

**Franklin Public Schools
Franklin, Massachusetts 02038**

Action Required

Subject: MASC Resolutions

Date: October 23, 2018

Dept: School Committee

Reason: Required Vote

Enclosure: yes

Recommendation:

MASC Resolutions

I recommend adoption of the following MASC Resolutions as discussed:

1. Rejecting the Arming of Educators
2. On Small & Rural Districts
3. Elimination of the Federal Department of Education
4. Regional School Transportation
5. Regarding Reporting and Accountability Standards
6. Regarding Reproductive Health Education
7. On Gender Identity Inclusive Athletic Participation Policy
8. Relative to Sports Wagering
9. Relative to Access to Information for Parents and Students Who Are Clients of Special Education
10. Proposal to Amend the MASC By-Laws

Action Requested of the School Committee:

Majority vote of the School Committee is required.

<u>Vote Tabulator</u>	
A. Bergen: Y / N	D. Schultz: Y / N
C. Douglas: Y / N	MJ Scofield: Y / N
D. Feeley: Y / N	G. Zub: Y / N
M. Linden: Y / N	Action: _____

RESOLUTIONS AS APPROVED BY THE BOARD OF DIRECTORS

July 11, 2018 for Referral to the Delegate Assembly

RESOLUTION 1: Rejecting the Arming of Educators

WHEREAS the Massachusetts Association of School Committees has been strong advocates to provide students, faculty and staff a safe and supportive school and classroom, and

WHEREAS attention has been placed recently on the mass killing of students in school in Florida and Texas, and

WHEREAS the President of the United States and other policy makers have given support toward equipping educators with firearms, and

THEREFORE, BE IT RESOLVED THAT

the Massachusetts Association of School Committee rejects the notion of providing firearms to any educators. The safest environment would be to provide additional mental health resources and violence prevention programs in public schools.

EXPLANATION: This resolution addresses recent federal initiatives to provide safer schools by arming school personnel, including teachers. The resolution rejects that approach and argues for further mental health and violence prevention strategies in the classroom and in school.

Opponents may argue that arming educators under appropriate standards and safety precautions could prevent school shootings or other acts of violence that have led to the deaths and injury of children and adults.

RESOLUTION 2: On Small and Rural Districts

WHEREAS: Massachusetts has a number of small and rural school districts that have special academic, social, financial, and operational needs, and, yet, operate with an enviable measure of success,

WHEREAS: Some of the factors that create disproportionately severe impact upon small and rural districts are declining population, lower bases upon which to set property taxes, loss of employment, inequitable access to technology including wireless and traditional internet access, costs of transportation, access to social supports and major health care centers, and isolation of the population, and

WHEREAS: The already onerous compilation of state regulations imposes an added burden on small and rural districts with small staffs and fewer administrators to comply with the many reporting requirements and standards imposed by the Commonwealth,

NOW, THEREFORE BE IT RESOLVED:

That MASC call for the creation of a working group to advise the legislature on the best public policy solutions to support small and rural school districts, and further

That this working group propose modifications to the Foundation Budget and other elements of the Chapter 70 financial assistance program; designate specific instances where excessive regulation interfere with the ability of school leaders to direct the academic improvement of children; identify and advise on eligibility for state and federal programs to support public education; and find strategies to ameliorate the impact of forces that jeopardize the growth, stability and success of these school districts, and further

That MASC oppose legislation or unlegislated regulations that would attempt to undermine the right of any city, town or regional district to have imposed upon it a mandate to restructure, expand, regionalize, or dissolve its school district without its consent.

EXPLANATION: Regional districts, addressing lower economies of scale, economic recession, rising costs (i.e., transportation), and declining enrollment need additional financial assistance and regulatory flexibility to operate successfully. This resolution would ask the state to authorize the Foundation Budget Review Commission or the legislature itself to study and implement changes to the Foundation Budget to support small and rural districts. Further, mindful of previous attempts by the state DESE to coerce districts to consolidate against their will, this resolution would prevent the legislature or state agency from requiring a school district to change its format without its consent.

Opponents would argue that some small and rural districts might require state intervention to make their fiscal, academic, operational and structural status more efficient and would not do so without state intervention.

RESOLUTION 3: Elimination of the Federal Department of Education

WHEREAS The current Administration has made proposals to merge the U.S. Department of Education with the U.S Department of Labor to create the Department of Education and the Workforce, and

WHEREAS The role of the Department of Education is to serve as a fiduciary agent over federal education funding, drive education policy for the country and protect the rights of all students, and

WHEREAS The merger of the two government agencies could diminish the work of the current Education and Labor Departments, and

Therefore, be it resolved that

The Massachusetts Association of School Committees works with the federal delegation to reject any notion of combining the U.S. Department of Education with other government departments.

EXPLANATION: A consolidation of federal cabinet agencies has been suggested by the Trump Administration. Previously, this function was part of the federal Department of Health, Education and Welfare (HEW) before being separated out into a separate Department of Education (US DoE). Advocates believe that, however the unpopular the administration at US DoE may be, public education requires a discrete voice among the among bureaucracies.

Opponents may argue that US DoE is part of an oversized federal bureaucracy and can easily be accommodated as part of a more efficient, consolidated agency.

Resolution 4: Regional School Transportation

WHEREAS Among the transportation cost concerns for regional school districts is the lack of competition for bus contracts for regular day (“yellow bus”) services, as well as the steadily mounting cost for special education transportation, and

WHEREAS M.G.L. c. 71, § 7C prohibits certain uses of regional transportation authorities to provide school district transportation services, and

WHEREAS Elimination of M.G.L. c. 71, § 7C would free the Regional School Districts and Regional Transportation Authorities to collaborate on plans to provide safe and efficient transportation alternatives that lessen the financial impact on the both the districts and the Commonwealth, and

WHEREAS the lack of bidders on school transportation contracts requires a deeper analysis by the appropriate state officials, and

THEREFORE, BE IT RESOLVED THAT

To promote greater competition for bus service contracts, the Legislature should eliminate M.G.L. c. 71, § 7C, and authorize a deeper analysis of the lack of bidders on school transportation contracts.

EXPLANATION: In order to overcome a paucity of bidders for public school transportation contracts, and in light of the severe cost burden upon districts to pay for both regional and municipal school districts, this resolution urges an analysis of why few bidders emerge, how better competition might be obtained, or what collaborations might emerge.

Critics of this policy would point to the state’s bidding laws and regulations as sufficient, or cite that the problem might be better addressed by full funding of regional transportation as established in law but, subject to appropriation, and currently less than 100%.

RESOLUTION 5: Regarding Reporting and Accountability Standards

WHEREAS the Massachusetts Association of School Committees recognizes and upholds the right of any group to establish and maintain schools so long as such schools are fully financed by their own supporters.

WHEREAS private and home schools should be subject to governmental regulation that assures a minimum standard of instruction under state law.

WHEREAS private schools or other entities that receive public subsidies, funding, or support under state or federal law, whether directly or indirectly, should be held to the same reporting and accountability standards, including the same annual assessments of student proficiency, required of public schools as a condition of continued eligibility to receive public subsidies or funding.

WHEREAS schools that receive any public funding should be subject to the same statutory and constitutional requirements as public schools.

THEREFORE, BE IT RESOLVED THAT:

the Massachusetts Association of School Committees works with the legislature and Board of Elementary and Secondary Education to ensure that all students in schools that receive public funds under the authority of the MA Department of Elementary and Secondary Education (DESE) or a local public school district are held to the same standards and requirements in the Commonwealth of Massachusetts.

EXPLANATION: Some public schools, such as charter schools, are exempted from some of the state regulations imposed on non-charter public schools. In addition, some private and quasi-public schools receive funding for various programs, but are not subjected to the standards imposed on public school districts. This resolution would require any school that receives DESE funding to be subject to the same standards as all other public schools.

Opponents of this resolution would see this as limiting the ability of charter schools to have the flexibility needed to be an effective alternative to public education; or, that private and religious schools who may accept some public funding through DESE might be inappropriately targeted for state regulation. They would argue that state education regulation, widely regarded as harsh and punitive in nature, would be inappropriate to private institutions or charter schools where exemptions may exist.

RESOLUTION 6: Regarding Reproductive Health Education

- WHEREAS The Massachusetts Association of School Committees supports the health of all students.
- WHEREAS Youth should be committed to feel empowered to make healthy and informed choices about their bodies and their relationships.
- WHEREAS The Massachusetts Association of School Committees supports a medically accurate and age-appropriate reproductive health curriculum.
- WHEREAS The Massachusetts Association of School Committees rejects the federal governments' plans to redirect funding from evidence-based programs to prevent teen pregnancy to programs that teach abstinence-only and rhythm method-based sex education initiatives.

THEREFORE, BE IT RESOLVED THAT:

The Massachusetts Association of School Committees supports evidence-based reproductive health curricula. Further, we call upon the U.S Department of Education and Executive Branch stop their support of abstinence-only education.

- EXPLANATION: There exists a debate over the appropriate content of sexual and reproductive health education. Recent federal initiatives may lead to limiting funding for programs to prevent teen pregnancy and adverse health outcomes to those which teach abstinence-only or rhythm method-based curricula.
- Advocates for this resolution would prevent the diversion of funds from broader reproductive health education content to abstinence-based curricula which they view as inadequate and naive. Opponents would argue that only abstinence-based educational programs would meet their standards for ethical behavior consistent with their principles and beliefs, leaving further education to parents.

RESOLUTION 7: On Gender Identity Inclusive Athletic Participation Policy

(Submitted by the Framingham School Committee)

- WHEREAS Public school leaders need to provide educational access and maintain safe environments for all, including LGBTQ students; and
- WHEREAS All students must be protected from discrimination, harassment and bullying, and
- WHEREAS LGBTQ students experience adverse incidents at alarming rates compared to their counterparts, and
- WHEREAS It is the job of the schools to provide safe and supportive environments for optimal wellbeing, and
- WHEREAS There are instances in athletics where LGBTQ students do not have protection nor the opportunity for privacy, and

NOW THEREFORE BE IT RESOLVED: That MASC help file legislation which would have the effect of protecting LGBTQ students from discrimination, harassment and bullying by that schools should treat students based on their gender identify, protecting their privacy, providing access to gender-neutral restrooms, locker rooms and private stall showers, using their preferred pronouns, embedding sensitivity training in professional development and providing uniform accommodations.

RATIONALE: The at-risk behavior for LGBTQ students, which includes suicidal ideation, is sharply reduced with some basic interventions. With federal laws that are vague with the protections for our vulnerable students, public schools in Massachusetts should take steps to ensure their protection. With guidance from the legislature, LGBTQ students throughout Massachusetts will have better protections and will have reduced adverse behaviors.

EXPLANATION: This resolution addresses various forms of discrimination based on gender identity and seeks to protect students from such bias in various public school venues and at school sponsored activities. In particular, it addresses such items as uniform accommodations for athletes regardless of gender identity, and other areas where federal protections are vague.

Opponents may argue that federal protections should be adequate and that this represents more intrusive regulation on the area of sexual identity.

RESOLUTION 8: Relative to Sports Wagering

WHEREAS: The General Court, in its effort to fund public education to the full extent of the law, including partially funded and unfunded mandates imposed upon school districts, is limited in its ability to do so by the limits to revenues generated from the current tax codes, and

WHEREAS: Advocates for public education have articulated several important strategies to improve public schools, many of which require additional funding appropriated by the General Court, and

WHEREAS: The Commonwealth has begun implementing casino gambling as a means of generating additional tax revenues, and

WHEREAS: In Nevada, sports wagering has provided an additional element to legalized gambling that has generated additional revenue, and

WHEREAS: A recent decision by the Supreme Court of the United States (Murphy vs. National Collegiate Athletic Association) has overturned federal restrictions on wagering on the outcome of sporting events, and

WHEREAS: The Commonwealth has had a long and successful history of administering a public lottery program that is convenient, accessible, and locally based, as well as easily adaptable to accommodating wagering,

NOW, THEREFORE BE IT RESOLVED: The Massachusetts Association of School Committees requests that, should the General Court enact legislation to legalize wagering on sporting events, the General Court, shall commit a portion of the revenues generated from sports wagering to public education.

EXPLANATION: States are no longer prohibited from permitting and regulating sports betting. This resolution takes no position on this possibility, but would ask the legislature to provide a portion of the revenues generated from sports betting to public education.

It is possible that individuals would be so opposed to legalizing sports betting that they would not wish to even suggest that such funding that the so-called “sin taxes” might have generated would be shared with public schools.

**RESOLUTION 9: Relative to Access to Information for Parents and Students Who Are Clients of
Special Education**

WHEREAS: The Individuals with Disabilities Education Act (IDEA) is a law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children.

WHEREAS: “In the law, Congress states that Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.”

WHEREAS: “The stated purpose of the IDEA is to ensure that the rights of children with disabilities and parents of such children are protected, to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services”

WHEREAS: Parents are also members of the team during the IEP process and should but do not always have access to the assessments and other information related to their child(ren) with sufficient advance time to review them, consult with experts or advocates, or prepare for meetings at which Individual Education plans are discussed,

THEREFORE, BE IT RESOLVED THAT:

MASC urges the legislature to amend state law to require that parents and students be provided with a copy via email or mail of all the assessments that are performed for students in the families’ preferred language, at least five days prior to any meeting at which parents and students will review a proposed Individual Education Plan (IEP).

EXPLANATION: Families of students served by Special Education Programs, and particularly, those who are English Language Learners, frequently benefit from having information about their children provided in time to allow them to advocate for their children. This information may be brief or complex and require not only time to digest, but also translation and explanation. This resolution would seek legislation to require that information be provided to parents at least five days prior to an IEP meeting and be provided in the family’s’ preferred language.

Opponents of this resolution explain that it is not always possible to prepare all the information in every family’s preferred language and that the language of the resolution might subject school districts to higher costs or litigation should they fail to comply.

report of the resolutions committee

The MASC Resolutions Committee met on Monday, July 9, 2018 to consider resolutions proposed by member districts and the MASC Board of Directors for consideration at the 2018 Annual Meeting of the Association. Members present were: Devin Sheehan, (Holyoke), Chair; Beverly-Hugo (Framingham), ex officio; Carrie Greene (Mt. Greylock); Irene Feliciano-Sims (Holyoke), Mildred Lefebvre (Holyoke); Jake Oliveira (Ludlow); Jason Fraser (Plympton); Brian O'Connell (Worcester); Laura Fallon (Northampton); William Fonseca (East Longmeadow); Brendan Walsh (Life Member); Kim Hunt (Plymouth); Denise Schultz (Franklin).

The following resolutions were moved forward by the Resolutions Committee and approved by the Board of Directors.

RESOLUTION 1: Rejecting the Arming of Educators (Submitted by the MASC Board of Directors)

WHEREAS: The Massachusetts Association of School Committees has been a strong advocate of providing students, faculty and staff a safe and supportive school and classroom; and

WHEREAS: Attention has been focused recently on the mass killing of students in schools in Florida and Texas; and

WHEREAS: The President of the United States and other policy makers have given support toward equipping educators with firearms;

THEREFORE BE IT RESOLVED that: The Massachusetts Association of School Committee rejects the notion of providing firearms to any educators.

RATIONALE: The safest environment would be to provide additional mental health resources and violence prevention programs in public schools.

RESOLUTION 2: Small and Rural Districts (Submitted by the MASC Board of Directors)

WHEREAS: Massachusetts has a number of small and rural school districts that have special academic, social, financial, and operational needs, and, yet, operate with an enviable measure of success; and

WHEREAS: Some of the factors that create disproportionately severe impact upon small and rural districts are declining population, lower bases upon which to set property taxes, loss of employment, inequitable access to technology including wireless and traditional internet access, costs of transportation, access to social supports and major health care centers, and isolation of the population; and

WHEREAS: The already onerous compilation of state regulations imposes an added burden on small and rural districts with small staffs and fewer administrators to comply with the many reporting requirements and standards imposed by the Commonwealth;

THEREFORE BE IT RESOLVED that: MASC call for the creation of a working group to advise the legislature on the best public policy solutions to support small and rural school districts; and further

That this working group propose modifications to the Foundation Budget and other elements of the Chapter 70 financial assistance program; designate specific instances where excessive regulation interfere with the ability of school leaders to direct the academic improvement of children; identify and advise on eligibility for state and federal programs to support public education; and find strategies to ameliorate the impact of forces that jeopardize the growth, stability and success of these school districts; and further

MASC oppose legislation or unlegislated regulations that would attempt to undermine the right of any city, town or regional district to have imposed upon it a mandate to restructure, expand, regionalize, or dissolve its school district without its consent.

RESOLUTION 3: Elimination of the Federal Department of Education (Submitted by the MASC Board of Directors)

WHEREAS: The current Administration has made proposals to merge the U.S. Department of Education with the U.S. Department of Labor to create the Department of Education and the Workforce; and

WHEREAS: The role of the Department of Education is to serve as a fiduciary agent over federal education funding, drive education policy for the country and protect the rights of all students; and

WHEREAS: The merger of the two government agencies could diminish the work of the current Education and Labor Department;

THEREFORE BE IT RESOLVED that: the Massachusetts Association of School Committees works with the federal delegation to reject any notion of combining the U.S. Department of Education with other government departments.

RESOLUTION 4: Regional School Transportation (Submitted by the MASC Board of Directors)

WHEREAS: Among the transportation cost concerns for regional school districts is the lack of competition for bus contracts for regular day ("yellow bus") services, as well as the steadily mounting cost for special education transportation; and

WHEREAS: M.G.L. c. 71, § 7C prohibits certain uses of regional transportation authorities to provide school district transportation services; and

WHEREAS: Elimination of M.G.L. c. 71, § 7C would free the Regional School Districts and Regional Transportation Authorities to collaborate on plans to provide safe and efficient transportation alternatives that lessen the financial impact on the both the districts and the Commonwealth; and

WHEREAS: The lack of bidders on school transportation contracts requires a deeper analysis by the appropriate state officials;

THEREFORE BE IT RESOLVED that: To promote greater competition for bus service contracts, the Legislature should eliminate M.G.L. c. 71, § 7C, and authorize a deeper analysis of the lack of bidders on school transportation contracts.

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WHEREAS: Private and home schools should be subject to governmental regulation that assures a minimum standard of instruction under state law; and

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WHEREAS: Schools that receive any public funding should be subject to the same statutory and constitutional requirements as public schools;

THEREFORE BE IT RESOLVED that: the Massachusetts Association of School Committees works with the legislature and Board of Elementary and Secondary Education to ensure that all students or persons in schools that receive public funds under the authority of the MA Department of Elementary and Secondary Education or a local public school district are held to the same standards and requirements in the Commonwealth of Massachusetts.

RESOLUTION 6: Reproductive Health Education
(Submitted by the MASC Board of Directors)

WHEREAS: The Massachusetts Association of School Committees supports the health of all students; and

WHEREAS: Youth should be committed to feel empowered to make healthy and informed choices about their bodies and their relationships; and

WHEREAS: The Massachusetts Association of School Committees supports a medically accurate and age-appropriate reproductive health curriculum; and

WHEREAS: The Massachusetts Association of School Committees rejects the federal government's plans to redirect funding from evidence-based programs to prevent teen pregnancy to programs that teach abstinence-only and rhythm method-based sex education initiatives;

THEREFORE BE IT RESOLVED that: the Massachusetts Association of School Committees supports evidence-based reproductive health curricula. Further, we call upon the U.S. Department of Education and the Executive Branch to stop their support of abstinence-only education.

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(Submitted by the Framingham School Committee)

WHEREAS: Public school leaders need to provide educational access and maintain safe environments for all, including LGBTQ students; and

WHEREAS: All students must be protected from discrimination, harassment and bullying; and

WHEREAS: LGBTQ students experience adverse incidents at alarming rates compared to their counterparts; and

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WHEREAS: There are instances in athletics where LGBTQ students do not have protection nor the opportunity for privacy;

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RATIONALE: The at-risk behavior for LGBTQ students, which includes suicidal ideation, is sharply reduced with some basic interventions. With federal laws that are vague with the protections for our vulnerable students, public schools in Massachusetts should take steps to ensure their protection. With guidance from the legislature, LGBTQ students throughout Massachusetts will have better protections and will have reduced adverse behaviors.

RESOLUTION 8: Sports Wagering

(Submitted by the MASC Board of Directors)

WHEREAS: The General Court, in its effort to fund public education to the full extent of the law, including partially funded and unfunded mandates imposed upon school districts, is limited in its ability to do so by the limits to revenues generated from the current tax codes; and

WHEREAS: Advocates for public education have articulated several important strategies to improve public schools, many of which require additional funding appropriated by the General Court; and

WHEREAS: The Commonwealth has begun implementing casino gambling as a means of generating additional tax revenues; and

WHEREAS: In Nevada, sports wagering has provided an additional element to legalized gambling that has generated additional revenue; and

WHEREAS: A recent decision by the Supreme Court of the United States (Murphy vs. National Collegiate Athletic Association) has overturned federal restrictions on wagering on the outcome of sporting events; and

WHEREAS: The Commonwealth has had a long and successful history of administering a public lottery program that is convenient, accessible, and locally based, as well as easily adaptable to accommodating wagering;

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RESOLUTION 9: Access to Information for Parents and Students Who Are Clients of Special Education *(Submitted by the MASC Board of Directors)*

WHEREAS: The Individuals with Disabilities Education Act (IDEA) is a law that makes available a free appropriate public education to eligible children with disabilities throughout the nation and ensures special education and related services to those children; and

WHEREAS: In the law, Congress states that Disability is a natural part of the human experience and in no way diminishes the right of individuals to participate in or contribute to society. Improving educational results for children with disabilities is an essential element of our national policy of ensuring equality of opportunity, full participation, independent living, and economic self-sufficiency for individuals with disabilities.

WHEREAS: The stated purpose of the IDEA is to ensure that the rights of children with disabilities and parents of such

children are protected, to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation; coordinated technical assistance, dissemination, and support; and technology development and media services; and

WHEREAS: Parents are also members of the team during the IEP process and should but do not always have access to the assessments and other information related to their child(ren) with sufficient advance time to review them, consult with experts or advocates, or prepare for meetings at which Individual Education plans are discussed;

THEREFORE BE IT RESOLVED that: MASC urges the legislature to amend state law to require that parents and students be provided with a copy via email or mail of all the assessments that are performed for students in the families' preferred language, at least five days prior to any meeting at which parents and students will review a proposed Individual Education Plan (IEP).

PROPOSAL TO AMEND THE MASC BY-LAWS

The Board of Directors of the Association has recommended to members that the by-laws of the Association be amended as follows:

The following change to Article IX—Meetings of the Association, Subsection 1. Annual Meeting

The annual meeting of the Association, to be known as the Delegate Assembly, shall be held at such hour on such business day, not earlier than September 20 nor later than November 30, in each year and at such place within Massachusetts as the Board of Directors shall determine. Resolutions and other purposes for which an annual meeting is to be held additional to those proscribed by law, by the agreement of the association, and by these by-laws may be specified by the Board of Directors and by written application made to the Secretary-Treasurer **not later than July 1** in any year by at least five active members located in at least two Divisions. Resolutions submitted by a single school committee may be presented to the Delegate Assembly upon approval by the Board of Directors, on the recommendation of the Resolutions Committee. If an annual meeting is not held within the dates specified above, a special meeting may be held upon call by the Board of Directors with all the force and effect of an annual meeting.

The Board asks to amend the by-law by changing the July 1 date (noted in the text in bold face) to no later than **June 1**.

Rationale: Moving the submission date of resolutions to June 1 will give adequate time for the resolutions committee to meet and report out. It also aligns with the submission date for nomination of officers.