



MEMORANDUM

To: ASBA District Member Governing Board Members, Superintendents and Superintendent/Governing Board Secretaries

From: Dr. Sheila Harrison-Williams, Executive Director

Date: Sept. 21, 2021

Re: Proposed Changes to ASBA Bylaw and Voting Instructions for YOUR Board

With the support of the ASBA Hispanic Native Indian Caucus and the unanimous endorsement of the ASBA Board of Directors, the following recommended amendment to the ASBA Bylaws is being put forth to the membership for a vote.

Article VIII Section 1(b) of the ASBA Bylaws states:

Amendments may be submitted by action of a member board, the Board of Directors of this Association, or any committee appointed by it, and shall be transmitted to the executive director not later than September 15. Such amendments shall be forwarded to the membership at least thirty (30) days prior to the opening of electronic voting as approved by the ASBA Board of Directors.

As Executive Director, I certify that I have received the following proposed change to the ASBA Bylaws. In compliance with the ASBA Bylaws, notice is hereby given of these proposed changes. Notice of this proposed amendment to the ASBA bylaws also was provided to members in a letter from the ASBA Board of Directors in July 2021.

Proposal A With unanimous approval of the ASBA Hispanic Native America Indian Caucus and endorsement of the ASBA Board of Directors, this change is being sought by the Hispanic-Native American Indian Caucus (HNAIC). It would create a seat on the ASBA Board of Directors so that Hispanic and Native American interests can be represented simultaneously on the board. Currently, there is one seat on the ASBA Board of Directors designated for a representative of the HNAIC and it alternates every two years between Hispanic representation and Native American representation, creating gaps in representation. By contrast, the Black Alliance has a seat on the ASBA Board of Directors, ensuring representation on the board at all times. This proposed bylaw change also provides the flexibility for the HNAIC to split into two distinct groups if its members so choose and allows those groups to change their names and be recognized under the new names.

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Executive Director – Dr. Sheila Harrison-Williams

President – Ann O'Brien, Deer Valley USD • **President Elect** – Monica Trejo, Tempe ESD

Treasurer – James Bryce, Solomon ESD • **Secretary** – Desiree Fowler, Page USD

Immediate Past President – Steven Chapman, Tolleson UHSD



The proposed change will be voted on by the membership as dictated in the ASBA Bylaws via the electronic voting process:

Section 1. *These Bylaws may be amended or repealed, or new ones adopted as follows:*

(a) By a vote of two-thirds of the member boards using an electronic vote of the membership using a procedure adopted by the Board of Directors.

The voting link is being sent to each member district board. **Electronic voting is now open and will close at 5 p.m. on Monday, December 13, 2021.** Please review the enclosure detailing the procedure and timeline for electronic voting and put consideration of this change on your board's agenda at your regularly scheduled board meeting during this timeframe (now through Dec. 13, 2021). A model agenda item for this action is enclosed. This information, additional resources and the link for voting can be found on our website at: <https://azsba.org/about/governance/bylaws/>

All ASBA district member boards are strongly encouraged to exercise their ASBA membership rights and participate in voting. Your ASBA Board of Directors recommends a YES vote. A change to the bylaws requires an affirmative (YES) vote of two-thirds of all ASBA member district boards, making your boards participation incredibly important.

If you have any questions regarding the proposed changes or the electronic voting process, please contact me either by email (swilliams@azsba.org) or by phone at 602 254-1100 or 800 238-4701 (toll free).

Encls.

SHW/kks



Proposed ASBA bylaw change: ARTICLE V, Section 2(b)

Rationale: This change is being sought by the Hispanic-Native American Indian Caucus (HNAIC). It would create a seat on the ASBA Board of Directors so that Hispanic and Native American interests can be represented simultaneously on the board. Currently, there is one seat on the ASBA Board of Directors designated for a representative of the HNAIC and it alternates every two years between Hispanic representation and Native American representation, creating gaps in representation. By contrast, the Black Alliance has a seat on the ASBA Board of Directors, ensuring representation on the board at all times. This proposed bylaw change also provides the flexibility for the HNAIC to split into two distinct groups if its members so choose and allows those groups to change their names and be recognized under the new names.

Changes are reflected by underlined text and strikethroughs.

| Current language: | Proposed change: |
|--|--|
| <p>Article V – Officers and Board of Directors and Executive Committee</p> | <p>Article V – Officers and Board of Directors and Executive Committee</p> |
| <p>Section 2(b). Any member of an ASBA active member Governing Board serving as President of the Arizona Hispanic Native American Indian Caucus and Black Caucus during his/her term of office in the Caucus.</p> | <p>Section 2(b). Any member of an ASBA active member Governing Board serving as President of the Arizona Hispanic Native American Indian Caucus <u>Hispanic Caucus, Native American Caucus</u> and Black Caucus during his/her term of office in the Caucus <u>such caucus or any successor caucus by another name.</u></p> |



Model Agenda Item for ASBA Bylaw Change Proposal Consideration

To assist boards in placing the bylaw agenda discussion/action to be taken by the governing board on their board agenda, we offer the following sample language to place on a future board agenda.

Discussion/Action Items

The Board will discuss, consider and give direction on voting on one bylaw change proposal from the Arizona School Boards Association. This bylaw proposal by the ASBA Board of Directors must be approved by two-thirds of the ASBA member boards to be effective. After discussion, the Board will vote to give direction to XXXXXXXX to vote in the manner the board has approved. The following is the bylaw proposal to be considered and acted upon:

Proposal A With unanimous approval of the ASBA Hispanic Native American Indian Caucus and ASBA Board of Directors, this change is being sought by the Hispanic-Native American Indian Caucus (HNAIC). It would create a seat on the ASBA Board of Directors so that Hispanic and Native American interests can be represented simultaneously on the board. Currently, there is one seat on the ASBA Board of Directors designated for a representative of the HNAIC and it alternates every two years between Hispanic representation and Native American representation, creating gaps in representation. By contrast, the Black Alliance has a seat on the ASBA Board of Directors, ensuring representation on the board at all times. This proposed bylaw change also provides the flexibility for the HNAIC to split into two distinct groups if its members so choose and allows those groups to change their names and be recognized under the new names.

Background: Currently, there is only one seat designated for the combined Hispanic Native American Indian Caucus.