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From the Top ★

'With a Little Help from Our Friends'

The 80th Session Is Over, But Our Work Still Continues

by Jim Ash

The 80th regular session of the Texas Legislature adjourned *sine die* on May 28, 2007. Public education in general and school finance in particular were not likely to be major issues this session since most legislators felt that the education funding crisis was resolved by the passage of House Bill 1 during the third special session in 2006.

However, with funding temporarily resolved, the door was opened for lawmakers to introduce a flood of well-intentioned education ideas held back for many years. As a result of this deluge, several major bills passed that will affect school districts, trustees, and students as soon as this fall.

Before discussing specific new legislation, it is important to revisit briefly the 79th regular session in 2005. That Legislature was faced with a Texas Supreme Court ruling that would have cut off all funding to Texas public schools unless the school finance system was revamped to create more capacity. With public education funding as the primary focus that regular session and throughout the subsequent three special sessions required to reach an agreement, the atmosphere became very contentious. Public education advocates formed a coalition and banded together as never before in an



Jim Ash

effort to obtain money and resources needed by all of the school districts and students throughout the state. The public education community continued to work together during the 2006 party primary and general elections in an effort to ensure that more individuals supportive of public education would be serving during the 2007 legislative session.

Indeed, the climate of the 80th session was distinctly different due in part to the new solidarity of the education community, in part to the election of new legislators supportive of public education, and in part to the passage of House Bill 1, which removed the threat of the Supreme Court injunction. Education groups continued to collaborate during this session to identify and track the large volume of bills, especially those filed in committees not usually followed by the TASB Governmental Relations staff.

Creating Real Influence

This 2007 regular session will be remembered most for the beginning-to-end internal political struggles regarding who would serve as speaker of the House and, once elected, the power he would wield. The education community used this diversion to its advantage. For us, this session was most reminiscent of the 1967 Beatles song that celebrates how I get by "With a Little Help from My Friends."

Our closest friend was Sarah Winkler, chair of the Legislative Committee of the TASB Board of Directors. In fact, I was blessed to have her help and expertise in writing this article, and I am grateful. Sarah was tremendously focused on this session from Day 1 through Day 140. She personally wrote legislative summaries and action alerts that many people inside and outside TASB came to rely upon, anticipated receiving, and responded to as she requested. She worked with each Governmental Relations staff member and maintained ongoing communication with dozens of legislators on both sides of the Capitol.

Sarah told me: "I made a point of putting a face to each bill by letting legislators know how legislation would affect our students. I didn't testify as

(See *Friends*, page 30.)

Friends (from page 5)

often as I have during previous sessions, but I think the e-mails and phone calls were at least as effective, if not more so.”

Sarah and I both watched House and Senate floor proceedings during the session to actually see, hear, and believe what was happening. She became hooked and lamented “my poor family spent the last couple of weeks during the session listening to the Legislature on line while we ate dinner and late into the night.”

Most importantly, Sarah knows how to create real influence in the legislative process. “I think it is very important to communicate with legislators, their staff members, and other trustees to build relationships. Those relationships and trust take a long time to build, but they will sustain us when we have difficulties and disagreements. If we don’t take the time to build trusting relationships, we will pay in the end.”

Session MVPs

You may recall from my March *Texas Lone Star* column that most of the TASB Governmental Relations staff was new this session, so teamwork was vital to our success. Rather than simply listing bills that passed and those that fortunately were derailed, I want to try to give credit to our staff and friends who helped us survive this session. Please note that these are only highlights and do not represent a comprehensive list of all of the individuals who supported our efforts and agenda. I apologize to all of the staff and friends whose names I fail to mention, but please know your help was important and appreciated.

First, our new staffers each had big moments during the 80th session. Julie Shields,

in her first session for TASB, worked tremendously hard to derail Senator Florence Shapiro’s Senate Bill 1000, which would have provided vouchers for students with autism. The bill was placed on the Senate Intent Calendar but was never heard on the floor.

Julie also worked very hard on Senate Bill 530, Senator Jane Nelson’s physical activity and assessment bill. In its original form, the bill would have required physical assessments twice a year in grades K-12, eliminated structured recess at the elementary level, and required physical education every semester in grades 6-8. The compromise that passed allows scheduling flexibility for school districts so students may participate in fine arts and foreign language classes in middle school and limits assessments to once a year in grades 3-12.

Ruben Longoria, who began working for TASB after the session started, worked hard on House Bill 323, Representative Mike Hamilton’s seatbelt bill. As originally written, this bill would have imposed a huge unfunded mandate on school districts since it required that all school buses and charters have three-point safety belts but did not provide any funding from the state.

Thanks to Ruben’s efforts and those of Amy Beneski, associate executive director of Governmental Relations at the Texas Association of School Administrators, school districts will not have to retrofit our current buses and will not be required to purchase new buses with seatbelts unless the state specifically appropriates the funding required to implement this mandate.

Dave Duty, another new TASB staff member, was able to derail Senate Bill 1133 by Senator Kevin Eltife. This bill

would have required school boards to release the names of all the individuals interviewed for superintendent positions. This bill was on the House Local and Consent Calendar and was removed by Representative Donna Howard, a former school board member.

Dave was also very actively involved with Senate Bill 9, Senator Shapiro’s criminal background check bill. Although this bill as passed will still be a challenge for school districts, the final legislation is definitely an improvement over the original bill.

Jackie Lain, TASB’s new associate executive director for Governmental Relations, did a marvelous job in revamping the division’s Web site, adding useful information that helped trustees learn about current issues, and providing helpful guidelines and tips for school board members who testified or contacted their representatives.

More Heavy Hitters

TASB also hired two outside consultants who provided invaluable assistance during the session. Former State Representative Carter Casteel and Paul Sadler, former chair of the House Public Education Committee, influenced countless pieces of legislation and increased TASB’s Capitol presence.

Along with our new staff members and consultants, we relied on our many friends serving in the Legislature. Several former school board trustees were elected to the Legislature in 2006, and many of these individuals were extremely helpful to the public education community during the 80th session. Currently, 17 former trustees or superintendents are members of the House or Senate. As I mentioned earlier, Representative

Howard, a former Eanes ISD trustee, derailed Senate Bill 1133.

Representative Diane Patrick, a former Arlington ISD trustee, helped TASB multiple times during this past session. For example, she was responsible for the amendment to the seatbelt bill that requires the state to pay the cost before implementation.

Representative Rob Eissler, a former Conroe ISD trustee, chaired the House Public Education Committee this session. The atmosphere at his hearings was most welcoming and positive, a huge improvement from the previous session. Representative Eissler carried several important pieces of legislation, including House Bill 2237, a college readiness and dropout prevention bill, and was the House sponsor of Senate Bill 1031, the end-of-course exam bill.

Representative Kelly Hancock, who served on the Birdville ISD Board, sponsored House Bill 2564, which helps address the issue of vexatious public information requests.

Representative Bill Callegari, a former Katy ISD trustee, chaired the Government Reform Committee. One of his major goals this session was to address the issue of unfunded mandates. More legislators than ever championed the importance of including in legislation the state appropriation necessary to pay for mandates on school districts.

Of course, many of our allies in the Legislature are not former trustees but actively support public education and understand our challenges.

Representative Scott Hochberg sponsored several bills that will be very helpful to school districts, including House Bill 188, which pro-

vides textbook credits, and House Bill 1137, which provides ADA funding for students up to age 26. Representative Hochberg was instrumental in changing House Bill 1287, the “Bible bill,” so that the course would be an elective instead of a required course. Local control is one of TASB’s Cornerstone Principles, so we appreciate legislation that includes the word “may” rather than “shall.”

Representative Hubert Vo was also a friend to public education this session. He sponsored the amendment to House Bill 323 that removed the requirement to retrofit our existing buses to include three-point safety belts. He also sponsored the House version of Senate Bill 670, which allows a school board to change trustee terms from three to four years.

Senator Rodney Ellis was the author of Senate Bill 670, which addressed the Texas attorney general’s opinion issued after the session began requiring that all school board elections be held jointly with a municipality, county, or the state.

Senators Shapiro and Kyle Janek, co-authors of Senate Bill 1031, worked closely with the education community to fine-tune this important assessment bill to ensure that the transition from high school TAKS testing to end-of-course exams proceeds as smoothly as possible.

A Note of Thanks

We owe a big “thank you” to the trustees who came to Austin to testify, and we were very fortunate to have even more board members willing to write, call, or e-mail their senators and representatives about critically important issues at a moment’s notice. I sincerely believe that more

than ever before, trustees and superintendents kept in close contact with their elected officials, which made a huge difference in the legislation that was passed.

Local school leaders provided our legislators with the data needed to support TASB’s positions and changed the course of several bills. For example, I know that House Bill 323, the seatbelt bill, was successfully amended because school districts sent projected costs to their representatives.

Now that we have made it through this session “with a little help from our friends,” what’s next? Shirley Neeley, Commissioner of Education, submitted her resignation effective July 1. Neeley has been and remains a great friend of public education. As a former superintendent, she understood our challenges and always was open to our input. She was actively engaged with local districts throughout the state and definitely made a positive difference in her three and a half years of service at the Texas Education Agency.

The commissioner of Education plays a vital role in public education, and we should be very concerned about her successor. Many of the bills that passed this session require the commissioner and/or the State Board of Education to establish, interpret, and implement rules.

Stay Tuned; Stay Involved

The Texas Legislature may no longer be in session, but our role as advocates for public education and our students has not ended. We must continue to be engaged, vigilant, and ready to provide input when the proposed rules are posted for comment and when hearings are held.

In addition, we must begin a new conversation about school funding since the

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“hold harmless” provisions of House Bill 1 currently fund almost all Texas school districts. The recently appointed House Select Committee on Higher and Public Education Finance, chaired by Representative Dan Branch, will be meeting during the interim to discuss possible changes to the school funding formulas.

We all know that House Bill 1 did not fix the school funding crisis; it merely postponed it once more for a few years and placed the public school finance burden again on local districts. After all these years, it appears that the more the Legislature changes school funding, the more it stays the same. We must start the conversation now with our representatives and senators, businesses and chambers of commerce, newspaper editorial boards, locally elected officials, and other leaders in our communities across Texas to

explain why real, long-term improvements in school finance are necessary.

At this time, we are surviving on nothing more than a bandage. A Texas Supreme Court ruling should not be the only motivation for our Legislature and governor to address necessary fundamental changes to adequately and equitably fund our public schools.

Stay tuned, stay involved, and watch for information from TASB Governmental Relations that will help you in advocating for your district and for all of the public schoolchildren of Texas. From our successes and our failures and with a little help from our friends, we must build momentum to continue *Moving Forward Together*.★

Jim Ash, an Arlington ISD trustee, is 2006-07 president of TASB.