



August 10, 2014

To: Member States of the National Association of State Boards of Education
From: Jane Goff, President

In accordance with Article VII, Section 1 of the NASBE Bylaws, I am writing to inform you that the **Delegate Assembly of the National Association of State Boards of Education** will be held in Denver, Colorado on October 17 at 4:15 p.m. At this meeting, the Delegates will consider important business for the Association:

- a) They will elect the President-Elect of NASBE for 2015
- b) They will consider proposed amendments to the Bylaws
- c) They will consider additions to NASBE's Public Education Positions.

The Bylaws specify:

Each dues-paying state shall have one vote, which shall be cast by the voting delegate or alternate who has been **certified by the presiding officer of the state board or the board executive**, and each delegate or alternate shall be registered with the Credentials Committee. States unable to send a voting delegate may submit a written ballot to vote on agenda items by mail or electronic transmission to the Association headquarters at least 15 days before the start of the Annual Meeting. (Emphasis added)

Enclosed you will find

- 1) *Proposed amendments to the Bylaws – Submitted to the States by the Board of Directors on June 21, 2014*

This document shows the proposed amendments. *Words in italics and ~~striketrough~~ are proposed to be deleted from the current bylaws. **Words in bold are proposed to be added.***

- 2) *Proposed Bylaws, as if the Revisions were adopted by the Delegates at the 2014 Annual Meeting.*

This document shows the bylaws as if they were adopted as-proposed, and without the deletions and additions shown, which makes it easier to see how the revised bylaws would read if adopted. The italics and bold type and explanatory notes are important to understand what changes are proposed, but they also "clutter-up" the document and make it difficult and tedious to read if one simply wants to see how the revised document would read.

- 3) *Proposed additions to NASBE's Public Education Positions*

These are the recommendations of the Public Education Positions Committee and have been submitted to the membership from the Board of Directors.

- 4) *Biographical information about the candidates for President-elect and the NASBE Board of Directors.*

These will be voted on at the Annual Meeting..

Please study these items, and discuss them with your board prior to the Annual Conference so your delegate can vote in accordance with the wishes of your state. Your board chair has a ballot for your state to submit if you will not have a voting delegate present in Denver

For the Bylaws discussion, a motion will be brought to adopt the revision of the bylaws as-proposed by the Board, in one motion. Any delegate who wishes to have the proposals considered and voted separately, one-by-one, may bring a motion to Consider the Proposal *Seriatim*, and the delegates will then vote on whether to consider the document that way, or adopt it using one motion. Amendments to the proposed amendments will be in-order during consideration, provided that the amendment does not "increase the scope or modification" of the original proposed amendment. (See *Roberts Rules of Order, Newly Revised*, 11th Edition, pages 594-596, "Amending a Proposed Amendment to the Bylaws.")

The NASBE Board recommends adoption of these revisions to our Bylaws, and considers these changes to be in the best interests of our Association. The NASBE Board also recommends the adoption of the enclosed Public Education Positions.

Thank you for your participation in setting the direction of NASBE. Our association is stronger because of your involvement.

Proposed Amendments to the Bylaws –As approved by the Board of Directors
June 21, 2014 for Circulation and Approval by Membership

Words in italics and ~~striketrough~~ are proposed to be deleted from the current bylaws. Words in bold are proposed to be added.

Bylaws
of the
National Association of State Boards of Education

Article I.
Name

The name of the Association shall be the National Association of State Boards of Education, Inc. (hereinafter, "NASBE" or "the Association.")

Article II.
Purposes

The National Association of State Boards of Education will:

- A. Be a forum for education policy-makers and for those who influence education policy.
- B. Through its adopted processes, synthesize the themes and ideas which describe effective, student-focused education policy into positions of advocacy or into additional organizational beliefs.
- C. Attract and retain staff members who are highly-qualified to support inquiry and analysis in the areas of concern to education policy-makers. NASBE will further provide forums for staff experts to work with members and other invited participants on important education issues.
- D. Examine the issues and themes of education policy and provide information, comment, or advice to members and to states which desire to examine such issues for their states' policy creation. NASBE will provide expertise in how such policy issues will be affected by states' diverse statutory and governance requirements.
- E. Provide a variety of programs and member services that can be used by state boards and state board members to improve their knowledge of education issues or their skills in being an effective board member and education policy-maker.

Article III.
Membership

Section 1. Voting Members. Any state, the District of Columbia, or any territorial board (hereinafter, "state") having jurisdiction over elementary and secondary education may become an equal voting member of the Association upon payment of required dues. In states not having boards of education, the chief state school officer may become a voting member of the Association upon payment by the state or territory of the required dues.

Section 2. Non-Voting Members. Non-voting members of the Association shall receive all information services of the Association as defined by the Board of Directors; may attend and

participate in all meetings and conferences of the Association; and shall be eligible, if appointed, to serve as voting members of committees and study groups of the Association, with the exception of the Governmental Affairs Committee and the Public Education Positions Committee, and shall not be voting members of the Association as described in Section 1.

A. Associate Members. Associate members are those individuals who are not state board of education members or executive directors to state boards of education and who pay the required dues. In addition, an association or institution interested in the purposes of this Association may, upon approval of the Board of Directors and payment of dues fixed by the Board, become an associate member.

B. Affiliate Members. The National Association of State Boards of Education recognizes two affiliate members: The National Council of State Board of Education Executives (NCSBEE) and The National Council of State Education Attorneys (NCOSEA.) A state board of education executive whose state board is a dues- paying member of the Association is thereby a member of NCSBEE and an affiliate member of NASBE. A state education attorney, who pays dues to NCOSEA, as fixed by the NASBE Board, is thereby a member of NCOSEA and an affiliate member of NASBE.

C. Former State Board Members. Any former member of a state board of education may, upon payment of dues fixed by the Board of Directors, become a member of the Association, and the Board of Directors may establish a Life Membership for former state board members, and fix the dues thereof.

D. Honorary Life Members. The Executive Committee of the Board of Directors may confer honorary life membership upon individuals who, by their actions, have demonstrated a high degree of devotion to the purposes of the Association. Association presidents will become honorary life members upon completion of their presidency.

Article IV. Organization

Section 1. The Association is divided into the following areas:

Central - Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Wisconsin.

Northeastern - Connecticut, Delaware, District of Columbia, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands.

Southern - Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, West Virginia.

Western - Alaska, American Samoa, Arizona, California, Colorado, Guam, Hawaii, Idaho, Montana, Nevada, New Mexico, Northern Marianas Islands, Oregon, Utah, Washington, Wyoming.

Article V. **Executive Officers**

Section 1. **Executive Officers** and duties. The **Executive ~~officers~~ Officers** of the Association shall be a President, President-elect, Secretary-Treasurer, and Immediate Past President. ~~Two Area Directors elected by each area, and two New Member Representatives.~~ The **Executive**

~~officers~~ **Officers** shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Association, and as directed by the Board and/or the Delegate Assembly. The President shall preside at the Annual Meeting and at other meetings, shall be chairman of the Board of Directors, shall appoint committees, and may serve as a non-voting member ex-officio of each committee except the Nominations Committee. The President-elect shall assist the President, preside in the President's absence, and succeed to the office of President if that office becomes vacant. The Immediate Past President shall chair the Nominations Committee and assist the President when requested. The Secretary-Treasurer shall chair the Finance and Audit Committee, and be responsible for the custody and accounting of all assets of the Association.

Section 2. Qualifications. All candidates must submit a letter of support from their state board of education, and at the time of election to office may not be in the final year of a term of service on their state board of education. The Board of Directors may, by a two-thirds vote, set aside this limitation when unusual circumstances occur. An officer shall be a member of a dues-paying state board of education, except that any person actually assuming the office of President shall be eligible to complete the term as President and Immediate Past President even though his or her state board term has expired, or the state is no longer a member of the Association. The Secretary-Treasurer shall likewise be eligible to complete the term even if his or her state board term has expired, or the state is no longer a member of the Association. Any person holding office under the above exceptions must maintain individual membership in the Association as a Former State Board Member, but this shall not be construed as to deny such an officer the right to vote in board meetings or board committee meetings. Candidates for President-elect shall have current or prior service on the Board of Directors, or have chaired a study group, the Governmental Affairs Committee, or the Public Education Positions Committee. No member may hold more than one NASBE office at a time.

Section 3. Nomination. The Nominations Committee shall nominate at least one candidate each year for President-elect, at least one candidate each year for Area Director for each Area, and at least one candidate every second year for Secretary-Treasurer. The Nominations Committee shall solicit recommendations for candidates from the membership. Such recommendations must be received at NASBE headquarters at least 48 hours prior to the meeting of the Nominations Committee. Additional nominations for President-elect and Secretary-Treasurer may be made by written petition signed by voting delegates of at least five states from two or more regions. Additional nominations for Area Director may be made by written petition signed by the voting delegates of three or more states from the Area. Such petitions must be received 45 days prior to the Annual Meeting. If by the time of the Annual Meeting a candidate's withdrawal leaves just one candidate, or no candidate, for an office, then nominations may be made from the floor during the Annual Meeting, or during the Area Meeting in the case of electing Area Directors.

Section 4. Election Procedure. A state unable to send a delegate may send a written ballot, for any or all offices, by mail or electronic transmission to the Association headquarters at least 15 days before the start of the Annual Meeting. The election of Area Directors shall be at the Area Meeting during the Annual Meeting, by majority vote of the delegates from that Area and any written ballots submitted under the provisions of this Section, above, following the introduction

of the nominated candidate(s) by an incumbent Area Director. If no candidate receives a majority vote, the election shall be decided by majority vote of the delegates present and voting by secret ballot. The election of President-elect and Secretary-Treasurer shall be following the report of the Nominations Committee at the Annual Meeting, by majority vote of the delegates and any written ballots submitted under the provisions of this Section, above. If no candidate receives a majority vote, the delegates present and voting shall cast a second secret ballot to decide the election. In the event that this second ballot does not result in a majority for any candidate, the Board of Directors, excluding any candidates in the pending election who may also be members of the Board, shall decide the election by secret ballot. A New Member Representative shall be elected annually by majority vote of the members attending the New Member Institute.

Section 5. Term of Office. The President-elect shall take office January 1st following election, and serve one year, becoming President January 1st of the following year, and Immediate Past President on the following January 1st, for one year, or until a successor is elected. The Secretary-Treasurer shall take office January 1st following election, and serve two years, or until a successor is elected. Area Directors shall take office January 1st following election and serve two years (with staggered terms,) or until a successor is elected. No person may serve as Area Director more than two consecutive two-year terms. The New Member Representative shall take office January 1st following election, and serve two years (with staggered terms,) or until a successor is elected.

Section 6. Vacancies. When a vacancy occurs in an ~~Executive office~~ **Office or on** the Board of Directors, **the Board of Directors** may appoint a member who meets the eligibility requirements to complete the term for the vacant office. A president-elect who is so-appointed shall succeed to the offices of President, and Immediate Past President, in the same manner as if he or she had been elected President-elect. If any ~~officer~~ **member of the Board of Directors** shall resign from, or be removed **for a reason other than expiration of his or her term** from membership on the state board of education, the ~~office~~ **position on the Board of Directors** shall be considered vacated, and the vacancy shall be filled as herein provided.

Section 7. Indemnification. Any officer, employee, agent, or other person serving at the request of the Association shall be indemnified by the Association against civil or administrative litigation expenses, judgments, and amounts paid in settlement of civil or administrative actions against any such person, provided that such person acted in good faith and reasonably believed that such actions were in the best interest of the Association, and provided further that such indemnification and the amount of any settlement paid are approved in advance by the majority the Board of Directors, or a court or agency having jurisdiction of the matter. This indemnification shall not include criminal litigation.

Article VI. Board of Directors

Section 1. Board Composition. The ~~five~~ **Executive Officers, two Area Directors elected by each Area, and two New Member Representatives, together with** ~~of the Association shall constitute the Board of Directors, with the addition of~~ the presiding officers of the National Council of State Education Attorneys and the National Council of State Board of Education

Executives, **shall constitute the Board of Directors for the Association. The presiding officers of NCOSEA and NCSBEE** ~~who~~ shall be voting members ex-officio of the Board.

Section 2. Duties and Powers. The Board shall have general supervision of the business and welfare of the Association between Annual Meetings; shall appoint an executive director of the Association to serve at the Board's pleasure, and fix the compensation thereof; shall adopt an annual budget for the Association, and shall in all matters be subject to the directives of the Delegate Assembly at the Annual Meeting. The board shall establish the policies and goals of the Association, and may delegate to the Executive Committee, as appropriate.

Section 3. Board Meetings. Meetings of the Board of Directors may be called by the President as the business of the Association may require. The President shall convene the board at the written request of four members of the Board. Written notice of Board meetings and a copy of the agenda shall be given by the Executive Director to the members of the Board. A majority of the members of the Board, not counting vacant seats, shall constitute a quorum. A quorum may be achieved through the use of teleconference and/or other appropriate technology, and board members attending by electronic means shall be entitled to debate, vote, and otherwise participate as if they were present. Two absences by a member of the Board which are not excused by a majority vote of the Board will result in the position being declared vacant.

Article VII. Annual Meeting

Section 1. Time, Place, and Notice. The Annual Meeting of the Association shall be held at a time and place determined by the Board of Directors, with at least 60 days written notice to all members by the President.

Section 2. Delegate Assembly. The Delegate Assembly shall exercise ultimate authority over the Association, and may delegate powers and duties to the Board of Directors, committees, or particular officers of the Association. Each dues-paying state shall have one vote, which shall be cast by the voting delegate or alternate who has been certified by the presiding officer of the state board or the board executive, and each delegate or alternate shall be registered with the Credentials Committee. States unable to send a voting delegate may submit a written ballot to vote on agenda items by mail or electronic transmission to the Association headquarters at least 15 days before the start of the Annual Meeting. Fifteen delegates present shall constitute a quorum.

Section 3. Duties of the Delegate Assembly. The Delegate Assembly shall convene at the Annual Meeting and shall elect officers of the Association; receive and act on reports and recommendations from the Board of Directors, officers, committees, the executive director and others; confer honors and recognition to deserving individuals and organizations; and otherwise act to advance the cause of the Association.

Article VIII.

Dues

Annual membership dues and method of payment, or any changes thereto, shall be approved by the Board of Directors.

Article IX. Fiscal Year

The fiscal year for the Association shall be January 1 through December 31.

Article X. Committees

Section 1. General Provisions for Committees. A majority of the members of any committee shall constitute a quorum for that committee. A quorum may be achieved through the use of teleconference and/or other appropriate technology, and members attending by electronic means shall be entitled to debate, vote, and otherwise participate as if they were present. Except as otherwise noted herein, the terms of members appointed to a committee expire at the end of the fiscal year. When the President determines that a vacancy exists on a committee, the President may appoint an eligible member to fill such vacancy for the remainder of the term.

Section 2. Executive Committee. The Executive Committee shall have four members, namely the President who shall be chairman, the President-elect, the Secretary-Treasurer, and the Immediate Past President. The Executive Committee shall evaluate the Executive Director, perform the routine business of the association and other affairs as delegated by the Board of Directors, and shall report fully to the Board of Directors.

Section 3. Nominations Committee. The Nominations Committee shall have seven members: the Immediate Past President, who shall be chairman and vote only in case of a tie; one representative from each Area, and two members elected at-large by the Delegate Assembly during the Annual Meeting. Each Area representative to the Nominations Committee shall be elected at the Area Meeting during the Annual Meeting, and all members must be current members of a state board of education. Priority for appointment to this committee shall be a past Area Director from each Area. Each area will also have an alternate, who shall be recommended by the current Area Directors and appointed by the President. The terms of the members are one year, and all members other than the Immediate Past President are eligible to serve a maximum of three consecutive years.

Section 4. Public Education Positions Committee. The Public Education Positions Committee shall have nine members, appointed to one year terms, consisting of the four junior Area Directors, the senior New Member Representative, and four additional members appointed by the President, preferably from each Area. The Chair of the committee shall be appointed by the President from the members of the Committee. No member may serve more than two consecutive terms. The Committee shall recommend Public Education Positions to the Delegate Assembly for adoption as Positions of the Association. When a member state's proposed Position

or amendment to a Position is adopted by the Committee for recommendation to the Delegate Assembly, the state will be notified within five days. New proposed Positions, and amendments to Positions, which are not adopted by the Committee may be re-submitted by the state for consideration by the Delegate Assembly at the Annual Meeting if presented to Association headquarters not less than 45 days before the Annual Meeting, for distribution to the membership not less than 40 days before the Annual Meeting. The printed Public Education Positions as adopted by the Committee for recommendation to the Delegate Assembly may record the dissenting votes by state designation and shall provide a section for written minority statements.

Section 5. Finance and Audit Committee. The Finance and Audit Committee shall have at least four and not more than seven members: the Secretary-Treasurer, who shall be chairman, and additional members appointed to three year terms by the President with Board approval. Members may serve no more than two consecutive terms. The Committee shall review the financial condition of the Association, its dues structures, budget, investments, and the manner in which staff have managed the finances of the Association. The Committee shall oversee the Association's annual independent audit, and shall recommend to the Board a proposed budget of the Association for the next fiscal year, and may make other recommendations to the Delegate Assembly at the Annual Business Meeting. The Committee shall recommend to the Board of Directors any changes or improvements in the financial management of the Association.

Section 6. Governmental Affairs Committee. The Governmental Affairs Committee shall be open to any member who wishes to serve on the Committee and has their board approval; however membership will be limited to one person per state. The chair of the Committee will be appointed by the President with Board approval, and must have served previously on the Committee. The committee shall recommend to the Board of Directors, by at least a two-thirds majority, positions on Federal legislation, agency regulations, or other policy issues of national scope.

Section 7. Awards Committee. **The Awards Committee shall consist of five NASBE members including the President-elect. The President-elect of NASBE shall serve on the committee as chairman, but shall not vote except in a tie. Awards recommended by the Committee shall be approved by the Board of Directors.**

Section 8. Credentials Committee. The Credentials Committee shall have at least three but no more than five members, appointed by the President. The Committee shall register a voting delegate and alternate from each state to vote at the Annual Business Meeting; shall prepare for the Secretary-Treasurer a final roster of delegates and alternates, by state, prior to the call to order of the Delegate Assembly at the Annual Meeting; and shall resolve, by majority vote, any questions, challenges, or disputes concerning the validity of any delegate or alternate.

Section 9. Ad Hoc Committees. Ad Hoc Committees may be established by the Board of Directors as needed to further the purposes of the Association. The Board shall determine the function, term, number of members, and budget of each committee and the President shall appoint the members and the chair. The Board may reserve, at the time the committee is established, the right to ratify the President's appointments.

Article XI.
Amendment of Bylaws

Section 1. Proposed Amendments from the Board. The Board of Directors will review the bylaws of the Association on an “as-needed” basis. In the event the Board should recommend a bylaws amendment to the membership, the proposed amendment(s) shall be distributed to the Association membership at least 60 days prior to the start of the Annual Meeting.

Section 2. Proposed Amendments from the Membership. In addition to amendments submitted by the Board of Directors, proposed amendments may be submitted by any member state board to the Secretary-Treasurer at least 65 days prior to the Annual Meeting, for distribution to the membership at least 60 days prior to the Annual Meeting.

Section 3. Adoption Requirement. Amendments shall be adopted by at least a two-thirds vote of the Delegate Assembly and any ballots received under the provisions of Section 2 of Article VII, unless the proposed amendments have been further amended during consideration by the Delegate Assembly, in which case the written ballots submitted in advance shall not be counted, and adoption of the amended amendments shall be by a two-thirds vote only of the delegates present.

Article XII.
Parliamentary Authority

The procedures at all meetings shall be governed by the current edition of *Robert’s Rules of Order, Newly Revised*, except as modified by these bylaws and any standing rules of the Board of Directors, and/or the Delegate Assembly at the Annual Meeting.

Bylaws
of the
National Association of State Boards of Education

Article I.
Name

The name of the Association shall be the National Association of State Boards of Education, Inc. (hereinafter, "NASBE" or "the Association.")

Article II.
Purposes

The National Association of State Boards of Education will:

- A. Be a forum for education policy-makers and for those who influence education policy.
- B. Through its adopted processes, synthesize the themes and ideas which describe effective, student-focused education policy into positions of advocacy or into additional organizational beliefs.
- C. Attract and retain staff members who are highly-qualified to support inquiry and analysis in the areas of concern to education policy-makers. NASBE will further provide forums for staff experts to work with members and other invited participants on important education issues.
- D. Examine the issues and themes of education policy and provide information, comment, or advice to members and to states which desire to examine such issues for their states' policy creation. NASBE will provide expertise in how such policy issues will be affected by states' diverse statutory and governance requirements.
- E. Provide a variety of programs and member services that can be used by state boards and state board members to improve their knowledge of education issues or their skills in being an effective board member and education policy-maker.

Article III.
Membership

Section 1. Voting Members. Any state, the District of Columbia, or any territorial board (hereinafter, "state") having jurisdiction over elementary and secondary education may become an equal voting member of the Association upon payment of required dues. In states not having boards of education, the chief state school officer may become a voting member of the Association upon payment by the state or territory of the required dues.

Section 2. Non-Voting Members. Non-voting members of the Association shall receive all information services of the Association as defined by the Board of Directors; may attend and participate in all meetings and conferences of the Association; and shall be eligible, if appointed, to serve as voting members of committees and study groups of the Association, with the exception of the Governmental Affairs Committee and the Public Education Positions Committee, and shall not be voting members of the Association as described in Section 1.

A. Associate Members. Associate members are those individuals who are not state board of education members or executive directors to state boards of education and who pay the required dues. In addition, an association or institution interested in the purposes of this Association may, upon approval of the Board of Directors and payment of dues fixed by the Board, become an associate member.

B. Affiliate Members. The National Association of State Boards of Education recognizes two affiliate members: The National Council of State Board of Education Executives (NCSBEE) and The National Council of State Education Attorneys (NCOSEA.) A state board of education executive whose state board is a dues- paying member of the Association is thereby a member of NCSBEE and an affiliate member of NASBE. A state education attorney, who pays dues to NCOSEA, as fixed by the NASBE Board, is thereby a member of NCOSEA and an affiliate member of NASBE.

C. Former State Board Members. Any former member of a state board of education may, upon payment of dues fixed by the Board of Directors, become a member of the Association, and the Board of Directors may establish a Life Membership for former state board members, and fix the dues thereof.

D. Honorary Life Members. The Executive Committee of the Board of Directors may confer honorary life membership upon individuals who, by their actions, have demonstrated a high degree of devotion to the purposes of the Association. Association presidents will become honorary life members upon completion of their presidency.

Article IV. Organization

Section 1. The Association is divided into the following areas:

Central - Illinois, Indiana, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Wisconsin.

Northeastern - Connecticut, Delaware, District of Columbia, Maine, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Puerto Rico, Rhode Island, Vermont, Virgin Islands.

Southern - Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Texas, Virginia, West Virginia.

Western - Alaska, American Samoa, Arizona, California, Colorado, Guam, Hawaii, Idaho, Montana, Nevada, New Mexico, Northern Marianas Islands, Oregon, Utah, Washington, Wyoming.

Article V. Executive Officers

Section 1. Executive Officers and duties. The Executive Officers of the Association shall be a President, President-elect, Secretary-Treasurer, and Immediate Past President. The Executive Officers shall perform the duties prescribed by these bylaws and by the parliamentary authority adopted by the Association, and as directed by the Board and/or the Delegate Assembly. The President shall preside at the Annual Meeting and at other meetings, shall be chairman of the Board of Directors, shall appoint committees, and may serve as a non-voting member ex-officio of each committee except the Nominations Committee. The President-elect shall assist the

President, preside in the President's absence, and succeed to the office of President if that office becomes vacant. The Immediate Past President shall chair the Nominations Committee and assist the President when requested. The Secretary-Treasurer shall chair the Finance and Audit Committee, and be responsible for the custody and accounting of all assets of the Association.

Section 2. Qualifications. All candidates must submit a letter of support from their state board of education, and at the time of election to office may not be in the final year of a term of service on their state board of education. The Board of Directors may, by a two-thirds vote, set aside this limitation when unusual circumstances occur. An officer shall be a member of a dues-paying state board of education, except that any person actually assuming the office of President shall be eligible to complete the term as President and Immediate Past President even though his or her state board term has expired, or the state is no longer a member of the Association. The Secretary-Treasurer shall likewise be eligible to complete the term even if his or her state board term has expired, or the state is no longer a member of the Association. Any person holding office under the above exceptions must maintain individual membership in the Association as a Former State Board Member, but this shall not be construed as to deny such an officer the right to vote in board meetings or board committee meetings. Candidates for President-elect shall have current or prior service on the Board of Directors, or have chaired a study group, the Governmental Affairs Committee, or the Public Education Positions Committee. No member may hold more than one NASBE office at a time.

Section 3. Nomination. The Nominations Committee shall nominate at least one candidate each year for President-elect, at least one candidate each year for Area Director for each Area, and at least one candidate every second year for Secretary-Treasurer. The Nominations Committee shall solicit recommendations for candidates from the membership. Such recommendations must be received at NASBE headquarters at least 48 hours prior to the meeting of the Nominations Committee. Additional nominations for President-elect and Secretary-Treasurer may be made by written petition signed by voting delegates of at least five states from two or more regions. Additional nominations for Area Director may be made by written petition signed by the voting delegates of three or more states from the Area. Such petitions must be received 45 days prior to the Annual Meeting. If by the time of the Annual Meeting a candidate's withdrawal leaves just one candidate, or no candidate, for an office, then nominations may be made from the floor during the Annual Meeting, or during the Area Meeting in the case of electing Area Directors.

Section 4. Election Procedure. A state unable to send a delegate may send a written ballot, for any or all offices, by mail or electronic transmission to the Association headquarters at least 15 days before the start of the Annual Meeting. The election of Area Directors shall be at the Area Meeting during the Annual Meeting, by majority vote of the delegates from that Area and any written ballots submitted under the provisions of this Section, above, following the introduction of the nominated candidate(s) by an incumbent Area Director. If no candidate receives a majority vote, the election shall be decided by majority vote of the delegates present and voting by secret ballot. The election of President-elect and Secretary-Treasurer shall be following the report of the Nominations Committee at the Annual Meeting, by majority vote of the delegates and any written ballots submitted under the provisions of this Section, above. If no candidate receives a majority vote, the delegates present and voting shall cast a second secret ballot to decide the

election. In the event that this second ballot does not result in a majority for any candidate, the Board of Directors, excluding any candidates in the pending election who may also be members of the Board, shall decide the election by secret ballot. A New Member Representative shall be elected annually by majority vote of the members attending the New Member Institute.

Section 5. Term of Office. The President-elect shall take office January 1st following election, and serve one year, becoming President January 1st of the following year, and Immediate Past President on the following January 1st, for one year, or until a successor is elected. The Secretary-Treasurer shall take office January 1st following election, and serve two years, or until a successor is elected. Area Directors shall take office January 1st following election and serve two years (with staggered terms,) or until a successor is elected. No person may serve as Area Director more than two consecutive two-year terms. The New Member Representative shall take office January 1st following election, and serve two years (with staggered terms,) or until a successor is elected.

Section 6. Vacancies. When a vacancy occurs in an Executive Office or on the Board of Directors, the Board of Directors may appoint a member who meets the eligibility requirements to complete the term for the vacant office. A president-elect who is so-appointed shall succeed to the offices of President, and Immediate Past President, in the same manner as if he or she had been elected President-elect. If any member of the Board of Directors shall resign from, or be removed for a reason other than expiration of his or her term from membership on the state board of education, the position on the Board of Directors shall be considered vacated, and the vacancy shall be filled as herein provided.

Section 7. Indemnification. Any officer, employee, agent, or other person serving at the request of the Association shall be indemnified by the Association against civil or administrative litigation expenses, judgments, and amounts paid in settlement of civil or administrative actions against any such person, provided that such person acted in good faith and reasonably believed that such actions were in the best interest of the Association, and provided further that such indemnification and the amount of any settlement paid are approved in advance by the majority the Board of Directors, or a court or agency having jurisdiction of the matter. This indemnification shall not include criminal litigation.

Article VI. Board of Directors

Section 1. Board Composition. The Executive Officers, two Area Directors elected by each Area, and two New Member Representatives, together with the presiding officers of the National Council of State Education Attorneys and the National Council of State Board of Education Executives, shall constitute the Board of Directors for the Association. The presiding officers of NCOSEA and NCSBEE shall be voting members ex-officio of the Board.

Section 2. Duties and Powers. The Board shall have general supervision of the business and welfare of the Association between Annual Meetings; shall appoint an executive director of the Association to serve at the Board's pleasure, and fix the compensation thereof; shall adopt an annual budget for the Association, and shall in all matters be subject to the directives of the

Delegate Assembly at the Annual Meeting. The board shall establish the policies and goals of the Association, and may delegate to the Executive Committee, as appropriate.

Section 3. Board Meetings. Meetings of the Board of Directors may be called by the President as the business of the Association may require. The President shall convene the board at the written request of four members of the Board. Written notice of Board meetings and a copy of the agenda shall be given by the Executive Director to the members of the Board. A majority of the members of the Board, not counting vacant seats, shall constitute a quorum. A quorum may be achieved through the use of teleconference and/or other appropriate technology, and board members attending by electronic means shall be entitled to debate, vote, and otherwise participate as if they were present. Two absences by a member of the Board which are not excused by a majority vote of the Board will result in the position being declared vacant.

Article VII. Annual Meeting

Section 1. Time, Place, and Notice. The Annual Meeting of the Association shall be held at a time and place determined by the Board of Directors, with at least 60 days written notice to all members by the President.

Section 2. Delegate Assembly. The Delegate Assembly shall exercise ultimate authority over the Association, and may delegate powers and duties to the Board of Directors, committees, or particular officers of the Association. Each dues-paying state shall have one vote, which shall be cast by the voting delegate or alternate who has been certified by the presiding officer of the state board or the board executive, and each delegate or alternate shall be registered with the Credentials Committee. States unable to send a voting delegate may submit a written ballot to vote on agenda items by mail or electronic transmission to the Association headquarters at least 15 days before the start of the Annual Meeting. Fifteen delegates present shall constitute a quorum.

Section 3. Duties of the Delegate Assembly. The Delegate Assembly shall convene at the Annual Meeting and shall elect officers of the Association; receive and act on reports and recommendations from the Board of Directors, officers, committees, the executive director and others; confer honors and recognition to deserving individuals and organizations; and otherwise act to advance the cause of the Association.

Article VIII. Dues

Annual membership dues and method of payment, or any changes thereto, shall be approved by the Board of Directors.

Article IX.

Fiscal Year

The fiscal year for the Association shall be January 1 through December 31.

Article X. Committees

Section 1. General Provisions for Committees. A majority of the members of any committee shall constitute a quorum for that committee. A quorum may be achieved through the use of teleconference and/or other appropriate technology, and members attending by electronic means shall be entitled to debate, vote, and otherwise participate as if they were present. Except as otherwise noted herein, the terms of members appointed to a committee expire at the end of the fiscal year. When the President determines that a vacancy exists on a committee, the President may appoint an eligible member to fill such vacancy for the remainder of the term.

Section 2. Executive Committee. The Executive Committee shall have four members, namely the President who shall be chairman, the President-elect, the Secretary-Treasurer, and the Immediate Past President. The Executive Committee shall evaluate the Executive Director, perform the routine business of the association and other affairs as delegated by the Board of Directors, and shall report fully to the Board of Directors.

Section 3. Nominations Committee. The Nominations Committee shall have seven members: the Immediate Past President, who shall be chairman and vote only in case of a tie; one representative from each Area, and two members elected at-large by the Delegate Assembly during the Annual Meeting. Each Area representative to the Nominations Committee shall be elected at the Area Meeting during the Annual Meeting, and all members must be current members of a state board of education. Priority for appointment to this committee shall be a past Area Director from each Area. Each area will also have an alternate, who shall be recommended by the current Area Directors and appointed by the President. The terms of the members are one year, and all members other than the Immediate Past President are eligible to serve a maximum of three consecutive years.

Section 4. Public Education Positions Committee. The Public Education Positions Committee shall have nine members, appointed to one year terms, consisting of the four junior Area Directors, the senior New Member Representative, and four additional members appointed by the President, preferably from each Area. The Chair of the committee shall be appointed by the President from the members of the Committee. No member may serve more than two consecutive terms. The Committee shall recommend Public Education Positions to the Delegate Assembly for adoption as Positions of the Association. When a member state's proposed Position or amendment to a Position is adopted by the Committee for recommendation to the Delegate Assembly, the state will be notified within five days. New proposed Positions, and amendments to Positions, which are not adopted by the Committee may be re-submitted by the state for consideration by the Delegate Assembly at the Annual Meeting if presented to Association headquarters not less than 45 days before the Annual Meeting, for distribution to the membership not less than 40 days before the Annual Meeting. The printed Public Education Positions as

adopted by the Committee for recommendation to the Delegate Assembly may record the dissenting votes by state designation and shall provide a section for written minority statements.

Section 5. Finance and Audit Committee. The Finance and Audit Committee shall have at least four and not more than seven members: the Secretary-Treasurer, who shall be chairman, and additional members appointed to three year terms by the President with Board approval. Members may serve no more than two consecutive terms. The Committee shall review the financial condition of the Association, its dues structures, budget, investments, and the manner in which staff have managed the finances of the Association. The Committee shall oversee the Association's annual independent audit, and shall recommend to the Board a proposed budget of the Association for the next fiscal year, and may make other recommendations to the Delegate Assembly at the Annual Business Meeting. The Committee shall recommend to the Board of Directors any changes or improvements in the financial management of the Association.

Section 6. Governmental Affairs Committee. The Governmental Affairs Committee shall be open to any member who wishes to serve on the Committee and has their board approval; however membership will be limited to one person per state. The chair of the Committee will be appointed by the President with Board approval, and must have served previously on the Committee. The committee shall recommend to the Board of Directors, by at least a two-thirds majority, positions on Federal legislation, agency regulations, or other policy issues of national scope.

Section 7. Awards Committee. The Awards Committee shall consist of five NASBE members including the President-elect. The President-elect of NASBE shall serve on the committee as chairman, but shall not vote except in a tie. Awards recommended by the Committee shall be approved by the Board of Directors.

Section 8. Credentials Committee. The Credentials Committee shall have at least three but no more than five members, appointed by the President. The Committee shall register a voting delegate and alternate from each state to vote at the Annual Business Meeting; shall prepare for the Secretary-Treasurer a final roster of delegates and alternates, by state, prior to the call to order of the Delegate Assembly at the Annual Meeting; and shall resolve, by majority vote, any questions, challenges, or disputes concerning the validity of any delegate or alternate.

Section 9. Ad Hoc Committees. Ad Hoc Committees may be established by the Board of Directors as needed to further the purposes of the Association. The Board shall determine the function, term, number of members, and budget of each committee and the President shall appoint the members and the chair. The Board may reserve, at the time the committee is established, the right to ratify the President's appointments.

Article XI. Amendment of Bylaws

Section 1. Proposed Amendments from the Board. The Board of Directors will review the bylaws of the Association on an "as-needed" basis. In the event the Board should recommend a

bylaws amendment to the membership, the proposed amendment(s) shall be distributed to the Association membership at least 60 days prior to the start of the Annual Meeting.

Section 2. Proposed Amendments from the Membership. In addition to amendments submitted by the Board of Directors, proposed amendments may be submitted by any member state board to the Secretary-Treasurer at least 65 days prior to the Annual Meeting, for distribution to the membership at least 60 days prior to the Annual Meeting.

Section 3. Adoption Requirement. Amendments shall be adopted by at least a two-thirds vote of the Delegate Assembly and any ballots received under the provisions of Section 2 of Article VII, unless the proposed amendments have been further amended during consideration by the Delegate Assembly, in which case the written ballots submitted in advance shall not be counted, and adoption of the amended amendments shall be by a two-thirds vote only of the delegates present.

Article XII. Parliamentary Authority

The procedures at all meetings shall be governed by the current edition of *Robert's Rules of Order, Newly Revised*, except as modified by these bylaws and any standing rules of the Board of Directors, and/or the Delegate Assembly at the Annual Meeting.

PEP Proposals:

1. Deeper Learning

Deeper learning represents an education that not only facilitates mastery of academic content, but other key competencies – including critical thinking and problem solving, effective communication, collaboration, learning how to learn, self-regulation, and academic mindsets – that are important for success in college, career, and civic life. To enable all students to acquire both the *knowledge* and *skills* they need, state boards of education should:

1. Align students' educational experiences with 21st century college, career, and civic demands so graduates have not only mastered core academic knowledge, but have attained competency in such as areas as problem solving, written and oral communication, teamwork, and self-direction. To accomplish this, state boards can:
 - a. Develop and communicate a comprehensive vision of college, career, and civic readiness.
 - b. Provide students with guided awareness opportunities and project based learning to extend their understanding of postsecondary education, career, and civic life beyond the high school experience, and help them develop deeper learning competencies. These should be incorporated as part of high school graduation requirements.
 - c. Prepare educators to use instructional approaches that facilitate deeper learning. Such approaches include team teaching; emphasizing broad applicability of concepts, encouraging elaboration, self-explanation, and metacognition; and formative assessment.
 - d. Create opportunities for educators to more easily access open education resources that support deeper learning.
2. Enable a system that is driven by quality and open to innovation. In an era of rapidly changing knowledge, technology, and skill-requirements, state boards must work to ensure their school system is nimble enough to promote needed changes while maintaining an eye toward quality and positive results for all students. To accomplish this, state boards can:
 - a. Engage in important discussions on new educational policies both within and across states. Boards should continually learn from promising initiatives being pursued by other states and districts.
 - b. Designate innovation zones, provide waivers, and take other steps to empower those willing to try out promising innovative practices.
 - c. Develop a comprehensive state strategy for promoting deeper learning.
 - d. Continue as an on-going partner after a new policy or program is approved.

- e. Continue investments in data systems that help evaluate the effectiveness of policies.
3. Support a system that comprehensively addresses the unique needs of individual students and their ability to learn. This means educators and other school staff must be able to identify student challenges in a proactive, preventive manner; be trained in addressing the needs of students holistically; and be sufficiently knowledgeable and supported in referring students to other resources when challenges exceed their capacity and expertise. To accomplish this, state boards can:
- a. Develop standards that meet the complete needs of the learner. This means not just approving core academic standards, but providing guidance and quality standards around a range of topics that contribute to a well-rounded education, including everything from physical education and nutrition to social-emotional learning and postsecondary counseling. Note that while addressing essential needs, these standards should also be reinforcing key deeper learning knowledge and skills necessary for college, career, and civic success.
 - b. Ensure that educators can meet the needs of an increasingly diverse student body. For example, state boards can develop school climate guidelines that provide districts clear benchmarks for removing barriers to learning, facilitating community engagement, and making direct connections between school climate and deeper learning.
 - c. Empower schools to leverage external partnerships to meet learners' needs comprehensively. This is especially important when students face challenges beyond a teacher's training, or what a school's climate can accommodate.

2. School Discipline Policies

Data from national and state sources have shown that a very significant number of students are being removed from classrooms through suspensions and expulsions, and referrals to law enforcement agencies, often through the inflexible administration of zero tolerance policies. These data also show that students of color—especially boys—and students with disabilities are disproportionately affected by suspensions, expulsions, and juvenile justice referrals. Students who are suspended or expelled often receive less instruction, have lower achievement levels, and are more likely to drop out—and dropouts are three times more likely to be incarcerated than those who graduate from high school.

In order to ensure that schools have safe, positive learning environments for all students, NASBE recommends that state policies regarding school discipline:

1. Encourage districts and schools to move away from inflexible zero tolerance policies to address discipline in favor of more proportionate policies that reduce the number of suspensions, expulsions, and referrals to law enforcement in total as well as reduce the disparities in the rates of suspension and expulsion among different student groups;
2. Require districts and schools to have school-wide discipline policies that set high expectations for behavior; provide clear, developmentally appropriate, and proportional consequences for misbehavior; keep disciplined students engaged in the educational process to the greatest extent possible, and have due process protections for all students;
3. Promote implementation of positive behavioral interventions, restorative justice practices, peer mediation, counseling, and other discipline prevention strategies designed to improve school climate, maximize student learning, and minimize exposure to the juvenile justice system. This should include promoting school and district partnerships with community-based social services providers that can offer support when discipline issues are associated with underlying conditions such as psychological/emotional problems, drug or alcohol abuse, or family challenges,;
4. Require districts and schools to collect and report disaggregated data around suspensions, expulsions, school-based arrests, and court referrals, and to use this data to continuously improve local discipline policies and programs;
5. Provide for collection of school- and district-level disciplinary data by the state board of education, to be reported to the public and used for improving state school discipline policies;
6. Require districts to establish formal agreements with law enforcement agencies that support safety and positive school climate goals and that clearly define the different disciplinary and safety roles played by school administrators /staff and the school-based law enforcement personnel; and
7. Encourage districts and schools to provide training to all adults who work in schools to help them improve and foster supportive disciplinary practices and respond to behavioral problems fairly and equitably.

3. Student Data Privacy

Data is immensely valuable to education. Effective data use supports student achievement and allows the efficient operation of schools. However, data cannot be collected without factoring in the protection of that data.

Safeguarding student privacy is a critical part of data use. Policymakers have a responsibility: to define how data is used by school officials (educators and staff), state and federal agencies, and third-party vendors who are working with schools; to inform families about their right to access and amend their child's data and know how that data is being used; and to safeguard the privacy, security, and accuracy of that data.

To ensure that state and local data collection is effective, secure, and protects individual rights, state boards of education should create or supplement their state's privacy laws with policies that include the following elements:

- A statement of the purposes of the privacy law or policy that acknowledges both the educational value of data and the importance of protecting that data;
- The designation of a person or group to be in charge of student data privacy for the state (which could be the state board of education and/or a newly created Chief Education Privacy Officer). Responsibilities should include: answering stakeholder inquiries about student data privacy; and establishing and/or implementing statewide policies to protect all student data, including any collected post-secondary or workforce data, especially personally identifiable information;
- Strategies for promoting transparency and public knowledge that clarifies the importance of data for educational purposes, details how that data is being used and protected, and explains the rights parents have to view and amend their child's data;
- A provision limiting third-party vendors from using student data for non-educational purposes unless expressly authorized in writing by the school and allowed under federal and state law;
- A review of the state's current resources related to student data privacy, such as the state's staff and technical capacity to store, manage, and protect the data;
- The creation of minimum statewide data security standards that incorporates administrative, physical, and technical safeguards; and
- A plan for ensuring educators and administrators have the knowledge, skills, and support to use education data effectively and securely through methods such as teacher or administrator preparation programs, annual professional development, and evaluations of classroom data use and security on an ongoing basis.

President-Elect

Jim McNiece was elected to the Kansas State Board of Education in 2012. In 2013, he was elected as the New State Board Member representative to the NASBE Board of Directors. As a member of the Kansas board, he serves on the Kansas Volunteer Commission, the State Board Communications Team, Kansas State High School Activities Association Board, and the Coalition of Innovative Districts Board. He has 39 years experience as a teacher, coach and principal in Kansas, serving both public and private schools ranging in size from 2A (100 – 150 students) to 6A (1300+ students). He was recognized as the Kansas High School Principal of the Year and was also awarded the “Excellence in Public Service” for his community involvement and service. Mr. McNiece earned his Master’s degree in Secondary School Administration as well as an Education Specialists Degree in Curriculum and Instruction from Fort Hays State University.

Southern Area

Madhu Sidhu has served on the Maryland State Board of Education in 2009. She served as the Executive Director and Program Development Manager for Character Counts!, a non-profit in Kent County. She received a BA from SNDT Women’s University (India) and from Richard Stockton College of New Jersey. She was a member of NASBE’s study groups on Digital Learning, Deeper Learning, and Rural Education. Currently, she is a member of her school district’s STEM steering committee, and has served on the boards and committees of other local organizations that promote children’s issues and programs. Ms. Sidhu was also an active member of the Maryland PTA, both as a board member and as the Chair of Curriculum and Instruction and chaired her local high school PTSA. She was awarded a Life Membership in the PTA for her service.

Northeast Area

Allan Taylor has served on the Connecticut State Board of Education since 1994 and has chaired the board since 2005. He earned an A.B. from Harvard College; an M.P.P. from the Kennedy School of Government, Harvard University; and a J.D. from Harvard Law School. On the Connecticut board, Mr. Taylor serves as Chair of the Finance, Audit and Department Matters Committee. He was elected as the Northeast Area Director NASBE in 2008-09, president elect of NASBE in 2010, and served as NASBE president in 2011. Since that time, has remained active with the association, chairing the Student Engagement study group and serving as a member of the Deeper Learning study group. After thirty-seven years in the private practice of law, he recently "retired" to become the legislative and legal advisor to the Hartford City Council.

Central Area

Richard Zeile has served on the Michigan State Board of Education since 2010. He has served as Pastor & Headmaster at St. John's Lutheran Church & School, and as Adjunct Professor of Education at Concordia University, Ann Arbor. Ordained in the Lutheran Church-Missouri Synod, he received a B.A. from Valparaiso University, an M.A. in education from the University of Michigan's Rackham School (MA), an MTS in church history from Harvard Divinity School,

an MDiv in liturgics at Concordia Theological Seminary, an EdSpec degree in educational administration at Wayne State University, and a DMin in Christian education at Detroit's Ecumenical Theological Seminary. His study, *When Lutheran Schools Close*, was published in 2013 by Lambert Academic Publishers. He chaired the NASBE study group on Rural Education and was a member of the Deeper Learning study group and is a member of the Michigan State Board School Health Committee and the school discipline task force.

Western Area

Samuel Henry is an associate professor of curriculum and instruction at Portland State University. He taught in high schools in Washington D.C. and Binghamton, New York. He directed an undergraduate urban teacher education program at the University of Massachusetts. He served as an associate dean and an assistant vice president for Student Affairs at San Jose State University. At the California State University at Northridge, he was an associate dean. He is a founding executive director of Portland Educational Network, an educational reform collaborative. Dr. Henry received his BS degree from DC Teachers College, earned a master's in curriculum development and a doctorate in urban education from Columbia University Teachers College. He was appointed to the NASBE Board of Directors in March to fill an unexpired term and is running for his first full term.