



## *Representing the Public in Public Education*

### **POSITION STATEMENTS**

*The Tennessee School Boards Association recognizes the significance and importance of public education to the future of our local communities, state and nation. Local boards of education are unified in providing Tennessee's children with an exceptional education using all available resources.*

*TSBA believes that improvement of student achievement is the most significant task of the school district and affirms a commitment to the improvement of student learning. The association acknowledges the challenges that public schools face as well as the need for continued improvement, and its member boards of education are dedicated toward reaching the goal of every child achieving his or her highest potential.*

#### **I. CONTROL AND SUPPORT OF PUBLIC EDUCATION**

##### **A. Governance**

The responsibility for control and support of public schools is legally vested in the General Assembly while in large measure the operation is delegated to local school boards.

TSBA supports continued efforts to reduce state education law for the purpose of eliminating unconstitutional, conflicting, redundant, and unnecessary statutes.

TSBA believes the takeover of local schools or school districts from elected school boards and the communities they serve should take place only as a remedy of last resort. State and federal education policies should be designed to assist local school districts in improving student achievement for all children and not as a disguised means to label public schools as failures. Prior to any state or federal intervention based on a school's or district's failure to meet performance or accountability standards, governments should ensure that local schools and districts receive the necessary resources, support and time to improve.

##### **B. Local Control**

Local school boards reflect the needs and aspirations of the communities as well as the interests and concerns of professional and nonprofessional employees. Non-partisan lay control is best ensured when educational policy is made by local lay representatives whose undivided attention and interests are devoted to education. Public education is a federal concern, a state responsibility, and a local operation.

The authority of the local school board is established by law, and this authority may not be delegated to others. Local boards of education must not relinquish their governance responsibilities in any situation, especially in collective bargaining.

School boards, subject to the requirements of existing law, should refrain from agreements that compromise their responsibility for representing general public interest in education. They should also resist, by all lawful means, the enactment of laws that would surrender their responsibility for the general public interest to third party agents.

Since local boards know the unique and varied needs of their communities, TSBA believes the General Assembly and State Board of Education should not violate local control through laws, rules or regulations.

### **C. Fiscal Independence**

TSBA supports the development of a school budget law which provides the opportunity for local school boards to achieve fiscal independence. TSBA supports legislation that allows existing school systems to convert to special school districts.

### **D. Allocation of Public Funds**

TSBA advocates that funds raised by general taxation for educational purposes should be administered by public officials and should not be used to support privately operated schools through tuition tax credits, vouchers or block grants.

### **E. Federal Financial Support**

TSBA believes federal involvement must recognize that policy decisions regarding education are best determined on the local level, and local boards of education must maintain control of public schools.

Funds from federal sources should be administered by the state and its appropriate agencies through local boards of education, and every program mandated at the federal level by direct or coercive means should be fully funded by the federal government.

### **F. Employment of Superintendents by Boards**

TSBA is dedicated to the principle that the chief school executive officer should be employed by the local board of education and be given authority over all personnel matters.

### **G. Reorganization of School Districts**

TSBA opposes mandatory consolidation of school systems and supports the rationale that school consolidation decisions should be made locally on a case-by-case basis.

### **H. Labor Relations**

TSBA believes that collective bargaining is detrimental to education and is counterproductive to student-teacher, to teacher-board and to teacher-community relations and, therefore, favors repeal of the Education Professional Negotiations Act.

TSBA believes that negotiable items as stated in current state law should be resolved at the local level rather than through additional state laws.

TSBA believes that strikes, sanctions, boycotts, or other concerted actions that interfere with the orderly functioning of public school systems are improper procedures to be used by public school employees.

TSBA believes that administrative and supervisory employees, including principals, who devote their time to the area or areas of professional personnel management, fiscal affairs, or general management should be considered as management personnel and thereby excluded from the negotiating unit.

TSBA opposes the enactment of any legislation that would require a school board to go to compulsory binding arbitration when handling a grievance or negotiating a contract.

TSBA believes that a petition signed by 30% (rather than 50%) of the employees represented by the bargaining agent should be sufficient to initiate decertification, making the process consistent with the requirement for certification.

TSBA opposes any expansion of collective bargaining to other employees of local boards of education.

### **I. State Funding**

All funding components of the Basic Education Program (BEP) should accurately reflect true costs through an annual cost review and cost determination process. The State should fully fund the BEP and ensure that basic state funding and procedures provide equal opportunities for all school systems.

TSBA strongly believes that any future state-mandated programs or added responsibilities must, without exception, be accompanied by 100% state funding for all direct and indirect costs associated therewith, and without corresponding reduction of state financial support in any other areas of public education. Waivers of the mandates should occur whenever 100% state funding is not received.

State legislative bodies and regulatory agencies should determine the full impact on local school systems before taking action on proposed legislation, regulations and guidelines related to education.

### **J. Education Commission of the States**

In order to strengthen the purpose of the Education Commission of the States in bringing together representatives of government, education, and the public in a concerted way to address common educational issues and formulate models of possible courses of action, TSBA believes the governor should appoint a school board representative as an ECS Commissioner from among the four (4) public members allocated to Tennessee.

### **K. Charter Schools**

TSBA recognizes charter schools as one of many options available to school districts to address student achievement and believes decisions related to charter school creation should be made with thoughtful consideration of the potential impact, both positive and negative, on not only the students eligible to enroll in the charter school but also the overwhelming majority of students who will remain in the traditional public schools. To that end, TSBA believes the local board of education, created by law and elected to manage and oversee public education so that all students and families are represented through the democratic process, should be the sole chartering authority for such schools and have clear decision-making authority relative to charter school applications, with board decisions having a presumption of correctness and appeals granted only when evidence proves such decisions were made without good cause.

## **II. RESPONSIBILITIES OF LOCAL SCHOOL BOARDS**

### **A. Philosophy of Local Responsibility**

TSBA believes that the control and operations of public schools are solely the responsibility of local school boards. In accepting this responsibility, it is important that local school boards recognize the impact that education has on the community and the economic development of a region.

### **B. School Board Operation**

School boards should function in a broadly representative, team-spirited manner and should represent open-mindedly the entire district

TSBA recognizes that the survival of the concept of lay control of education and the effectiveness and efficiency of educational programs are directly related to the level of competency of the individual school board members.

#### **C. Open and Executive Sessions**

School boards recognize that public schools belong to all the people and that they must conduct board business in open sessions in accordance with the statutes. However, TSBA believes that the "Sunshine Law" should be amended to allow private work sessions relative to board and superintendent evaluations and prospective land acquisition.

#### **D. Employment and Compensation of Staff**

TSBA affirms its commitment to nondiscrimination in employment in public education

TSBA supports alternative preparation for licensure in an effort to attract capable individuals with maturity and a variety of work experiences to the teaching profession.

TSBA supports local boards of education having the flexibility to pay salaries other than on a system-wide basis as determined by training and experience.

#### **E. Political Commitment to Education**

TSBA believes that local board members should take an active role in developing political support of public education at all levels of government. Local school boards, through their state and national associations, should play an active role in support of appropriate educational legislation.

#### **F. School Board Policies**

TSBA believes that local school boards should adopt clearly defined written policies based on a thorough understanding of the educational process.

#### **G. Parental Involvement**

TSBA believes that parental and family involvement in the education of each child is essential to academic success. Local boards of education should make every effort to enhance communication between parents and schools and remove any barriers that prevent them from teaming with school boards, administrators and teachers to improve student achievement.

### **III. EDUCATIONAL PROGRAM**

#### **A. Accountability**

All students should have equal access to a program of quality education which meets their individual needs.

State accountability data should be utilized by school systems to meet the high achievement goals for all children.

#### **B. Curriculum Offerings**

Curriculum offerings should be broad enough to make available to each student an educational opportunity which takes into consideration his needs and ability.

**C. Educational Environment**

School boards should develop policies and programs that provide a learning environment in each school that is safe and free from disruption.

**D. Community Use of Public School Facilities**

TSBA believes that public school facilities should be used as community centers for the encouragement of family participation in wholesome, character-building activities conducive to good citizenship, in compliance with policies of the local board.

**E. Selection of Textbooks and Instructional Materials**

TSBA supports the ability of local school boards to select and adopt all textbooks and instructional materials and resists any attempt to infringe on that authority.

**F. Extracurricular Activity Eligibility**

TSBA supports the position that individual local boards of education shall determine who may participate in extracurricular activities.

**G. Early Childhood Education**

TSBA recognizes that quality educational experiences in early childhood have positive effects on student achievement and supports a comprehensive preschool program and funding that provides all children with an opportunity to participate in pre-kindergarten education.