



New York State
School Boards
Association

Position Statements *2020*







Introduction

The position statements that guide the New York State School Boards Association (NYSSBA) are outlined in the document that follows. These statements are introduced by member boards of education or NYSSBA's Board of Directors. Each fall during the Association's Annual Business Meeting, the voting delegates adopt official positions, which lay the foundation for the Association's advocacy agenda and priorities.

Once adopted, each position remains a formal position for five years unless it is rescinded or the action the position calls for is accomplished.

(Please note: the table of contents reflects the year the Position Statement was adopted).

The position statements direct the Association to advocate either for or against a wide variety of legislative and regulatory issues at both the state and federal level. In addition, some of the position statements are statements of principle or belief and therefore do not call for specific action.



Table of

I. School Governance and Authority 1

1. Sharing of Programs and Services (2015)
2. Legal Notice Publication Requirements (2015)
3. Operational Flexibility (2015)
4. Local Creation of Voting Wards (2015)
5. Charter School Cap (2015)
6. Charter School Enrollment (2015)
7. Mayoral Control Expansion (2015)
8. Charter Schools (2017)
9. Regional High Schools (2017)
10. School Board Elections (2017)
11. Review of Nominating Petitions – Small Cities (2017)
12. Setting District Ballots – Small Cities (2017)
13. Nominating Petitions – Small Cities (2017)
14. Small City School Districts (2017)
15. Absentee Ballot Applications (2017)
16. Student Privacy (2017)
17. Unfunded and Underfunded Mandates (2018)
18. Polling Places (2018, 2019)
19. Speed Zone Cameras (2019)
20. Restraining Order Notifications (2019)
21. Child Safety Zones (2019)
22. Charter School Teacher Certification (2019)

II. State and Federal Aid 2

1. State Aid for Increasing the School Day and/or Year (2015)
2. Non-Fiscal Appropriation Language (2015)
3. Career and Technical Education Expansion (2015)
4. Pre-kindergarten Funding (2015)
5. Pre-kindergarten Transportation Funding (2015)
6. Tuition Tax Credits or Educational Vouchers (2016)
7. School Lunch Reimbursement (2016)
8. Special Act School Districts Tuition Rate (2016)
9. Participation in Mandated Assessments (2016)
10. Restore Gap Elimination Adjustment Funds Withheld in Prior Years (2016, 2016)
11. Principles of Education Funding (2016)
12. Full-Funding of Foundation Aid (2017)
13. English Language Learner Funding (2017)
14. Tax Certiorari (2018)
15. Aidable Instructional Year (2018)
16. Medicaid Funding (2018)
17. Funding for School Safety (2018)
18. Funding for Health and Mental Health (2018)
19. Pre-School Special Education Funding (2018)
20. Smart Schools Bond Act Review Board (2018)
21. State Mandated School Meal Programs (2019)
22. Needs of Unaccompanied Minors (2019)

III. Curriculum, Instruction and Assessment 5

1. Mandated State Assessments (2015)
2. Annual Professional Performance Review Design and Validation (2015)
3. Expansion of Enrichment Programs (2015)
4. Principles of Education Policy (2016)
5. Technology to Enhance Education (2016)
6. Additional Pathways to Graduation (2016)
7. After-School Programs (2017)
8. Kindergarten Attendance (2018)
9. Curriculum Mandates (2019)

IV. Special Education 6

1. Tuition at State Schools for the Blind and Deaf (2015)
2. Test Students with Disabilities at their Developmental Age (2016)
3. Testing Accommodations for Students with Disabilities (2017)
4. Task Force on Special Education (2019)
5. Inclusionary Sports (2019)



Contents

V. Local Management and Budget 6

- | | |
|---|---|
| 1. Affordable Care Act (2015) | 9. Property Tax Cap Repeal (2017) |
| 2. Link Requirements to the District Fiscal Year (2015) | 10. Fund Balance (2017) |
| 3. Veterans' Tax Exemption (2015) | 11. Reorganizational Meeting (2018) |
| 4. Reserve Funds for Pension OPEB Costs (2016) | 12. Exempt School Safety from the Tax Cap (2018) |
| 5. PILOT Agreements (2017) | 13. SRO Earning Limitations (2018) |
| 6. Property Tax Cap Reforms (2017) | 14. SALT Deduction (2019) |
| 7. Negative Property Tax Caps (2017) | 15. BOCES District Superintendent Compensation Limit (2019) |
| 8. Property Tax Cap Growth Factor (2017) | |

VI. Employee Relations 7

- | | |
|--|---|
| 1. Teacher Preparation Programs (2017) | 6. Tenure Status and Non-Instructional Employees (2018) |
| 2. Teacher Certification (2017) | 7. Streamline 3020-a Process (2018) |
| 3. Pay During 3020-a Proceedings (2017) | 8. 3020-a Penalties (2019) |
| 4. Step Increases (2017) | 9. Commercial Driver License Age (2019) |
| 5. Tenured Teacher Disciplinary Process (2017) | |

VII. NYSSBA Leadership Responsibilities 8

- | | |
|---|---|
| 1. School Day Start Time (2017) | 7. Sale of Vaping Products to Underage Persons (2019) |
| 2. Unauthorized Access to Guns (2018) | 8. School Board Officer Training (2019) |
| 3. Threats of Mass Violence Against School Districts (2018) | 9. School Board Member Training (2019) |
| 4. Disproportionality and Cultural Competency (2018) | 10. Social Media Protocols (2019) |
| 5. Respect for Differences (2019) | 11. Social Media Professional Development (2019) |
| 6. Vaping Regulations (2019) | |





2020 Position

I. SCHOOL GOVERNANCE AND AUTHORITY

1. NYSSBA urges passage of legislation to support the **sharing of programs and services** between **BOCES** and **local school districts** with **public colleges** and **municipalities** when it makes financial and programmatic sense. (2015)
2. NYSSBA seeks and promotes legislation to **reform** current **legal notice publication** requirements. (2015)
3. NYSSBA supports legislation that officially grants all public schools the **same exemptions** from New York State Education law and/or regulation which have been granted to any **charter or public school**. (2015)
4. NYSSBA supports legislation permitting boards of education to sponsor a referendum which would create **voting wards** to foster community wide representation. (2015)
5. NYSSBA opposes raising the **charter school cap**. (2015)
6. NYSSBA supports policies to require **charter schools to enroll and retain English language learners and students with disabilities** at a comparable rate to neighboring schools. (2015)
7. NYSSBA opposes the expansion of **mayoral control** of school districts outside New York City. (2015)
8. NYSSBA opposes legislation **expanding** New York State's charter school laws. (2017)
9. NYSSBA supports the creation of **regional high schools** when locally determined to be educationally or fiscally appropriate by the local boards of education. (2017)
10. NYSSBA supports legislation to change the date that union free and central school districts are required to hold a **special election to elect additional board members** upon the adoption of a proposition to increase the number of board members from the existing 30 to 60 day period after the annual meeting at which the proposition was adopted to the next annual meeting. (2017)
11. NYSSBA supports legislation that would establish a **10 day period for the filing and review of any objections** to small city school district nominating petitions before the ballot is finalized. (2017)
12. NYSSBA supports legislation that would provide **finalizing the ballot for positions** on the small city school district board on the day **after a 10 day period** for filing and reviewing of any objections to nominating petitions. (2017)
13. NYSSBA supports legislation that would require the **submission of nominating petitions** for small city school districts **30 days prior to the election**. (2017)



Statements

14. NYSSBA supports legislation that would **align legal requirements** imposed upon small city school districts with those of **central, union free and common** school districts. (2017)
15. NYSSBA supports legislative changes to align the requirements for **school district absentee ballot** applications with the requirements of the **State Board of Elections**. (2017)
16. NYSSBA will work with SED, the NYS Legislature and the Governor to protect student privacy by allowing districts to use **locally generated ID numbers** for students to be used in all NYSED data collection instead of easily identifiable data such as names. (2017)
17. NYSSBA opposes any legislative and regulatory **mandates** that would impose **new unfunded or underfunded mandates**. (2018)
18. NYSSBA supports proposals to allow boards of education to determine if their **buildings** will be used as **polling places for all elections**. (2019)
19. NYSSBA supports legislation authorizing municipalities to **install speed zone cameras** in school zones. (2019)
20. NYSSBA supports requiring **notification** to districts by the courts of **restraining orders prohibiting** contact with or between students enrolled in the district and the parents, or those in parental relation to the students. (2019)
21. NYSSBA supports legislation that will expand the definition of **Child Safety Zones** in the Education Law of New York State by **adding criteria that pertains** to neighborhoods with high crime rates or with deteriorating vacant buildings that create safety hazards. (2019)
22. NYSSBA supports reducing the flexibility provided to **charter schools for hiring teachers** without a valid New York State **teaching certificate**. (2019)

II. STATE AND FEDERAL AID

1. NYSSBA supports legislation providing additional state aid inclusive of special grants for all school districts **to increase the length of either their school day or school year** or restructure their school instructional year to create year-round instruction. (2015)
2. NYSSBA shall advocate for an amendment to the New York State Constitution that **prohibits** the governor from including **non-fiscal measures** in the **appropriations bills** submitted with the Executive Budget or otherwise tying non-fiscal measures to budget appropriations. (2015)
3. NYSSBA supports funding to expand New York State and industry approved and certified **career and technical education programs**. (2015, 2017)



2020 Position

4. NYSSBA supports incorporating **pre-kindergarten** into the operational **school aid formula(s)** used for K-12 education. (2015)
5. NYSSBA supports making **pre-kindergarten transportation** for children four years old and older aidable to the same extent as K-12 transportation. (2015)
6. NYSSBA opposes legislation that would provide **tuition tax credits** or **educational vouchers** that benefit private or parochial schools. (2016)
7. NYSSBA supports state legislation that would modify the **reimbursement formula** for **school lunches**. (2016)
8. NYSSBA supports changes that ensure that **Special Act School Districts** are treated equitably with all other public school districts, including a **tuition rate** that reflects public expenses. (2016)
9. NYSSBA supports legislation that **ensures aid provided to districts** is not correlated to the percentage of **students taking state or federally required tests**, recognizing parents will make decisions in the best interest of their individual children, independent of districts' overall requirements. (2016)
10. NYSSBA will support legislation that will fully **restore funding** withheld during the 2010-2016 **Gap Elimination Adjustments (GEA)**. (2016, 2016)
11. NYSSBA calls upon the state Legislature and the Governor to reform New York State education funding in accordance with the following **tenets to ensure adequate resources** to public schools in the State of New York by providing for:
 - a. **Adequacy** that provides sufficient resources to assure the opportunity for a sound basic education for all students; and
 - b. **Equity** to distribute a foundation level of state aid for every student that is based on the actual cost of providing a sound basic education that fairly compensates for differences in community costs, needs and resources while precluding municipalities from using state aid to replace local education resources; and
 - c. **Flexibility** to increase the percentage of operating aid so that boards of education retain the discretion to determine what educational programs best address local needs while local communities should not be restrained from determining the level of funding they will expend to support educational programs; and
 - d. **Predictability** based on timely passage of the state budget and stable funding distributed through a consistent, uniformly applied formula that would not require annual manipulation by the Legislature and that would facilitate long-term planning by school districts; and
 - e. **Clarity** by establishing a funding formula that is easily explained and understood. (2016)



Statements

12. NYSSBA supports **fully funding the Foundation Aid Formula.** (2017)
13. NYSSBA supports increased and timely **state funding** for provision of **appropriate mandated instruction for English as a New Language (ENL)** students, including unaccompanied minors. (2017)
14. NYSSBA supports legislation at the state level to hold **school districts financially harmless** whenever they experience the unanticipated, significant loss of revenue due to tax certiorari cases or the **unexpected loss** of a significant portion of the value of their **taxable property.** (2018)
15. NYSSBA supports legislative proposals that would allow districts to adopt an **earlier start to the instructional year** with those dates being **eligible for state aid** and also allow for **extending the school year** beyond the last Regents exams. (2018)
16. NYSSBA supports preserving **Medicaid funding to school districts**, while also seeking to streamline associated reporting requirements and provide reimbursement for all required administrative costs. (2018)
17. NYSSBA supports **additional state and federal funding** which would be dedicated for **school safety programs, staff and equipment** and include prevention programs directed toward social emotional development and mental health programs. (2018)
18. NYSSBA supports proposals establishing additional **dedicated funding** for student **health and mental health services.** (2018)
19. NYSSBA opposes shifting **financial responsibility for pre-school special education** from counties to school districts. (2018)
20. NYSSBA supports legislation that would require the **Smart Schools Review Board ("SSRB") to meet monthly** and promptly **acknowledge, review and act** on all school district submissions. (2018)
21. NYSSBA supports proposals to **require the state to fund** all state-mandated **school meal programs** and practices. (2019)
22. NYSSBA supports federal and state legislative and regulatory action in addressing the **educational and fiscal needs** attendant to the increase of **unaccompanied minors** into New York State. (2019)



2020 Position

III. CURRICULUM, INSTRUCTION AND ASSESSMENT

1. NYSSBA shall advocate for an overhaul of the current, inadequate **testing system** to more accurately measure achievement in skills, knowledge and abilities, and it shall do this by:
 - a. Working collaboratively with the New York State Board of Regents and the New York State Education Department, superintendents, administrators and teachers to create tests that are **developmentally appropriate, of reasonable length and frequency**, and which avoid the unintended consequences of narrowing the curriculum, teaching to the test, reducing love of learning and undermining school climate;
 - b. Insisting that **educators** throughout the State be **included** in all aspects of the **creation** of standardized tests; and
 - c. Demanding that district personnel be **permitted to examine test results**, answer keys, and their students' responses so that educators can better assess what each child is learning in relation to what is being taught and so that such tests can **truly inform instruction**. (2015)
2. NYSSBA actively supports legislation which would require the **design and validation of an APPR** process that truly **informs instruction** and thereby promotes **student learning**. (2015)
3. NYSSBA supports programs and policies to expand access to Advanced Placement, International Baccalaureate or other **enrichment programs** through **BOCES and online delivery**. (2015)
4. NYSSBA supports **state proposals affecting public education** that:
 - Provide **access** to programs that prepare students to be college-and-career-ready;
 - Achieve **equity** and adequacy in funding;
 - Promote **efficiency** and cost-effectiveness;
 - Advance **high expectations** for all students;
 - Embrace **innovative approaches** and assessments;
 - Foster **community engagement** and regional cooperation. (2016)
5. NYSSBA supports the appropriate **use of technology** to enhance academic programs. (2016)
6. NYSSBA calls upon the New York State Education Department to revise the current pathways toward achieving a **high school diploma** for New York students including the reinstatement of the Local High School Diploma, the use of performance-based assessments and multiple pathways to graduation, the modification of requirements for students completing a BOCES, career, or technical education program and the reinstatement of the Regents Competency Tests. (2016)



Statements

7. NYSSBA supports proposals that would expand **after-school programs**. (2017)
8. NYSSBA supports proposals that would make **kindergarten attendance mandatory**. (2018)
9. NYSSBA opposes legislative **curriculum mandates**. (2019)

IV. SPECIAL EDUCATION

1. NYSSBA shall seek legislation that assigns responsibility for the payment of **tuition and fees** associated with students attending the state **schools for the blind and deaf** to the State of New York. (2015)
2. NYSSBA supports proposals that would allow **students with disabilities** to be **tested at their developmental age**. (2016)
3. NYSSBA supports testing **accommodations for students with disabilities**. (2017)
4. NYSSBA shall create a **task force** to study current requirements, costs, trends and other aspects of the **special education system** and make recommendations for the future of special education delivery. (2019)
5. NYSSBA urges the Commissioner of Education to increase the **maximum age of participation in inclusionary sports** for alternatively assessed students. (2019)

V. LOCAL MANAGEMENT AND BUDGET

1. NYSSBA shall advocate changes in the **Affordable Care Act** to modify conditions under which **penalties** may be imposed on employers for health insurance premiums that exceed a benchmark established by the law. (2015)
2. NYSSBA supports legislation to require **new laws and regulations** to take effect no earlier than **July 1st** of the following calendar year, and at least 90 days from the date that the New York State Education Department has fulfilled its own requirements, such as written guidance to school districts, before school districts must implement new educational laws and/or regulations. (2015)
3. NYSSBA supports the state assuming responsibility for **subsidizing the veterans' tax exemption**. (2015)
4. NYSSBA supports legislation enabling school districts and BOCES to create dedicated **reserve funds** to help offset the costs of all employee pensions (including teachers), and **other post-employment benefits (OPEB)** obligations. (2016)
5. NYSSBA supports legislation amending 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**. (2017)
6. NYSSBA supports meaningful reforms to the **Tax Cap Levy Formula**. (2017)



2020 Position

7. NYSSBA supports legislation to ensure that no school district can have a **negative property tax cap**. (2017)
8. NYSSBA supports legislation that would set the allowable growth factor of the real property **tax cap at a minimum of 2 percent**. (2017)
9. NYSSBA opposes the **property tax cap** and calls for its repeal. (2017)
10. NYSSBA supports raising the allowable **undesignated fund balance** for school districts. (2017)
11. NYSSBA supports legislation that allows the date of the **annual reorganizational meeting to be on or before the Monday following the 20th of July**. (2018)
12. NYSSBA supports legislation to **exempt** expenditures related to **school safety** from the **tax cap**. (2018)
13. NYSSBA supports legislation that would substantially **increase the earning limitations** for retired police and other law enforcement officers who are serving as **school resource or safety officers**. (2018)
14. NYSSBA supports the full **restoration** of state and local tax (**SALT**) **deductibility**. (2019)
15. NYSSBA supports legislation to eliminate the limit on **BOCES District Superintendent compensation**. (2019)

VI. EMPLOYEE RELATIONS

1. NYSSBA supports efforts to have the state require all **teacher preparation programs** demonstrate the **quality of the preparation** of the teachers they produce as graduates. (2017)
2. NYSSBA supports a **rigorous** process for granting teacher certification. (2017)
3. NYSSBA supports reforming the system of educator discipline to **cap** the length of time **educators awaiting 3020-a-proceedings are paid**. (2017)
4. NYSSBA supports legislation to amend the Triborough Amendment of the Taylor Law to **eliminate** the obligation of school districts to pay **"step" increments** after the expiration of collective bargaining agreements. (2017)
5. NYSSBA supports reforming the system of educator discipline to authorize school districts to **terminate tenured teachers without a 3020-a hearing** if:
 - They have been **convicted of child abuse in an education setting**, or
 - Their **teaching certificate** has been **revoked** by the State Education Department, or
 - They have **failed to** obtain permanent certification in the requisite time period. (2017)



Statements

6. NYSSBA opposes any legislative or regulatory effort to grant **tenure status to non-instructional school employees**. (2018)
7. NYSSBA shall seek legislation to **streamline the tenured teacher hearing process** set forth in Education Law §3020-a in a way that preserves **due process** while addressing spiraling costs and the extraordinary length of time to conduct hearings. (2018)
8. NYSSBA supports legislation that would require the **independent hearing officer** in a **3020-a** hearing to accept the penalty sought by the district if there is a finding of guilt. (2019)
9. NYSSBA opposes lowering the **age of eligibility** for a **commercial driver license**, required to be a school bus driver, from 21 to 18. (2019)

VII. NYSSBA LEADERSHIP RESPONSIBILITIES

1. NYSSBA supports **appropriate changes** to state law, regulations and state policies that encourage and incentivize New York State school districts to **address the health issue of sleep deprivation in teenagers** by implementing **later school start times** that are developmentally-appropriate for middle school and high school students. (2017)
2. NYSSBA supports all efforts to improve **school safety** by limiting or **reducing unauthorized access to guns in schools**. (2018)
3. NYSSBA supports an amendment to Penal Law Article 240 entitled Falsely Reporting an Incident to criminalize **falsely threatening use of a gun or making threats of mass violence on public school property**. (2018)
4. NYSSBA shall take a leadership role in raising awareness and understanding of the importance of all school districts' leaders in understanding and taking action to **address disproportionality** in the education workforce and in student outcomes as it relates to diverse backgrounds. In carrying out this mission, NYSSBA shall:
 - Develop training focused on **cultural competency** and diligently promote, encourage and facilitate access to all school boards;
 - Encourage school boards to invite discussions with students, parents, staff and the board to develop district action plans that **address staffing, student outcomes and the school climate in a manner that improves cultural competency, diversity and inclusivity**; and
 - Take an active role in collaborating with other groups, including but not limited to the New York State Board of Regents, NYSCOSS, SAANYS, NYSUT and other members of the Educational Conference Board to encourage them to **jointly promote such training and conversations** about their members and constituencies. (2018)



2020 Position Statements

5. NYSSBA shall take a **leadership role** in encouraging school boards to develop successful strategies for integrating **respect for differences** into the educational experience. In carrying out this mission, NYSSBA shall encourage school boards to:
 - a. Ensure that the importance of **acceptance of others** who are unique and different because of **racial, ethnic, gender, sexual orientation, gender identity, disability status or religious differences** is part of the curriculum.
 - b. Invite discussion among students, parents, staff and the community about how hatred and bigotry based on race, ethnicity, gender, sexual orientation gender identity, disability status and religion endanger the **pluralistic and diversity principles** for which this nation stands.
 - c. Involve students, parents, staff and the community in developing and supporting educational practices which invite **understanding and acceptance of others' differences** and which aim to eradicate hatred and bigotry. (2019)
6. NYSSBA shall support legislative action in the regulation of **vapor products** including consumption, manufacturing, distribution and advertisement. (2019)
7. NYSSBA supports legislation that would increase the penalties against any business that sells **vaping products** to any person who is **underage** or against an adult purchasing vaping products for any person who is **underage**. (2019)
8. NYSSBA shall produce, and widely recommend the adoption of a **sample board policy** stating that members who have been newly elected to serve as **officers** will participate in at least one accredited officer training. (2019)
9. NYSSBA shall produce, and widely recommend the adoption of a **sample board policy** state that all **Board of Education members** will, each year, participate in at least one new **training** which has been approved by that Board. (2019)
10. NYSSBA shall recommend appropriate parameters for **social media and electronic communications** between students and school district employees. (2019)
11. NYSSBA shall advocate for action that recommends school districts to provide a **professional development program** related to the ethical practices and protocols employees should follow when using **social media and electronic communications**. (2019)



NYSSBA's Governmental Relations team is the voice for its nearly 670 member school boards.

Our full time staff actively represents our members before State and Federal policy makers.

Our staff works tirelessly to advance legislative and regulatory changes that position our state's educational system to best serve our students.

Contact NYSSBA's Governmental Relations team at 800.342.3360 or 518.783.0200.



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