

SCHOOL BOARD notes

NJSBA, Board Succeed on Nurse Staffing

In a victory for the state's local boards of education, NJSBA's arguments as amicus curiae helped to convince the Appellate Division of Superior Court to preserve the flexibility school districts now enjoy in school nurse staffing. The court issued the ruling, in *Ramsey Teachers Association v. Ramsey Board of Education*, on January 9.

At issue was the district's action to give a registered nurse, who did not hold a "school nurse" certificate, supplemental duties to be carried out while the assigned certified school nurse was out of the school

building. The Appellate Division held that the Legislature intended for school districts to have the flexibility to use supplemental nurses to provide services at those times when the certified school nurse was not present.

Under statute and regulation, each school complex must have on staff a certified school nurse—that is, a registered nurse who has received the additional education-related designation of "certified school nurse" from the state Department of Education. A school district may

employ other registered nurses or licensed practical nurses in addition to the certified school nurse.

Ensures Nursing Coverage The case was on appeal from a decision by the state Board of Education, which had ruled in favor of the local school district. Nothing in the record indicated that the supplemental services performed by the registered nurse without school certification violated applicable statutes or regulations, the state board found.

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Accountability Is Corzine Message

Stressing restoration of public confidence in government and fiscal responsibility, Governor Corzine delivered his inaugural address on Tuesday to some 300 guests at the Trenton War Memorial auditorium. The address provides a perspective on the direction a Corzine administration may take on key issues. Excerpts follow:

Government Reform "Today, courts govern the funding of our schools, the management of our child welfare programs, our housing and borrowing policies, and oversight of the management of our state's law enforcement.... This is not self-government, it is government by judicial fiat born of inaction or more regrettably – of neglect.... it is time for us to change all of that...."

Financial Challenges "New Jersey must

put its fiscal house in order. The time of one-shot budget fixes is past. It's time to balance the books. Just as it's time to restore the transportation trust fund, get back on a path to full funding of public employee pensions, and to discipline and move forward with our school construction program.

"The process of reestablishing our financial integrity will not be painless."

Tax Reform "I will keep my pledge on property tax rebates, but we must also give the people a voice in the process of lasting reform. That is why I support a

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Education by the Numbers

Facts about NJ's public schools from the Nation's Report Card

4th New Jersey's ranking among the 50 states in the proportion of **4th-grade** students scoring at the highest two levels in **reading** on the National Assessment of Educational Progress (NAEP), the "Nation's Report Card."

4th The state's ranking for **8th-grade** NAEP **reading** scores.

4th New Jersey's ranking nationwide in the number of **8th graders** scoring at the highest two levels in **math** on the NAEP test.

5th The state's ranking on **4th-grade** NAEP **math** scores.


(Source: U.S. Department of Education, National Center for Education Statistics, *Nation's Report Card: Mathematics, Nation's Report Card: Reading*, Figures 11 and 12)

On appeal, the Ramsey Teachers Association argued that the statute (N.J.S.A. 18A:40-3.3) required the certified school nurse to be physically present to supervise or “shadow” the registered nurse, who did not hold school certification, at all times. The Ramsey school board and NJSBA argued that the union’s “physical presence” argument would eliminate the flexibility that the Legislature had intended for local districts in providing nursing services to

students. Additionally, the Ramsey school board and NJSBA argued that the state Board decision was reasonable and should be deferred to, since the state Board is the agency entrusted by the Legislature with enforcing the education laws.

Avoids Absurd Result Agreeing with the Ramsey school board and NJSBA, the Appellate Division said that the union’s interpretation of the statute was “strained” and would “lead to an absurd

result.” Under the union’s interpretation, the court reasoned, unless a certified nurse was present, “a district could not lawfully provide for coverage by an uncertified nurse,” a result that the Legislature could not have intended.

For the text of the case, visit Recent Noteworthy Cases on NJSBA’s Legal Department Web page. Go to www.njsba.org and click on *Member Services* 



CAL Celebrates School Board Recognition Month

NJSBA’s County Association Leadership (CAL) celebrated School Board Recognition Month during its January 7 meeting at Monroe Township High School. Leaders of the state’s county school boards associations are pictured according to region.



North – (left to right) Madeline Wollner, Essex County president; Marie Hakim, Passaic, first vice president; Harry Delgado, NJSBA vice president for county activities; John Morgan, Sussex president; and Arthur Griffa, Essex vice president. Not shown is Beth Politi, Bergen vice president.



Central – Jason Jones, Monmouth vice president for programs and public relations; Dr. Elric Cicchetti, Mercer president; Delgado; and Mary Venditti, Union president.



South – John Bulina, Burlington vice president; John Smith, Salem president; Ed Bladt, Burlington president; Joe DeLuca, Cumberland president; John Kendall, Camden vice president; Karen Sorbello, Camden president; Tom Ottaviano, Cape May president; Robert Iannacone, Atlantic president; Delgado; and Pete Calvo, Gloucester president.

The governor has proclaimed January 2006 as the fifth annual School Board Recognition Month in New Jersey to honor the 4800 citizens who serve as policymakers for their local school districts.



Board Of Directors Highlights

A regular meeting of NJSBA’s Board of Directors took place on Friday, January 13, 2006 in East Windsor. Action taken at the Board of Directors meeting included the following:

- Administered Oath of Office to Patti J. Pawling, Anthony Wilcox and Catherine Zavorskas.
- Approved minutes of the November 18, 2005 Board of Directors meeting.
- Approved Action Plans to Implement the 2005-08 Long Range Plan.
- Approved 2006 Legislative Committee membership.
- Approved 2006 Resolutions Subcommittee membership.
- Heard an update from the Facilities/Plant Needs Committee, Phase II.
- Heard an advocacy/communications report:
 - a. To promote accurate perceptions of New Jersey’s public schools, NJSBA will begin posting its “Education by the Numbers” on line and in *School Board Notes*.
 - b. NJSBA has established a special Web page for local school districts to visit for materials they can use locally to celebrate School Board Recognition Month. In addition, our publications will feature related items through January.
 - c. To help incumbent and new candidates, NJSBA issued its 2006 School Board Candidate Kit. School district business offices received the kits earlier this month.

CONVENIENT ONE-DAY FORMAT

IS YOUR SALARY GUIDE SUFFERING FROM...

If your guide suffers from these, or other such maladies, you should attend **Analyzing and Constructing Salary Guides**. After all, your district's salary guides directly affect your ability to attract, retain and equitably reward staff throughout the guide (not just those at senior steps). This training program is full of hands-on activities to help your board learn how to analyze, develop and negotiate salary guides. Program topics include:

ANALYZING THE DISTRICT'S EXISTING GUIDE

- Understand guide structure
- Identify problem areas such as "balloons"
- Discover how much the guide is really costing

ESTABLISHING BOARD GOALS

- Understand how the guide affects personnel goals and staffing
- Set goals that address the district's specific needs

DEVELOPING GUIDES

- Eliminate balloon steps
- Reduce increment costs
- Redirect money on the guide to allow your district to be more competitive in attracting and retaining new teachers
- Develop guides that better meet the board's goals

NEGOTIATING SALARY GUIDES

- Discover negotiations techniques for achieving guide changes
- Learn how to respond to union negotiations strategies and tactics
- Hear "success" stories of other district's achievements

ANALYZING & CONSTRUCTING SALARY GUIDES

February 25, 2006 • Ramada Inn and National Conference Center, East Windsor
9:00 a.m. – 8:30 p.m. (registration 8:30 a.m.)

Cancellation Policy: A \$25 fee will be charged for cancellations made within 10 working days of the program. Cancellations made within 72 hours and no-shows will be charged the full fee. For possible program cancellations due to inclement weather, call 609-392-2000.

A bad case of "balloon" or "bubble" steps?

Chronic non-competitive starting salaries?

Acute inequitable distribution of salary increases?



Academy Credits: 4

Core Areas for CBM & MBM: Labor Relations

To register or for more information, call NJSBA's Labor Relations Department at 1-888-886-5722, extension 5224, or complete the coupon below and fax to 609-695-0413.

Please register me for **NJSBA's Analyzing and Construction Salary Guides**, Saturday, February 25, 2006, at the Ramada Inn, National Conference Center, East Windsor. The registration fee includes refreshment breaks, meals and materials.

- Bill Board (Voucher enclosed)* Payment enclosed (Make check payable to NJSBA)
 Member \$190 per person Non-member \$380 per person

NAME: _____ TITLE: _____

DISTRICT: _____ COUNTY: _____

ADDRESS: _____

PHONE: (h) _____ (b) _____

FAX: _____ E-MAIL: _____

Return to: New Jersey School Boards Association, Labor Relations Department
413 W. State Street, P.O. Box 909, Trenton, New Jersey 08605-0909 or FAX: 609-695-0413

*In order to register, a purchase order number is required. Please send it with your coupon. Travel directions will be provided when your registration is confirmed.



Prior to resuming his role as Senate President, Governor Codey signed into law more than 70 bills approved by lawmakers during the 2004-05 legislative session.

Special Education Review S-2417/A3904 creates a 30-member Special Education Review Commission, which will study issues “associated with the delivery, quality, cost and funding of special education services for New Jersey students.” The commission will also address issues facing “gifted and disabled” individuals, including improving access to available services, reducing duplication of effort and creating new programming.

Representatives of several statewide education organizations—including NJSBA—will serve on the commission. The governor will name eight commission members (including one representing a county special services school district and two “gifted and disabled” individuals or their parents). The Senate President and Assembly Speaker will each appoint two members.

NJSBA supported the measure.

Protecting Student Athletes NJSBA-supported legislation, A-899/S-1634, establishes fines, ranging from \$1,000 to \$10,000, for individuals who knowingly contribute to a high school athlete’s loss of amateur status by enticing him or her with gifts or remuneration. The new law is directed toward activities of college and athletic team recruiters.

Under A-899/S-1634, school districts will provide written notice to each student-athlete of the eligibility rules of the New Jersey State Interscholastic Athletic Association.

Further information on these and other recently enacted bills will appear in the next issue of NJSBA’s electronic publication, Education Advocacy Update.

Corzine Message

continued

constitutional convention – a convocation of citizens, working within a framework established by their elected representatives. I know my friends in the Legislature understand that fiscal and tax questions are explosive – but the time for procrastination is past.”

New ‘Pay-to-Play’ Law Affects Schools

A statute, enacted January 5, permits school boards to place restrictions on the awarding of contracts to businesses that made campaign contributions to board members. In addition, the new law requires certain businesses to file annual disclosure statements with the New Jersey Election Law Enforcement Commission.

Provisions of the statute—P.L. 2005, ch. 271 (ACS 3031/3421)—include –

- School boards may adopt policies that place limits on awarding contracts to businesses that contributed to board members’ election campaigns. The policies may also limit campaign contributions during the term of a contract. The school board must file the resolution with the New Jersey Secretary of State.
- Businesses awarded contracts exempt from public bidding and valued at \$17,500 or more must disclose certain political contributions made during

the previous 12 months. The disclosure must take place within ten days of entering into the contract.

- Failure to comply may result in penalties enforced by the New Jersey Election Law Enforcement Commission.
- Contracts for goods or services provided in emergency situations are exempt from these requirements.

It also appears the law’s requirements could apply to professional services contracts, such as those with architects and engineers, that are exempt from public bidding requirements.

Boards are encouraged to discuss the implications of this new law with their attorneys.

NJSBA will develop a model policy on this subject and post it on www.njsba.org. Districts that already have policies on this topic may submit them to NJSBA’s Policy Clearinghouse by contacting Lyndee Lalumiere at 1-888-886-5722, extension 5222 or by e-mail at llalumiere@njsba.org.

Law May Hurt Grievance Process

Legislation that might increase the likelihood that arbitrators would review contractual grievances went into effect on January 13. The intent of A-4162/S-2618 is to promote the use of arbitration in certain disputes that involve the interpretation of negotiated contract provisions.

NJSBA has argued that this legislation will give arbitrators, who are not accountable to the public, expanded opportunities to issue rulings that could have a negative impact on a school district’s decision-making authority and resources.

Troubling Impediment “This new law represents yet another troubling impediment to school management’s efforts to provide the most effective and efficient school system,” said Edwina M. Lee, NJSBA executive director. “It erodes boards’ ability to be responsive to local needs.”

A-4162/S-2618 was supported by labor unions following a 2004 Supreme Court decision, *Camden City Board of Education v. Alexander*. As amicus curiae in the case, NJSBA successfully argued for the need to maintain limits on arbitrators’ authority in the public sector, where accountability to the public is essential.

The legislation passed the state Senate, 29-10, on January 9. It was signed into law by Governor Codey on January 13.

Full Impact Not Certain The full implications of the new law may not be known until the courts interpret it through subsequent decisions. Boards should contact their legal and labor relations resources—including the NJSBA Labor Relations department—for more information about potential implications for their local districts. Log on to www.njsba.org for additional information.

The Board-Superintendent Institute

Getting it done together.

What 2005 participants said:

"A great hands-on example of the team approach."

"Provided many tools for evaluating Board/CSA processes."

"Has enormous potential to bring us to a greater level of effectiveness."

"Time well spent."

Let's face it. When the board and superintendent work as a team, great things happen in school districts.

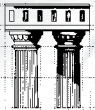
To help you develop winning district management practices that are focused on results, NJSBA is pleased to offer the Board-Superintendent Institute.

This highly interactive conference is designed to help board members and superintendents develop mutual understandings of each other's roles and responsibilities, while building the skills to collaborate effectively. Your whole team will come away energized with the skills to:

- Improve communication and reduce conflict
- Analyze where the district is and where you want it to be
- Develop a team charter
- Set goals for the district and the team
- Develop a professional growth plan
- Plan for change and solve problems
- Measure and communicate change

Are you ready for great things to happen in your district? Register for the Board-Superintendent Institute by calling 1-888-886-5722, ext. 5232, or complete and return the coupon below. **Team attendance is encouraged for maximum benefit, but individuals are welcome to attend and enhance their teamwork skills.**

Cancellation Policy: A \$50 fee will be charged for cancellations made within 10 working days of the program. Cancellations made within 72 hours and no-shows will be charged the full fee. For possible program cancellations due to inclement weather, call 609-392-2000.



Academy Credits: 3
Core Areas for CBM:
Relationships and Board
Operations
Core Areas for MBM:
Leadership, Effective
Meetings, Group Dynamics,
Strategic Planning

Note: Districts that send enough members will also qualify for 3 Board Certification credits.

Please register me for the **Board-Superintendent Institute**, February 3-4, 2006 at the Doral Forrestal, Princeton. Program fees include room, meals and materials. (Please complete a separate coupon for each participant).

Total cost for the conference: Single \$325 Double \$245 Commuter \$170 (does not include breakfast)

Payment enclosed Bill Board (Voucher enclosed)

NAME: _____ TITLE: _____

DISTRICT: _____ COUNTY: _____

ADDRESS: _____

PHONE: (h) _____ (b) _____

FAX: _____ E-MAIL: _____

Return to: New Jersey School Boards Association, Inservice Education Department
413 W. State Street, P.O. Box 909, Trenton, New Jersey 08605-0909 or FAX: 609-695-0413

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.

Stanley, Voss Lead Assembly Education Committee

Assembly Speaker Joseph J. Roberts, Jr. on Tuesday announced that Assemblyman Craig Stanley and Assemblywoman Joan Voss will serve as chairman and vice-chair, respectively, of the Assembly Education Committee during the 2006-07 session. Stanley chaired the panel during the previous session.

Key committee appointments include—

Appropriations— Assemblywoman Nellie Pou, chair; Assemblyman Joseph Cryan, vice-chair.

Budget— Assemblyman Louis Greenwald, chair; Assemblyman William Payne, vice-chair.

Education— Assemblyman Craig Stanley, chair; Assemblywoman Joan Voss, vice-chair.

Higher Education— Assemblyman Patrick J. Diegnan, Jr., chair; Assemblywoman Pamela Lampitt, vice-chair.

C A L E N D A R



January 25

NJSBAIG Meeting, Forsgate Country Club, Jamesburg, 6:30 p.m.

Union County SBA Meeting, Union County Vo-Tech School, ETTC Building, Scotch Plains, 6:30 p.m.

Salem General Membership Meeting, Salem City School, Salem City, 6:30 p.m.

January 27

- ✓ NJSBA's School Public Relations Forum, Sheraton at Woodbridge Place, Iselin, 9:00 a.m.

January 28

- ✓ NJSBA One-Day Orientation, Williamstown High School, Williamstown, 8:00 a.m.

- ✓ NJSBA Nominating Committee Training Session, NJSBA Headquarters, Trenton, 9:30 a.m.

Middlesex General Membership Meeting, Edison High School Library, Edison, 9:30 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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*Adriana DiGiacomantonio, manager; graphic design
Stacy Pezzola, graphic design*

SCHOOL BOARD NOTES

*Patti J. Pawling, president
Edwina M. Lee, executive director*

RETURN SERVICE REQUESTED

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