



## OSBA Events

[www.osba.org](http://www.osba.org)

### OSBA Board and Committee Meetings

March 16-17, 2012

### NSBA 72nd Annual Conference

April 21-23, 2012

### OSBA Budget Committee Meeting

April 27, 2012

### OSBA Legislative Policy Committee Meeting

April 27-28, 2012

### OSBA Board and Committee Meetings

June 29-July 1, 2012

### NSBA Pacific Region Summer Meeting

July 6-8, 2012

### Summer Board Conference 2012

July 13-15, 2012

### Fall Regional Meetings

September 17-November 2, 2012

### 66th Annual Convention

November 8-11, 2012

March 2012

## First official 'annual session' adjourns without cutting school budgets

On Monday, March 5, Oregon's 2012 legislative session adjourned with a bipartisan budget agreement that imposes no cuts in K-12 funding—a victory for school boards and public education advocates whose lobbying efforts persuaded legislative leaders to hold schools harmless, even while state revenues continue to decline.

The legislature restored the small high school grant (set to expire in July) and added \$2.5 million to the State School Fund to pay for the grant's extension.

During the waning hours of the session, the legislature passed Governor John Kitzhaber's major legislative priorities for public education and other measures that affect schools.

- **Early childhood programs.** *House Bill 4165* will require the Early Learning Council (ELC) to develop a plan to restructure early childhood programs for young children and at-risk kids.
- **Achievement compacts and governance.** *Senate Bill 1581* gives the Oregon Education Investment Board's (OEIB) "Chief Education Officer" the authority to oversee efforts to redesign and reorganize Oregon's public education governance system. The bill also requires school districts, ESDs, community colleges and universities to enter into "achievement compacts" with the OEIB, starting with the 2012-13 school year.
- **Mandate relief.** *House Bill 4014* is a continuation of OSBA's efforts to provide "mandate relief" to school districts and ESDs. The bill gets rid of 10 more mandates. It also contains several technical fixes to education bills passed in 2011 and adds a provision that five- and six-year-olds in kindergarten and first grade must maintain regular attendance while enrolled in school.

See 'Legislative Update,' page 4

## Jim Green joins OSBA

James E. Green, a veteran lawyer, lobbyist and member of the Salem-Keizer School Board, will join the Oregon School Boards Association as its deputy executive director, beginning March 12.

Jim is no stranger to OSBA. From March 1992 to July 2007 he worked on the association's legislative and public affairs team. He also has staff experience in the Oregon House of Representatives.

OSBA has strengthened its Communication Services team with the addition of Tricia Yates as director of communications. Having served as associate executive director of Legislative and Public Affairs since 2007, Tricia brings a wealth of knowledge to the job. Also, Lonh Hoklin, former public affairs manager for the state Department of Administrative Services, was hired in January as OSBA's communications and marketing specialist.

An important part of Communication Services' mission is to assist OSBA members with communications issues:

- Drafting news releases
- Dealing with reporters' questions
- Developing an appropriate message during a crisis
- Drafting a communications plan

See 'Communications,' page 4

## PACE was strong in 2010-11

The Property and Casualty Coverage for Education insurance program (PACE) turned in another strong performance in 2010-11. Services grew, membership remained affordable, more districts joined and financial results were positive.



### More services for members

PACE added more in-person training opportunities and launched an online training program called SafeSchools. All PACE members now have free access to 18 online training sessions for their

employees, and so far, more than 40,000 employees have signed up for classes. PACE also added free identity-theft coverage for members who experience security breaches involving sensitive information.

### Premiums remain level

Average premiums for member districts increased by just one percent, and the PACE board authorized the return of \$725,000 of surplus from previous years to members. The board consists

See 'PACE,' page 4

## PRESIDENT'S POST

### The vision behind the mission

Our association's mission statement appears prominently on our website: "To improve student achievement through advocacy, leadership and services to Oregon public school boards." Everything we do at OSBA—both as board members and staff—reflects our commitment to achieving that student-centered mission.

But let's not forget the vision and beliefs that underlie that mission, for these can be sources of strength when tough times try our souls.

We believe that local school boards are a fundamental feature of America's grassroots democracy. OSBA embraces school boards' vision of safe, adequately funded public schools.

We believe in a public school system that provides a comprehensive education that prepares every child for a lifetime of learning and productive work in a global economy. We share the vision of academic excellence for every child in Oregon, regardless of background, economic class or the region where that child lives.

We also believe in active engagement with the local community in setting the priorities and goals of public schools, a vision that defines the work and the critical importance of the local school board. The elected school board represents a tried and true way to ensure that public schools respond to and reflect the values and needs of the local community they serve.

We recognize that engaging the community is a two-way street. As an association and as individual school board members, we need to do more to remind parents and citizens of their stake in public education and its importance to America's continued success. If public education falters, this country cannot hope to thrive in the hypercompetitive global economy. For that matter, neither can we hope to govern ourselves in a free and democratic society, simply because a democracy relies on its citizens to make informed, educated decisions.

School boards are accountable to the public for the quality of the education that schools provide, and the measuring stick is student achievement. As school board members, we must be ever-mindful that educational quality is a function of what students know and what they can do as a result of the schooling we give them.

OSBA is fortunate to have strong partners within the public education community who share our values and vision. Difficult as these trying times may be, we have confidence that a combined and sustained effort by that partnership will enable us to make our shared vision a reality.



Kris Howatt, President  
OSBA

### Legal Assistance Trust defrays legal costs

Since it began 21 years ago, OSBA's Legal Assistance Trust has defrayed more than a million dollars in legal expenses for school districts, education service districts and community colleges throughout Oregon. Among these are the costs of lawsuits arising from changes to the Public Employees Retirement System in 2003.

Nearly every school district, ESD and community college is a member of the trust, and many have received reimbursement for legal costs. By joining the trust, a member pays dues and becomes part of a pool with eligibility to apply for trust funds if the need arises.

#### How the trust works

A seven-member board of trustees evaluates applications according to the following criteria:

See 'Legal Assistance Trust,' page 3

### Your first step in bargaining: contract analysis

Getting ready to start negotiating a new bargaining agreement with your workforce? If so, your first step in preparation is to analyze your current contract to identify any inconsistencies, illegalities and anomalies that may have crept into the contract language. These can create problems during the new round of negotiations, and if they show up in the new contract, they can prevent your district from operating smoothly and efficiently.

#### Get expert help from OSBA

OSBA's experts can identify problems in your present contract before the bargaining process begins, putting you and your negotiating team in a stronger, more confident position as you sit down at the bargaining table.

Do your employment contracts line up with health insurance requirements? If not, we can help you repair the faulty language. We'll also point out language that's vague or open to misinterpretation. We'll find provisions that might limit your management rights or reduce the flexibility you need to address sudden changes, such as an unexpected drop in enrollment. We can help you ensure that your new contract conforms to new state and federal laws. If appropriate, we'll even meet with you onsite to review our report and the model language we recommend.

#### Don't take chances

Contracts determine how your district conducts business every day. Make sure your collective bargaining agreements enhance your efforts to boost student achievement, not hinder them. Assume that when the bargaining begins, the union will come to the table well prepared. With OSBA's help, you can meet the challenge.

For more information, contact Jessica Knieling, OSBA director of Legal, Labor and Employment Services:

[jknienling@osba.org](mailto:jknienling@osba.org)

## KEEPING YOU IN THE LOOP

### The budget season is upon us

**N**ow is the time to start discussing your district budget, even though you may not present actual budget documents to the budget committee until later in the spring. The board plays an important leadership role in establishing the mission, vision and goals the budget reflects, and it's not too early to set the schedule and start talking about priorities.

In tight economic times, ensuring that every expenditure is "mission-driven" is critical, right down to the penny. Start discussions now with the administration to define clearly what your board means by "mission-driven," and begin hammering out guidelines the administration can use to build a budget. Though no one owns a reliable crystal ball, ask your administrators to share with you what they know about the funding future. If budget cuts appear likely, work with your administration to identify those things with the least impact on student achievement and develop a list of priority items to add back into the budget if the future turns out to be rosier than expected.



**Betsy Miller-Jones**  
Interim Executive Director  
OSBA

#### Concrete steps your board should take now:

- Schedule a work session with the administration to get an early look at the budget process and priorities. Review your budget policies. Invite the rest of the budget committee members to this board work session.
- Discuss your mission, vision and goals, and assess how well the current budget expresses them. Did the current budget omit anything you need to include in the next budget?
- Lay out the process. Agree on a timeline for this year that includes a calendar of dates for budget meetings. The board should adopt the process and calendar at a regular meeting.
- Ask your chief administrator for his or her best estimate of what this year's revenue picture may look like. Discuss any assumptions that affect revenue and expenditures, including enrollment projections.
- Develop your list of priorities for funding, and solicit suggestions for any needed changes to programs or projects, including possible deletions from the budget. Then build your list of potential add-backs. If cuts appear likely, be clear about what must stay in the budget and what may go, but allow enough flexibility for your administration to make appropriate judgments. Do not make the mistake of simply requiring that everything be funded with less money. Your board should vote on and formally adopt the budget priorities, guidelines and directives to the administration at a regular meeting. And remember: boards provide direction in terms of programs and services, not in terms of staffing levels or people.
- Set guidelines for budget building. Direct your budget committee to use these guidelines and priorities to test its proposed budget to determine whether it addresses the board's mission, vision and goals.
- Continue your discussion with the community about the school district's goals and priorities. Be clear with the public about the challenges your district faces in paying for those goals and priorities.

A final note: OSBA's updated Budget Committee Handbook is nearly ready, and we hope to publish it soon. Use the handbook to guide your budget committee activities. To purchase, contact Diane Efseaff at [defseaff@osba.org](mailto:defseaff@osba.org).

### Legal Assistance Trust

continued

- The district requests assistance through a board-passed resolution;
- The legal action does not involve litigation between member districts;
- The issue has impact or potential impact on education statewide; and
- Trustees' determination of the quality of the fact situation, the district's financial resources and cost of the case.

If an application meets these criteria, the board allocates money from the trust to reimburse the member for up to half of attorney fees and other legal costs in state appellate or federal courts.

#### Benefits of membership

In April 2010, the board approved \$10,000 for the Sisters School District and \$5,000 for the Woodburn School District to defray costs in two unrelated cases in the Oregon Court of Appeals. In the Sisters case, a taxpayer had challenged the school district's credit obligations, and the outcome affected the district's ability to finance capital improvements without bonds.

The Woodburn case involved the termination of a teacher, and its outcome affected future interpretation of laws that govern dismissal of teachers.

In yet another case, the trust contributed \$5,000 to help the Forest Grove School District pay for a case that involved reimbursement for private school tuition—a case that the U.S. Supreme Court heard in 2009.

By contributing more than \$868,000 to the Public Employers' Defense Alliance, the trust has played a meaningful role in protecting public education employers. The alliance defends public employers in cases that arise from changes the legislature made in 2003 to the state retirement system. Favorable court rulings in these cases have saved millions for public employers. Two recent rulings upheld the right of the Public Employees Retirement Board to correct retirement benefits and recoup losses from unlawful distribution of PERS earnings that had occurred earlier.

#### Moderate dues

The trust charges annual dues based on an organization's average daily membership and adjusts dues from time to time in order



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## Legislative update continued

- **Reporting child abuse.**  
*House Bill 4016* expands the list of mandatory reporters of child abuse to include employees of higher education institutions, employees of public and private entities that provide services to or activities for children, and compensated athletic trainers who work with athletes that are minors.

- **Teen dating violence.**  
*House Bill 4077* requires school districts to adopt policies that prohibit teen dating violence.
- **OEBB and ORHIX.** *House Bill 4164* may give school districts an alternative to the Oregon Educators Benefits Board (OEBB). Beginning in October 2015, school districts, ESDs and community colleges could purchase their insurance plans from the Oregon Health Insurance Exchange Corporation (ORHIX) or OEBB.
- **Bullying and harassment.**  
*Senate Bill 1555* requires school districts to update policies on bullying and harassment to include new procedures for reporting and investigating of cyberbullying.

After lively debates, the legislature ultimately rejected proposals to ban concealed weapons in public schools and provide additional relief to districts that struggle to cover increased PERS costs.

Later in March, OSBA will release a more thorough description and analysis of legislation passed during the February session. To find out more about a specific bill, or to ask questions, contact Lori Sattenspiel, [lsattenspiel@osba.org](mailto:lsattenspiel@osba.org), or Morgan Allen, [mallen@osba.org](mailto:mallen@osba.org).

## PACE continued

of K-12, education service district and community college risk managers, facility managers, business managers, superintendents and board members.

## Revenue, assets are up

On the financial front, revenue from premiums increased two percent, while total assets increased 16 percent to \$30.6 million. Net assets increased four percent to \$15.3 million, after a 30-percent jump in 2009-10. Overall, PACE enhanced its position as the state's largest property and liability risk pool for public education.

 OREGON SCHOOL BOARDS ASSOCIATION  
© Oregon School Boards Association  
Betsy Miller-Jones, Interim Executive Director  
Lonn Hoklin, Communications and Marketing Specialist  
Diane Efseaff, Assistant  
Jenny Fedler, Publications Specialist  
Dan Peterson, Printing Services Manager

## Legal Assistance Trust

continued

to maintain a minimum balance of \$120,000 in the fund.

### Dues Structure

Average Daily Membership	Annual Dues
Up to 500	\$300
501 to 1,000	\$500
1,001 to 5,000	\$1,000
5,001 to 10,000	\$2,000*
Over 10,000	\$4,000

\*Community Colleges and Education Service District dues are capped at this amount.

## Contact information

To learn how to join the trust, or to learn how to apply for funds, visit:

[www.osba.org/lat](http://www.osba.org/lat)

Or contact Lisa Freiley, at:

[lffreiley@osba.org](mailto:lffreiley@osba.org)

You may also call 503-588-2800 or 800-578-6722.

## Communications continued

Call or email the Communication Services team if your district needs help with any communications issue. You can reach Tricia Yates at [tyates@osba.org](mailto:tyates@osba.org), or Lonn Hoklin at [lhoklin@osba.org](mailto:lhoklin@osba.org).