

SCHOOL BOARD notes

What Does NJSBA Stand For?

A Critical Question at a Critical Time



NJSBA's Executive Committee on Saturday endorsed a Core Beliefs statement that will guide our Association and local boards of education during the upcoming debate over property tax reform,

school funding, and school district organization. The statement is based on existing NJSBA policy, approved by the membership through the Delegate Assembly.

July through December will be a period of intense debate on issues involving New Jersey's local boards of education. For example—

- Governor Corzine will convene a special session of the Legislature to begin work on property tax reform.
- A legislative task force will deliberate over a new school funding system.

- Public employee pensions and benefits will come under scrutiny during legislative hearings.
- Lawmakers may propose bills involving regionalization, consolidation of administrative functions at the county level, scrutiny over administrator contracts, and school elections.

There has never been a more important time for school board members to remain united behind a common set of beliefs. Our Core Beliefs, on page 2, will make clear to New Jersey lawmakers and the general public NJSBA's viewpoint on critical issues affecting education.

As always, I thank you for your work on behalf of our state's 1.4 million public school children.

Sincerely,
Kevin E. Ciak
President



CAPITOL

WATCH

Keep Alert this Summer!

The July and August forecast for Trenton may be hot and hazy, but it won't be laid back by any means.

In the offing are a special session on property tax reform, legislative task force meetings on school funding, pensions/benefits and consolidation/shared services, and (possibly) prolonged budget deliberations.

School Board Notes will keep track of the latest developments. Look for the print and electronic versions of SBN on the following dates this summer: July 13 and 27, and August 10 and 24.

In anticipation of a high level of activity, NJSBA is prepared to alter the bi-weekly summer publication schedule for *School Board Notes* through special editions, whenever necessary. We also urge members to check their e-mail regularly for action alerts about breaking news affecting local boards of education.

BUDGET WATCH

Showdown or Shutdown?

With just days to go until a new state budget must be approved, Gov. Jon S. Corzine and the Legislature this week remained in a deadlock over the governor's one-cent sales tax increase proposal and where spending cuts should be made.

The governor began meeting last week one on one with legislative leaders to gain support for his \$30.8-billion spending plan for fiscal year 2007-2008. The administration

proposal would close a revenue gap through the sales tax increase, fee increases, and spending cuts. Unlike virtually all other budgetary areas, aid to public education would not suffer any cuts.

"We need to remain on guard for eleventh-hour proposals that would decrease school aid," said Edwina M. Lee, NJSBA executive director.

"At this juncture, cuts in aid would mean

cuts in school programs in most communities—and the greater a district's reliance on state aid, the greater the impact. We don't believe that is what Governor Corzine or the Legislature want."

Speaker Adamant On Monday, Assembly Speaker Joe Roberts announced that the Assembly Budget Committee would meet

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Core Beliefs of the New Jersey School Boards Association

Accountability

NJSBA believes that all local board members must adhere to the Code of Ethics for School Board Members and recognizes that school boards are directly accountable to the public. Ongoing training supports board members' ability to meet standards of accountability.

Employee Benefits

NJSBA believes that school boards must have the ability to negotiate cost-effective benefits for their districts. To maximize savings for taxpayers, school boards participating in the State Health Benefits Plan must have the ability to negotiate the same types of cost-containment provisions that are currently available through private insurance carriers.

NJSBA believes that New Jersey's pension system must provide a cost-effective, affordable and fiscally sound approach to employee retirement benefits.

Funding

NJSBA believes that the school finance

system must be equitable, sufficient and sustainable. It must ensure that all districts are able to meet educational needs and provide opportunities for all students to realize their aspirations.

Property Tax Relief/Reform

NJSBA believes public school funding is over-reliant on property taxes and that property tax reform can best be achieved through a shift toward a progressive, state-level revenue source.

Regionalization

NJSBA believes that regionalization must be voluntary, driven by the educational needs of each community's students, and reflect the will of the local citizenry. Research shows regionalization does not necessarily lead to economic benefits or increased student achievement.

Restructuring Administrative Functions At The County Level

NJSBA believes school districts are most effectively managed at the local level. Local

school boards represent their communities and, therefore, are uniquely qualified to address the needs of their students and staff. Effective local school district management requires the cooperation of the state to provide support, technical assistance and necessary resources.

School Elections

NJSBA believes that school board elections must remain independent and apart from partisan elections because our children's education is not a partisan issue.

NJSBA believes that it is in the best interest of communities and public education for proposed school budgets at or below the state-mandated spending cap to be granted automatic state/local approval.

Shared Services

NJSBA believes shared services continue to provide a flexible, collaborative, cost-effective method to enhance educational opportunities for all students, and must remain a local option.

Court: District Responsible after Bell Rings

A state appellate court ruled last week that a school district had the duty to ensure that an adult family member or responsible sibling was on hand to meet young students after an early dismissal from school. While the *Jerkins v. Anderson and the Pleasantville Board of Education* ruling is not precedent-setting or binding, it may be viewed by other courts for guidance when faced with similar cases.

A 9-year old student suffered severe injuries when he was struck by a car late in the afternoon on a day the school had closed for early dismissal. The child's family members, who typically walked the boy home from school, claimed they did not know about the early dismissal.

Adequate Notice However, the school argued that its calendar was published in a monthly newsletter sent to each home and was duplicated in the student handbook

distributed during the first week of school. It also gave the calendar to each family at school registration.

Family members filed the lawsuit against the owner and the driver of the car, as well as the school board and the principal. They accused the school officials of "negligently, carelessly, and recklessly" failing to exercise "their duty of reasonable supervision and care" for the boy's safety.

The school did not have a written policy that dealt with parents failing to pick up their children at the end of the school day, or required that each child be released to an assigned adult. School officials argued that they expected their students would walk home, unless parents had signed them up for the district's after-school program, or had instructed them not to. Students not permitted to walk home were allowed to call their parents from the school's main

office if they were not picked up.

Ruling Appealed A Superior Court trial judge determined that neither the school board nor the principal had a duty of reasonable care for the child's safety. The parents appealed that ruling, insisting that such a duty existed, and that these defendants breached it by allowing the boy to leave the school unsupervised.

The Appellate Division reversed that ruling and agreed with the boy's family that the school board and the principal were responsible for the boy.

The three-judge panel emphasized that teachers and administrators act as guardians taking the place of parents during school hours. They did not believe it would be burdensome for the board and the principal to determine whether the younger students had been met by an

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Friday: A Whole New Look

Workshop 2006's new look will extend to Friday, with a smart lineup of new and exciting sessions.

At members' request, Friday morning will include a repeat of Workshop 2006's **most popular Action Labs**. Topics will range from school finance to superintendent search. Action Labs are intensive, "hands-on" sessions, with limited enrollment.

Need an expert? They will be on hand Friday morning as Workshop 2006 offers a totally new format—**Clinic Sessions**. During these informal sessions, participants can move from room to room to get answers to specific questions about school law, labor relations, finance, advocacy, policy and public relations.

Don't forget the **Group Sessions**—four in all—that cover a range of critical topics.

Stick around for the Awards! The Closing General Session at 11 a.m. will conclude with an **Awards Ceremony** honoring NJSBA's master board members, certificated boards and the winners of the 2006 school communications competition.

Sound education governance is the goal of the new and innovative **Readiness Curriculum**, to be unveiled at the Closing General Session. The *Readiness Curriculum* is an initiative of NJSBA, NJASA and the state Department of Education.

For more information, visit www.njsba.org/workshop.

Federal Budget, Medicaid At Issue

The U.S. House of Representatives and the Senate have passed separate versions of the federal budget. Both versions contain major cuts to Title I, a major component of No Child Left Behind, and the Individuals with Disabilities Education Act, the federal special education law.

The federal budget is a year-long process scheduled to be completed by October, but typically it is extended through December.

Many New Jersey school board members plan to schedule meetings with their congressmen in August and September to advocate for increased funding and to address other federal education issues.

To participate or to learn more about federal advocacy, call the NJSBA Governmental Relations Department toll free at (888) 886-5722, ext. 5238.

School-based Medicaid Cuts As part of President Bush's fiscal year 2007 budget, he is proposing administrative action that would prohibit federal reimbursement for IDEA-related school administration and transportation costs for children with disabilities. While the timing of this possible action is unknown, the Centers for Medicare and Medicaid Services could begin initiating the change this summer.

Under the Medicare Catastrophic
continued on page 4

Budget Watch continued

on June 28 to release a budget bill that does not include the one-cent sales tax increase. "We are determined to meet the constitutionally mandated June 30 deadline for enacting a balanced budget," said Roberts.

While Roberts opposes hiking the sales tax to fund the state budget, he is not against a sales-tax increase that would direct money toward property tax relief. On Monday, he introduced a separate piece of legislation (A-4710) that, he said, "would...ensure that any such increase is used specifically for purposes of providing property tax reform."

"I will not post this bill – or any other bill to increase the sales tax one penny – for purposes of balancing the state budget," said Roberts.

Identifying Cuts Meanwhile, administration actions continue to stress that, without a sales tax increase, vital programs—such as school and municipal aid—would suffer.

In an internal memo picked up by the press last Friday, state Treasurer Bradley Abelow ordered state department heads to identify further reductions in spending—including state aid—in the "unlikely" event that the state budget does not come with adequate revenue. The memos directed cabinet heads to identify cuts of \$500 million in education aid, \$300 million in municipal aid, and \$60 million in hospital charity care, according to newspaper accounts.

GOP Weighs In The Assembly minority last week proposed a plan that would avoid the one-cent sales tax increase by slicing \$2.2 billion from Corzine's proposed budget.

Under the proposal, aid to the 31 Abbott districts would be cut by \$420 million, or about 10 percent of the \$4 billion Corzine proposed. The remainder of the savings would come through pension reform, as well as the elimination of 800 gubernatorial appointees and the departments of state, personnel and the public advocate. The Republicans also want to end an annual subsidy for New Jersey Network and implement a salary freeze for state employees who make more than \$60,000 annually.

Shut-Down The Administration began preparations for a possible long-term government shut-down should lawmakers fail to enact a new budget by July 1.

Plans for a shutdown include blocking road construction projects, closing Atlantic City casinos (which require monitoring by state regulators), and shutting down state parks and historic sites. The contingency plan would ensure that prison employees, emergency workers and the State Police remain on the job.

Last year, the Legislature did not approve the state budget until July 2. State government remained in operation.



PHOTO BY CHERYL AMACKER

David T. Ormesher (left) of the Kittatinny Regional Board of Education receives congratulations from District Superintendent Robert Walker for receiving an NJSBA Milestone Award at the Sussex County School Boards Association Spring Dinner last month. Ormesher has served on his board for 30 years. Sussex SBA also honored Kittatinny Regional for its designation as a 2005-06 Governor's School of Excellence.

District Responsible
continued

adult or responsible older sibling, nor to place a phone call to find out if someone would be meeting the student.

Breach of Duty The panel did not rule on whether the board had breached its duty, and sent the issue back to a lower court for a jury to decide. A jury will consider whether the board's practices and procedures, including its notification about early dismissal to parents, created sensible and adequate steps to care for the boy's safety.

This decision is likely to prompt boards of education to review their practices and policies to determine whether they have sufficient procedures in place that guarantee student safety after dismissal, especially in elementary schools.

To read the decision, visit the "What's New" section of www.njsba.org.

Federal Update
continued

Coverage Act of 1988, school districts can receive Medicaid money for health services that they deliver to Medicaid-eligible children with disabilities for diagnostic, preventive, and rehabilitative services as well as transportation to those services. Nixing the reimbursement would substantially increase the financial burden on local school districts to cover Medicaid-related costs.

For more information, contact Chri-
sanne Gayl, National School Boards
Association director of federal programs,
at (703) 838-6763, or by e-mail at [cgayl@
nsba.org](mailto:cgayl@nsba.org).

C A L E N D A R


July 14-16

New Board Member Orientation,
Princeton Marriott Hotel and Conference
Center at Forrestal, Princeton

For information about county school
boards association activities, visit [www.
njsba.org](http://www.njsba.org) and click on the the name of
the appropriate county association.

SBN Summer Schedule

School Board Notes will begin its summer,
bi-weekly publication schedule next
month. Publication dates will be July 13
and 27 and August 10 and 24. Weekly
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ber 8 issue.

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Kevin E. Ciak, president
Edwina M. Lee, executive director
SCHOOL BOARD NOTES
Frank Belluscio, director of communications
Rosa Ciriani, contributor
Adriana DiGiacomantonio, manager, graphic design
Stacy Pezzola, graphic design

RETURN SERVICE REQUESTED

NEW JERSEY SCHOOL BOARDS ASSOCIATION
Headquarters: 413 West State Street, Trenton, New Jersey
Mailing Address: P.O. Box 909, Trenton, NJ 08605-0909
Telephone: 1-888-88NJ5BA • Web site: www.njsba.org



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