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Legislative Alert: June 21, 2011



NSBA-AASA request action on regulatory relief

On May 26, CASB sent you a [Legislative Alert](#) encouraging members to sign a joint National School Boards Association – American Association of School Administrators resolution urging Sec. Arne Duncan and members of Congress to provide relief from federal regulations, including NCLB. (See [background](#) below for more detail from NSBA.) CASB President Gary Northup and Executive Director Ken DeLay have both signed the online petition and are encouraging other CASB members to do the same, either as individuals or as a board.

Following are **three actions CASB recommends** local board members and/or boards of education consider as soon as possible:

1. Sign the NSBA-AASA [online resolution](#) as individual board members or jointly as a board of education.
2. As a board, adopt the formal NSBA-AASA resolution. (Feel free to customize for your board.) Following adoption, please email the signed resolution to kbranch@nsba.org; and
3. Send the resolution to your members of Congress via NSBA's automated email system. This will automatically send a copy to NSBA. This can be done as individual board members or as a board. (See instructions for additional help in filling out this online NSBA form.)

Additional Background

It is highly unlikely that Congress will reauthorize the Elementary and Secondary Education Act (ESEA), which contains the NCLB requirements, before school begins this fall. Meanwhile, the U.S. Department of Education estimates that 82 percent of the nation's schools will fail to make the Adequate Yearly Progress (AYP) under the flawed NCLB proficiency requirements. As a result, many schools will be labeled as failing and face costly sanctions. Sanctions could include, for example, Choice and Supplemental Education Services (SES). This program has proven to be an educationally-lacking mandate that takes 20 percent

of a school's Title I dollars out of the classroom at the very time that school districts budgets are being cut.

Secretary Duncan's Response

Secretary Duncan, in recognition of the problem and the effort by our two organizations, has announced plans to deregulate various, but yet unspecified, requirements of NCLB. His general approach is to offer a state deregulation in the form of a waiver in exchange for its commitment to address educational reform. It is not clear yet whether all areas of deregulation that the Secretary intends to offer will go through a state initiated application procedure or whether specific provisions will be deregulated by a general Department of Education rule (which is what we advocate).

The Importance of Your Action

If this effort is to be successful, the right requirements must be deregulated and deregulation must occur in the right way. For example, we are concerned that for some requirements, like SES, a state application won't be approved and available at the local level before school districts obligate themselves to contracts prior to the opening of school. Further, a state may not be able to financially or policy-wise meet the reform requirements that the Department of Education wants in exchange for waiving a local requirement like SES.

As a result, we believe that it is important that a large number of school boards adopt a resolution calling on Secretary Duncan to deregulate the program and thereby underscore the importance of a locally focused approach that will be effective at the local level. We also want to stress the need for the Department of Education to work with our associations on specifics regarding deregulation.

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