions and only 10 states have some requirement related to school district fund balance. Even in those instances, the lowest limit is six percent as opposed to the four percent limit in New York State. State and local governments such as counties, towns, villages, and fire districts in New York State have no limit on unrestricted fund balance and can carryover a "reasonable amount" for

their particular situation to address volatility of revenues and expenditures and for contingencies. The Government Finance Officers Association (GFOA) recommends that governments maintain adequate levels of fund balance to mitigate current and future risks and to ensure stable tax rates. They also note that a school district's particular situation may often require a level of unrestricted balance in excess of recommended levels. GFOA clearly recommends an unrestricted fund balance to be a minimum of two months of general fund operating revenues or general fund operating expenditures which is approximately 16.7 percent. This amount far exceeds the current four percent limit imposed by the state.

It is imperative that school districts be able to maintain an adequate fund balance for the maintenance of good financial standing and the ability to deal with unforeseen financial burdens. A permanent increase in the allowable percentage of undesignated fund balance is fiscally responsible and necessary. The NYSSBA should support legislation to increase the allowable undesignated fund balances.

PROPOSED RESOLUTION 11
Submitted by: *Orleans/Niagara BOCES Board (7/18/22)*

RESOLVED, that NYSSBA shall seek legislative changes to allow component school districts to hold the BOCES administrative budget vote and BOCES board of education election on a date of their own choosing between April 16 and April 30, rather than a single uniform date selected by the BOCES board of education president.

RATIONALE

Component school districts are currently required to meet on a common specific date in April designated by the BOCES board of education president to vote on the tentative BOCES administrative budget and board members. This creates difficulties for some component school districts to meet. The proposed amendment would allow the component school districts to meet on a date of their choice between April 16th and April 30th to vote on the BOCES administrative budget and board members, thereby increasing the opportunity for all the component school districts to vote on the BOCES administrative budget and election of board members. During the COVID pandemic, an exception was made allowing districts some flexibility to their meeting date, which greatly increased the number of districts that met to vote on the BOCES administrative budget and election of board members.

PROPOSED RESOLUTION 12
Submitted by: *Newark School Board (7/23/22)*

RESOLVED, that NYSSBA work with other associations and Office of School Personnel Review and Accountability to develop better systems that allow districts and BOCES to query or to be notified when a Part 83 report or an investigation is pending.

RATIONALE

When an employee resigns, and when the district has serious chargers pending that are reportable under Part 83, the school district and law enforcement become ineffective in controlling if that employee tries to seek a position with another school district. A reporting system needs to be developed to allow districts and BOCES to check to insure a that potential employee has not been reported under part 83 or has an ongoing investigation or pending report.

PROPOSED RESOLUTION 13
Submitted by: *Newark School Board (7/23/22)*

RESOLVED, that NYSSBA work to make or add to existing law to make it a felony for a district employee to have lewd or sexual relations with a current student in the district regardless of age or consent.

RATIONALE

Relationships between students and school employees need to be professional and proper. While fraternization polices and regulations state and define relationships with students, the law needs to be stronger so that law enforcement and district attorneys will investigate and prosecute. Health care workers and prison guards who also work in a similar relationship with their clients are covered under NYS penal 130.05; adding school employees would be a deterrent.

PROPOSED RESOLUTION 14
Submitted by: *Massapequa, Hicksville, Carle Place, Island Trees, Oyster Bay- East Norwich, Sachem, and Locust Valley School Boards (7/24/22)*

RESOLVED, that the New York State School Boards Association supports amendments to the New York State General Municipal Law governing reserve funds to authorize school districts to be able to borrow from one or more of their existing reserve funds in order to cover temporary cashflow shortfalls attendant to the annual delay between the levy and collection of taxes.

RATIONALE

WHEREAS, because of the attendant delay between the annual levy and collection of taxes, many school districts each year face a temporary shortfall in cash flow, which sometimes requires short-term borrowing through the issuance of tax anticipation notes ("TANs"); and WHEREAS, such short-term borrowing requires the payment of interest on the funds borrowed as well as closing costs attendant to the issuance of the TANs; and WHEREAS, in order to avoid these unnecessary additional expenses for school districts and their taxpayers, legislation should be passed allowing school districts

Rationale from Sachem School Board:
Allowing school districts to utilize funds already within their possession, in lieu of utilizing tax anticipation notes, will save the District and essentially the tax payers within the community an enormous amount of money in interest payments.

PROPOSED RESOLUTION 15
Submitted by: *Massapequa, Hicksville, Carle Place, Island Trees, and Oyster Bay-East Norwich School Boards (7/24/22)*

RESOLVED, that the New York State School Boards Association supports the adoption of legislation which would require the New York State Education Department to develop regulations providing oversight over special education parent and rules of conduct and enforcement procedures for same.

RATIONALE

WHEREAS, Federal and State Law permits the parents/guardians of children classified pursuant to the Individuals with Disabilities Act ("IDEA") to be represented by "parent advocates" at, among other things, committee on special education ("CSE") meetings and due process proceedings challenging the recommendations made by CSEs; and WHEREAS, presently Federal and State law does not sufficiently define the role of parent advocates, let alone provide for any oversight regarding who is qualified to serve as an advocate or how they may operate.

PROPOSED RESOLUTION 16
Submitted by: *Beacon School Board (7/26/22)*

RESOLVED, that the New York State School Boards Association supports legislation at the state level that would allow for school board members to receive a stipend for their work as a trustee.

RATIONALE

Participation on a school board is an important form of public service, with a direct impact on quality of life for children and communities. It is a volunteer position that requires a serious time commitment with no financial compensation. A small stipend would pose minimal cost to a district's overall budget and would widen the pool of possible candidates for the position. While there are minimal qualifications required to become a board member, the time commitment required may be a barrier to participation for community members who are not in a financial position to give away their time. This is especially true for parents who may not be able to afford the cost of childcare during the board meetings. We believe that offering a stipend for members could mitigate such challenges, and will encourage a more diverse pool of candidates that better represent the student body in most public school districts.

PROPOSED RESOLUTION 17
Submitted by: *Hicksville School Board (7/28/22)*

RESOLVED, that the New York State School Boards Association joins statewide advocacy efforts to support healthy, high-quality school meals through the Child Nutrition Reauthorization (CNR).

RATIONALE

School meals are governed by Federal, State, and local regulations. Effective with the 2024-25 school year the USDA plans to issue a final rule establishing practical, implementable, science-based school meal standards that work for schools, industry and – most importantly – the 30 million school children that rely on the school meal programs. Currently, school meal services are part of an economic system and food system that is not designed to provide kids with fresh food. School food services operate like a business, and often work closely with food companies whose primary goal is to make profits. Fixing school meals, is a complex challenge. To really improve the quality of what kids are served, school communities need to be ready to meet that challenge as part of an overhaul of statewide wellness policies.

PROPOSED RESOLUTION 18
Submitted by: *Fayetteville-Manlius School Board (7/28/22)*

RESOLVED, that the New York State School Board Association support legislation to fully fund or reimburse school districts for tax exemptions for veterans.

RATIONALE

In NY, 4.4% of our citizens, over 676,000 men and women, are veterans. Due to their service, they deserve benefits from the state. Currently, there are NYS tax exemptions available, but those are not automatic and not awarded to all veterans. School districts have the option to offer tax exemption to veterans. If the state were to provide funding or reimbursement to school districts for veteran tax exemptions, more districts would participate and veterans would be relieved of the burden of paying school taxes. As our veteran population ages, we must support them and allow them the benefit of a school tax exemption.

PROPOSED RESOLUTION 19
Submitted by: *Fayetteville-Manlius School Board (7/28/22)*

RESOLVED, that the New York State School Board Association support legislation to fully reimburse districts for all investments in electrical buses, including all infrastructure.

RATIONALE

One of the transportation initiatives in the state budget passed in April is a commitment to achieving 100% electrical school buses in New York by 2035, with all new bus purchases required to be fully electric starting in 2027. While this initiative benefits all citizens in regard to our climate, it involves significant cost to school districts. Beyond the cost of the buses themselves, the infrastructure changes include charging stations at bus garages and on campuses, collaboration with local power authorities to facilitate these charging stations, training for bus maintenance, and much more. Although there are numerous grants that can help districts with these changes, grants put school districts in competition with one another. Full funding of these initiatives should come from the state government.

PROPOSED RESOLUTION 20
Submitted by: *Plainview-Old Bethpage School Board (7/28/22)*

RESOLVED, that the New York State School Boards Association support legislation at the state and/or federal level that would reform the current gun laws to strengthen background checks, implementing red flag laws, as well as laws that will restrict guns from those under the age of twenty-one.

RATIONALE

Since the horrific events at Columbine High School in 1999, school shootings have become an unfortunate recurring event in the United States. Enough is enough. It is time for lawmakers to take a stand against this type of senseless violence and carnage that students potentially face just to get an education.

Strengthening background checks will prevent criminals and those that should not have their hands on a gun from obtaining one. New York State has already implemented red flag laws, which allow a gun to be removed from an individual that is showing signs they may harm themselves or others. It is of vital importance to the students and school personnel of New York that these laws be implemented nationwide. As strong as the laws in New York State are, red flag laws must be implemented nationally to prevent someone from simply crossing state lines to obtain a gun.

In many of these school shootings, the shooter has been either a current, or recently graduated student. That is reason enough that school aged kids should be unable to purchase a gun that can then immediately be used to murder their classmates.

In the past year gun violence has been a reality throughout New York State. Therefore, it is imperative that our state legislature pass gun safety laws as soon as possible. Every day is an unknown gun event waiting to happen. There is a definite urgency that NYSSBA take immediate action to protect the lives of our students and school personnel.

PROPOSED RESOLUTION 21
Submitted by: *Croton Harmon School Board (7/28/22)*

RESOLVED, that the New York State School Boards Association support legislation to amend the Education Law to standardize the deadlines for filing of candidate petitions for the various categories of school districts.

RATIONALE

The Education Law sets forth the deadlines for candidates to file petitions for nomination as candidates for the office of members of the school board. Education Law § 2018(a) sets the deadline for candidate petitions for union free school districts and common school districts as 5:00 pm "no later than the thirtieth day preceding the school meeting or election at which the candidates nominated are to be elected." Education Law §§ 1804(1) and 1804(4) provide that annual meetings and school budget votes for central school districts, including petition provisions, shall be conducted in the same manner as for union free school districts. Since the Education Law provides that the annual meeting for union free school districts, common school districts, and central school districts will be held on a Tuesday, in effect petitions due on the thirtieth day (which is a Sunday) are generally accepted on the nest day (Monday). Education Law § 2608(1) states that petitions for candidates for members of the board of education of a city school district "shall be filed in the office of the clerk of the board of education between the hours of nine a.m. and five p.m., on or before the twentieth day preceding the day of the annual election."

The deadlines for soliciting and accepting petitions for candidates to replace those who have been removed from the ballot after the stated thirty day deadline for union free school districts, common school districts, and central school districts, and the twenty day deadline for city school districts, with the possibility of new petitions being filed as little as seven days before the election, directly conflicts with the requirements for sending absentee ballots to voters. Education Law § 2018-a(4) (applicable to school districts that conduct personal registration of voters) states: "Ballots for absentee voters shall be, as nearly as practicable, in the same form as those to be voted at the district election; if the vote at such election shall be by ballot, the absentee ballot shall conform to the regular ballot; if the vote of such election shall be by voting machine, the absentee ballot shall conform as closely as possible to the manner in which the names of the candidates, the questions and the propositions appear on the voting machines, except that the absentee ballot shall also contain a space for a write-in or write-ins." Education Law § 2018-b(5) (applicable to school districts that do not conduct personal registration of voters) states the same.

In accordance with the Education Law [Section 2018-d(4)] and the Commissioner's Regulations [8 NYCRR § 122.3(e)], absentee ballots must be mailed or otherwise distributed to military voters at least 25 days before the election (except for city school districts with less than 125,000 inhabitants, for which a 14 day mailing deadline has been mandated). Absentee ballots must be mailed to other absentee voters, in accordance with the Education Law, not less than 6 days prior to the election for districts that conduct personal registration of voters [Section 2018-a(2)(g)] and, for districts that do not conduct personal registration of voters, not more than 30 days and not less than 7 days prior to the election [Section 2018-b(4)]. Thus, absentee ballots must be prepared and mailed or otherwise distributed even before all candidates may be determined; those late designated candidates will not be listed on the absentee ballots.

There is no logical reason for establishing and maintaining different deadlines for city school districts and other school districts for the filing of candidate petitions or any other election related matters. There is no distinction between city school districts and other school districts on the basis of size. In 2019-2020, the smallest city school district (the Olean City School District) has fewer than 2000 students and a population of approximately 13,000 inhabitants. That same year, the Brentwood UFSD has more than 18,000 students and a much larger population.

Similarly, there is no logical basis for maintaining a distinction between city school districts of a particular size in the deadline for distribution of military absentee ballots. As only one example of an irrational distinction between city school districts based on their respective populations, the Commissioner's regulations [8 NYCRR § 122.3(2)(g)] provide that "small" city school districts such as Albany (with a population of slightly less than 100,000) must send

or distribute military absentee ballots no less than 14 days before the election, while Syracuse (with a population of approximately 140,000) and larger cities must send or distribute those ballots no less than 25 days before the election; there is no reason that military voters residing in Albany should have fewer days to receive and return their absentee ballots than military voters residing in Syracuse, Rochester, or Buffalo or in any union free school district, common school district, or central school district.

With respect to deadlines for candidate petitions and other election matters, school districts in New York should be subject to a common set of deadlines and requirements as to how elections are to be conducted. NYSSBA should advocate for the establishment of uniformity with respect to election matters, without regard to the category in which the school districts are established and maintained.

PROPOSED RESOLUTION 22
Submitted by: *Croton Harmon School Board (7/28/22)*

RESOLVED, that the New York State School Board Association will support legislation to establish the last date for candidates to file a petition after withdrawal of a candidate so that such date is sufficiently in advance of the date of an annual meeting to provide school district clerks with enough time to prepare for the election, including printing of machine-readable ballots and absentee ballots.

RATIONALE

If a nominated school board candidate subsequently withdraws such petition, dies or becomes otherwise ineligible to hold such office at a time which is later than fifteen days before the last day for filing nominating petitions, Education Law § 2018(d)(for union free school districts, common school district, and central school districts) and Education Law § 2608(1) (for city school districts) both provide: " . . . the time for filing nominating petitions for such office shall be extended to five p.m. on the fifteenth day after the date on which the candidate withdrew, died or otherwise became ineligible to hold such office, provided that no such nominating petition may be filed after five p.m. on the seventh day preceding the election." Thus, the Education Law currently states that new candidates can be added to the ballot as little as seven days before the annual meeting, to replace a candidate who has withdrawn, died, or has become ineligible to serve as a school board member.

The exceedingly short deadline for solicitation and receipt of candidate petitions after a nominated candidate is removed from the ballot creates a substantial impediment to the conducting of a fair election. Additionally, late replacement of candidates as a result of such petitions creates additional expense to school districts. NYSSBA should advocate for changes in the established deadlines and processes for addressing candidates who withdraw, die, or are ineligible to serve.

Adoption of school budgets and election of school board members in New York are conducted at an "Annual Meeting" – the term is likely a vestige of a time when communities had one room schoolhouses and the Annual Meeting was conducted at an in-person meeting at the schoolhouse. In those circumstances, a deadline for nomination of candidates for school district member only a few days before the vote could be applied without disruption, as there were no provisions for absentee ballots, voting was not done with electronic voting systems using ballot scanner voting machines as mandated by New York State Election Law § 7-202, and school district clerks were not required to prepare and print ballots that complied with the regulations of the New York State Board of Elections [9 NYCRR Part 6209]. Changes in the manner in which school board elections are conducted and votes are tabulated has made the preparation of materials for school districts much more complex and time-consuming, have placed additional burdens on school district clerks, and can have the perverse consequence of disenfranchising voters.

Even prior to the date on which petitions are due, district clerks are actively engaged in preparations for the annual meeting and election of school board members, with machine readable ballots and absentee ballots prepared and printed almost immediately after the petition deadline. The printing of machine-readable ballots requires a lead time

of two weeks or more. Absentee ballots must be sent or distributed to military voters almost immediately after the petition deadline (or before the petition deadline in the case of "small" city school districts), and absentee ballots must be prepared well in advance of the last date for their mailing to absentee voters who request that an absentee ballot be mailed to them. School districts incur significant expense in the printing of these ballots.

If a nominated candidate withdraws, dies, or is found ineligible to run for a school board seat less than fifteen days before the established deadline or after the deadline, the district must reopen petitioning and provide fifteen days for additional candidates to submit nominating petitions, with a hard deadline of seven days before the election. If one or more candidates must be removed from the ballot and new candidates added to the ballot, the school district will incur the substantial expense of reprinting revised machine-readable ballots and may be unable to have such machine-readable ballots reprinted before the date of the vote, and additionally for the preparation of new absentee ballots. Further, absentee ballots sent or distributed to military voters and other will not contain the updated list of candidates, and those voters may cast a vote for a candidate or candidates who are not seeking election and will not be able to vote for a candidate or candidates who was added to the ballot after the absentee ballots are printed.

New York Election Law § 6-148, which applies to elections for federal, state and municipal offices, addresses the manner of filling a vacancy in a designation or nomination of a candidate, or by death or disqualification, by a determination of a majority of the members of a committee to fill vacancies as set forth on the nominating petition, or by a political party committee. New York Election Law § 6-150 provides that if a candidate's death or disqualification for a federal, state or municipal office occurs within seven days of the election, the votes for the deceased candidate (the section does not reference the votes of the disqualified candidate) shall be counted and if that candidate receives a plurality of the votes cast, a vacancy shall exist in the office and the office shall be filled in a manner prescribed by law.

NYSSBA should advocate for appropriate revision to the timing and manner in which nominations may be made if a nominated candidate withdraws, dies, or is ineligible to hold the office of school board member, so that absentee voters (in particular military voters) will have the opportunity, to the maximum extent possible, of voting on the candidates who will be on the ballot on election day; school district clerks will have adequate time to perform their ballot preparation responsibilities; and districts will not incur the substantial expense of reprinting ballots. Since the Education Law [Section 1709(17)(union free school districts) section 1804(1)(central school district boards of education shall have the same powers and duties as boards of union free school districts; section 2503(1)(small city school district boards of education shall have the same powers and duties as boards of union free school districts and common school districts)] provides that a school board has the power and duty to fill a vacancy "by reason of the death, resignation, removal from office or from the school district, or refusal to serve, of any member or officer of said board", an appropriate measure might be to follow the process set forth in Election Law § 6-150 for addressing a candidate's late withdrawal, death, or ineligibility to serve, if that candidate receives a plurality of votes.

PROPOSED RESOLUTION 23
Submitted by: *Wilson and Brunswick School Boards (7/29/22)*

RESOLVED, that the New York State School Boards Association seek to initiate legislation at the state or federal level that would provide dedicated funding to be allocated for school safety measures including staffing.

RATIONALE

The purpose of public education is to provide a free education to all children in the country. It is focused on the ideas of core content knowledge, citizenship, and the skills necessary for young people to be successful once they become adults. In order for that skill development and knowledge acquisition to occur children have to feel safe. School Resource Officers (SRO) are a valuable component of a safe school climate. All Public Schools should have an SRO Officer dedicated to assuring our schools are safe. The Wilson Central School District supports safe schools by requiring that dedicated funding be provided to the schools through state aid or to the appropriate law enforcement departments, which will allow for the technical assistance and resources to help deploy School Resource Officers (SROs) in School Districts. This, in turn, will reduce unnecessary student disciplinary actions, promote an environment of greater productivity, safety, and learning; and enhance anti-violence efforts between schools and parents, local governments, law enforcement, and community organizations.

PROPOSED RESOLUTION 24 – SUNSETTING
Submitted by: *Albany School Board (7/29/22)*

RESOLVED, that the New York State School Boards Association supports legislation that would provide finalizing the ballot for positions on a small city school district board on the day after a 10-day period for filing and reviewing of any objections to nominating petitions.

RATIONALE

While this resolution was originally adopted in 2017, the need to address the timing challenges in the election law remains. Current law sets the last day to file nominating petitions in small city school districts at twenty (20) days prior to the election date, and for finalizing the ballot on the next day. Residents of small city school districts have the right to object to the sufficiency of petitions, but the timing in the law creates significant administrative challenges to allow them to exercise this right. The change supported by this resolution would permit residents sufficient time to examine the petitions and file objections, for those objections to be reviewed and for the final ballot to be created.

We also have proposed a separate resolution to align small city school districts with all other school district types, which would include moving the petition date from twenty (20) days to thirty (30) days before the election to further enhance the opportunity for residents to make an informed choice in school board votes.

PROPOSED RESOLUTION 25 – SUNSETTING
Submitted by: *Albany and Taconic Hills School Boards (7/29/22)*

RESOLVED, that the New York State School Boards Association supports legislation that would amend Article 18-A of the General Municipal Law to permit school districts, at their option, to be necessary parties to payment-in-lieu-of-taxes (PILOT) agreements.

RATIONALE

While this resolution originally was adopted in 2017, the need to increase the role of districts in negotiating payment-in-lieu-of-taxes (PILOT) agreements remains.

Industrial Development Agencies (IDAs) often provide financial assistance to developers in the form of PILOT agreements. These agreements can have unexpected and unintended consequences on school district budgeting practices under the state's property tax cap. This is a matter of statewide significance as the property tax cap requires school districts across the state to estimate PILOT revenue each year when calculating the school district's tax-levy limit. when a school district's estimated PILOT revenue is inaccurate it can result in a significant revenue shortfall.

Modifying the law to allow school districts, at their option, to be parties to PILOT agreements would provide additional information and allow districts to participate in the process by which PILOT agreements are granted. In turn, this would enable districts to provide timely and accurate information to residents about the impact of the financial assistance being granted and accurately budget for PILOTS under the tax cap.

PROPOSED RESOLUTION 26 – SUNSETTING
Submitted by: *Albany School Board (7/29/22)*

RESOLVED, that the New York State School Boards Association supports legislation that would align legal requirements imposed upon small city school districts with those of central, union free and common school districts.

RATIONALE

While this resolution originally was adopted in 2017, the need to align small city school districts with other types of districts remains.

Under current law, small city school districts must adhere to more burdensome legal requirements than other types of school districts. These requirements serve to increase the complexity of the operations and functioning of the city school district while not providing benefits to the students they serve. Changing the requirements such that they are the same as those applicable to central or common school districts would allow more effective operations and more efficient use of school funds. Some of these requirements include: --Nominating petitions deadline of 20 days before the budget (other districts have 30 days) --Requirements to have the Organizational Meeting during the first week of July (central districts can pass a resolution to hold the meeting during the first 15 days of the month) --Constitutional debt limit of 5% of the average full value of tax rolls over the previous five years for small city school districts

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PROPOSED RESOLUTION 27
Submitted by: *Albany and Buffalo School Boards (7/29/22)*

RESOLVED, that the New York State School Boards Association supports legislation that would require local school district consent for new charter school applications in districts with a large percentage of charter students.

RATIONALE

State charter school law includes this criteria for new applications: "... where the total enrollment of resident students attending charter schools in the base year is greater than five percent of the total public school enrollment ... (i) granting the application would have a significant educational benefit to the students expected to attend the proposed charter school or (ii) the school district in which the charter school will be located consents to such application." Unchecked charter growth destabilizes the academic and fiscal environments for school districts and creates challenges in educating the vast majority of students. The law recognizes that, over a certain threshold, local consent should be required. However, in practice, it is not. We strongly disagree there is a "significant educational benefit" to allowing charters to proliferate in any community. For example, 22% of Albany K-12 students enrolled in publicly funded schools in 2021-22 attended charters, yet SUNY has approved more charter expansion in Albany for 2022-23 and beyond. The district will send about $37 million to charters in 2022-23, a figure that has grown by about $2.5 million and will continue to grow. NYSSBA should support S0548 (Mayer)/ A5116 (Benedetto), which would require local district approval of new charter applications when that district reaches the 5% limit, and should also support other legislation limiting oversaturation of charter schools in any particular district.

PROPOSED RESOLUTION 28
Submitted by: *Albany School Board (7/29/22)*

RESOLVED, that the New York State School Boards Association supports legislation that would assure equitable full-day prekindergarten funding for all New York school districts.

RATIONALE

We commend the state for its ongoing commitment to early childhood education, a critical need statewide. This is especially true for high-needs school districts, where significant numbers of students live in poverty. However, the state's current mechanism for distributing pre-K funds disadvantages children in districts that were early adopters of full-day pre-K -- predominantly high-needs urban districts -- by funding pre-K seats at a lower per-pupil rate than more recent adopters.

For example, in the City School District of Albany more than half of the full-day pre-K seats (552) are funded at a half-day rate of $4,105 per pupil, significantly below the rates at which the state currently is investing in new pre-K programming in other districts. Albany, a high-needs district, directs nearly $1 million annually from the general fund to offset this funding inequity and provide full-day seats for more than 1,000 3- and 4-year-old students. This draws resources away from critical programs and services for K-12 students.

We strongly advocate modifying the pre-K funding mechanism so that early adopting, high-needs school districts are no longer disadvantaged by lower pre-K funding than more recent adopters.

PROPOSED RESOLUTION 29 – SUNSETTING
Submitted by: *Taconic Hills School Board (8/1/22)*

RESOLVED, that the New York State School Boards Association support funding to expand New York State- and industry-approved and certified career and technical education programs.

RATIONALE

For students to succeed, we need to prepare them for the ever-changing world of work, which means not only college readiness, but career readiness. Career and technical education (CTE) is an educational strategy for providing young people with the academic, technical, and employment skills and knowledge necessary to pursue postsecondary training or higher education and/or enter a career field prepared for ongoing learning.

At a time of increased need in the labor market and significant changes to the workforce, CTE programs are more in demand than ever. Enrollment in these programs has been steadily increasing. With more students than ever pursuing a career and technical education, it is paramount that districts and BOCES have the resources to meet these growing needs.

Well-designed CTE programs offer students the opportunity to internalize and transfer their knowledge related to competencies required in today's workplace. Effective CTE programs also allow for the application of these desired competencies in context, so that students can see the relevance of what they are learning, and its connection to the future workplace.

Furthermore, research on high-quality CTE programs and pathways shows that these programs reduce dropout rates; encourage participation in postsecondary education; and enable students to earn dual enrollment credits, industry-endorsed certificates, and technical endorsements on high school diplomas.

Increased funding would better enable New York State to provide a systemic approach to providing CTE programs to students in an equitable manner. The utilization of school-based and BOCES programs will provide a continuum of CTE opportunities that could range from exploratory to intensive, career simulation settings. As these programs are developed and broadened in scope, it will be important that they serve the needs of the students they were designed to engage.

PROPOSED RESOLUTION 30 – SUNSETTING
Submitted by: *Taconic Hills School Board (8/1/22)*

RESOLVED, that the New York State School Boards Association supports testing accommodations for students with disabilities.

RATIONALE

IDEA is a law that makes available "a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children." In keeping with the law, students with disabilities are not only entitled to receive special education services designed to meet their needs to achieve maximum level of functioning, but (logically) they are entitled to be evaluated in a fair manner and be provided with any accommodations necessary to perform to the best of their abilities. It is imperative that NYSBBA continue to support all students with special needs in every aspect of their education, including testing and evaluations.

PROPOSED RESOLUTION 31 – SUNSETTING
Submitted by: *Albany School Board (8/1/22)*

RESOLVED, that the New York State School Boards Association opposes legislation expanding New York State's charter school laws.

RATIONALE

While this resolution was originally adopted in 2017, the need to oppose charter school expansion remains. For the past five years, NYSSBA has been united with other members of the New York State Educational Conference Board in calling upon the state to address problems with New York's charter school law, including its poorly designed approval process, flawed funding system and lack of adequate oversight and accountability. As the ECB has said so clearly in their 2022 impact statement: "With few exceptions, charter schools have failed to deliver on the promise that they would be models of innovation and foster dramatic increases in student achievement. Instead, the unchecked proliferation of charter schools in some of the State's neediest communities is placing a near impossible burden on traditional public schools and the children they serve." NYSSBA should continue to act in the interests of children and work in opposition to any expansion of New York's charter school laws.

PROPOSED RESOLUTION 32
Submitted by: *Albany School Board (8/1/22)*

RESOLVED, that the New York State School Boards Association supports legislative changes that reduce the impact of New York State's charter schools on traditional districts.

RATIONALE

NYSSBA is united with other members of the New York State Educational Conference Board in calling upon the state to address problems with New York's charter school law, including its poorly designed approval process, flawed funding system and lack of adequate oversight and accountability. However, NYSSBA's current position statement limits NYSSBA to opposing legislation expanding the charter law. We believe NYSSBA should not only oppose expansion, but seek legislative changes that reduce the impact of the charter law on traditional districts. As the ECB has said so clearly in their 2022 impact statement: "With few exceptions, charter schools have failed to deliver on the promise that they would be models of innovation and foster dramatic increases in student achievement. Instead, the unchecked proliferation of charter schools in some of the State's neediest communities is placing a near impossible burden on traditional public schools and the children they serve." NYSSBA should continue to act in the interests of children and work to constrain the impact of New York's charter schools on traditional districts.

PROPOSED RESOLUTIONS
NOT RECOMMENDED BY THE RESOLUTIONS COMMITTEE
FOR ADOPTION

PROPOSED RESOLUTION 33
Submitted by: *Onteora School Board (7/7/22)*

RESOLVED, that the New York State School Boards Association support the proposed New York Health Act and any legislation at the state or federal level that provides single payer health care for all New Yorkers.

RATIONALE

The cost of health insurance has more than doubled since 2000, resulting in disproportionate budget increases for districts that take seriously the obligation to insure the healthcare needs of their employees. Likewise, it has been demonstrated that students with poor health have a higher probability of school failure, grade retention, and dropout. As New York State Department of Education seeks resources to improve educational outcomes, the impediment caused by inadequate access to healthcare, especially for our poorest students and students with special health care needs, adds additional financial burden to the cost of public education.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee recognized the importance of the proposed resolution, but ultimately decided this is a national issue more appropriately addressed at the national level. The Committee also noted that this same resolution was submitted the previous two years and was not approved by delegates at the 2020 or 2021 Annual Business Meetings.

PROPOSED RESOLUTION 34
Submitted by: *Onteora School Board (7/7/22)*

RESOLVED, that the New York State School Boards Association support legislation that requires every child in New York State, aged 0-21, be covered for free under the Child Health Plus program.

RATIONALE

Students with poor health have a higher probability of school failure, grade retention, and dropping out. As the New York State Department of Education seeks resources to improve educational outcomes, the impediment caused by inadequate access to healthcare, especially for our poorest students and students with special health care needs, adds additional financial burden to the cost of public education.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee recognized the importance of this proposed resolution, but ultimately decided that the issue is part of the broader issue of health care and would be more appropriately addressed at the national level. The Committee also noted that this same resolution was submitted the previous two years and was not approved by delegates at the 2020 or 2021 Annual Business Meetings.

PROPOSED RESOLUTION 35
Submitted by: *Massapequa, Hicksville, Carle Place, Island Trees, Oyster Bay-East Norwich, Sachem, and Locust Valley School Boards (7/24/22)*

RESOLVED, that NYSSBA support proposals, guidelines, and/or legislation in favor of local school district control and/or regional by county control over matters pertaining to safety protocols and operations regarding the prevention of spread of communicable illnesses.

RATIONALE

The state of New York is vast, consisting of 54,555 square miles and 62 counties. The spread of communicable illnesses can vary greatly at any given time across the state of New York and the needs of school districts vary greatly depending upon the local circumstances and availability of mitigating measures and factors. As such, school districts and local departments of health are in the best position to determine risk of communicable spread of illnesses within their localities and what measure should be taken to prevent such spread, including but not limited to masking, cohorting, closures, remote learning options, and limitations on school day and extra-curricular activities.

Rationale from Sachem School Board:
The state of New York is vast, consisting of 54,555 square miles and 62 counties. The spread of communicable illnesses can vary greatly at any given time across the state of New York and the needs of school districts vary greatly depending upon the local circumstances and availability of mitigating measures and factors. As such, school districts and local departments of health are in the best position to determine risk of communicable spread of illnesses within their localities and what measure should be taken to prevent such spread, including but not limited to masking, cohorting, closures, remote learning options, and limitations on school day and extra-curricular activities.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee noted their belief that it is most appropriate to leave public health decisions up to public health experts, rather than those in the education field. While recognizing the importance of communication and coordination between school districts and health departments, the Committee also mentioned that public health departments have access to important health data that local school districts naturally do not have access to.

PROPOSED RESOLUTION 36
Submitted by: *Massapequa, Hicksville, Carle Place, Oyster Bay-East Norwich, and Locust Valley School Boards* (7/24/22)

RESOLVED, that NYSSBA oppose mandates from the State Education Department that require school districts to implement curriculum regarding matters not pertaining to standard academic subjects.

RATIONALE

The needs of school districts across the state and the values of their constituents within each community vary greatly. As the structure of the public education system of the state is designed to have local control by district through the election process of representative school board members, school districts should maintain control over choice and topics of curriculum.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee upheld that one of the central roles of the State Education Department is to streamline curriculum and learning standards to ensure uniform expectations for all students. Therefore, the Committee voted against impeding the State Education Department's authority to make curricular decisions.

PROPOSED RESOLUTION 37
Submitted by: *Massapequa, Hicksville, Carle Place, and Locust Valley School Boards (7/24/22)*

RESOLVED, that the NYSSBA ADVOCATE for the adoption of Parental Rights Legislation. Such legislation will protect parents' fundamental right to direct the upbringing of their children, which includes but is not limited to matters of education, medical care, moral, religious and character training. In addition, parents have the right to be informed about their children's educational programs and should require school districts to promote parental involvement by providing access to curricula and instructional materials, and legally protect a parent's right to withdraw a child from portions of school curriculum.

RATIONALE

Parents have the right to determine the upbringing of their children and should be aware of the programs, books and materials their children are exposed to. In addition, parents should have the final say in what medical treatment their kids undergo and be a part of what is taught to them in school through their local school boards.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee expressed their belief that public education, which is guaranteed and open for all, is inherently different from the expectations of a private or home-schooled education. The Committee further noted that current law already provides parents with the right to inspect any instructional material used as part of the educational curriculum for the student.

PROPOSED RESOLUTION 38
Submitted by: *Massapequa, Hicksville, Carle Place, Sachem, and Locust Valley School Boards (7/24/22)*

RESOLVED, that the NYSSBA that the New York State School Board Association ADVOCATE for the reinstatement of the religious or moral objection to immunization.

RATIONALE

Parents in consultation with their family physician, have the fundamental right to make medical decisions that are in the best interest of their child. School districts should not be placed in the position of policing family medical decisions

Rationale from Sachem School Board:
In order to avoid conflict with the fundamental right of freedom to practice one's religion, reinstatement of the religious exemption from medical and/or curricular requirements for those with bona fide and deeply held religious objections to same should be respected.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee found value in continuing to uphold longstanding student vaccination requirements, in the health and safety interests of students. The Committee also recognized that current law permits medical exemptions to these requirements.

PROPOSED RESOLUTION 39
Submitted by: *Massapequa, Hicksville, Carle Place, Island Trees, Oyster Bay-East Norwich, and Locust Valley School Boards (7/24/22)*

RESOLVED, that the New York State School Board Association OPPOSE legislation that would eliminate the Single Occupancy Zoning for localities.

RATIONALE

In the last budget proposal there was a provision to eliminate single family occupancy zoning laws. With increased units constructed on existing properties, our schools will be overrun with additional students and no additional taxes paid to cover the costs of educating more children. Overcrowding our roads and infrastructure will be another unintended consequence school districts will have to bear.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee felt that this proposal fell too far outside of the scope of education-related advocacy for NYSSBA to undertake as an organization. Additionally, members noted that zoning decisions are currently made at the local level by zoning boards and commissions.

PROPOSED RESOLUTION 40
Submitted by: *Massapequa, Hicksville, Carle Place, Oyster Bay-East Norwich, Sachem, and Locust Valley School Boards (7/24/22)*

RESOLVED, that the New York State School Boards Association, shall oppose ANY legislation or Commissioner regulation that would require any school district or Board of Education to adopt a comprehensive sexuality education for K-12 students.

RATIONALE

Dictating comprehensive sex education for all k-12 students from Albany is not in the best of interests of our students or local communities. This is another example of the overreach of the legislature and NYS Education.

Rationale from Sachem School Board:
Dictating comprehensive sexuality education for all k-12 students is not in the best of interests of our students or local communities.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee recognized NYSSBA's current position statement to oppose legislative curriculum mandates. Furthermore, the Committee upheld that one of the central roles of the State Education Department is to streamline curriculum and learning standards to ensure uniform expectations for all students. Finally, the Committee found there to be public health value to offering such instruction and voted against a blanket statewide prohibition.

PROPOSED RESOLUTION 41
Submitted by: *Beacon School Board (7/26/22)*

RESOLVED, that the New York State School Boards Association supports legislation at the state level that would set limits on the start time for schools, to be no earlier than 8 AM.

RATIONALE

Extremely early school start times are detrimental to a student's learning and health. According to the American Academy of Pediatricians, inadequate sleep in adolescents can lead to obesity, diabetes, increased anxiety, depression, cognitive impairment, memory problems, and drowsy driving. Ultimately, these issues impact academic achievement and graduation rates. Given that districts must coordinate their schedules for extracurricular activities, including sports, this is not a decision that can be successfully implemented at the local level. New York State must set limits on the start time for schools, to be no earlier than 8 AM.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee acknowledged the health and academic benefits of later school start times. However, the Committee also recognized multiple issues surrounding a uniform state-imposed later start time. These include issues with coordinating inter-district athletics, as well as timing for private school students. Additionally, as districts face historic shortages in available school bus drivers and are already being forced to stagger their transportation and school opening times, a one-size-fits-all approach could exacerbate this crisis. Ultimately, there was consensus that determining a district's school start time was a decision best left to districts.

PROPOSED RESOLUTION 42
Submitted by: *Sachem School Board (7/29/22)*

RESOLVED, that the New York State School Boards Association hereby petitions the New York State Education Department and the Commissioner thereof; to modify, or advocate for changes to, any applicable law, rule or regulations and allow local School Districts the autonomy to develop suitable substitute tests in place of the Regents Examinations for those specific children who would otherwise be caused to suffer unnecessary, stress, trauma and anguish at having to take the Regents Examinations; allowing the School District to confer a Local High School Diploma to any such child meeting all other requirements for Graduation.

RATIONALE

As a District, Board and community as a whole, we need to ensure that every student within our District achieves success in their academic career. As we are all aware, academic success varies from student to student on many levels, including testing requirements. It is important for us as a Board to be sure that each child's strengths and greatness is aligned with the manner and level in which they learn and grow. Appropriate testing fitting the needs of each individual student will assist with their future success, both academically and mentally. The Board of Education of the Sachem Central School District, along with its Administration and Instructional Staff, wholeheartedly believe that every child should receive the best possible education that meets their own unique learning and cognitive abilities.

The current state of Regents Testing requirements does not allow for School Districts to exempt children who, through participation in Special Education programs including, but not limited to, "IDEA", Section 504, local CSE determinations etc., and/or have been identified to developmentally struggle with such testing from the Regents Testing requirement.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

The Committee found that this proposed resolution would undermine the nature of standardized testing. The Committee affirmed that there are currently opportunities to administer alternative assessments, as well as allowances for superintendents to determine whether a student with a disability who is unable to meet assessment requirements qualifies for a local diploma. The Committee agreed that there was a need for statewide assessment consistency and questioned the ability to uphold the fidelity of our current system of evaluation if we allowed every district to administer different tests.

PROPOSED RESOLUTION 43
Submitted by: *Sachem School Board (7/29/22)*

RESOLVED, that the New York State School Board Association oppose mandates from the State Education Department that require school districts to implement curriculum regarding matters not pertaining to what has traditionally and historically been considered subjects appropriate for public education, or, without penalty or forfeiting of any type whatsoever, including monetary, local Districts can at their sole discretion, opt out of any non-historically or traditionally based educational curriculum required by the Department of Education.

RATIONALE

The needs of school districts across the state and the values of their constituents within each community vary greatly. As the structure of the public education system of the state is designed to have local control by district through the election process of representative school board members, school districts should maintain control over choice and topics of curriculum.

EXPLANATION OF THE RESOLUTIONS COMMITTEE

Similar to proposed resolution 36, the Committee upheld that one of the central roles of the State Education Department is to streamline curriculum and learning standards to ensure uniform expectations of all students. Therefore, the Committee voted against impeding the State Education Department's authority to make curricular decisions. Further, the Committee felt that the language regarding historically, and traditionally based curriculum could interfere with the Department's ability to make progress as our knowledge, technology and society advances.

INFORMATION ON AMENDMENTS, REBUTTALS, AND LATE RESOLUTIONS

Proposed resolutions and bylaw amendments were submitted to NYSSBA by August 1, 2022 (and reviewed by the Resolutions Committee on August 18th).

No additional bylaw amendments can be proposed at this time. However, a member school board may propose an amendment or rebuttal to any resolution to be printed in the Voting Delegates Guide. A member school board may also propose a late resolution. Amendments, rebuttal statements to proposed resolutions not recommended by the Committee and late resolutions to be included in the Voting Delegate's Guide must reach NYSSBA's Governmental Relations Department before **5 p.m. on September 16, 2022**. All submission must be sent via email to advocacy@nyssba.org using the forms found here:

- NYSSBA Resolutions Process forms

Members may attempt to advance resolutions that were not considered by the resolutions committee. These "late" resolutions may be considered at the business meeting under "Other Business." At that time, a motion to suspend the bylaws for the purpose of considering a particular resolution may be offered. A motion to suspend the bylaws is required to be moved, seconded and adopted by a two-thirds vote for every resolution submitted from the floor. Once the motion to suspend the bylaws is adopted, the new resolution can be moved and seconded. To be approved, a simple majority of those present and voting is required. If the motion to suspend the bylaws fails, the resolution cannot be considered. Late resolutions must be submitted using the NYSSBA form found here:

- Late Resolution Submission Form

*All late resolutions and amendments eligible for consideration during the Annual Business Meeting must be submitted by **5 p.m. on October 13, 2022,** via email at advocacy@nyssba.org

INFORMATION FOR THE VOTING DELEGATES

The voting delegates at the Annual Business Meeting vote on a slate of officers for the Association, including a President, a First Vice President, a Second Vice President, and a Treasurer. They debate and vote on changes to the Association's bylaws and resolutions that will establish the Association's positions on various legislative and policy matters. Voting delegates must be registered for the Annual Business meeting by their district clerk using only NYSSBA's voting delegate registration form. Prior to the meeting, the New York State School Boards Association will host a voting delegate orientation that all delegates are encouraged to attend. Below you will find details related to meeting procedures for all voting delegates during the Annual Business meeting.

ORDER OF BUSINESS

The Order of Business for the Annual Business Meeting is the agenda for the meeting. It sets forth the items of business that are scheduled to be accomplished during the course of the meeting.

The meeting will begin promptly at 4:00 p.m. with several procedural items. First, the Association President, who presides throughout the meeting, announces the presence of a **quorum**. New York State School Boards Association bylaws require 200 members in attendance to achieve quorum.

Following the announcement of a quorum, the President calls for a **motion to adopt the Order of Business.** The President also calls for a **motion to adopt the Proposed Rules of Conduct** for the meeting. These rules are prepared to be consistent with the Association's bylaws. The rules describe how delegates must conduct themselves during the meeting, such as setting out the time allotted for discussion of certain items.

THE BUSINESS MEETING

Next, the President will announce the winners of this year's Area Director Elections, which was conducted locally in each of the designated areas. According to NYSSBA's bylaws, Area Directors serve for two-year terms. Election of Area Directors in Areas 1, 3, 5, 7, 9 and 11 occur in odd-numbered years. Election of Area Directors in Areas 2, 4, 6, 8, 10 and 12 occur in even-numbered years. This year, election results will be announced for Areas 2, 4, 6, 8, 10 and 12.

ELECTION OF THE NYSSBA OFFICERS

The Board Officer election is the next item on the Order of Business. Each June the Board of Directors, which acts as the nominating committee for the delegates to the Annual Business Meeting, nominates a slate of officers who stand for election at the Annual Business Meeting. These individuals are automatically placed in nomination.

Once this occurs, the President, or his or her designee, calls for other nominations from the floor. If there are no such nominations, the vote is taken by hand at the time. If there is a nomination from the floor, the vote is also taken by ballot after such individual accepts the nomination. The President then announces the winner.

ADOPTION OF RESOLUTIONS

The next item is the Report of the Resolutions Committee. The Resolutions Committee is a standing committee of the Association created by Article 9 of the Association's bylaws. The Committee chair reports directly to the delegates rather than the Board of Directors. The Resolutions Committee is appointed by the President upon recommendation of the Area Directors. The Committee has one member from each Association area, one

representative from the Conference of Big 5 School Districts and one member from the Caucus of Black School Board Members.

The chair is designated by the President from among those appointed to the Committee. In accordance with Robert's Rules of Order, once the chair moves adoption of a bylaw amendment or resolution recommended for adoption by the Resolutions Committee, no second is required.

The Resolutions Committee chair first moves recommended bylaw amendments. Each recommended bylaw amendment will be debated and voted on separately. *Any amendment to the bylaws must have the approval of a two-thirds majority of those present and voting.* In accordance with Article 17 (2) of the bylaws, bylaw amendments may not be proposed or amended from the floor of the Business Meeting. Thus, all proposed bylaw amendments had to be submitted by August 1, 2022, and all amendments to the bylaws must be sent to each member board by a date that will allow each member board time to review them in advance of the Annual Business Meeting.

The Resolutions Committee chair next moves those existing NYSSBA positions that have been recommended for adoption. This may be done under a consent agenda. These previously approved resolutions are established NYSSBA positions that are scheduled to sunset if they are not renewed. Because these resolutions have been previously approved by voting delegates, these resolutions can be moved on consent (where several resolutions may be voted on en masse). Delegates may remove any resolution from a consent agenda simply by making a request at the time the resolution is called for consideration. No second or vote is required. Resolutions removed from the consent agenda are considered under the "Resolutions Recommended for Adoption" portion of the meeting

After the consent agenda has been considered and voted on, delegates will next be asked to address newly recommended resolutions individually. The Resolutions Committee chair moves each resolution recommended for adoption by the Committee. Each recommended resolution is presented and voted upon separately. The Resolutions Committee chair will move those resolutions recommended by the Committee for adoption; a second is not needed. Resolutions require approval by a simple majority of those present and voting for passage.

Following consideration of the report of the Resolutions Committee consisting of those bylaw amendments and resolutions recommended for adoption, the President shall provide voting delegates the opportunity to move any of the "not recommended" bylaw amendments and resolutions. (Since the Resolutions Committee chair will not move items that were not recommended, each motion requires a second by a voting delegate).

OTHER BUSINESS

At the end of the Annual Business Meeting, the President will open the floor to **Other Business**. **Other Business** may include a motion to suspend the rules for the purpose of considering a particular resolution that was submitted after the August 1, 2022, submission deadline. This motion requires a second and a two-thirds majority vote of the delegates before the resolution may be considered. A two-thirds majority is required because this type of motion calls for suspending the bylaws. A motion to suspend the bylaws is required to be moved, seconded and adopted for each and every resolution submitted during **Other Business**. Once the motion to suspend the bylaws is adopted, the new resolution can be moved and seconded, and a simple majority of those present and voting is all that is required to adopt a resolution proposed under **Other Business**. If the motion to suspend the bylaws fails, the resolution cannot be considered. In order to be eligible for consideration during **Other Business**, such resolutions must have been received by NYSSBA by **October 13 at 5 p.m**.