



New York State  
School Boards  
Association

# 2023 Proposed *Resolutions*



## INTRODUCTION

The proposals contained within this booklet are not the official positions of NYSSBA. Rather, these proposals represent items introduced by individual NYSSBA member boards or the NYSSBA Board of Directors for consideration at the 2023 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 2023 Position Statements](#)



TO: School Board Members and Chief School Administrators  
FROM: Charmise Desiré, Resolutions Committee Chair  
DATE: September 5, 2023

On Wednesday, August 16, 2023, the Resolutions Committee met virtually to discuss the proposed resolutions that were received by the Friday, July 14, 2023, deadline. In this book, you will find details regarding the Resolutions Committee's votes to recommend or not recommend the proposed resolutions. At the direction of our Board of Directors, the DEI committee provided its comments on the resolutions from a lens of equity. Their comments in the categories of support, oppose or no position were considered by the Resolutions Committee in making their assessments. The comments of the DEI Committee have been included as well.

All proposed resolutions contained in this book will be considered for a vote on **Monday, October 16, 2023, 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 member boards have the opportunity to suggest amendments to the submitted resolutions and offer rebuttals to the not recommended resolutions by 5:00pm, Friday, September 22, 2023, for inclusion in the 2023 Voting Delegates' Guide. Amendments and other late resolutions must be received by NYSSBA by 5:00pm, Thursday, October 12 to be eligible for consideration during the Annual Business Meeting.

## NYSSBA Board of Directors

President .....	Peggy Zugibe
1st Vice President/Area 4 .....	Sandra H. Ruffo
2nd Vice President/Area 3 .....	Christine Schnars
Treasurer .....	Thomas J. Nespeca
Immediate Past President .....	Fred J. Langstaff (deceased)
Area 1 .....	Linda R. Hoffman
Area 2 .....	Rodney George
Area 5 .....	William L. Miller
Area 6 .....	Wayne Rogers
Area 7 .....	Catherine Lewis
Area 8 .....	Brian LaTourette
Area 9 .....	John T. Redman
Area 10 .....	Sheryl Brady
Area 11 .....	Robert "B.A." Shoen
Area 12 .....	Catherine M. Romano
Area 13 .....	David C. Banks Represented by Sharon Rencher
Director, Big 5 School Districts .....	Dr. Rosalba Corrado Del Vecchio
Director, Caucus of Black School Board Members .....	Sylvester Cleary
NSBA Director – National Black Council of School Board Members .....	Michael A. Jaime

## Resolutions Committee Members

Area	Name	School District/Organization Name
1	Leslie Tobin	Lockport City
2	Elizabeth Peck	Avon
3	Mary Myers	Randolph Academy
4	Randal Kerr	Newark Valley
5	Douglas Gustin	Madison-Oneida BOCES
6	Catherine Hollinshead	Malone
7	Sridar Chittur	Albany City
8	Susan Kurkowski	Oneonta City
9	William M. Boss	Orange-Ulster BOCES
10	Marjorie Schiff	Katonah-Lewisboro
11	Charmise Desiré ( <i>Chair</i> )	Uniondale
12	Robert Sweeney	Mount Sinai
13	Andrea Ferguson	NYCDOE
Big 5	Lawrence Scott	Buffalo
Caucus of Black School Board Members	Robin L. Bolling	Westbury
<b>Board Liaison:</b>	Peggy Zugibe	Rockland BOCES

## NYSSBA Staff

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RECOMMENDED BY THE RESOLUTIONS COMMITTEE  
FOR ADOPTION**

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**PROPOSED BYLAWS AND RESOLUTIONS  
RECOMMENDED BY THE RESOLUTIONS COMMITTEE  
FOR ADOPTION**

**PROPOSED RESOLUTION 1 – SUNSETTING**

Submitted by the *Peru and Sachem School Boards (6/27/23)*

**RESOLVED**, that the New York State School Boards Association opposes any legislative and regulatory mandates that would impose new unfunded or underfunded mandates.

**RATIONALE**

Each time a new unfunded or underfunded mandate is passed by the state or federal government, school districts are put in a difficult position of having to reallocate resources or reduce programs to meet the tax cap parameters.

**DEI Committee Review: No Position**

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**PROPOSED RESOLUTION 2 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED**, that the New York State School Boards Association 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.

**RATIONALE**

This endorsement supports the Board's objectives of protecting educational programs, minimizing the burden on taxpayers, enabling long-term financial planning, promoting educational equity, ensuring stability and continuity, and advocating for fair treatment of Peru Central Schools in challenging financial situations.

**DEI Committee Review: No Position**

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**PROPOSED RESOLUTION 3 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED**, that the New York State School Boards Association 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.

**RATIONALE**

This flexibility allows districts to align their academic calendars with the specific needs and circumstances of their students, teachers, and community. It enables districts to optimize instructional time and better accommodate local considerations, such as weather patterns, community events, and student activities. The adoption of an earlier start to the instructional year and the extension of the school year beyond the last Regents exams can help address curriculum demands more effectively. These changes provide additional instructional days that can be utilized for a

variety of purposes, including remedial instruction, enrichment programs, specialized coursework, and exam preparation. This allows districts to offer a more comprehensive and well-rounded educational experience to their students. Research has shown that extended breaks, such as summer vacation, can contribute to learning loss or the “summer slide.” By adopting an earlier start to the instructional year and extending the school year, districts can minimize the duration of extended breaks and reduce the potential negative impact on students’ academic progress. This approach helps maintain continuity in learning, improving student retention and achievement.

**DEI Committee Review: No Position**

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**PROPOSED RESOLUTION 4 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED, that the New York State School Boards Association supports preserving Medicaid funding to school districts, while also seeking to streamline associated reporting requirements and provide reimbursement for all required administrative costs.**

**RATIONALE**

This endorsement supports the Board's goals of maintaining vital healthcare services, providing financial relief, streamlining reporting requirements, ensuring fair reimbursement for administrative costs, enhancing equity in access to healthcare, and advocating for effective resource allocation. By advocating for the preservation of Medicaid funding and addressing associated administrative challenges, the Board aims to create an equitable and supportive environment that prioritizes the health and well-being of all students.

**DEI Committee Review: Support**

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**PROPOSED RESOLUTION 5 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED, that the New York State School Boards Association 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.**

**RATIONALE**

This endorsement supports the Board's goals of ensuring student safety, addressing mental health needs, promoting prevention and early intervention, supporting comprehensive school safety, alleviating financial burden, and supporting holistic student development. By advocating for additional funding, the Board aims to create a safe and nurturing environment that prioritizes student well-being and supports their academic and personal growth. Ensuring Student Safety: The primary responsibility of the Peru Central Schools Board of Education is to ensure the safety and well-being of students. By endorsing the mandate, the Board aims to advocate for additional funding that would enhance school safety programs, staff training, and the availability of necessary equipment. This proactive approach helps create a secure and supportive learning environment, minimizing potential risks and ensuring the safety of students and staff.

Addressing Mental Health Needs: The mandate recognizes the importance of prioritizing mental health programs and services within schools. With the increasing prevalence of mental health issues among students, providing dedicated funding for mental health programs is crucial. These programs can support early identification of mental health concerns, promote social-emotional development, and provide access to counseling and support services. By

endorsing the mandate, the Board emphasizes the significance of addressing mental health needs as part of a comprehensive approach to student well-being.

**Promoting Prevention and Early Intervention:** Prevention programs directed toward social emotional development and mental health play a critical role in fostering a positive school climate and preventing the escalation of mental health issues. By advocating for additional funding, the Board supports the implementation of evidence-based prevention programs that focus on promoting resilience, emotional well-being, and healthy relationships. This proactive approach helps identify and address potential challenges early on, reducing the likelihood of more significant issues in the future.

**Supporting Comprehensive School Safety:** The mandate acknowledges the importance of a comprehensive approach to school safety. It recognizes that school safety involves not only physical security measures but also the promotion of a supportive and inclusive school culture. Additional funding can be used to train staff on crisis response protocols, implement emergency preparedness measures, enhance communication systems, and promote positive school climate initiatives.

By endorsing the mandate, the Board underscores the need for comprehensive strategies that address various aspects of school safety.

**Alleviating Financial Burden:** Dedicated state and federal funding for school safety programs, staff, equipment, and prevention initiatives alleviate the financial burden on Peru Central Schools. Many districts face budget constraints that make it challenging to invest in robust safety programs and mental health services. By endorsing the mandate, the Board advocates for additional resources that allow the district to allocate funding effectively, ensuring that student safety and well-being remain top priorities without sacrificing other essential educational programs and services.

**Reducing gun violence:** The majority of school related shootings are committed by current or former students, and various studies including one conducted by Secret Service of incidents from 2008 to 2017 found that 100 percent of the perpetrators showed concerning behaviors, and that 77 percent of the time at least one person, most often a peer, knew about their plan. Supporting social development and mental health programs will help our staff and students to identify and intervene before an act of violence occurs.

**Supporting Holistic Student Development:** The mandate recognizes that students' well-being and academic success are interconnected. By advocating for additional funding for social emotional development and mental health programs, the Board promotes a holistic approach to student development. These programs provide support not only for mental health concerns but also for cultivating essential life skills, resilience, and positive relationships. This comprehensive approach contributes to the overall success and well-being of students.mental health, including by supporting school-based health centers. Additionally, in the same bill, \$300 million in matching funds were provided to enhance school security.

Enacted in the 2022-23 state budget, the “Recover from COVID School Program (RECOVS)” was created, providing \$100 million in matching funds to support student mental health, including employment of mental health professionals, expansion of school-based mental health services, and the creation or expansion of summer, after-school, and other extended-day programs. This two-year program will begin in the 2023-24 school year.

## **DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 6 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED, that the New York State School Boards Association supports proposals establishing additional dedicated funding for student health and mental health services.**

### **RATIONALE**

The need for comprehensive student health services has increased significantly in recent years. By endorsing the mandate, the Peru Central School's Board of Education recognizes the importance of providing adequate funding to meet this growing demand and encourages NYSSBA's Governmental Relations Committee to endorse the sunseting resolution. Many rural areas throughout New York state are struggling with too few providers and too few financial resources to attract additional providers. Additional dedicated funding would enable schools to attract dedicated professionals and enhance their health services, including access to medical professionals, health screenings, preventive care, and health education programs. By prioritizing student health, schools can support overall well-being and positively impact academic performance.

The prevalence of mental health issues among students has reached alarming levels. To effectively address this crisis, schools need additional resources to establish and expand mental health services. Dedicated funding can support the hiring of mental health professionals, such as counselors, therapists, and psychologists, who can provide individual and group counseling, crisis intervention, and preventive mental health programs. By endorsing the mandate, the Board demonstrates a commitment to addressing the mental health needs of students.

This endorsement supports the Board's goals of meeting the growing demand for student health services, addressing the mental health crisis among students, promoting early intervention and prevention, enhancing collaboration with community health partners, reducing barriers to access, and supporting academic success. By advocating for additional dedicated funding, the Board aims to create a supportive and nurturing environment that prioritizes the health and well-being of all students.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 7 – SUNSETTING**

Submitted by the *Peru, Arlington, Beacon, Dutchess BOCES, Millbrook, Poughkeepsie, Red Hook, and Wappingers School Boards (6/27/23)*

**RESOLVED, that the New York State School Boards Association opposes shifting financial responsibility for pre school special education from counties to school districts.**

### **RATIONALE**

#### Peru and Wappingers Falls:

This endorsement supports the Board's goals of preserving local education resources, maintaining equitable access to preschool special education, fostering collaboration and coordination, minimizing administrative burden, advocating for state support, and ensuring the continuity of special education services. By opposing the shift in financial responsibility, the Board aims to protect the integrity of the current funding system and ensure that preschool special education services remain accessible and effective for all children in Peru Central Schools. Preservation of Local Education Resources: Shifting the financial responsibility for preschool special education from counties to school districts could place a significant burden on the financial resources of individual school districts. School districts already face numerous financial challenges in providing high-quality education to all students. By

endorsing the mandate, the Board aims to protect the local education resources of Peru Central Schools, ensuring that they can be allocated efficiently to support the educational needs of all students.

Beacon:

Shifting the financial responsibility for pre-school special education services from counties to school districts would place a significant financial burden on individual districts, at a time when they already face funding challenges. By opposing the shift in financial responsibility, we aim to protect local education resources and to ensure that pre-school special education services can be accessible and effective for all students.

Poughkeepsie:

Current requirement is that Pre-School services to students with special needs (4410) are funded through the department of health. NYSSBA opposes the suggestion that this cost should be shifted to school districts, at least until a comprehensive review of the process has been undertaken and districts are guaranteed adequate funding.

**DEI Committee Review: Support**

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**PROPOSED RESOLUTION 8 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED, that the New York State School Boards Association supports legislation that allows the date of the annual reorganizational meeting to be on or before the Monday following the 20th of July.**

**RATIONALE**

This endorsement supports the Board's goals of flexibility in scheduling, smooth transition of leadership, enhanced community engagement, efficient administrative hiring processes, streamlined legislative procedures, and local control and decision-making. By endorsing this mandate, the Board emphasizes its commitment to effective governance practices and ensures that the annual reorganizational meeting is conducted in a manner that optimizes participation, collaboration, and the overall success of Peru Central Schools.

**DEI Committee Review: No Position**

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**PROPOSED RESOLUTION 9 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED, that the New York State School Boards Association supports legislation to exempt expenditures related to school safety from the tax cap.**

**RATIONALE**

It mitigates financial constraints, supports comprehensive safety measures, enhances emergency preparedness, fosters community confidence, and contributes to a statewide advocacy effort. By endorsing this resolution, the Board actively promotes the well-being and security of its students and reinforces the district's dedication to providing a safe and conducive learning environment. The Peru Central Schools Board of Education to encourage the NYSSBA Governmental Relations Committee to endorse the Sunsetting mandate that supports resolution that supports legislation to exempt expenditures related to school safe from the tax cap. Advocating for Statewide school Safety: Endorsing the mandate resolution allows the Board to contribute to a statewide effort to enhance school safety. By supporting legislation that exempts school safety expenditures from the tax cap, the Board joins forces with the New York State School Boards Association and other districts in advocating for a comprehensive and sustainable approach to school

safety funding this collaborative effort encourages lawmakers to recognize the importance of investing in school safety measures and provides a unified voice in support of legislation that supports safe environments across the state.

**DEI Committee Review: Support**

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**PROPOSED RESOLUTION 10 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED, that the New York School Boards Association 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.**

**RATIONALE**

This endorsement aims to attract qualified personnel, enhance school safety, leverage expertise and experience, promote collaboration, address personnel shortages, and recognize the value of school safety. By supporting legislation that substantially increases earning limitations for retired police and other law enforcement officers serving as school resource or safety officers, the Board actively advocates for the security and well-being of Peru Central Schools and similar districts.

Attracting Qualified Personnel: Retired police and law enforcement officers bring valuable expertise and experience to the role of school resource or safety officers. In addition to the assistance in communication with authority in times of need, these individuals are trained to remain calm and attentive amidst challenging and stressful instances that may occur. By increasing their informal contact and participation, these individuals can also create a positive relationship with school community stakeholders. The current earning limitations, however, may discourage these qualified individuals from serving in such positions. By supporting legislation to increase earning limitations, the Board aims to attract more retired officers to these crucial roles, ensuring that schools have highly trained professionals dedicated to maintaining a safe and secure learning environment. Many districts face challenges in recruiting and retaining qualified personnel for school safety positions. The current earning limitations may limit the pool of eligible candidates and exacerbate these shortages. By supporting legislation that increases earning limitations, the Board helps address this issue by expanding the pool of potential candidates for these critical roles.

**DEI Committee Review: No Position**

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**PROPOSED RESOLUTION 11 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED, that the New York State School Boards Association opposes any legislative or regulatory effort to grant tenure status to non-instructional school employees.**

**RATIONALE**

School district employees, like all public employees including non-instructional staff, are protected by a variety of legal protections. Non-instructional staff are covered by Civil Service protections. These protections regulate issues that include, but are not limited to, discipline, seniority, excessing and recall. Extending tenure rights to non-instructional staff would add an additional cost to school districts to staff that already have protections.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 12 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED**, that the New York State School Boards Association 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.

### **RATIONALE**

School districts incur significant costs while pursuing dismissal of tenured teachers. Filing a §3020-a is taken with the utmost seriousness and Districts do not do this without justification. The costs can be incurred by the District for years. These costs increase as the time to complete the process increases, therefore school districts seek further legislative relief to expedite completion of the process and otherwise limit their expenditures.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 13 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED**, that the New York State School Boards Association supports all efforts to improve school safety by limiting or reducing unauthorized access to guns in schools.

### **RATIONALE**

A Study by the Secret Service found that three-quarters of school shooters acquired their firearm from the home of a parent or close relative. The Secret Service's second study of incidents, from 2008 to 2017, revealed that in nearly half of the shootings, the firearm was easily accessible or was not stored securely. Responsible gun storage and safety training is one means to directly impact this source of firearms used in deadly shootings. We therefore encourage the NYSSBA committee to support any efforts to reduce unauthorized access to guns in schools.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 14 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**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:**

- a. **Develop training focused on cultural competency and diligently promote, encourage and facilitate access to all school boards;**
- b. **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**
- c. **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.**



## RATIONALE

The workforce our students prepare for is one that has become increasingly globalized and diverse. The workforce across our state's schools should reflect this diversity. A diverse education workforce not only helps welcome diversity in the classroom, but is demonstrated to raise student outcomes, modeling how students may navigate an increasingly racially, ethnically and socioeconomically diverse society and global economy.

**DEI Committee Review: Support**

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### PROPOSED RESOLUTION 15

Submitted by the *Pine Valley, Dunkirk, E2CCB, Frewsburg and Springville-Griffith Institute School Boards (6/9/23)*

**RESOLVED, that the New York State School Boards Association support legislation and regulatory changes at the state level that would authorize school districts and BOCES to directly offer childcare, as automatically licensed providers with processes that are acceptable for employment in public schools, if the school district or BOCES demonstrates a community need for such care and directly charges families for such care. Such care would be eligible for the same family subsidies as a traditional childcare facility.**

## RATIONALE

Much of New York State is currently deemed a childcare desert, often with the largest lack of care opportunities falling in the most impoverished communities. Even if families can afford care, it isn't easy to find. The lack of childcare negatively impacts parents' ability to work, schools' ability to find quality applicants for jobs, birth to age three access to special education services, and access to positive learning and language development experiences for children in a time where their brain is more rapidly developing than any other time in their lives. School districts are experiencing lower enrollment and higher special education and social emotional needs than ever before. To help provide quality childcare options to families, school districts need to be able to partner with childcare provider and give that provider less overhead to run a sustainable business that can maintain long term employees. To do that, districts need to face fewer statutory and regulatory hurdles than they currently do. Additionally, if a provider cannot be found, the district must be able to open its own childcare facility and charge families for this care. Those families then need to be able to access subsidies. NYSSBA should support the above resolution as it encourages partnerships with childcare providers, will help communities and families, lower special education costs for districts, help with the teacher labor shortage, and most importantly, help students at the most vulnerable and impressionable point in their lives.

**DEI Committee Review: Support**

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### PROPOSED RESOLUTION 16

Submitted by the *New York State School Boards Association Board of Directors (6/10/23)*

**RESOLVED, that the New York State School Boards Association supports the state providing needs-based funding for dual enrollment courses for students.**

## RATIONALE

Dual enrollment courses help students meet high school graduation requirements while also preparing them for academic success in college. At the end of a dual enrollment course, participating students have the opportunity to earn college course credit that can be applied toward a college degree. Research has proven that dual enrollment programs have broad positive impacts on student outcomes, including college enrollment and completion.

Unfortunately, not all dual enrollment courses are offered free of charge. In New York State, the cost of these programs may vary widely. In some instances, students accepted into the program are not required to pay tuition. However, other programs require the student to pay to enroll in a dual credit granting program, with a possible discount based on family income. While some families may be able to afford dual enrollment courses, the additional costs may bar other students from taking advantage of those same academic opportunities.

Tuition requirements serve as barriers and, in the instance of tuition-based dual enrollment courses, inadvertently result in inequitable opportunities for academic advancement. The state should provide the necessary funding to eliminate the cost barrier of dual enrollment programs for students in need.

**DEI Committee Review: Support**

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### **PROPOSED RESOLUTION 17**

Submitted by the *New York State School Boards Association Board of Directors (6/10/23)*

**RESOLVED, that the New York State School Boards Association supports a requirement to have district-supplied naloxone (aka Narcan) available for use in all school buildings.**

#### **RATIONALE**

Substance use disorders and addictions are being experienced by more people than ever, with a higher proportion of young people falling victim than ever before. Death by overdose is the ultimate consequence of this epidemic, especially tragic when there are witnesses nearby who may be powerless to help.

Perhaps the most tragic instances of overdoses are those of students at school, in an environment that is supposed to nurture them and keep them safe. Further, district employees and other students can witness this traumatic event, and without district-supplied naloxone, they must wait and hope that paramedics arrive on scene in time to administer their own naloxone.

Currently, schools may have naloxone at their schools under Education Law § 922 and § 3309 of the Public Health Law, by registering and participating in the Opioid Overdose Prevention Program. Additionally, district directors of school health services may write non-patient specific orders for naloxone, which can be executed by an RN, or by an LPN under direction of an RN.

In order for schools to maintain their roles as the protectors of their students, as well as to stop preventable youth overdose deaths, all schools should have naloxone on site.

**DEI Committee Review: Support**

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### **PROPOSED RESOLUTION 18**

Submitted by the *New York State School Boards Association Board of Directors (6/10/23)*

**RESOLVED, that the New York State School Boards Association supports state investments to support local “grow your own” teaching programs.**

#### **RATIONALE**

School districts from around the state are working to address teacher shortages at the same time they are contemplating ways to make the school environment feel more inclusive for all the students they serve. Teacher shortages may be especially pronounced in subjects such as career and technical education, world languages, science,

and math, as well as special education. Meanwhile, school administrators seek to hire teachers and staff to whom their students can relate.

“Grow your own” teaching programs help school districts recruit, prepare, and strengthen the teacher workforce by investing in and inspiring current students to become future teachers. Successful “grow your own” programs demonstrate strong partnerships between school districts, institutes of higher education, and community organizations.

The 2023-24 enacted budget includes a legislative add of \$500,000 for a teacher diversity pipeline pilot program operated by the State University College at Buffalo for the Buffalo City School District. In 2021, New York State United Teachers (NYSUT) had also received a 3-year grant of \$675,000 from the National Education Association to work with local school districts to build “grow your own” programs. Dozens of school districts were involved in this initiative in the 2022-23 school year. While grant funding may yield many short-term benefits, programs on the receiving end have no security when a grant term ends. It is important that “grow your own” teaching programs receive sustainable funding from the state in order to ensure successful outcomes and sufficient student support.

### **DEI Committee Review: Support**

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#### **PROPOSED RESOLUTION 19**

Submitted by the *Port Washington School Board (06/30/23)*

**RESOLVED, that the New York State School Boards Association advocate for the State to conduct feasibility studies/review regarding utilities/infrastructure, logistical, and fiscal aspects of the zero-emission school vehicle mandate, and to revise the mandate as the reviews/studies deem necessary.**

#### **RATIONALE**

There are some holes in the program that the State must address in order to avoid placing unnecessary logistical and fiscal burdens on school districts, avoid unnecessary waste, as well as ensuring success of the zero-emissions program in general. First, the capacity of respective local/regional utilities and infrastructure needs to be studied and confirmed appropriate and feasible for this massive endeavor and increased demand on the grid, including the state piloting the zero-emissions mandate on a regional basis before a full statewide roll-out. Second, it is imperative that school districts not be the ones responsible for constructing/laying and/or paying for necessary infrastructure. Generally, all school districts must receive proper funding from the state in order to comply with this mandate so as to avoid having to choose between delivering curriculum and other programming and funding infrastructure and equipment within the confines of the tax cap. Along those lines, currently, there is a supply shortage of electric buses; basic economic principles tell us supply drives costs -- school districts are constrained by a tax cap and should not have to choose between paying for (unnecessarily expensive) electric buses and vehicles vs. delivering curriculum and other programming. Finally, given these concerns and more, along with the fast-approaching 2027 start date and 2035 mandatory deadline, districts face a huge amount of uncertainty; the State needs to provide well-thought-out comprehensive guidance as to how to actually implement and sustain this initiative.

### **DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 20**

Submitted by the *Hewlett Woodmere and Sachem School Boards (07/06/23)*

**RESOLVED**, that the New York State School Boards Association supports legislation to eliminate Regents Exam testing at the high school level in favor of State Final Exams that comply with ESSA (Every Student Succeeds Act) regulations in 10-11th grade for ELA (1 exam), Math (1 exam), and Science (1 exam).

### **RATIONALE**

1. New York is one of only seven states that still require students to pass exams to receive a high school diploma. The others are Illinois, Louisiana, Massachusetts, Texas, Virginia and Wyoming.
2. ESSA provided guidance to states to reduce standardized testing when it was introduced by President Obama in 2015.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 21**

Submitted by the *Wappingers, Arlington, Beacon, Dutchess BOCES, Millbrook, Poughkeepsie, and Red Hook School Boards (07/06/23)*

**RESOLVED**, that the New York State School Boards Association will advocate for an update to the rates established for compensating providers for pre school services provided to students with special needs/exceptionalities.

### **RATIONALE**

1. While the 2023 Budget act calls for a study of the situation, it's not due until 7/1/2025, but the funding crisis is now!
2. There is a backlog of thousands of special needs students statewide (1,000+ in Dutchess County alone) eligible for Pre-school education.
3. Local Educational Areas (Districts) have the regulatory responsibility for identification and delivery of CPSE services but are not directly funded for those services. Funding comes from county health agencies.
4. The established rates have not been changed for many years, and are too low to attract qualified service providers. There is a statewide crisis in recruitment and retention. We urge updating the rates up to the actual cost for provision of services across the state.
5. Reimbursement rates for educational programs that are appropriately 4410 certified and include integrated and special class settings, are generally very low. This sets up a continual and ongoing problem for 4410 programs to hire, train and retain qualified staff to serve preschool students.
6. Not only is the funding mechanism for Preschool services faulty, but the rates have not been adjusted in many years.
7. The result of this is that early intervention and treatment cannot be accessed. There are countless studies on the importance of frontloading services to the very young for best outcomes over time. The less a preschool child gets in terms of treatment and remediation, the more likely they are to have long-term deficits in these functions. There are critical windows for developing of these skills and the current situation prevents us from addressing needs when it matters most for good outcomes. Fiscally, that means greater costs for schools when these students enter school-age services, and greater likelihood that the needs will persist throughout their educational careers.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 22**

Submitted by the *Wappingers, Arlington, Beacon, Dutchess BOCES, Millbrook, Poughkeepsie, and Red Hook School Boards* (07/06/23)

**RESOLVED, that the New York State School Boards Association supports changes to the laws and regulations regarding the provision of pre school educational services to special needs students, including section 4410, in order to remove specific barriers to the efficient and effective delivery of these services.**

### **RATIONALE**

Current regulations limit districts' ability to plan for and implement the delivery of educational services to pre-school students with special needs. This is a complex situation with structural and operational problems. School districts are required to provide education to a growing population of students in need of specific services. The less a preschool child gets in terms of treatment and remediation, the more likely (s)he is to have long-term deficits in these functions. Fiscally, that means greater costs for schools when these students enter school-age services, and greater likelihood that the needs will persist throughout their educational careers.

1. While the 2023 budget act calls for a study, it's not due until 7/1/2025, but the delivery crisis is now.
2. District budgets are based on school-age services and do not encompass preschool. Districts cannot use general fund budget monies for preschool programming. This barrier should be removed.
3. BOCES programs have explored the program availability gap for preschoolers. They had planned on offering these services to component districts. They were advised by SED that they could not charge the referring districts the difference and would have to accept the 4410 rates. This barrier should be removed.
4. Space is an issue: spaces need NYSED approval. This barrier should be addressed.
5. Because of the paucity of programs and spaces, many students are bused very far from their homes. As shared, some students travel up to an hour or more each way to a preschool program. Service providers tend to avoid impoverished neighborhoods, a situation which needs to be addressed by allowing districts greater flexibility.
6. It is the County's responsibility to recruit and contract with 4410 service providers. Barriers to district and BOCES eligibility should be addressed and removed.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 23**

Submitted by the *Onteora School Board* (07/07/23)

**RESOLVED, that the New York State School Boards Association supports full individual WIFI and cellular access for every household across New York State.**

### **RATIONALE**

As we move into a hybrid and digital future it is imperative that we provide affordable and equitable access to Ed Tech tools whereas every student and family has the ability to engage in distance learning when necessary, or provide educational opportunities that would otherwise be unavailable to students whereas this will also prepare our students to become 21st century learners.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 24**

Submitted by the *Uniondale School Board (07/10/23)*

**RESOLVED, that the New York State School Boards Association include as a legislative priority issue, reforms to funding for charter schools thereby removing the burden from high need districts and shifting the burden to New York State and federal sources.**

### **RATIONALE**

The formula for funding charter schools in New York State disproportionately impacts high need school district's impacting funding for such districts. Most charter schools are located in high-need districts that can least afford to lose revenue. The State Education Department has projected that charters drain 7-15 percent of budgets in certain school districts across the state. Charter school funding is disproportionately high compared to the actual cost of an education. In twenty-one of New York's most charter-saturated districts, 61 percent of their Foundation Aid increases over the last five years went to charters. These districts could have invested more funds in student support services. Instead, they were mandated to pay funds over to charters. Many charters underserve students with disabilities and English language learners and are exempt from public transparency and accountability requirements. Legislative action is necessary to require changes to the funding mechanism for charter schools thereby removing the burden from local school districts.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 25**

Submitted by the *Guilderland School Board (07/11/23)*

**RESOLVED, that the New York State School Boards Association support legislation at the state level that would allow school districts whose prekindergarten programs are oversubscribed to show enrollment preference to students who would be eligible for free and reduced-price lunch and/or are English language learners.**

### **RATIONALE**

When New York State began funding universal prekindergarten programs, more than two decades ago, the first districts funded were high-need, low wealth districts, to ensure that the investment went first to those districts serving students with the greatest need. However, after initial investments, expansion stalled for many years. When significant State investment in expansion to new districts began three years ago, significant state funds for prekindergarten began to be allocated to average and low need districts. However, even in districts that can launch a program, there are not enough seats available for the number of interested families. There can be many reasons for this, including but not limited to: lack of funded seats, inadequate local resources to fund a local share of the program, lack of space in district, lack of seats with community based partners, and lack of staff. These may also be the reasons a district is unable to launch a program at all.

As a result, in districts that are able to launch programs, but do not have adequate seats available, the districts are required by law to hold a random lottery to award the available seats. Countless studies have shown that while all students benefit from early childhood education, access to early childhood education can be game-changing for high needs students. However, districts are not permitted to show enrollment preference to those students who need and would most greatly benefit from the program. Until such time as the universal prekindergarten program is truly universal, with an available seat for every interested and eligible family, districts should be permitted to take steps to enroll those students with the greatest need.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 26**

Submitted by the *Port Washington School Board (07/12/23)*

**RESOLVED, that the New York State School Boards Association advocate that the State research if New York students who are already being administered the grades 3-8 tests via computer perform better on computer-based tests vs. paper-based tests, and for full-funding of such computer-based testing.**

### **RATIONALE**

Over the years there has been conflicting evidence on whether students perform better on computer-based tests or paper-based tests. Although almost every district in NYS had a 1:1 program during the pandemic, districts are nevertheless being required to continue to purchase devices in order to comply with the unfunded state mandate to administer computer-based grades 3-8 tests, and in some cases are spending additional resources to acquire touch screen devices to do so when they otherwise would not. This is an(other) unfunded mandate the state should cover.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 27**

Submitted by the *Plainview- Old Bethpage School Board (07/13/23)*

**RESOLVED, that the New York State School Boards Association supports legislation that amends the current civil service system to bring it up to date with changes to the duties potential employees will be assigned.**

### **RATIONALE**

The Plainview-Old Bethpage Board of Education believes the reforms requested to Civil Service are designed to support a district's ability to hire high quality candidates that have skills in the areas most germane to the business of schools. The current examination system does not provide a pool of candidates that have technological skills, aptitudes for clerical, accounting, or buildings and grounds work, and the right of refusal of only two candidates results in districts losing the ability to make hiring decisions based on the district's organizational needs.

In addition, the requirement of “snail mail” canvassing does more to support those candidates who are not proficient with technology to prevail; most technologically savvy people are regular users of email. The reforms that would most support the efficient running of a school district and protect the New York State residents seeking to work within the Civil Service organization include:

- Simplify and expedite the hiring process for school districts by upgrading to an online canvassing system and streamline the civil service examination and certification process.
- Revise the existing exams to mirror the work being conducted in those areas.
- Increase the amount of refusals permitted per job.
- Standardize Job Descriptions: Develop clear and concise job descriptions for each position to ensure consistent understanding of roles and responsibilities.
- Include school district personnel in the development of regulations around the revised legislation for disciplining a Civil Service employee with Section 75 Rights (S.1039-A (Jackson)/A.3748-A (Pheffer-Amato)).

These steps could potentially shorten the time it takes to fill vacancies and grant school districts more flexibility in selecting candidates.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 28**

Submitted by the *Harborfields and Middle Country School Boards (07/13/23)*

**RESOLVED**, that the New York State School Boards Association support legislation to exempt debt service expenditures related to litigation under the Child Victims Act from the tax cap.

### **RATIONALE**

In February 2019, Governor Cuomo signed into law the Child Victims Act (CVA). This legislation extended the statute of limitations for victims of childhood sexual abuse and permitted them to take legal action in connection with their alleged abuse. As a result of the CVA, many school districts across our region and throughout New York State have been named in lawsuits that, between potential settlements and jury awards, are estimated to total in the hundreds of millions of dollars. We believe that the CVA legislation did not intend to burden the children of today with this issue. Under current tax law, an adjustment to the tax levy can only be made for costs of those court orders or judgments that exceed 5 percent of the total prior year's tax levy. These expenses will most likely be in the form of debt service on a bond which makes it very unlikely that any portion of the expense will exceed 5% of the prior year levy. This 5% excess threshold must be removed, for CVA litigation only, to provide communities with local control on this issue. In the absence of action, school districts will be faced with no alternative other than reducing student programs to meet their obligations resulting from CVA litigation. This will have a generational impact in those communities. We believe that local control on this issue is in the best interests of all school districts across New York State. Removing the 5% excess threshold would allow districts to work with their local communities on funding the outcome of CVA litigation.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 29**

Submitted by the *Sachem School Board (07/14/23)*

**RESOLVED**, that the New York State School Boards Association **ADVOCATE** for passage of legislation that would seek to “de-couple” student standardized test scores as a metric in determining a teacher’s **APPR Rating**.

### **RATIONALE**

Since its inception, the use of student achievement scores on standardized tests is a necessary part of a District APPR Plan for the evaluation of teaching staff. Such tests are not suitable for all student capabilities, opted out of in ever increasing numbers, not reflective of teaching skills and methods and, being not District generated, wholly unfair to teaching staff. Therefore, it is requesting that NYSSBA support the de-coupling of this metric.

**DEI Committee Review: No Position**

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## PROPOSED RESOLUTION 30

Submitted by the *Sachem and Saranac Lake School Boards (07/14/23)*

**RESOLVED, that the New York State School Boards Association SUPPORTS legislation that would fully fund Universal Access to Free Meals programs for every K-12 student within the State.**

### RATIONALE

#### Sachem:

The New York State School Boards Association recognizes the overwhelming documentation espousing the correlations between a child who is experiencing food insecurity or childhood hunger and the adverse effects it has on that child's scholastic performance, cognitive development, behavioral patterns, attendance and overall health. Reducing childhood hunger now will promote social and economic equity, and provides an investment in the wellbeing of children who will one day grow up to be the, community members, parents, and leaders of the future.

#### Saranac Lake:

Current research shows that providing healthy free school meals for all children, regardless of income, has multiple benefits, including but not limited to, increased attendance, increased attention span, higher test scores, improved behavioral outcomes, as well as decreased mental health and physical issues. Universal access to free school meals improves equity based on multiple factors such as, family income level and whether a district is in a rural vs urban area. The 2023-2024 NY state budget increased funding for healthy school meals by using the Federal Community Eligibility Program (CEP) guidelines. While this program feeds more school children, it does not go far enough. These guidelines have not been adjusted since phase-in began in 2014. To qualify for free meals under Federal Guidelines, a family of 4 making under \$30,000 meets the Poverty Guidelines; that family may make no more than \$39,000 to qualify for free lunches. Under the United Way's ALICE (Asset Limited, Income Constrained, Employed) guidelines, the house-hold survival budget for a family of 4 is \$75,800. In the end, it just comes down to feeding kids at school. We pay for textbooks because they are beneficial to a child's education. Every child should be fed at school because it is beneficial to their education.

**DEI Committee Review: Support**

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## PROPOSED RESOLUTION 31

Submitted by the *Albany School Board (07/14/23)*

**RESOLVED, that the New York State School Boards Association supports legislation that would allow, but not require, New York school districts to offer early voting in the annual school budget vote and Board of Education election, consistent with early voting allowed in non-school-district elections in New York.**

### RATIONALE

We commend the State of New York for making the option of early voting a benefit for voters in non-school- district elections. Early voting offers voters flexibility and convenience, and easing congestion and shortening lines on election day allows more voters to exercise their franchise. It also allows election officials to correct registration errors in time to ensure that every vote counts. Having early voting for non-school-district elections, but not for school-district elections, contributes to voter confusion. Allowing school districts the option of early voting would enhance equity and access across all public elections in New York, increasing opportunities for voters to make their voices heard in these significant local matters. NYSSBA should support allowing each school district to adopt early voting that is consistent with the provisions for early voting in other New York elections.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 32**

Submitted by the *Albany School Board (07/14/23)*

**RESOLVED**, that the New York State School Boards Association supports legislation that would revise New York's school receivership law to remove punitive consequences and provide a more supportive, equitable system for assisting schools and school districts in need of improvement.

### **RATIONALE**

We commend - and share - the State of New York's focus on raising the knowledge, skill and opportunity of every student in our state. We value the state's emphasis on achieving these goals through an equitable distribution of resources and a data-driven focus on the strengths and needs of every child. While the state's receivership law is fundamentally grounded in these principles, it also includes punitive measures that perpetuate deeply held perceptions about low-performing schools and the communities they serve. The harsh consequences for schools and school districts embedded in the receivership law contribute to challenges for those entities to attract and retain the high-quality, highly effective leaders and teachers that low-performing schools need to succeed. NYSSBA should advocate for the state to remove the punitive portions of the receivership law and develop a stronger, deeper system of support and assistance for schools and school districts in need, aligning with the recent restructuring of the state's overall accountability system that established the more supportive and achievement-centered Targeted Support and Improvement Schools (TSI) and Comprehensive Support and Improvement Schools (CSI) framework. Every student should have the opportunity and support they need to succeed, and they should be able to do so in school environments that uplift and support them no matter the challenges their community faces.

**DEI Committee Review: Support**

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**PROPOSED BYLAWS AND RESOLUTIONS**  
**NOT RECOMMENDED BY THE RESOLUTIONS COMMITTEE**  
**FOR ADOPTION**

**PROPOSED RESOLUTION 33 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED**, that the New York State School Boards Association 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.

**RATIONALE**

This endorsement supports the Board's goals of expediting the decision-making process, enhancing planning and implementation, improving communication and collaboration, supporting technology integration in education, reducing administrative burden, and ensuring equitable access to funding. By advocating for legislation requiring the SSRB to meet monthly and promptly review and act on school district submissions, the Board aims to optimize the benefits of the Smart Schools Bond Act and facilitate the efficient utilization of technology resources for the benefit of students in Peru Central Schools and across the state. Expedited Decision-Making Process: Requiring the SSRB to meet monthly and promptly review and act on school district submission would expedite the decision-making process. Currently, delays in the review and approval of submissions can hinder school districts' ability to implement important technology initiatives. By endorsing the mandate, the Board aims to streamline the process and ensure that school districts receive timely feedback and decisions from the SSRB, allowing them to move forward with their technology plans efficiently.

**EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee recognized the strain on district planning and finances when this resolution was adopted. However, the Committee also recognized that the Smart Schools Review Board, with the support of the State Education Department and the Division of the Budget, has been regularly meeting and has distributed the majority of the original funding allocated through the Bond Act.

**DEI Committee Review: No Position**

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**PROPOSED RESOLUTION 34 – SUNSETTING**

Submitted by the *Peru School Board (6/27/23)*

**RESOLVED**, that the New York State School Boards Association supports proposals that would make kindergarten attendance mandatory.

**RATIONALE**

This endorsement supports the Board's goals of promoting early childhood development, ensuring academic preparedness, fostering equity and access, supporting social and emotional development, aligning with state education goals, and reaping the long-term educational benefits of mandatory kindergarten attendance. By endorsing this mandate, the Board emphasizes its commitment to the success and well-being of all students in Peru Central Schools, recognizing that mandatory kindergarten attendance plays a vital role in their educational journey. Early

Childhood Development: Kindergarten serves as a critical foundation for a child's educational journey. By making kindergarten attendance mandate Board aims to ensure that all children have the opportunity to benefit from early childhood development programs. Kindergarten provides essential social, emotional, and academic skills that set the stage for future learning success.

### EXPLANATION OF THE RESOLUTIONS COMMITTEE

This sunsetting position was first adopted in 2018. The Committee noted that Chapter 703 of the Laws of 2019, which authorizes all school boards in New York to require public school students to attend kindergarten, is an appropriate outcome as it maintains local control over attendance decisions.

**DEI Committee Review: Support**

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### PROPOSED RESOLUTION 35

Submitted by the *McGraw School Board (6/9/23)*

**RESOLVED, that the New York State School Boards Association support legislation at the state and/or federal level for a waiver for small and rural school districts from the law that mandates that all school vehicles be zero emission vehicles.**

### RATIONALE

This legislation is cost prohibitive to school districts with minimal state and federal funding to support it. The local share of our tax base will have to take the brunt of this extreme increase in our transportation costs in schools. After speaking with bus sales representatives, a single electric bus is expected to cost approximately \$400,000 at base price with an additional 3% expected increase in each year after this year. A clean diesel bus currently costs \$142,000 base price. The current electric infrastructure is not prepared to handle the intended mandate. NYPERDA, the state agency tasked with creating a road map to assist with this law being instituted, have been responsive to attend meetings but have taken little or no action to create the plan. Diesel buses are currently at 4-5% emissions, which has improved. Zero emission buses are currently not practical because of the lack of miles they are able to travel with each charge. The recommended storage of the zero emission buses does not currently meet the districts' transportation department space allotments. The new buses are recommended to be 10 feet apart from each other in all directions and in outdoor storage. Safety of electric vehicles is also a concern. Vehicle fires in electric vehicles quickly spread and the fear of placing our children in these vehicles is real. A portion of every fleet could transition to the zero-emission bus, but at least 30% of the rural districts will need long range options.

### EXPLANATION OF THE RESOLUTIONS COMMITTEE

Committee members shared numerous concerns and obstacles to the transition as it stands, from fiscal, operational, and planning perspectives. The Committee also noted that there is current statutory ability to apply for a two-year extension to the 2027 date. Ultimately, the Committee felt that formally evaluating what changes may need to be made for all districts statewide, as suggested in proposed resolution #19, was the preferred advocacy direction.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 36**

Submitted by the *McGraw School Board (6/9/23)*

**RESOLVED, that the New York State School Boards Association supports the repeal of the law that mandates all school vehicles be zero emission vehicles.**

### **RATIONALE**

This legislation is cost prohibitive to school districts with minimal state and federal funding to support it. The local share of our tax base will have to take the brunt of this extreme increase in our transportation costs in schools. After speaking with bus sales representatives, a single electric bus is expected to cost approximately \$400,000 at base price with an additional 3% expected increase in each year after this year. A clean diesel bus currently costs \$142,000 base price. The current electric infrastructure is not prepared to handle the intended mandate. NYPERDA, the state agency tasked with creating a road map to assist with this law being instituted, have been responsive to attend meetings but have taken little or no action to create the plan. Diesel buses are currently at 4-5% emissions, which has improved. Zero emission buses are currently not practical because of the lack of miles they are able to travel with each charge. The recommended storage of the zero emission buses does not currently meet the districts' transportation department space allotments. The new buses are recommended to be 10 feet apart from each other in all directions and in outdoor storage. Safety of electric vehicles is also a concern. Vehicle fires in electric vehicles quickly spread and the fear of placing our children in these vehicles is real. A portion of every fleet could transition to the zero-emission bus, but at least 30% of the rural districts will need long range options.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

Committee members shared numerous concerns and obstacles to the transition as it stands, from fiscal, operational, and planning perspectives. The Committee also noted that there is current statutory ability to apply for a two-year extension to the 2027 date. In addition, the Committee felt that given the state's wide-ranging commitment to its climate action goals, there was a very low likelihood of an outright repeal of this mandate. Ultimately, the Committee felt that formally evaluating what changes may need to be made for all districts statewide, as suggested in proposed resolution #19, was the preferred advocacy direction.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 37**

Submitted by the *Peru School Board (06/16/23)*

**RESOLVED, that the New York State School Boards Association support legislation that would reduce the required number of Lockdown Drills conducted each year.**

### **RATIONALE**

With the current State requirements, a student will participate in nearly 50 lockdown drills over their K-12 education. These drills have been shown to cause significant anxiety in students and faculty alike. This anxiety significantly disrupts the learning outcomes for all students, as noted in a 2020 study by Georgia Tech and Everytown: "Active shooter drills in schools are associated with increases in depression (39%), stress and anxiety (42%), and physiological health problems (23%) overall, including children from as young as five years old up to high schoolers, their parents, and teachers." <https://everytownresearch.org/report/the-impact-of-active-shooter-drills-in-schools/>

The focus on student and staff safety is the top priority for any school district and board, however there is very little evidence suggesting these drills achieve the desired outcomes when compared with less traumatic investments in

threat detection, social supports, and non-punitive discipline programs. Therefore there is no merit in the argument that additional drills make our schools safer, and rather are proven to create significant trauma and disruption. Our state cannot tolerate unnecessary learning loss among our students.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee noted that repeated lockdown drills better prepare students and staff for correct deployment of lockdown procedures should there be an actual emergency. They also agreed that lockdown drills should be trauma-informed to minimize negative impacts on students' wellbeing.

**DEI Committee Review: No Position**

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### **PROPOSED RESOLUTION 38**

Submitted by the *Hewlett-Woodmere, Garden City, Hicksville, Locust Valley, Massapequa and Smithtown School Boards* (07/06/23)

**RESOLVED, that the New York State School Boards Association oppose any legislation or Budget initiatives that would allow NYS to overrule local zoning ordinances.**

### **RATIONALE**

For the last two years the Governor has attempted to enact policies that would give the state control over local towns and village zoning, to force construction of high density housing plans or to allow accessory dwelling units. Forcing rapid expansion of housing would have a detrimental effect on schools leading to overcrowding, increased class sizes and increased taxes to our residents.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee felt that this proposal did not have sufficient relevance to the interests of school boards for NYSSBA to engage in advocacy on.

The Committee further noted that they generally agreed with the sentiments and votes from last year, when a similar resolution was not recommended by the Resolutions Committee and voted down by delegates at the Business Meeting.

**DEI Committee Review: Oppose**

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### **PROPOSED RESOLUTION 39**

Submitted by the *Newark School Board* (07/09/23)

**RESOLVED, that the New York State School Boards Association support law or requirement that each board member attain six hours professional development each year after they complete the required mandated training.**

### **RATIONALE**

School board members make decisions that have a significant and long-term impact on their students, schools and communities. There is increasing misinformation circulating in social media and on some news services concerning public education that is and can be confusing. To equip school board members with the necessary knowledge to successfully fulfill their responsibilities, board members should undergo regular training and development. Some of

the key benefits of school board member training include obtaining content knowledge and skills necessary to effectively and successfully govern their school districts, staying up-to-date on issues that are currently affecting education and student outcomes, and acquiring crucial leadership skills and capabilities. The professional development can be from national, state and local school board associations or local Board professional development at meetings.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee recognized that this additional training would likely improve overall school board performance. However, the Committee also noted that it has been more difficult in recent times to find community members to run for school board, or to have board members re-run, and this could present an added barrier. In addition, the Committee noted the multiple training opportunities that are already available to school board members through NYSSBA and other organizations, and felt that boards could take advantage of those opportunities at their own behest.

**DEI Committee Review: No Position**

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### **PROPOSED RESOLUTION 40**

Submitted by the *Uniondale School Board (07/10/23)*

**RESOLVED, that the New York State School Boards Association include as a legislative priority issue, additions to the general municipal law allowing board members who serve on a local board of education the ability to participate in a district's life insurance plan at no cost to the board member and upon approval of the board of education. Such board member's participation in such plan will increase when the member is no longer serving on the board.**

### **RATIONALE**

Long term life insurance is available to district employees and should be available to board of education members who serve on local boards of education. Board members serve in a voluntary capacity and in their role travel to functions, training, and workshops, all in service to the community with no compensation. The provision of life insurance would provide members with peace of mind regarding the welfare of their family should the unexpected happen during their service. Legislative action is necessary to require an addition to the municipal law to make such insurance available.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee felt that this was too far outside the purview of school board membership, and that it would be too serving of the self-interest of board members.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 41**

Submitted by the *Uniondale School Board (07/10/23)*

**RESOLVED**, that the New York State School Boards Association include as a legislative priority issue, changes to the education law allowing districts to vacate the position of a teacher or teaching assistant on leave for one year or more.

### **RATIONALE**

The Board seeks to create legislation regarding separation for ordinary disability for teachers and teaching assistants employed by a School District wherein an employee who has been continuously absent from and unable to perform the duties of their position for one year or more by reason of a disability, other than a disability resulting from occupational injury or disease as defined in the worker's compensation law, their employment status may be terminated and their position may be filled by a permanent appointment. Consistent with the process outlined in Civil Service Law Section 73 and Civil Service Law Section 71, such employee may, within one year after the termination of such disability, make application to the board of education for a medical examination to be conducted by a medical officer selected for that purpose by such board of education. If, upon such medical examination, such medical officer certifies that such person is physically and mentally fit to perform the duties of their former position, the person shall be reinstated to their former position, if vacant, or to a vacancy in a similar position. If no appropriate vacancy shall exist to which such reinstatement may be made, the name of such person shall be placed on a preferred list for their former position and the person shall be eligible for reinstatement in their former department or agency from such preferred list for a period of seven years. This proposal would ensure the administrative and substantive burden of maintaining a position for a teacher who is unable to teach is eliminated. Further, as there would be no need to utilize the Education Law Section 3020-a process in these circumstances, such a provision would provide cost savings for School Districts. In addition, School Districts would then be able to use full-time teachers rather than leave replacement teachers thus allowing for increased continuity of instruction.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee had concerns that this resolution may have negative impacts with regard to the rights of disabled individuals or give rise to liability for districts and BOCES. The Committee felt that the scope of the current allowances provided by state law was appropriate.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 42**

Submitted by the *Baldwinsville School Board (07/11/23)*

**RESOLVED**, that the New York State School Boards Association supports and encourages legislation that modifies New York State's compulsory education law to require all minors who turn five years old on or before September 1 in any school year to receive full-time instruction from the first day school is in session in September of such school year, and minors who turn five years old after September 1 of a school year to receive full-time instruction from the first day of school in the following September.

### **RATIONALE**

Each year parents, guardians, and caregivers are required to make very difficult decisions for many of New York State's children based on the child's age and the current rules establishing a child's entitlement to attend school. More specifically, families of students who turn five years of age prior to December 1 of each school year are forced to



make a decision of whether to "hold back" their child and enroll the following school year. The proposed resolution levels the playing field for all students as the September 1 date coincides with the start of the school year. In effect, this would reduce the number of students being held back each year and allow districts to better project enrollment numbers for staffing and budgetary proposes.

Additionally, this change would allow for continuity of the students' learning across New York State Learning Standards. Specifically, students in Prekindergarten through first grade, will follow this natural progression and receive instruction from highly-qualified staff.

If this moves forward, a grace period for impacted students should be provided during the transition.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee felt that current law allows for an appropriate degree of flexibility for parents and better accounts for the variance in individual student readiness.

**DEI Committee Review: No Position**

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### **PROPOSED RESOLUTION 43**

Submitted by the *Plattsburgh, East Williston and Malone School Boards (07/12/23)*

**RESOLVED, that the New York State School Boards Association work with the New York State Educational Conference Board and its supportive members, to call on the New York State Legislature to improve Tier 6 in the current retirement systems for school employees and that we seek support and legislation to establish Tier Equity for Tier 5 and 6 to be more aligned with Tiers 1 through 4.**

### **RATIONALE**

When Tier 6 was established in the Public School retirement systems in 2012 many legislators and state public school organizations knew that changes needed to be made before it came time for workers to retire using Tier 6 calculated benefits. That time is now. Specifically looking at Tier Equity in the New York State Teachers Retirement System: a teacher must work to age 55 in Tiers 1-4, 57 in Tier 5 and 63 in Tier 6; in a sample district, a teacher retiring in 2022 with a three year final average salary of \$88,687 (tiers1-5) and \$85,630(tier6 five year FAS), at age 55 and 30 years of service would receive the following annual retirement benefit: tier1-4: \$53,212; tier 5 \$32,816; Tier 6 \$22,606. This inequity, a substantial reduction in retirement benefits and the change in retirement age to 62, is drastically decreasing the number of individuals studying to become teachers and for many teachers already in Tier 6 are resigning and changing jobs. The average of retirement of employees in NYSTRS from 2017-18 to 2021-22 with 30 or greater years of service was 59 years and 9 months with just over an average of 33 years of service. These numbers were very consistent over that period of time. A mandated longer career for employees will drive demand for more years at higher salaries in negotiations.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee recognized and appreciated the fact that many employers see the benefits of the state retirement system as a hiring incentive and acknowledged that the current Tier 6 system could be complicating staff recruitment. However, the Committee determined that the potential cost impact to districts and BOCES could be great, and therefore believed that full tier equity might not be the most appropriate solution to the issue.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 44**

Submitted by the *Beacon School Board (07/12/23)*

**RESOLVED**, that the New York State School Boards Association supports legislation that would require the state to develop and fully fund climate change curriculum for all public elementary and secondary schools in New York State.

### **RATIONALE**

1. No climate change strategy is complete without climate education. The green skills required to adapt to a warming world will be required knowledge.
2. We have an obligation to educate today's students about the impacts of climate change. They are tomorrow's leaders and innovators, and they will be tasked with finding solutions to these challenges.
3. Addressing climate change requires changes in how we value, use, and interact with our environment. A 2020 study (<https://journals.plos.org/plosone/article?id=10.1371/journal.pone.0206266>) found that if 16 percent of secondary school students around the world in middle- and high-income countries studied climate change, it would cut approximately 19 gigatons of carbon dioxide by 2050. This is because education leads to better understanding and behavioral changes.
4. According to a 2016 survey (<https://www.science.org/doi/10.1126/science.aab3907>), middle and high school teachers only dedicated 1-2 hours to climate change during an entire academic year.
5. It currently falls on individual teachers and districts to build climate change education into their curriculum. But a robust, required, and fully funded curriculum exploring climate change across disciplines would offer educators the space and resources they need to adequately cover this broad subject.
6. This is an issue with impacts at a global scale, and so students must be armed with a broad range of information on its scientific, civic, cultural, and other implications.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee recognized NYSSBA's current position statement to oppose legislative curriculum mandates. While the Committee recognized the importance of the intended impact of this proposed curriculum, the Committee also felt that to pick and choose curriculum mandates would make for inconsistent advocacy.

#### **DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 45**

Submitted by the *Schenectady School Board (07/13/23)*

**RESOLVED**, that the New York State School Boards Association supports a revision of the state legislation to allow New York State Education Department, Charter Schools, or Nonpublic School employees to serve on New York State Boards of Education.

### **RATIONALE**

NYS School Boards of Education is a representative body of elected citizens, who were duly elected to participate in a democratic body to best serve young people. Candidates running for board positions have a set of unique skills, experiences, mindsets, expertise, cultural backgrounds and professions, all qualities that are crucial to enhancing the efficiency of a school board. There are fundamental structures and procedures in place to provide guidance when

potential conflicts of interest occur in a voting situation. Abstaining is a critical aspect of the functioning of a board, as many, if not all school boards confront conflicts of interest based on a number of different factors, including board member’s professional experience, and networking connections. Public Officers Law §74(3), “Code of Ethics,” sets forth standards prohibiting conflicts of interest in public employment, including avoiding any appearance of impropriety. An “appearance of impropriety” means that an officer or employee has, “by his or her conduct give[n] reasonable basis for the impression that any person can improperly influence him or her or unduly enjoy his or her favor.” In addition, “[a]n officer or employee of a state agency ... should endeavor to pursue a course of conduct which will not raise suspicion among the public that he or she is likely to be engaged in acts that are in violation of his or her trust.” This law can potentially impact anyone from a number of positions and agencies and will dramatically affect the pool of candidates that can run for school board elections.

NYSSBA should advocate for a revision of the Public Officers Law section 74(3) “Code of Ethics”, based on whether individual candidates hold positions in NYSED, Charter Schools, or Nonpublic School employees that directly violate the “appearance of impropriety”.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee felt that there was enough of a potential for a conflict of interest to not pursue allowing such arrangements.

**DEI Committee Review: No Position**

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### **PROPOSED RESOLUTION 46**

Submitted by the *Massapequa, Carle Place, Garden City, Island Trees, Locust Valley and Sachem School Boards (07/13/23)*

**RESOLVED, that the New York State School Boards Association will ADVOCATE for the reinstatement of the religious exemption to immunization.**

### **RATIONALE**

Parents have the right to determine the upbringing of their children, which includes but is not limited to matters of education, medical care and character education. The legislation must protect the parents' right to make decisions for their children in addition to opt their children out of any *non-academic* instruction that they morally or religiously object to.

### **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.

The Committee further noted that they generally agreed with the sentiments and votes from last year, when a similar resolution was not recommended by the Resolutions Committee and voted down by delegates at the Business Meeting.

**DEI Committee Review: Oppose**

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## **PROPOSED RESOLUTION 47**

Submitted by the *Massapequa, Carle Place, Garden City, Hicksville and Island Trees School Boards (07/13/23)*

**RESOLVED**, that the New York State School Boards Association will **ADVOCATE** for adoption of **Parental Rights Legislation**.

### **RATIONALE**

Parents have the right to determine the upbringing of their children, which includes but is not limited to matters of education, medical care and character education. The legislation must protect the parents' right to make decisions for their children in addition to opt their children out of any *non-academic* instruction that they morally or religiously object to.

### **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 also 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.

The Committee further noted that they generally agreed with the sentiments and votes from last year, when a similar resolution was not recommended by the Resolutions Committee and voted down by delegates at the Business Meeting.

**DEI Committee Review: Oppose**

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## **PROPOSED RESOLUTION 48**

Submitted by the *Massapequa, Carle Place, Garden City, Hicksville, Island Trees, Locust Valley and Sachem School Boards (07/13/23)*

**RESOLVED**, that the New York State School Boards Association will **OPPOSE** any mandates from the State Education department regarding matters not pertaining to academic standards/subjects (i.e. math, science, reading, writing, social studies) that have not been approved by an up/down vote of the NYS legislature.

### **RATIONALE**

Local school boards are elected by their communities to ensure their views are respected and reflected in the education of their students. NYSED should not be mandating subjects be taught that has not been voted on by the NYS legislature.

### **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. The Committee also noted NYSSBA's current position against legislative curriculum mandates. Therefore, the Committee voted against impeding the State Education Department's authority to make curricular decisions.

The Committee further noted that they generally agreed with the sentiments and votes from last year, when a similar resolution was not recommended by the Resolutions Committee and voted down by delegates at the Business Meeting.

**DEI Committee Review: Oppose**

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## **PROPOSED RESOLUTION 49**

Submitted by *Massapequa, Carle Place, Garden City, Hicksville, Island Trees, Locust Valley and Sachem School Boards* (07/13/23)

**RESOLVED, that the New York State School Boards Association will ADVOCATE for Local Control by School Boards and/or County Executives.**

### **RATIONALE**

NYS is vast; encompassed by 62 counties. Each area of the state, North country, Hudson Valley, NYC, Long Island, etc., have differing needs, and differing populations. Not all rules, regulations and standards will work in each of these regions or address each region's needs. Local government is the most responsive and can better address the needs of their communities.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee noted that while local control remains an important school board principle, it is their belief that some issues can be most appropriately decided and directed at the state level. The Committee cited public health decisions made by public health experts at the state level during the pandemic, as an example.

The Committee further noted that they generally agreed with the sentiments and votes from last year, when a similar resolution was not recommended by the Resolutions Committee and voted down by delegates at the Business Meeting.

**DEI Committee Review: Oppose**

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## **PROPOSED RESOLUTION 50**

Submitted by the *Massapequa, Carle Place, Garden City, Island Trees, Locust Valley and Sachem School Board* (07/13/23)

**RESOLVED, that the New York State School Boards Association will OPPOSE any legislation or NYSED regulation mandating comprehensive K-12 gender and sexuality education.**

### **RATIONALE**

Recent legislative actions have been moving towards mandating sexual and gender identity education. Mandating any subject matter that is not age appropriate or harmful to young students should be kept out of our schools, especially our elementary schools where children are not developmentally capable of comprehending mature content.

### **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 therefore opposed a blanket statewide prohibition.

The Committee further noted that they generally agreed with the sentiments and votes from last year, when a similar resolution was not recommended by the Resolutions Committee and voted down by delegates at the Business Meeting.

**DEI Committee Review: Oppose**

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## **PROPOSED RESOLUTION 51**

Submitted by the *Massapequa, Carle Place, Garden City, Hicksville, Island Trees, Locust Valley and Sachem School Boards* (07/13/23)

**RESOLVED**, that the New York State School Boards Association will **OPPOSE** any reduction to the requirements and/or standards related to history and civics in the NYS School Curriculum. In addition, **ADVOCATE** to keep Regents exams in U.S. History, Government and Global History as a requirement of end of year course work.

### **RATIONALE**

Social Studies courses must retain the same academic status as that of core course work in English, Math and Science. Any pause in the Social Studies curriculum and associated scholastic score weighting will not be accepted.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee recognized NYSSBA's current position statement to oppose legislative curriculum mandates. The Committee also 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. The Committee further noted that much work has already been done on the issues of standards and testing by the Regents' Blue Ribbon Commission, which included school board representation.

**DEI Committee Review: Oppose**

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## **PROPOSED RESOLUTION 52**

Submitted by the *Massapequa, Carle Place, Garden City, Hicksville, Island Trees and Locust Valley School Boards* (07/13/23)

**RESOLVED**, that the New York State School Boards Association will **Advocate** to further prioritize school district, student and school staff safety by expanding New York City's and Counties Police Department's School Resource Program which have been successful in areas of NY state where utilized.

### **RATIONALE**

The program would allow for Uniformed Police to be assigned to be on school property patrolling only the school district and associated buildings during school, and after school activities hors. This program should be rolled out and enforced Statewide for all School Districts.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee discussed some of the potential benefits of school resource officer (SRO) programs. However, the Committee felt that this proposed resolution was too prescriptive, and was overall in favor of local control over what is best for district safety. The Committee also noted that this issue would generally be addressed by districts' school safety plans. Lastly, the Committee felt that there was not enough information from the submitting district as to the exact nature of what this proposal would entail.

**DEI Committee Review: No Position**

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### **PROPOSED RESOLUTION 53**

Submitted by the *Massapequa, Carle Place and Island Trees School Boards (07/13/23)*

**RESOLVED, that the New York State School Boards Association work together with affected School districts and others, to rescind or modify the Board of Regents policy re: School Mascots and imagery.**

#### **RATIONALE**

The New York State Education Department ordered all school districts in the State to remove “Indian” mascots and associated Native American imagery from public school systems.

#### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee expressed their support for respect of diversity and inclusion, and felt that this resolution would run counter to that important principle.

**DEI Committee Review: Oppose**

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### **PROPOSED RESOLUTION 54**

Submitted by the *Sachem School Board (07/14/23)*

**RESOLVED, the New York State School Boards Association does now proclaim its full support and endorsement of the requirement that school Security Guards receive, and be required to obtain, the specialized school specific security training.**

#### **RATIONALE**

The New York State School Boards Association recognizes that its member Boards of Education have a duty and responsibility to guard against reprehensible acts of violence on school grounds and provide a safe, orderly, and respectful environment for students, staff and visitors. The New York State School Boards Association did, as a consequence of recognizing such a duty upon its members, at its October 17, 2022, Annual Business Meeting did contemplate and deliberate on then Proposed Resolution # 9 submitted by both the Sachem & Sayville School Districts and that in pertinent part sought to; “...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.” It is now recognized that the costs associated with obtaining such enhanced school security credential is borne solely on the individual seeking such credential and there are no additional costs to the school district.

The New York State School Boards Association should proclaim its full support and endorsement of the New York State Senate Bill sponsored by Senator Martinez and the NY State Assembly Companion Bill sponsored by Member of the Assembly Jean-Pierre and known as the “SCHOOL SECURITY GUARD TRAINING ENHANCEMENT ACT;”

#### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee noted that limiting the pool of potential school security personnel to those who possessed a specific certification could exacerbate the staffing challenges that many districts are already experiencing. However, the Committee did see value in the establishment of a voluntary school security guard training/certification program.

**DEI Committee Review: Support**

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## **PROPOSED RESOLUTION 55**

Submitted by the *Hicksville School Board (07/14/23)*

**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 recognized the research that has been done on the issue of school start times, but did not believe a state mandate is the most appropriate way to make such change. The Committee noted the costs associated with requiring such a change, and specifically highlighted the potential impact on transportation staggering during the current school bus driver shortages that many districts are facing.

The Committee further noted that they generally agreed with the sentiments and votes from last year, when a similar resolution was not recommended by the Resolutions Committee and voted down by delegates at the Business Meeting.

**DEI Committee Review: No Position**

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## **PROPOSED RESOLUTION 56**

Submitted by the *Hicksville School Board (07/14/23)*

**RESOLVED, that the New York State School Boards Association oppose the reformulation of SMART SNACKS in schools which serve to confuse students and parents as to the true nutritional value of such snacks - cookies, chips, etc. SMART SNACKS should return to the USDA's 2014 original intent of more healthy options such as fresh fruit, and vegetables. Currently many SMART SNACKS offered are virtually indistinguishable versions widely sold outside of schools.**

### **RATIONALE**

In 2014, USDA established nutrition standards for snack foods sold in schools. Many manufacturers reformulated products to meet these Smart Snacks standards, but continue to advertise unhealthy versions of the same brands. Furthermore, Smart Snack packaging often looks like less nutritious versions sold outside of schools (look-alike products). This practice may confuse consumers about the nutritional quality of Smart Snacks and raise concerns about schools selling them. The nutritional quality of snacks sold in schools has improved, but many Smart Snacks are virtually indistinguishable from less nutritious versions widely sold outside of schools. This practice likely benefits the brands, but may not improve children's overall diet and undermines schools' ability to teach good nutrition.

### **EXPLANATION OF THE RESOLUTIONS COMMITTEE**

The Committee noted that schools are currently meeting "Smart Snacks in School" nutrition standards and it would be beyond the scope of the Association to take a position on food sold outside of school buildings.

**DEI Committee Review: No Position**

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## INFORMATION ON AMENDMENTS, REBUTTALS, AND LATE RESOLUTIONS

Proposed resolutions were submitted to NYSSBA by July 14, 2023 (and reviewed by the Resolutions Committee on August 16<sup>th</sup>).

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 Delegates' Guide must reach NYSSBA's Governmental Relations Department by **5 p.m. on September 22, 2023**. All submissions must be sent via email to [advocacy@nyssba.org](mailto: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 late 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 late resolution. 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 must be submitted by **5 p.m. on October 12, 2023**, via email at [advocacy@nyssba.org](mailto:advocacy@nyssba.org) in order to be eligible for consideration during the Annual Business Meeting.

## **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 were 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 1, 3, 5, 7, 9 and 11.

### **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 July 14, 2023, 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. 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 via consent agenda (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 bylaws for the purpose of considering a particular resolution that was submitted after the July 14, 2023, submission deadline. This motion requires a second and a two-thirds majority vote of the delegates before the resolution may be considered. A motion to suspend the bylaws is required to be moved, seconded and adopted for each 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 12 at 5 p.m.



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