

S notes

B O A R D

State Board Hears from School Boards on S-1701

Testifying before the State Board of Education last month on the proposed regulations to implement S-1701, Nancy Stern, president of the Fort Lee Board of Education, identified numerous problems the law has caused school districts throughout the state. "As trustees, we have been elected to provide a thorough and efficient education to our children, while being cognizant of our fiscal responsibility to the taxpayers," said Stern. "As a result of this legislation, school board members throughout the state have had to make some very difficult decisions. Some districts have had to eliminate innovative programs, both academic and co-curricular, and other districts have had to reduce staff, thus increasing class size."

When S-1701 was passed last year, regulations were put into effect by Commissioner William L. Librera for a 12-month period. These regulations must now be formally adopted through the normal administrative code process by the state board. This process includes a public comment period.

In her testimony, Stern also explained how the measure was especially punitive for Fort Lee, despite good fiscal management. In fact, certain aspects of the law have had results contradictory to the intent. According to Stern, Fort Lee "has

consciously and carefully set aside funds, in the form of surplus and capital reserve, so that it would not be necessary to ask the taxpayers for additional funds when something occurred, which could not have been anticipated." The law, however, reduces the amount of surplus a district may maintain and limits its ability to react to emergencies.

"Our foresight and planning should be
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Construction Funds Dwindling NJSBA Urges State Action

Rapid depletion of the state's \$8.6 billion school construction fund warrants the state's immediate attention, according to NJSBA. Executive Director Edwina M. Lee this week renewed calls for the Legislature to find ways to meet both the state Supreme Court's directive to fully fund construction in New Jersey's poorest communities, and to replenish a grant program that has benefited public school students and property taxpayers in the non-Abbott districts.

SCC Report Lee expressed her concern
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Librera Resigns

Edwina M. Lee, executive director of the New Jersey School Boards Association, issued the following statement in response to Commissioner of Education William L.

Librera's resignation announcement last week.

"The New Jersey School Boards Association wishes Dr. Librera the best of luck as he continues his career at Rutgers. Dr. Librera became commissioner of education at a challenging time for New Jersey and its public schools.

"During his term, New Jersey revised its Core Curriculum Content Standards—the goals that drive education programs for all students. Dr. Librera also worked to improve New Jersey's standardized testing program. In particular, we appreciate his personal support for the efforts of the New Jersey Performance Assessment Alliance, which is exploring methods beyond standard paper-and-pencil tests to accurately measure student progress.

"Dr. Librera also faced the serious challenges of implementing the requirements of the federal No Child Left Behind Act with little federal money, and of revising the system that our state uses to monitor school district performance. That monitoring process will hopefully lead to more focused state assistance to school districts.

"Dr. Librera has spent most of his career in local school districts, as an educator and an administrator. That local experience always showed through. We always found him willing to listen to the concerns of local school boards."

Department of Education Releases Adequate Yearly Progress Data on Secure Web Site

According to the Department of Education, public release of the 2005 Adequate Yearly Progress data will take place August 10. To allow time to review the reports, chief school administrators were given information last week on how to access their specific school data on a secure Department Web site.

The site includes preliminary 2005 AYP status by school as required by the No Child Left Behind accountability standards. The Department has calculated AYP based on the 2005 results from the New Jersey Assessment of Skills and Knowledge, the Grade Eight Proficiency Assessment, and the High School Proficiency Assessment.

Specific school information can be found on the secure site under two reports:

Preliminary Adequate Yearly Progress Status Under No Child Left Behind Accountability Requirements: 2005 and *Preliminary Improvement Status Summary*. The reports show the number of indicators met out of the 40 required under the New Jersey Single Accountability System.

Other information on the site includes the *New Jersey Accountability Workbook*; *Understanding Accountability in New Jersey*; *Key Points*; *School Improvement Information Sheet*; *2005 Preliminary AYP Appeal Form*; and *Parental Notification Requirements and Sample Letters*.

For further information, contact the Office of Title I Program Planning and Accountability via e-mail at title1@doe.state.nj.us. 🍎

School Construction Funds

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after the July 26 release of a study by a committee of the New Jersey Schools Construction Corporation, the unit created by the McGreevey administration to oversee distribution of construction funds to the Abbott districts and to manage projects in poor communities. The report—endorsed by Acting Governor Codey—identified 59 out of 400 potential Abbott district projects that would receive funding through the \$1.4 billion that remains in the Abbott portion (\$6 billion) of the school construction fund.

The panel based its selections on school overcrowding, health and safety, capacity for early childhood education, status of land acquisition and construction, and the extent of new school construction that has already taken place within the district.

To date, the SCC has completed 73 facility projects (new construction and

renovations) in the Abbott districts.

“The situation today is far from ideal because the reality is that the SCC doesn’t have the financial resources left to meet the school construction demands across the state,” said Codey. “One thing should be clear to New Jersey residents: there will be many more schools built in our state in the future, and it will be up to the next governor and Legislature to find the necessary funding.”

Inspector General Probe An investigation by the state’s inspector general attributed the lack of progress in Abbott construction and the reduction of available funds to “weak internal management and financial controls and lax and/or nonexistent oversight and accountability.” An interim report in April resulted in a series of recommendations and a shake-up at the state agency.

Nonetheless, reports have indicated that the unanticipated high cost of land

acquisition and condemnation in the densely populated Abbott communities also contributed to the situation, as did increases in the costs of construction materials and supervision.

NJSBA supported recently enacted legislation, S-2163/A-3542, which created a School Construction Review Commission to provide stronger oversight and cost efficiency of projects.

\$100 Million Left for Non-Abbotts

Enacted in 2000, the Educational Facilities Construction and Financing Act, authorized the issuance of \$8.6 billion in bonds through the New Jersey Economic Development Authority. Most of the proceeds, \$6 billion, were earmarked to meet court-required construction in the Abbott districts. The remaining \$2.6 billion was set aside to fund a minimum of 40 percent of state-determined “eligible” construction costs in the non-Abbott districts through up-front grants or state debt service aid. The state-funded projects needed to be based on five-year facility plans, reflecting enrollment and education program needs.

According to the SCC, only \$100 million in grant money remains for non-Abbott districts. At the same time, \$300 to \$400 million in non-Abbott construction proposals awaits submission to voters. The situation prompted a July 6 notice from Deputy Commissioner of Education Richard Rosenberg, recommending flexibility in ballot language. Specifically, Rosenberg advised that non-Abbott districts planning bond referenda in September or later should indicate that the state-paid portion of their proposals would come in the form of either a state grant *or* state debt service aid.

Theoretically, debt service aid provided during the life of a bond would be equivalent in size to the state construction grant. Unlike a grant, which enables a district to reduce the size of its construction

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*If you wish to be billed and a voucher is required for your records, please send it with your registration to avoid duplication.
Travel directions will be provided when your registration is confirmed.

New Jersey Department of Education Releases NCLB-Required Teacher Content Expertise Data

According to the results of the New Jersey Department of Education's second annual survey required by the federal No Child Left Behind Act, 95.6 percent of the teachers at the elementary level meet the federal definition of "highly qualified" in every core subject they teach. At the departmentalized middle and high school

levels, where students change classes and have different teachers for different subjects, 93.4 percent and 94.9 percent of the teachers, respectively, meet the federal definition.

"New Jersey has set its own very high standards for teachers over the past 20 years, so the results of the survey are not

surprising," said Commissioner of Education William L. Librera. "However, it's important for parents and the public to understand that the NCLB definition of a highly qualified teacher is based solely on the attainment of specific credentials as a demonstration of subject content expertise. It has little to do with the quality of a teacher's performance in the classroom," the commissioner added.

Under NCLB, teachers have until the end of the 2005-06 school year to satisfy the requirements of the highly qualified teacher definition, although there are no consequences in terms of job loss if teachers fail to meet the deadline. All newly-hired teachers in schools receiving Title I funding must satisfy the definition when they are hired.

To help districts set benchmarks for meeting the 100 percent goal, Department officials will provide technical assistance during the coming year to those areas in which less than 90 percent of the teachers have met the definition. In all, 58 school districts and 22 charter schools will receive that assistance.

To see the report, visit <http://www.nj.gov/njded/data/bqt/05/>.



News About Workshop • October 26-28

Workshop Housing On September 1 or earlier, depending on your hotel in Atlantic City, full payment for all room reservations must be received by the hotel. Rooms that have not been paid will be returned to the Atlantic City Housing Bureau.

All changes in arrivals and departures must be made by October 1. Refunds for any changes will not be issued after that date nor on site during Workshop.

Early Checkout If you plan to attend the Closing General Session and Appreciation Brunch on Friday morning, but the check-out time at your hotel is 11 a.m., simply call or stop by the front desk of your hotel and tell them you'll need a late checkout for Friday. If you prefer to check out in the morning, ask the bell desk to hold your bags until you return from the convention center. That way, you can take the shuttle and leave your car at the hotel.

Shuttle buses and trolleys will be running until 1 p.m. on Friday afternoon from the convention center to the hotels. Look for the shuttle bus schedule in the back of the Workshop program book.

Workshop Registration Procedures In order to ease the lines at Workshop registration, all registrants whose names are received by September 30 will have their badges mailed ahead of time to their district's board secretary/school busi-

ness official. The envelope containing the badges will have the Annual Workshop logo on it and will be stamped, *Attention: Workshop Badges Enclosed*. The badges are to be given to the appropriate board members and administrators.

On arrival at the convention center, registrants should bring their badge to the second floor registration area to the desks marked *Pre-Registration/With Badge*. At that desk, they will receive a badge holder and their Workshop bag containing the program book and other items. Only one Workshop bag will be given to each registrant, so every registrant must present his or her own badge at the pre-registration desk.

Those registrants not bringing their badge must go to the *Pre-Registration/No Badge* desk. This will take more time since new badges must be made for those individuals.

All persons registering after September 30 must pick up their badges and Workshop bags at the *Pre-Registration/No Badge* desk.

All tickets for the Urban Boards Luncheon must be picked up at the *Urban Luncheon* desk. Registrants who wish to attend the luncheon, but who have not yet paid for their tickets, may pay at that time.

For further information about Workshop 2005, visit www.njsba.org.

S-1701

continued

commended, not discouraged. S-1701 has forced the Fort Lee Board of Education to reduce our surplus, which had previously been approved by the voters of our town. In essence, this law has punished Fort Lee for being fiscally prudent and responsible," said Stern. "Some districts have had to sacrifice the safety of the students by cutting hazardous busing, and others have had to defer necessary and routine maintenance and repairs because of a reduction in their capital reserve accounts."



Christopher Kniesler, director of governmental relations for NJSBA, addressed some of the more technical aspects of the regulations. As Kniesler pointed out, “One of the fundamental purposes of the law is to identify and eliminate administrative inefficiencies. The proposed regulations, however, do not include a definition of ‘administrative inefficiency.’ Also, the definition of ‘efficiency standards’ makes references to the Biennial Report, which has yet to be produced. School districts are entering the second year under S-1701 without the benefit of these standards,” said Kniesler.

He acknowledged, however, that the biggest problem lies not in the regulations, but in the law itself. The law exacerbates the already bleak fiscal picture caused by another budget where public education saw virtually no increase in appropriations and saw the funding formula ignored. “Our school districts face yet another year of flat state funding while the cost of utilities, fuel, insurance, transportation and special education continue to rise,” said Kniesler. This fact, compounded by the reduction in surplus levels and caps on administrative spending, will make it increasingly difficult for our schools to maintain their current programs.”

Action Needed on New Legislation

Both Stern and Kniesler lauded the Assembly for unanimously passing A-3680 (Cryan). The bill amends several key sections of S-1701 to provide school districts with needed cap relief and flexibility. They also called upon the members of the state board to join NJSBA in asking the Senate to consider A-3680 (or the Senate counterpart, S-2329).

On August 2, NJSBA sent out an action alert via e-mail urging its members to contact their state senators to consider A-3680. To access this action alert, visit www.njsba.org/gr, or for more information, call 1-888-886-5722, extension 5215. 🍎

Special Review Assessment At the July work session of the State Board of Education, discussions on the proposed elimination of the Special Review Assessment continued without consensus and will be discussed again at the August 3 public business meeting. At the subsequent testimony session, Assemblyman Joseph Cryan testified in support of the commissioner’s proposal to replace the SRA with an appeals process. Several testing specialists, educators and students testified in opposition to the commissioner’s plan, stating that the appeals process was not a sufficient alternative for students who have difficulties with testing, as it would still require the students to take the High School Proficiency Assessment.

NJSBA sent a letter to the commissioner offering support and assistance during the review of the regulations that implement the Special Review Assessment.

Reports Released The report of the

School Construction Funds

continued

bond, debt service aid requires a district to borrow for the full amount of the construction project. Additionally, debt service aid would be provided through a line-item of the annual state budget, as are other types of state education aid. New Jersey has a history of underfunding its state education aid programs.

Since enactment of the facilities act, more than 250 non-Abbott district projects have received voter approval. Nearly all of the school districts opted for grants rather than debt service aid.

Property Tax Relief The depletion of the construction grant fund will

Gifted and Talented Commission was released to the public and outlines several recommendations on how schools should implement programs that benefit gifted and talented students. Members of the commission did concede that several districts advised that more funding for additional programs would be necessary for implementation. Also, the Quality Teaching and Learning Task force released its preliminary report and has agreed to meet in the fall to continue its work toward enhancing professional development in the state.

Appointments Arcelio Aponte and Reverend Frederick H. LaGarde Jr. were sworn in on July 20 as new members of the state board. Aponte has replaced Anne Dillman on the board, and LaGarde has replaced Roberta Van Anda. For further information on the activities of the state board, visit www.njsba.org/gr. 🍎

eliminate a successful means of local property tax relief, according to Lee.

“Before the facilities act, property taxes funded most, if not all, project costs in the majority of school districts,” she explained. “The facilities grants reduced the amount of borrowing that school districts needed for construction projects. They also encouraged community support for needed facilities.

“Most significant, the program has helped our students by upgrading their schools and alleviating overcrowding,” Lee continued. “New Jersey school enrollment increased nearly 30 percent in the past 15 years. Refreshing the fund should be a high priority for our state.” 🍎



NJSBA Positions Available

Labor Relations Analyst

The New Jersey School Boards Association is seeking a detail-oriented person to prepare statistical data for contract negotiations, salary and labor disputes; provide information to local school boards; and conduct research on labor law, legislation, contract language, comparability data and other general areas of labor relations and personnel issues.

The individual must exercise good judgment, make independent decisions and communicate effectively. Knowledge of public education, school board governance, public sector labor relations and

research is a plus. A bachelor's degree or equivalent work experience and a minimum of two years experience in writing analysis are required. Some evening and weekend work is required. The minimum salary is \$42,572. The Association offers an excellent fringe benefits package.

Applicants should send a resume by August 15 to Kimberly Blum, Human Resources Manager, New Jersey School Boards Association, P.O. Box 909, Trenton, New Jersey 08605-0909. Fax: 609-695-4031, E-mail: kblum@njsba.org.

Delegate Assembly Resolutions Cutoff Notice

All resolutions submitted for the November 19 Semiannual Delegate Assembly meeting must be received at NJSBA's Trenton office by 5 p.m. on September 6. The second notice regarding the cutoff date was e-mailed and faxed to school business administrators, county association presidents and board presidents on June 7. Also included in the e-mail/fax were the rules for appearing before the Resolutions Subcommittee, which will meet on October 8 to consider the resolutions submitted.

Resolutions must be mailed to Resolutions, November 2005 Delegate Assembly, C/O Edwina M. Lee, Executive Director, New Jersey School Boards Association, 413 West State Street, P.O. Box 909, Trenton, NJ 08605-0909



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