



To: Board members, superintendents, treasurers, business managers and OCSBA members
From: Richard J. Dickinson, general counsel
Re: **National Education Association campaign for changes to No Child Left Behind Act**
Date: April 29, 2005

The National School Boards Association (NSBA) recently has notified the Ohio School Boards Association of a campaign by the National Education Association to take action in an effort to encourage changes to the No Child Left Behind Act. Because your board of education soon may be contacted about participating in this effort, OSBA wants to provide information to you as quickly as possible. The following is an excerpt from the NSBA communication:

The National Education Association (NEA) has informed us that their state and local affiliates will shortly begin a strong public campaign to influence local school board to pass a resolution seeking changes to the *No Child Left Behind* (NCLB) Act. The NEA resolution is modeled after the resolution passed by the NSBA Delegate Assembly in March 2004.

As you can see, NEA's campaign includes: (1) requesting the school board to adopt a resolution, (2) a local media campaign, and (3) feedback into NEA's federal lobbying program. Although there is consistency between this resolution and NSBA's goals, school boards may wish to consider the political implication of linking up with the NEA campaign.

Specifically, in determining whether to pass or reject the NEA resolution, school boards are advised to consider the very close affiliation that NEA traditionally has had with the Democratic Party. If their Senators and/or Member of Congress are Republicans, they will need to assess whether joining with NEA in this public campaign would adversely affect the credibility of the school board position on NCLB. There could be unintended political consequences with such a partnership, particularly in light of the recent lawsuit filed by NEA against Secretary Spellings regarding federal funding shortfalls.

Additionally, local school boards should consider the fact that NSBA has developed legislation that we believe addresses the key challenges facing local school districts, and that we are seeking co-sponsors for our bill. Although NSBA has encouraged local school boards to develop strong communitywide coalitions in support of our bill, we want to be sure that such coalitions result in positive support. Especially since Republicans control both Houses of Congress, we need to make sure our substantive issues and solutions are not distracted by partisan politics.

If local school board members determine to consider passing a resolution, we have developed two options: (1) Amend the NEA resolution to recognize the NSBA bill; and (2) Pass a substitute resolution that conveys support for changes to NCLB consistent with the NSBA bill.

Option 1

Amend the NEA resolution:

Delete, "and be it finally" at the end of the third Resolved; insert "and be it further" at the end of the third RESOLVED; and insert the following:

RESOLVED: That the (School Board Name) urges President Bush and the Congress of the United States to support the bill developed by the National School Boards Association, *No Child Left Behind Improvements Act of 2005*, that addresses the above concerns as well as others; and be it finally

Option 2

Substitute the following resolution:

WHEREAS, on January 8, 2002, President Bush signed into law the *No Child Left Behind (NCLB) Act of 2001*, which applies to all school districts and schools within states that accept federal Title I dollars; and

WHEREAS, the (School Board Name) supports the goals of NCLB of raising student achievements; closing the achievement gap; and ensuring that each child has a highly qualified teacher; and

WHEREAS, the (School Board Name) continues to welcome the accountability for improving student and school performance; and

WHEREAS, the (School Board Name) has had nearly three full years of operational experience in implementing NCLB; now therefore, be it

RESOLVED, that the (School Board Name) urges the Congress of the United States to fully support the bill, *No Child Left Behind (NCLB) Improvements Act of 2005*, developed by the National School Boards Association; and be it further

RESOLVED, that Secretary of Education Spellings exercise her authority in the development and issuance of policies and regulations to implement the intent of the NSBA bill; and be it finally

RESOLVED, that copies of this resolution be sent to President Bush, Secretary Spellings, the members of the (insert name of state) congressional delegation, the governor, the members of the (insert name of state) state legislatures, local public governing officials, and the (insert title and name of the state's chief state education officer).

Conclusion

OSBA recommends that boards discuss and consider adopting a resolution in support of the NSBA bill seeking amendment of NCLB. For more details on the substance of the proposed NSBA bill, visit www.nsba.org and click on Advocacy and Legislation. Contact OSBA's Legislative Division or NSBA for more information about this important opportunity to demonstrate local support for the initiative to lawmakers.

To view the NEA materials, go to <http://files.nsba.org/advocacy/NEACampaign.pdf>