

SCHOOL BOARD notes

NJSBA Urges Action on School Construction

In a letter to all New Jersey newspapers, Edwina M. Lee, NJSBA executive director, this week urged state leaders to resolve the school construction funding issue as quickly as possible. The text of Lee's letter follows:

"As New Jersey enters the post-election period, an important piece of business remains unfinished: Fulfilling unmet school construction needs.

This summer, the state stopped work on more than 200 necessary projects in our 31 poorest school districts. There is still no completion date in sight. Meanwhile, in other communities, voters this year approved the vast majority of projects. They went to the polls with the expectation that state funds would offset the property taxes needed for construction. Today, many of these school districts await word on how the state will support their construction programs.

New Jersey was at the cutting edge nationwide when it established an \$8.6 billion program for new schools in 2000. Now those funds are nearly gone. Newspaper investigations and government reports cite numerous reasons why the money declined so rapidly under the state's stewardship. Although the state funding has diminished, the need for modern, safe school facilities has not shrunk.

As early as 1990, NJSBA estimated the cost of necessary school construction and

renovation at \$10 billion. Going forward, school construction needs will grow, rather than recede. The U.S. Department of Education predicts increased enrollment through 2013. As our school buildings age, upgrading of classrooms, libraries and science laboratories—needed for

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—Edwina M. Lee
NJSBA Executive Director

New Jersey to keep pace with neighboring states—will remain critical.

State government must learn from the past and ensure accountability and efficiency in its school construction funding program. But it must also move forward...and move forward quickly. "Bridge funding" is an essential first step. It would ensure completion of projects now on hold in poor communities and provide grant funding to lessen the property tax burden of voter-approved school construction elsewhere. Clearly, bridge

funding needs to be a top priority for the administration and Legislature during the post-election period.

On behalf of all local school districts, I urge our state's leaders to address the need for school construction and renovation as quickly as possible."

Key Post-Election Issues In addition to unmet school construction needs, NJSBA is concerned about the high cost of utilities and fuel—which hit just a year after the budget restrictions of Senate Bill 1701 were enacted. Among S-1701's many restrictions were forced reductions in school surplus, or "rainy day" accounts, from a minimum of 3 percent to no more than 2 percent. But a bill in the Legislature, A-3680/S-2278, would provide interim relief from this restriction and other burdens created by S-1701.

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The New Jersey School Boards Association mourns the loss of Bernard Kirshtein, who died on November 2. Active in his community and a staunch supporter of education, Kirshtein was a member of the Pennsauken Board of Education for 27 years. He was also a past president of NJSBA and a former member of the National School Boards Association Board of Directors.

NJSBA extends its sympathy to the Kirshtein family and to the citizens of the Pennsauken School District who have lost a dedicated public servant.

School Construction

continued

A-3680/S-2278, passed unanimously by the Assembly in July and awaiting Senate action, would increase allowable surplus from 2 to 3 percent. In addition, it would help schools deal with the rising costs of special education, insurance, security and utilities by freeing increases in those costs from the budget caps imposed by S-1701.

Property Tax Reform More than 75 of the members of the Assembly and Senate—over 60 percent of the Legislature—have signed on to concurrent resolutions (ACR-99/SCR-20 and ACR-218) that would convene the Legislature in special session for the express purpose of addressing tax reform.

New Jersey has the highest property taxes in the nation, but the state government pays less than 40 percent of the cost of public education—compared to a nationwide average of 50 percent. Taxpayers make up the difference in school funding with property taxes.

To resolve the overreliance on property taxes, NJSBA advocates a statewide decrease in local school property taxes that is matched, dollar for dollar, by a shift to the state income tax. The tax shift would result in state government providing, on a statewide basis, the equivalent of 50 percent or more of the cost of public education in the form of aid to education and school property tax relief funding. NJSBA's policy on school property tax reform supports a tax shift, not a tax increase. 🍏

Tired of Too Much Paper?

Each week, NJSBA e-mails *School Board Notes* to its membership as a way of providing up-to-the-minute education news.

If you're tired of too much paper and only wish to obtain *School Board Notes* via e-mail, please contact Gale Goldsby at ggoldsby@njsba.org or 1-888-886-5722, extension 5208.



Supreme Court Decides in Favor of Maryland Schools on Special Education Issue

In a 6-2 decision this week, the U.S. Supreme Court concurred with a National School Boards Association amicus brief, which argued for placing the burden of proof on the challenging party when a student's individualized education program is questioned.

"The Court's decision in *Schaffer vs. Weast* is consistent with the Individuals with Disabilities in Education Act's emphasis on a collaborative process between parents and schools who are equal partners in developing IEPs for children with disabilities," said Francisco Negrón, NSBA's general counsel. "Justice O'Connor, who wrote the majority opinion, recognized that IDEA has provided parents with plenty of access to educational information about their children so that the school district really has no unfair advantage."

The opinion also reinforced IDEA's reliance on the expertise of school personnel to develop appropriate educational programs for children with disabilities and refused to accept the parents' position, which would make IEPs presumptively invalid. Justice Stevens' concurrence appropriately noted that public school officials should be presumed to be properly carrying out their difficult responsibilities under this important statute.

"This ruling today is important because school districts across the nation deal with thousands of similar situations," said Anne L. Bryant, NSBA's executive director. "This decision will help limit the cost of special education hearings, allowing schools to spend the money and resources on educating children, not legal proceedings." 🍏

Successful Victory Over Vouchers in House Budget Reconciliation Bill

Thanks to the grassroots efforts of board members from New Jersey and around the country, the U.S. House of Representatives' Deficit Reduction Act of 2005 (H.R. 4241) will not include the private school voucher plan. The bill was scheduled for two hours of debate and then a final vote last week, however, consideration of the bill has been postponed until further notice.

The House Rules Committee, chaired by Rep. David Dreier of California sent the bill for full consideration by the House. The committee rejected efforts to add vouchers to the bill and issued a "closed rule," meaning the voucher bill, H.R. 4097, cannot be added on the floor as an amendment.

In addition to strong Democratic opposition, 23 Republican representatives

signed onto a letter opposing leadership attempts to add vouchers to the budget bill. Two New Jersey representatives were among them: Frank LoBiondo and Jim Saxton. NJSBA is urging board members who reside in the Second and Third Congressional Districts to send thank you letters to LoBiondo and Saxton for helping defeat this measure in the House. Addresses for the representatives can be found at www.njsba.org/gr.

Even though H.R. 4241 will not include vouchers, the bill, once passed, will have to be reconciled with the Senate's budget reconciliation bill (S. 1932), which does include provisions to send tax dollars to private schools to pay for the tuition of students displaced by the recent hurricanes. 🍏

Adopting District Policy on Cell Phone Use

Has your district evaluated its policy on cell phone use lately? If your school district is using NJSBA's file code system, the best place to file this policy is under *telephone use, staff/students* at file code 3515.1. This policy was sometimes filed under *weapons and dangerous instruments* (file code 5131.7), due to an association with the older technology of beepers, which had been associated with illegal activities.

When evaluating your policy on cell phones, districts should also check their student handbooks and Web sites to avoid inconsistencies. Sample policy language that could be used in a district handbook

is: "Leave expensive electronic games and electronic equipment at home, or out-of-sight (lockers) and turned off during the instructional day. If stolen, it is the student's responsibility and the school cannot be liable. Cell phones and other electronic devices shall not be used in a manner that (a) disrupts the educational process, (b) undermines academic integrity, or (c) violates confidentiality or privacy rights of another individual."

Additional policy samples on cell phone use are available from NJSBA by contacting LynDee Lalumiere at mlalumiere@njsba.org or at 1-888-886-5722, extension 5222. 🍏

Travel Reimbursement Update

In response to requests by NJSBA and other educational organizations, the New Jersey Department of Education has issued a letter changing the deadline for districts to adopt policy on travel and work-related reimbursement from November 16 to December 31. The new deadline covers both Abbott and non-Abbott districts.

NJSBA also requested clarification on the following issues:

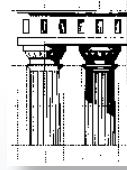
- The extent to which the referenced state and federal circulars apply to school districts;
- Which parts of the referenced circulars must be addressed in the district policy; and
- The impact, if any, on registration fees.

NJSBA is currently waiting for the

Department's response on these issues.

NJSBA has updated the sample policy on travel and work-related reimbursement in its *Critical Policy Reference Manual*, under file code 9250. The Association will continue to update its resources as new information becomes available.

Sample Policies Requested To help serve its members better, NJSBA has on file sample school district policies in its policy clearinghouse. NJSBA is requesting districts to fax or e-mail new policies and regulations on travel and work-related expenses to the association so they can be shared with other districts. Your efforts can become a valuable resource for other districts. Send your sample policies to LynDee Lalumiere at mlalumiere@njsba.org or fax them to 609-695-0413. 🍏



Earn Credit Toward the Certified Board Leader Designation

Communicating Effectively, a new three-hour NJSBA Board Member Academy course in the Certified Board Leader (CBL) curriculum, will be offered regionally on December 3 at Clifton High School, on January 28, 2006 at Williamstown High School, and on March 4, 2006 at the Eisenhower Middle School in Succasunna.

As a leader of your board, you want board members and administrators to have a clear understanding of what is being said and the decisions being made. Yet, oftentimes, boards experience major breakdowns in communication. Something was said, something else was heard, and confusion results.

In this highly interactive session, board members will learn how to:

- Analyze patterns of communication and ensure a communication process that reduces the chance of misunderstandings.
- Give and receive effective feedback.
- Develop active listening techniques.
- Recognize and avoid emotional triggers that can affect communication.
- Confront the brutal facts in an open, nonthreatening atmosphere.

Remember, a board that effectively interacts can accomplish things that will result in improved student achievement.

This half day program is \$50 and board members can earn one Academy credit for attending. To register, contact Charlene Hendrix at 1-888-886-5722, extension 5232, or chendrix@njsba.org. For further information, contact Walter Meyer at 1-888-886-5722, extension 5236, or wmeyer@njsba.org.



Due to the Thanksgiving Holiday, *School Board Notes* will not be published next week. Happy holidays from NJSBA!



C A L E N D A R

Art Group Seeks to Honor Students with Disabilities

VSA Arts of New Jersey is currently seeking nominations for its Art Achievement Awards. Nominations should be students with disabilities who show outstanding achievement and commitment to an art form, or educators/administrators/individuals who have shown outstanding commitment to fostering arts education for students with disabilities.

Award recipients will become candidates for the New Jersey Governor's Awards in Arts Education. The New Jersey chapter of VSA Arts (which stands for vision, strength and artistic expression) is an affiliate of the National VSA Arts group.

The deadline for registration is December 6. To register or for more information, call 732-745-3885 or e-mail info@vsanj.org.

November 29

Fall Dinner Mtg. (Bergen), Seasons, Washington Township, 6 p.m.

Legal & Negotiations Hot Topics (Middlesex), North Brunswick Township Board of Education, 6 p.m.

Dialogue With Eighth-Graders (Salem) Washington Club, Penns Grove 6:30 p.m.

November 30

Tax Reform & NJSBA Advocacy Update (Burlington), Lamberti's, Cinnaminson 6:30 p.m.

Professional Development Program (Union), Union County ESC, Westfield 6:30 p.m.


December 1

Budget Presentation (Gloucester) Pitman Golf Club, Pitman, 6:30 p.m.

Municipal Relations (Mercer), Waterfront Park, Trenton, 6:30 p.m.


Ongoing Impact of S-1701 & Property Taxes (Warren), Hope Elementary School, Hope, 7 p.m.

December 3

 NJSBA Orientation Conference, Clifton High School, 9 a.m.

For more information on county school boards association activities, log on to www.njsba.org and click on the appropriate county association.



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