

**Memorandum**

**To:** Education Task Force Members  
**From:** Michael Bowman, Senior Director, Policy & Strategic Initiatives, ALEC  
**Re:** 35-Day Mailing—Education Task Force Meeting  
**Date:** April 6, 2012

The American Legislative Exchange Council (ALEC) will host its 2012 Spring Task Force Summit on May 10-11, 2012, in Charlotte, North Carolina. The Education Task Force will meet on Friday, May 11 from 1:00 – 2:00 p.m. for a lunch meeting followed by the full Task Force meeting from 2:00 p.m. – 5:15 p.m. In addition to the Education Task Force Meeting, there will be several education events that day, as listed below. The Digital Learning Subcommittee is open to all Task Force members, who are highly encouraged to participate in the subcommittee meeting.

**Digital Learning Subcommittee**

Room: Providence I  
Friday, May 11, 2012  
8:15 a.m. – 9:15 a.m.

**Stretching the School Dollar Workshop**

Room: Grand ABC  
Friday, May 11, 2012  
11:00 a.m. – 12:15 p.m.

**Education Task Force Luncheon**

Room: Providence I  
Friday, May 11, 2012  
12:45 p.m. – 2:00 p.m.

**Education Task Force Meeting**

Room: Providence I  
Friday, May 11, 2012  
2:00 p.m. – 5:15 p.m.

**About the 35-Day Mailing**

The 35-Day Mailing comprises the information you will need for ALEC's 2012 Spring Task Force Summit. Please review all agendas, proposed legislation, and Task Force operating procedures to be an active discussant in legislation review and policy presentations.

### **Registration**

You can register for the Spring Task Force Summit by visiting ALEC's website at [www.alec.org/stfs](http://www.alec.org/stfs). You may also register by faxing in the enclosed registration form to (202) 331-1344. Badges and registration materials will be available for pickup at registration counter, located at Grand Promenade CD. Registration hours are as follows: Thursday, May 10, 2012: 3:00 pm—7:00 pm and Friday, May 11, 2012: 7:30 am — 2:00 pm. You may also register onsite during these same hours.

### **Enclosed Materials**

You will find these materials in the following pages:

- Registration and Housing Forms
- Spring Task Force Meeting Agenda-At-A-Glance
- Digital Learning Subcommittee Tentative Agenda
- Education Task Force Luncheon and Meeting Tentative Agenda
- Proposed Model Legislation:
  - *Online Course Choice for Students*  
Sponsored by Sen. Rich Crandall, Arizona
  - *District and School Freedom*  
Sponsored by Jonathan Butcher, Goldwater Institute
- Draft Meeting Minutes from ALEC's 2011 States & Nation Policy Summit
- ALEC's Mission Statement, Scholarship Policy by Meeting, and Task Force Operating Procedures

### **Questions?**

If you have any questions or concerns regarding the meeting, feel free to contact me at [mbowman@alec.org](mailto:mbowman@alec.org) or (202) 742-8523.



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# 2012 ALEC SPRING TASK FORCE SUMMIT

May 11, 2012

The Westin Charlotte Hotel  
601 South College Street • Charlotte, NC 28202



charlotte, north carolina  
may 11, 2012

spring task force summit

## ATTENDEE REGISTRATION / HOUSING FORM

Early registration deadline: April 5, 2012

Housing cut-off date: April 5, 2012

Online  
www.alec.org

Fax (credit cards only)  
202.331.1344

Phone / Questions  
Registration 202.742.8538 (Mon-Fri, 9am-5:00 pm Eastern)  
Housing 1.866.837.4148

### ATTENDEE INFORMATION

Prefix (required)  Sen  Rep  Del  Mr  Mrs  Ms  Other \_\_\_\_\_  
Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle Initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_  
Title \_\_\_\_\_  
Organization (required) \_\_\_\_\_  
Primary Address  Business  Home \_\_\_\_\_  
City \_\_\_\_\_ State/Province \_\_\_\_\_ Country \_\_\_\_\_ ZIP/Postal code \_\_\_\_\_  
Daytime phone \_\_\_\_\_ Fax \_\_\_\_\_ Alternate phone \_\_\_\_\_  
Email (confirmation will be sent by email) \_\_\_\_\_  
Emergency Contact Name \_\_\_\_\_ Day Phone \_\_\_\_\_ Evening Phone \_\_\_\_\_  
Dietary Restrictions \_\_\_\_\_  
 This is my first time attending an ALEC event. \*Spouse / Guest: If registering a spouse or guest, please complete the spouse/guest registration form

### REGISTRATION INFORMATION

#### Registration Fees

Note: Member fees are subject to verification

	Early Until April 5	Onsite Beginning April 6
<input type="checkbox"/> ALEC Legislative Task Force Member	\$ 150	\$ 150
<input type="checkbox"/> ALEC Private Sector Task Force Voting Member	\$ 250	\$ 250
<input type="checkbox"/> ALEC Non-Profit Task Force Voting Member	\$ 250	\$ 250
<input type="checkbox"/> ALEC Legislative Member/ Non-Task Force Member	\$ 300	\$ 400
<input type="checkbox"/> Private Sector Member/ Non-Task Force Member	\$ 550	\$ 650
<input type="checkbox"/> ALEC Non-Profit Member (501(c)(3) status required)/ Non-Task Force Member	\$ 475	\$ 575
<input type="checkbox"/> Legislative/ Non-Member	\$ 400	\$ 500
<input type="checkbox"/> Private Sector/ Non-Member	\$ 675	\$ 825
<input type="checkbox"/> Non-Profit Non-Member (501(c)(3) status required)	\$ 625	\$ 725
<input type="checkbox"/> Legislative Staff/ Government	\$ 400	\$ 500
<input type="checkbox"/> ALEC Alumni	\$ 350	\$ 450
<input type="checkbox"/> ALEC Legacy Member	\$ 0	\$ 0

REGISTRATION FEE : \$ \_\_\_\_\_

Note: Registration forms with enclosed payments must be received by April 5, 2012 to be eligible for early bird registration rates. Forms and/or payments received after April 5, 2012 will be subject to on-site registration rates.

#### METHOD OF REGISTRATION PAYMENT

Credit Card: Credit cards will be charged immediately.

Amer Express  Visa  MasterCard

Card # \_\_\_\_\_

Cardholder (please print) \_\_\_\_\_

Exp Date (mm/yy) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

#### REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations cancelled prior to 5:00 pm Eastern April 5, 2012 are subject to a \$100 cancellation fee. Registrations are non-refundable after 5:00 pm Eastern April 5, 2012. Registration fees may be transferred from one registrant to another. All refund requests must be made in writing and sent via email to meetings@alec.org or fax to 202-331-1344.

REGISTRATION CONFIRMATION INFORMATION Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

### HOUSING

### RESERVATION CUTOFF FOR ALEC DISCOUNTED RATE IS April 5, 2012

I do not require a reservation at this time.

Arrival Date \_\_\_\_\_ Departure Date \_\_\_\_\_

Sharing room with \_\_\_\_\_

#### Room type

- Single (1 Adult) \$ 139  
 Double (2 Adults) \$ 139  
 Triple (3 Adults) \$ 139  
 Quad (4 Adults) \$ 139

Suites and upgraded accommodations are available upon request. Please call 1.866.837.4148 for additional information.

#### Special requests

- ADA room required:  
\_\_\_\_ Audio \_\_\_\_ Visual \_\_\_\_ Mobile  
 Rollaway / crib: \_\_\_\_\_  
 Other: \_\_\_\_\_

#### METHOD OF HOUSING PAYMENT

Please use the same method of payment as above.

Credit Card: Credit Cards will be used to guarantee the reservation.

Amer Express  Visa  MasterCard  Discover

Card # \_\_\_\_\_

Cardholder (please print) \_\_\_\_\_

Exp Date (mm/yy) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

\* All rates DO NOT include sales tax 15.25% (subject to change)

Note: Cutoff for reservations at the ALEC rate is April 5, 2012. After April 5, 2012, every effort will be made to accommodate new reservations, based on availability and rate.

#### HOUSING CONFIRMATION INFORMATION

Online reservations will receive immediate email confirmation. Reservations received by form will be confirmed via email within 72 hours of receipt.

#### HOUSING CANCELLATION / REFUND INFORMATION

Credit cards will be charged one night room and tax in the event of a no show or if cancellation occurs within 72 hours prior to arrival. Please obtain a cancellation number when your reservation is cancelled.

# 2012 ALEC SPRING TASK FORCE SUMMIT

May 11, 2012

The Westin Charlotte Hotel  
601 South College Street • Charlotte, NC 28202



charlotte, north carolina  
may 11, 2012

spring task force summit

**Online**  
www.alec.org

**Fax (credit cards only)**  
202.331.1344

**Phone / Questions** • Mon-Fri, 9am-5:30 pm Eastern  
Registration: 202.742.8538

## ATTENDEE INFORMATION IS REQUIRED TO REGISTER A SPOUSE OR GUEST

Last Name \_\_\_\_\_ First Name \_\_\_\_\_

Organization \_\_\_\_\_

Daytime phone \_\_\_\_\_

Email (*Confirmation will be sent by email*) \_\_\_\_\_

## SPOUSE / GUEST REGISTRATION

### SPOUSE / GUEST REGISTRATION GUIDELINES

1. Spouse / guest registration is meant to accommodate legal spouse and immediate family members.
2. Attendees from the same organization must register independently. No exception will be made.
3. Spouse / guest designation will be clearly visible on name badge.

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_

Last Name \_\_\_\_\_ First Name \_\_\_\_\_ Middle initial \_\_\_\_\_ Badge Nickname \_\_\_\_\_

### SPOUSE / GUEST REGISTRATION FEES

	<i>Number of Spouse/Guest(s)</i>	<i>Fee</i>	<i>TOTAL</i>
<input type="checkbox"/> Spouse / Guest <i>please note name(s) above</i>	_____	\$ 50	\$ _____

### METHOD OF SPOUSE / GUEST REGISTRATION PAYMENT

**Credit Card:** Credit cards will be charged immediately. Please fax to the above number for processing.

Amer Express Card # \_\_\_\_\_

Visa Cardholder (*please print*) \_\_\_\_\_

MasterCard Exp Date (*mm/yy*) \_\_\_\_/\_\_\_\_ Signature \_\_\_\_\_

### REGISTRATION CONFIRMATION INFORMATION

Online registrants will receive immediate email confirmation. If registering by form, confirmation will be emailed within 72 hours of receipt of payment.

### REGISTRATION CANCELLATION / REFUND INFORMATION

Registrations are non-refundable after 5pm Eastern April 5, 2012.

# Agenda

## Thursday, May 10, 2012

Registration

3:00 p.m. – 7:00 p.m.

NC Welcome Reception

8:30 p.m. – 11:00 p.m.

## Friday, May 11, 2012

Registration

7:30 a.m. – 2:00 p.m.

Task Force Subcommittee Meetings

8:00 a.m. – 9:45 a.m.

*All Task Force members are welcome and encouraged to attend their Task Force's Subcommittee meetings.*

Digital Learning Subcommittee

8:15 a.m. – 9:15 a.m.

Energy Subcommittee

8:15 a.m. – 9:15 a.m.

Fiscal Policy Reform Working Group

8:15 a.m. – 9:15 a.m.

*Other Subcommittees to be Determined*

Workshop:

9:30 – 10:45

*All ALEC members are welcome to attend.*

Workshop:

11:00 a.m. – 12:15 p.m.

*All ALEC members are welcome to attend.*

Task Force Lunch Meetings

1:00 p.m. – 2:00 p.m.

*Task Forces will each begin serving at 12:45 for luncheon.*

Task Force Meetings

2:00 p.m. – 5:15 p.m.

- Civil Justice
- Commerce, Insurance, and Economic Development
- Communications and Technology
- Education
- Energy, Environment and Agriculture
- Health and Human Services
- Public Safety and Elections
- Tax and Fiscal Policy

Spring Task Force Summit Reception

6:30 p.m. – 8:30 p.m.

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## **Education Task Force Meeting**

ALEC's 2012 Spring Task Force Summit | Friday, May 11, 2012

2:00 p.m. – 5:15 p.m.

### **Agenda**

- 2:00 p.m. Welcome and Introductions**  
Rep. David Casas, Georgia, Public Sector Task Force Chair  
Ms. Mickey Revenaugh, Connections Academy, Private Sector Task Force Chair
- 2:05 p.m. Introduction of New ALEC Education Task Force Director, Adam Peshek**
- 2:10 p.m. New Members: James Madison Institute, Pioneer Institute, Wireless Generation**
- 2:25 p.m. Adopt Meeting Minutes**
- 2:30 p.m. Presentation:** Jeanne Allen, Center for Education Reform – Charter Schools
- 2:50 p.m. Presentation:** Jonathan Butcher, Goldwater Institute – ESAs
- 3:10 p.m. Model Bill Discussion and Voting: Online Course Choice for Students**  
Sponsored by Sen. Rich Crandall (AZ)
- 3:45 p.m. Presentation:** Scott Jensen, Alliance for School Choice – Accountability
- 4:05 p.m. Presentation:** National Board of Professional Teaching Standards: National Board Certification on Student Learning
- 4:25 p.m. Model Bill Discussion and Voting: District and School Freedom**  
Sponsored by Jonathan Butcher, Goldwater Institute
- 5:15 p.m. Good of the Order/Adjournment**



**Digital Learning Subcommittee**

ALEC's 2012 Spring Task Force Summit | Friday, May 11, 2012

8:15 a.m. – 9:15 a.m.

**Agenda**

**8:15 a.m. Welcome and Introductions**

**8:20 a.m. Model Bill Discussion and Voting: Online Course Choice for Students**  
Sponsored by Sen. Rich Crandall (AZ)

**9:15 a.m. Good of the Order/Adjournment**



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## **Online Course Choice for Students**

### **Summary**

This bill opens up the world of high-quality online course instruction to students. Each year, students in public school grades 7-12 would have the option to enroll in up to two online courses that award college credit or meet standards for core academic courses. The state would create standards and accountability measures to ensure that they are providing students with a course catalog containing only high-quality online course offerings. Funding for each online course is driven by the free-market in an open and competitive process, rather than simply allocating a portion of student funding unrelated to the actual cost to deliver the course. Finally, after completion of each online course, parents and students provide feedback via the web in an open forum to rate the effectiveness of the course. This feedback, combined with test scores, provides a quality indicator ranking that is available to all.

The full text of the bill will be sent to the Task Force soon.



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## **District and School Freedom Act**

### **Summary**

This legislation creates a mechanism for public school districts and schools to request exemption from state education standards and regulations. Under this act, any district or school can create a list of state regulations or standards that, if exempted from, the district or school could operate more efficiently and better serve students.

### **Model Legislation**

#### **Be it enacted by the Legislature of the State of XXXX:**

**A.** Notwithstanding any other law, a school district, tradition, or charter school may receive exemptions from statutes and rules as prescribed in this section.

**B.** The school district, traditional, or charter school may identify and submit exemptions to statutes and rules relating to schools, governing boards and school districts to the state board of education for approval. The state board of education shall review and may approve the exemptions submitted, except for those statutes and rules that directly apply to the following:

1. Health and safety.
2. Requirements for the graduation of pupils from high school.
3. Special education.
4. Financial compliance and procurement requirements.

**C.** The state board of education may adjust the list of exemptions to comply with federal and state law.



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## **Education Task Force Meeting Minutes**

ALEC's 2011 States & Nation Policy Summit | Thursday, December 1, 2011  
2:30 p.m. – 5:30 p.m.

The Education Task Force meeting began at 2:30 p.m.

The meeting began with introductions by Mickey Revenaugh, Private Sector Task Force Chair, and Georgia State Rep. David Casas, Public Sector Task Force Chair, followed by the introduction of new Education Task Force members, Imagine Learning and Education Management Corporation. The Education Task Force members approved the Task Force Meeting Minutes from the 2011 Annual Meeting and discussed a review of existing model legislation.

The first model bill the Education Task Force members considered was the *Local Government Transparency Act*, sponsored by Collin Hitt of Illinois Policy Institute. After discussion, the legislation passed both the public sector with 19 Yeas, 1 Nays, and the private sector with 14 Yeas, and 0 Nays. The *Local Government Transparency Act* was approved.

The second bill the Education Task Force members considered was the *Comprehensive Legislative Package Opposing the Common Core State Standards Initiative*, co-sponsored by Jonathan Butcher of Goldwater Institute and Emmett McGroarty of American Principles Project. After discussion, the legislation passed both the public sector with 14 Yeas, 6 Nays, and the private sector with 9 Yeas, and 4 Nays. The *Comprehensive Legislative Package Opposing the Common Core State Standards Initiative* was approved.

The third bill the Education Task Force members considered was the *Resolution Opposing Federal Intrusion in State Education Content Standards* sponsored by Senator Rich Crandall of Arizona. The Task Force members amended the *Resolution* by taking out stanzas 6 through 8. After discussion, the legislation passed both the public sector with 16 Yeas, 0 Nays, and the private sector with 10 Yeas, and 2 Nays. The *Resolution Opposing Federal Intrusion in State Education Content Standards* was approved.

The fourth bill the Education Task Force members considered was the Amendments to the *Founding Principles Act* sponsored by Senator Don Vaughan of North Carolina. The legislation was renamed the *Founding Philosophy and Principles Act*. After discussion, the legislation passed both the public sector with 14 Yeas, 1 Nay, and the private sector with 9 Yeas and 1 Nay. The *Founding Philosophy and Principles Act* was approved.

The fifth bill the Education Task Force members considered was the *Higher Education Capital Projects Transparency Act* sponsored by Michael Poliakoff of the American Council of Trustee and Alumni. After discussion, the legislation passed both the public

sector with 17 Yeas, 1 Nay, and the private sector with 9 Yeas, and 0 Nays. The *Higher Education Capital Projects Transparency Act* was approved.

The sixth bill the Education Task Force members considered was the *Academic Accountability in Higher Education Act* sponsored by Michael Poliakoff of the American Council of Trustees and Alumni. After discussion, the legislation passed both the public sector with 14 Yeas, 1 Nay and the private sector with 9 Yeas and 0 Nays. The *Academic Accountability in Higher Education Act* was approved.

The final bill the Education Task Force members considered was the *Substantive Transparency in Education Act* sponsored by Emmett McGroarty of the American Principles Project. After discussion, the legislation passed both the public sector with 15 Yeas, 0 Nays and the private sector with 9 Yeas, and 0 Nays. The *Substantive Transparency in Education Act* was approved.

The meeting adjourned at 5:30 p.m.



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## SCHOLARSHIP POLICY BY MEETING

### ***ALEC Spring Task Force Summit:***

1. ***Spring Task Force Summit Reimbursement Form:*** ALEC Task Force Members are reimbursed by ALEC up to \$350.00 for travel expenses. Receipts must be forwarded to the ALEC Policy Coordinator and approved by the Director of Policy.
2. ALEC Task Force Members' room & tax fees for up to a two-night stay at the host hotel are covered by ALEC.
3. Registration fees are not covered; however, Task Force Members may submit registration expenses for payment from their state scholarship account upon approval of the State Chair.
4. *Official Alternate Task Force Members* (chosen by the State Chair and whose names are given to ALEC more than 35 days prior to the meeting to serve in place of a Task Force Member who cannot attend) are reimbursed in the same manner as Task Force Members.
5. ***State Scholarship Reimbursement Form:*** Any fees above the set limit, or expenses other than travel and room expenses can be submitted by Task Force Members for payment from their state scholarship account upon the approval of the State Chair. Receipts must be submitted to the State Chair, who will submit the signed form to the Director of Membership.
6. *Non-Task Force Members* can be reimbursed out of the state scholarship fund upon State Chair approval. Receipts must be submitted to the State Chair, who will submit the appropriate signed form to the Director of Membership.

### ***ALEC Annual Meeting:***

***State Scholarship Reimbursement Form:*** State scholarship funds are available for reimbursement by approval of your ALEC State Chair. Expenses are reimbursed after the conference, and may cover the cost of travel, room & tax, and registration. Receipts are to be submitted to the State Chair, who will then submit the signed form to the Director of Membership.

### ***ALEC States & Nation Policy Summit:***

1. ***States & Nation Policy Summit Reimbursement Form:*** ALEC offers two scholarships per state to cover the cost of travel, room & tax, and registration not to exceed \$1,000.00 per person for a total of \$2,000.00 per state. ALEC scholarship recipients must be named by the ALEC State Chair. Expenses are submitted to the State Chair and reimbursed after the conference. The State Chair submits the signed form to the Director of Membership.
2. ***State Scholarship Reimbursement Form:*** Any other fees or payments must come out of the state scholarship account, with the approval of the State Chair. Receipts must be submitted to the State Chair, who submits the signed form to the Director of Membership.

### ***ALEC Academies:***

***Academy Reimbursement Form:*** Attendees of ALEC Academies are reimbursed by the Task Force Committee hosting the Academy. Attendees will receive a form at the Academy, and will be reimbursed up to \$500.00 for travel, and room & tax fees for a two-night stay by ALEC. Receipts must be forwarded to the appropriate Task Force Director and approved by the Director of Policy.

**American Legislative Exchange Council  
TASK FORCE OPERATING PROCEDURES**

***I. MISSION OF TASK FORCES***

Assume the primary responsibility for identifying critical issues, developing ALEC policy, and sponsoring educational activities which advance the Jeffersonian principles of free markets, limited government, federalism, and individual liberty. The mission will be accomplished through a non-partisan, public and private partnership between ALEC's legislative and private sector members in the specific subject areas assigned to the Task Force by the Board of Directors.

***II. TASK FORCE RESPONSIBILITIES***

- A. Task Forces have the primary responsibility for identifying critical issues and developing ALEC's official policy statements and model legislation appropriate to the **specific subject areas** of the Task Force.
- B. Task Forces serve as forums for an exchange of ideas and sharing of experiences between ALEC's state legislator and private sector members.
- C. Task Forces are responsible for developing and sponsoring the following educational activities appropriate to the specific subject area of the Task Force:
- publications that express policy positions, including, but not limited to State Factors and Action Alerts;
  - educational communication and correspondence campaigns;
  - issue specific briefings, press conferences and press campaigns;
  - witness testimony and the activities of policy response teams;
  - workshops at ALEC's conferences; and
  - specific focus events.
- D. The Executive Director is to develop an **annual budget**, which shall include expenses associated with Task Force meetings and educational activities. A funding mechanism to finance all meetings and educational activities proposed by Task Forces must be available before they can be undertaken.

**III. GENERAL PROCEDURES**

- A.** Requests from ALEC members for policy statements, model legislation and educational activities shall be directed by the Executive Director to the appropriate Task Force, or the Board of Directors if the issue does not fall within the **jurisdiction** of any Task Force. The appropriate Public and Private Sector Task Force Co-Chairs determine the agenda for each Task Force meeting, and the meetings will be called and conducted in accordance with these Operating Procedures.

The Director of Policy with the consent of the Executive Director assigns a model bill or resolution to the most appropriate Task Force based on Task Force content and prior jurisdictional history 35 days before a Task Force Meeting. All Task Force Co-Chairs will be provided an email or fax summary of all **model bills and resolutions 35 days before** the Task Force meeting

If both the Co-Chairs of a Task Force are in agreement that they should have jurisdiction on model legislation or a resolution, the legislation or resolution will be considered by the Task Force. If the other Task Force Co-Chairs believe they should have jurisdiction or if the author of the model bill or resolution does not agree on the jurisdictional assignment of the bill, they will have **10 days after the 35-day mailer deadline** to submit in writing or by electronic appeal to the Director of Policy their intent to challenge the jurisdiction assignment. The Director of Policy will notify the Executive Director who will in turn notify the National Chair and the Private Enterprise Board Chair. The National Chair and the Private Enterprise Board Chair will in turn refer the matter in question to the Board of Directors Task Force Board Committee. The Director of Policy will establish a conference call for the Task Force Board Committee co- chairs, the author, the affected Task Force Co-Chairs and the Director of Policy at a time convenient for all participants.

**The Task Force Board Committee Co-Chairs** shall listen to the jurisdictional dispute by phone or in person within 10 days of the request. If both Task Force Board Committee Co-Chairs are in agreement that the Director of Policy made an incorrect jurisdictional referral, only then will the model bill or resolution be reassigned to a committee as they specify once agreed upon by the **National Chair and the Private Enterprise Board Chair**. The bill or model resolution is still eligible to be heard in whatever Task Force it is deemed to be assigned to as if submitted to the correct Task Force for the 35-

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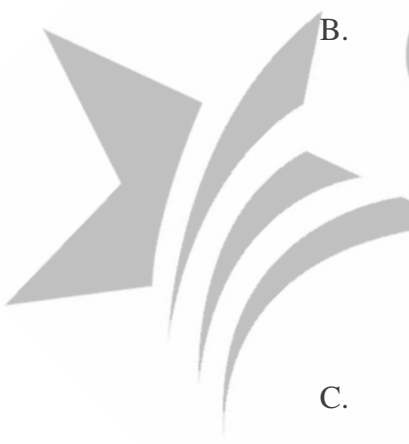
AMERICAN LEGISLATIVE EXCHANGE COUNCIL

day mailer. The National Chair and the Private Enterprise Board Chair decision is final on this model bill or resolution.

**Joint referral of model legislation and/or resolutions** are allowed if all the affected Task Force Co-Chairs agree. All model legislation and resolutions that have been referred to, more than one Task Force must pass the identical language in both Task Forces within two consecutive Task Force meetings. It is at the Task Force Co-Chairs discretion how they will handle the hearings of the model legislation or resolution. Both sets of co-chairs have the ability to call a working group, subcommittee, or simply meet consecutively or concurrently if necessary.

If the Task Force co-chairs both agree to waive jurisdiction, they may do so as long as another Task Force still has jurisdiction.

The National Chair and the Private Sector Board Chair will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.

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- B. **The National Chair and the Private Sector Board Chair** will rely upon the Task Force Board Committee Co-Chairs for advice and recommendations on model legislation or resolutions when no jurisdiction in any of the existing Task Forces in operation can be found. The Task Force Board Committee Co-Chairs will work with the Executive Director and the Director of Policy to identify public and private sector Task Force members (not alternates) from the existing Task Forces should their expertise be of assistance to the Task Force Board Committee in reaching a determination and recommendation for approval by the National Chair and the Private Enterprise Board Chair.
- C. **The Board of Directors** shall have ultimate authority over Task Force procedures and actions including the authority to create, to merge or to disband Task Forces and to review Task Force actions in accordance with these Operating Procedures. Nothing in these Operating Procedures prohibits the Board of Directors from developing ALEC policy; however, such a practice

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should be utilized only in exceptional circumstances. Before the policy is adopted by the Board of Directors, it should be sent to the Public and Private Sector Task Force Co-Chairs under whose jurisdiction the matter falls for review and comment back to the Board of Directors.

- D. The **operating cycle of a Task Force** is two years. A new operating cycle begins on January 1 of each odd numbered year and ends on December 31 of the following even numbered year. Task Force activities shall be planned and budgeted on an annual basis within each two-year operating cycle.
- E. If a Task Force is **unable to develop an operating budget**, the Board of Directors will determine whether to continue the operations of the Task Force. This determination will be made according to: (1) the level of membership on the Task Force, and (2) the need for continued services developed by the Task Force for ALEC.
- F. **The Board of Directors** shall have the authority to allocate limited general support funds to finance the annual operating budget of Task Forces that meet the requirements prescribed in Section III (E). The Executive Director shall determine, and report to the Board of Directors, the amount of general support funds available to underwrite such Task Forces.

#### IV. **MEMBERSHIP AND MEMBER RESPONSIBILITIES**

- A. The membership of a Task Force consists of legislators who are members in good standing of ALEC and are duly appointed to the Task Force, in accordance with Section VI (A) and private sector organizations that are full members of ALEC, contribute to the assessment for the Task Force operating budget, and are duly appointed to the Task Force, in accordance with Section VI (B). Private sector organizations that were full members of ALEC and contributed the assessment for the Task Force's operating budget in the previous year, can be appointed to the Task Force for the current year, conditional upon renewal of full ALEC membership and receipt of the current year's assessment for the Task Force operating budget prior to March 31<sup>st</sup>, unless an alternative date has been approved by the Executive Director.
- B. Each Task Force shall have least two **Co-Chairs**; a Public Sector Task Force Co-Chair and a Private Sector Task Force Co-Chair. The Public Sector Task Force Co-Chair must be a member of the Task Force and appointed in



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accordance with Section VI (A). The Private Sector Co-Chair must represent a private sector member of the Task Force and be appointed in accordance with Section VI(B). The Co-Chairs shall be responsible for:

- (1) calling the Task Force and the Executive Committee meetings to order, setting the agenda and co-chairing such meetings;
- (2) appointing and removing legislators and private sector members to and from the Task Force Executive Committee and subcommittees;
- (3) creating subcommittees, and determining each subcommittee's mission, membership limit, voting rules, deadlines, and term of service; and
- (4) selecting Task Force members to provide support for and against Task Force policies during formal Board reviews.

C. Each Task Force shall have an **Executive Committee** appointed by the Public and Private Sector Task Force Co-Chairs that is appropriate in number to carry out the work product and strategic plan of ALEC and the Task Force. The Executive Committee shall consist of the Public Sector Task Force Co-chair, the Private Sector Task Force Co-Chair, the subcommittee co-chairs, and the remainder will be an equal number of legislative and private sector Task Force members. The Executive Committee will be responsible for determining the operating budget and proposing plans, programs and budgets for the succeeding year in accordance with (Section V (B)); determining if a proposed educational activity conforms to a previously approved model bill, resolution or policy statement in accordance with (Section IX (F)); and determining if an emergency situation exists that justifies waiving or reducing appropriate time limits in accordance with (Section VIII (H)).

D. Each Task Force may have any number of **subcommittees**, consisting of Task Force members and advisors to focus on specific areas and issues and make policy recommendations to the Task Force. The Task Force Co-chairs, shall create subcommittees and determine each subcommittee's mission, membership limit, voting rules, deadlines, and term of service. Any model bill, resolution or policy statement approved by a subcommittee must be approved by the Task Force before it can be considered official ALEC policy.

E. Each Task Force may have advisors, appointed in accordance with Section VI (G). **Advisors** shall assist the members and staff of the Task Force. They shall be identified as advisors on official Task Force rosters, included in all official

Task Force mailings and invited to all Task Force meetings. Advisors may also have their expenses paid at Task Force meetings covered by the Task Force operating budget with the approval of the Task Force Co-Chairs. An advisor cannot be designated as the primary contact of a private sector Task Force member, cannot be designated to represent a private sector Task Force member at a Task Force, Executive Committee, or subcommittee meeting, and cannot offer or vote on any motion at a Task Force, Executive Committee, or subcommittee meeting.

**V. Task Force Budgets**

- A. Each Task Force shall develop and operate a yearly budget to fund meetings.
- B. The **operating budget** shall be used primarily to cover expenses for Task Force meetings, unless specific funds within the budget are authorized for other use by the Task Force. The operating budget shall be assessed equally among the private sector members of the Task Force. The Executive Director, in consultation with the Task Force Co-Chairs shall determine which costs associated with each meeting will be reimbursed from the operating budget. Any funds remaining in a Task Force's operating budget at the end of a year are transferred to ALEC's general membership account.
- C. The operating budget shall not be used to cover Task Force meeting expenses associated with **alternate task force members'** participation, unless they are appointed by their State Chair to attend the Spring Task Force Summit with the purpose to serve in place of a Task Force Member who is unable to attend. Task Force meeting expenses of alternate task force members shall be covered by their state's scholarship account.
- D. The **programming budget** shall be used to cover costs associated with educational activities. Contributions to the programming budget are separate, and in addition to operating budget contributions and annual general support/membership contributions to ALEC. The Executive Director shall determine the contribution required for each educational activity.

**VI. PROCESS FOR SELECTING TASK FORCE MEMBERS, CHAIRS, COMMITTEES AND ADVISORS**

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- A. Prior to February 1 of each odd-numbered year, the current and immediate past National chairman will jointly select and appoint in writing **three legislative members and three alternates to the Task Force** who will serve for the current operating cycle, after receiving nominations from ALEC's Public and Private State Chairs, the Executive Director and the ALEC Public and Private Sector members of the Board. At any time during the year, the National Chairman may appoint in writing new legislator members to each Task Force, except that no more than three legislators from each state may serve as members of any Task Force, no legislator may serve on more than one Task Force and the **appointment cannot be made earlier than thirty days** after the new member has been nominated. In an effort to ensure the nonpartisan nature of each Task Force, it is recommended that no more than two legislators of any one political party from the same state be appointed to serve as members of any Task Force. A preference will be given to those ALEC legislator members who serve on or chair the respective Committee in their state legislature. A preference will be given to legislators who sponsor ALEC Task Force model legislation in the state legislature.
- B. Prior to January 10 of each odd-numbered year, the current and immediate past National Chairman will jointly select and appoint in writing **the Task Force Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Chair and may be placed in rank order prior to transmittal to the Executive Director no later than December 1 of each even-numbered year. No more than five names may be submitted in nomination by the outgoing Task Force chair. The current and immediate past National Chairmen will jointly make the final selection, but should give strong weight to the recommendations of the outgoing Task Force Chair. In an effort to empower as many ALEC leaders as possible, State Chairs and members of the Board of Directors will not be selected as Task Force Chairs. Task Force Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past National Chairmen may reappoint a Task Force Chair to a second operating cycle term.
- C. Prior to February 1 of each odd numbered year, the Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members of the **Task Force Executive Committee**, who will serve for the current operating cycle. The Public and Private Sector Task Force Co-Chairs will select and appoint in writing the legislative and private sector members and advisors to any subcommittee.

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- D. Prior to February 1 of each year, the Private Enterprise Board Chair and the immediate past Private Enterprise Board Chair will select and appoint in writing the private sector members to the Task Force who will serve for the current year. The appointment letter shall be mailed to the individual designated as the primary contact for the private sector entity. At any time during the year, the Chair of the Private Enterprise Board may appoint in writing **new private sector members** to each Task Force, but no earlier than thirty days after the new member has qualified for full membership in ALEC and contributed the assessment for the appropriate Task Force's operating budget.
- E. Prior to January 10 of each odd-numbered year, the Chair of the Private Enterprise Board and the immediate past Private Enterprise Board Chair will select and appoint in writing the **Task Force Private Sector Co-Chair** who will serve for the current operating cycle, after receiving nominations from the Task Force. Nominations will be requested by the outgoing Task Force Private Sector Chair and may be placed in rank order prior to transmittal to the Chair of the Private Enterprise Board. The Chair and the immediate past Chair of the Private Enterprise Board will make the final selection, but should give strong weight to the recommendations of the outgoing Private Sector Task Force Co-Chair. In an effort to empower as many ALEC private sector members as possible, Private Enterprise State Chairs and members of the Private Enterprise Board will not be selected as Private Sector Task Force Co-Chairs. Private Sector Task Force Co-Chairs shall serve for one operating cycle term. Where special circumstances warrant, the current and immediate past Chair of the Private Enterprise Board may reappoint a Task Force Private Sector Chair to a second operating cycle term.
- F. Prior to February 1 of each odd-numbered year, the Task Force Private Sector Co-Chair will select and appoint in writing the **private sector members of the Task Force Executive Committee**, who will serve for the current operating cycle. The Task Force Private Sector Co-Chair shall select and appoint in writing the private sector members of any subcommittees.
- G. The Public and Private Sector Task Force Co-Chairs, may jointly appoint subject matter experts to serve as **advisors** to the Task Force. The National Chair and the Private Enterprise Board Chair may also jointly recommend to the Task Force Co-Chairs subject matter experts to serve as advisors to the Task Force.

**VII. REMOVAL AND VACANCIES**

- A. The National Chair may remove any Public Sector **Task Force Co-Chair** from his position and any legislative member from a Task Force with or without cause. Such action will not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive Task Force meetings.
- B. The Public Sector Task Force Co-Chair may remove any legislative member of an **Executive Committee or subcommittee** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include failure to attend two consecutive meetings.
- C. The Chairman of the Private Enterprise Board may remove any **Private Sector Task Force Co-Chair** from his position and any private sector member from a Task Force with cause. Such action shall not be taken except upon thirty days written notice to such Chair or member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues. .
- D. The Private Sector Task Force Co-Chair may remove any **private sector member of an Executive Committee or subcommittee** from his position with cause. Such action shall not be taken except upon thirty days written notice to such member whose removal is proposed. For purposes of this subsection, cause may include but is not limited to the non-payment of ALEC General Membership dues and the Task Force dues.
- E. The Public and Private Sector Task Force Co-Chairs may remove an **advisor** from his position with or without cause. Such action shall not be taken except upon thirty days written notice to such advisor whose removal is proposed.
- F. Any member or advisor may **resign** from his position as Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, public or private sector Task Force member, Task Force advisor, Executive Committee member or subcommittee member at any time by writing a letter to that effect to the Public Sector and Private Sector Task Force Co-Chairs. The letter should specify the

effective date of the resignation, and if none is specified, the effective date shall be the date on which the letter is received by the Public and Private Task Force Co-Chairs.

- G. All **vacancies** for Public Sector Task Force Co-Chair, Private Sector Task Force Co-Chair, Executive Committee member and subcommittee member shall be filled in the same manner in which selections are made under Section VI. All vacancies to these positions must be filled within thirty days of the effective date of the vacancy.

#### **VIII. MEETINGS**

- A. **Task Force meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs. Task Force meetings cannot be held any earlier than thirty-five days after being called, unless an emergency situation has been declared pursuant to Section VIII (H), in which case Task Force meetings cannot be held any earlier than ten days after being called. It is recommended that, at least once a year, the Task Forces convene in a common location for a joint Task Force Summit. **Executive Committee meetings** shall only be called by the joint action of the Public and Private Sector Task Force Co-Chairs and cannot be held any earlier than three days after being called, unless the Executive Committee waives this requirement by unanimous consent.
- B. **At least forty-five days** prior to a task force meeting any model bill, resolution or policy must be submitted to ALEC staff that will be voted on at the meeting. At least thirty-five days prior to a Task Force meeting, ALEC staff shall distribute copies of any model bill, resolution or policy statement that will be voted on at that meeting. This requirement does not prohibit modification or **amendment** of a model bill, resolution or policy statement at the meeting. This requirement may be waived if an emergency situation has been declared pursuant to Section VIII(H).
- C. **All Task Force meetings are open** to registered attendees and invited guests of ALEC meetings and conferences. Only regular Task Force Members may introduce any resolution, policy statement or model bill. Only Task Force members will be allowed to participate in the Task Force meeting discussions

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and be seated at the table during Task Force meetings, unless otherwise permitted by the Public and Private Sector Task Force Co-Chairs.

- D. ALEC private sector member organizations may only be represented at Task Force and Executive Committee meetings by the individual addressed in the **appointment letter** sent pursuant to Section VI (D) or a designee of the private sector member. If someone other than the individual addressed in the appointment letter is designated to represent the private sector member, the designation must be submitted in writing to the Public and Private Sector Task Force Co-Chairs before the meeting, and the individual cannot represent any other private sector member at the meeting.
- E. All Task Force and Executive Committee meetings shall be conducted under the guidelines of **Roberts Rules of Order**, except as otherwise provided in these Operating Procedures. A copy of the Task Force Operating Procedures shall be included in the briefing packages sent to the Task Force members prior to each meeting.
- F. A majority vote of legislative members present and voting and a majority vote of the private sector members present and voting, polled separately, are required to approve any motion offered at a Task Force or Executive Committee meeting. A vote on a motion to reconsider would be only with the sector that made the motion. Members have the right, in a voice vote, to abstain and to vote present by roll-call vote. In all votes a member can change their vote up until the time that the result of the vote is announced. Only duly appointed members or their designee as stated in Section VIII (D) that are present at the meeting may vote on each motion. **No proxy, absentee or advance voting is allowed.**
- G. The Public Sector Task Force Co-Chair and the Private Sector Task Force Co-Chair, with the concurrence of a majority of the Executive Committee, polled in accordance with Section VIII (F), may schedule a **Task Force vote by mail or any form of electronic communication** on any action pertaining to policy statements, model legislation or educational activity. The deadline for the receipt of votes can be no earlier than thirty-five days after notification of the vote is mailed or notified by any form of electronic communication, unless an emergency situation is declared pursuant to Section VIII (H), in which case the deadline can be no earlier than ten days after notification is mailed or notified by any form of electronic communication. Such votes are exempt from all rules in Section VIII, except: (1) the requirement that copies of model legislation and

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policy statements be mailed or notified by any form of electronic communication with the notification of the vote and (2) the requirement that a majority of legislative members voting and a majority of the private sector members voting, polled separately, is required to approve any action by a Task Force.

- H. For purposes of Sections VIII(A), (B) and (G), an **emergency situation** can be declared by:
- (1) Unanimous vote of all members of the Task Force Executive Committee present at an Executive Committee meeting prior to the meeting at which the Task Force votes on the model bill, resolution or policy statement; or
  - (2) At least three-fourth majority vote of the legislative and private sector Task Force members (voting in accordance with Section VIII (F)) present at the meeting at which the members vote on the model bill, resolution or policy statement.
- I. Ten Task Force members shall **constitute a quorum** for a Task Force meeting. One-half of the legislative and one-half of the private sector members of an Executive Committee shall constitute a quorum for an Executive Committee meeting.

## IX. **REVIEW AND ADOPTION PROCEDURES**

- A. All Task Force policy statements, model bills or resolutions shall become **ALEC policy** either: (1) upon adoption by the Task Force and affirmation by the Board of Directors or (2) thirty days after adoption by the Task Force if no member of the Board of Directors requests, within those thirty days, **a formal review by the Board of Directors**. General information about the adoption of a policy position may be announced upon adoption by the Task Force.
- B. The Executive Director shall notify the Board of Directors of the approval by a Task Force of any policy statement, model bill or resolution within ten days of such approval. Members of the Board of Directors shall have thirty days from the date of Task Force approval to review any new policy statement, model bill or resolution prior to adoption as official ALEC policy. Within those thirty days, any member of the Board of Directors may request that the policy be



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**formally reviewed** by the Board of Directors before the policy is adopted as official ALEC policy.

- C. A member of the Board of Directors may request a formal review by the Board of Directors. The **request must be in writing** and must state the cause for such action and a copy of the letter requesting the review shall be sent by the National Chairman to the appropriate Task Force Chair. The National Chairman shall schedule a formal review by the Board of Directors no later than the next scheduled Board of Directors meeting.
- D. The review process will **consist of key members of the Task Force**, appointed by the Task Force Chair, providing the support for and opposition to the Task Force position. Position papers may be faxed or otherwise quickly transmitted to the members of the Board of Directors. The following is the review and adoption procedures:
- **Notification of Committee:** Staff will notify Task Force Chairs and the entire task force when the Board requests to review one of the Task Forces' model bills or resolutions.
  - **Staff Analysis:** Will be prepared in a neutral fashion. The analyses will include:
    - History of Task Force action
    - Previous ALEC official action/resolutions
    - Issue before the board
    - Proponents arguments
    - Opponents arguments
  - **Standardized Review Format:** To ensure fairness, a set procedure will be used as the format to ensure the model bill/resolution has a fair hearing before the Board.
    - Task Force Chair(s) will be invited to attend the Board Review
    - Task Force Chair(s) will decide who will present in support and in opposition for the model bill/resolution before the Board.
    - Twenty minutes that is equally divided will be given for both sides to present before the Board.
    - It is suggested that the Board not take more than twenty minutes to ask questions of the presenters.
    - Presenters will then be excused and the Board will have a suggested twenty more minutes for discussion and vote.

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- All votes will be recorded for the official record.
  - **Notification of Committee:** The Director of Policy will notify presenters immediately after the vote. If the Board votes to send the model bill/resolution back to the task force, the Board will instruct the Director of Policy or another board member what to communicate.
- E. **The Board of Directors can:**
- (1) Vote to affirm the policy or affirm the policy by taking no action, or
  - (2) Vote to disapprove the policy, or
  - (3) Vote to return the policy to the Task Force for further consideration providing reasons therefore.
- F. Task Forces may only undertake educational activities that are based on a policy statement, model bill or resolution that has been adopted as official ALEC policy, unless the Task Force votes to undertake the educational activity, in which case the educational activity is subjected to the same review process outlined in this Section. It is the responsibility of the Task Force Executive Committee to affirm by three-fourths majority vote conducted in accordance with Section VIII that an educational activity conforms to a policy statement, model bill or resolution.

## X. **EXCEPTIONS TO THE TASK FORCE OPERATING PROCEDURES.**

Exceptions to these Task Force Operating Procedures must be approved by the Board of Directors.

## **Mission Statement**

The American Legislative Exchange Council's mission is...

To advance the Jeffersonian Principles of free markets, limited government, federalism, and individual liberty through a nonpartisan public-private partnership among America's state legislators, concerned members of the private sector, the federal government, and the general public.

To promote these principles by developing policies that ensure the powers of government are derived from, and assigned to, first the People, then the States, and finally the Federal Government.

To enlist state legislators from all parties and members of the private sector who share ALEC's mission.

To conduct a policy making program that unites members of the public and private sector in a dynamic partnership to support research, policy development, and dissemination activities.

To prepare the next generation of political leadership through educational programs that promote the principles of Jeffersonian democracy, which are necessary for a free society.