

Boardsmanship Review

Building Partnerships with the State Legislature

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By Kris Amundson

As education policymaking moves back to states, it is critical that state boards of education and state legislatures work together collaboratively. The interests of students are usually best served when state legislatures and state boards of education view education policymaking as a shared responsibility. When the two bodies are feuding over turf, they are not devoting their time to addressing their state's pressing needs.

In states where there is open dialogue about the expectations of the board, the state education agency, and other branches of government, legislatures have been inclined to strengthen or maintain the responsibilities of the state board. In states where the board operates in obscurity and fails to convey its goals and vision for education to the legislature and the governor on a regular basis, others have attempted to usurp the board's authority. To create the climate of open dialogue with the legislature, state boards should do the following:

BUILD RELATIONSHIPS.

As Lyndon Johnson once observed, "The time to make friends is before you need them." Creating a relationship based on mutual respect and open communication between the state board and the state legislature is a key board responsibility.

Ideally, board members will reach out to prospective legislators even before they are elected. These early conversations can help future lawmakers understand the key issues facing the state. If possible, members should set up school visits that will illustrate these issues vividly. Early conversations are also a good way to clarify the roles of legislators and state boards. These roles will differ from state to state, so a briefing by your board attorney might be helpful for new legislators.

Of course, some legislators may have campaigned against specific board policies or practices. In those cases, an open dialogue is even more critical. Boards should seek common ground wherever it can be found. It may be that the new legislator needs more information about what is actually in the policy or what the board is already doing to address constituent concerns. For example, knowing that the state's curriculum standards in a particular subject area are already slated for review during the coming school year might prevent the introduction of a bill to mandate that outcome.

LEARN THE FUNDAMENTALS OF THE LEGISLATIVE PROCESS.

Remember that every bill goes through a long process before coming to a final vote. It is possible to influence the legislation at several points. Board members are likely to have the most impact before the bill is ever introduced. It is possible to talk with the potential sponsor of the bill, answer questions, and offer insights. It may also be possible to offer suggestions of what to include in the bill—and what to omit.

There are other points at which the board can influence the legislation: committee hearings, floor debate (either through amendments or by encouraging legislators to support or oppose the bill), and when the bill moves through the other house. If necessary, the board may be able to persuade the governor to amend or even veto a bill.

It is essential to know who the key players are. At a minimum, this will include the chair and ranking member of the relevant House and Senate committees as well as the chairs of the budget subcommittees that deal with education. Staffers on these committees are also critical allies. In addition, members

of state boards should reach out to the legislator(s) who represent their districts.

STAY IN TOUCH EVEN WHEN THE LEGISLATURE IS NOT IN SESSION.

In some states, contact between the board and key members of the legislature is limited to the time when the legislature is in session. By that point, legislators are often too busy for substantive policy conversations. It is far better to establish a process for regular, ongoing communication with members of key legislative committees and their staffs to ensure legislators are aware of the board's policy priorities.

Invite legislators and staff to your board's work sessions or to informal meetings. The board in one state invited legislative leaders and key staff to join them for lunch before the board meeting began. Over time, these lunchtime conversations strengthened the relationship between the two bodies.

CONSIDER CREATING A LEGISLATIVE COMMITTEE.

Each year, thousands of bills addressing the needs of education (both real and perceived) are introduced in state legislatures. State board members, most of whom are volunteers, do not always have time to monitor all of the legislation introduced in a given session. Many elective state boards of education have legislative committees to ensure that the board's concerns are accurately conveyed to the state's lawmakers. These

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LEGISLATIVE DO'S AND DON'TS

DO

Communicate regularly. Don't wait for legislators to contact the board. Promote transparency and openness in everything the board does.

Avoid misunderstandings. Clearly convey the "why" for state board policies and the "how" legislators can help.

Tie board legislative priorities to the board's strategic plan. Communicate clearly what the board hopes to accomplish through these priorities.

Avoid partisan politics when possible. A board is at its best when it is focused on children, teaching, and learning.

DON'T

Rely solely on the chief and department staff to convey the board's agenda to the legislature. The board chair and/or legislative committee chair should be familiar to legislators. Individual board members should know the legislators who represent their district.

Depend on the relationship between one or two board members and a particular legislator to accomplish the board's agenda. The lack of a board/legislature infrastructure will be felt when board members or legislators leave their positions.

Promote an individual or organizational position that is not consistent with the board's goals and strategic plan. It will divide the board and reinforce the idea that the board is not supportive of its own agenda.

tive initiatives sponsored by the board. When possible, the board should incorporate these concerns into its legislative agenda. The more comprehensive and inclusive a proposal, the more support it engenders from a wide range of individuals.

COMMUNICATE CLEARLY AND CONCISELY.

Be sure legislators know exactly what you want them to do: "Support H.B. 1203 in committee," or "Oppose S.B. 981 on the floor." Since legislators are even more pressed for time than state board members, state board members must keep their comments brief and to the point. The legislator is more likely to read one-page letters or memos than lengthier documents.

AVOID BURNING BRIDGES.

No board will win on every issue. So it will be important to keep the lines of communication open with the legislators who oppose board priorities as well as those who support them. An opponent on one issue may be a strong ally on the next. As one wise observer put it, "Be sure there are still some M&Ms in the jar" at the end of any particular legislative session. In other words, don't burn bridges.

Given the nature of state governance and politics, boards will inevitably, from time to time, find themselves in conflict with some members of the state legislature. But following the recommendations presented here of maintaining communications with the legislature, developing and using a legislative committee, and involving a wide range of stakeholders in the policymaking process should help boards avoid such conflicts and maintain their focus on the improvement of education for all children in the state.

Kristen Amundson is the executive director of NASBE. She was a member of the Virginia General Assembly for a decade.

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committees can take on these tasks:

- recommend a legislative agenda to the full board;
- maintain oversight of legislative issues as they progress through the legislative process;
- convey board goals and visions to the legislature;
- work with the chief and the appropriate department staff to ensure the board's goals are reflected accurately in legislative proposals;
- analyze new board initiatives for legislative implications.

In some states, the state board's policy

agenda is presented through the state education agency or the governor's office. Even in those cases, it makes sense for board members to have their own independent analysis of legislation being considered.

INVOLVE EDUCATION STAKEHOLDERS IN DEVELOPING LEGISLATIVE PRIORITIES.

The Every Student Succeeds Act mandates stakeholder involvement in the development of the comprehensive state plan, but there are many other ways that stakeholders can strengthen the board's work. The more support the board can generate for its legislative priorities, the more likely it is that the legislature will act favorably upon them. The legislative committee should invite representatives of interest groups, parents, and community and business leaders to share their views and concerns about proposed legisla-