

SCHOOL BOARD notes

Model Superintendent Contract Near Completion

NJSBA attorneys are nearing completion of a model contract for chief school administrators. The model contract is just one part of the Association's initiative to expand the scope and depth of its training and support for local school boards in developing superintendent contracts.

The model contract will reflect practices long recommended by NJSBA, including placing caps on payment for unused leave, avoiding bonus payments and requiring the board president to certify the contract has been reviewed by the board attorney. It will enable school boards to determine if the compensation package is reasonable for the community by "costing out" the value of all provisions and benefits.

The model is expected to be available

by the end of September.

NJSBA's initiative comes in response to ongoing concern about the provisions of some superintendent contracts, prompted earlier this year by the size of the Keansburg superintendent's retirement package.

Since New Jersey superintendents are members of the Teachers Pension and Annuity Fund (a state-guaranteed retirement program), the Association strongly recommends against outright retirement bonuses attached to seniority, such as the half-million-dollar award provided to the Keansburg superintendent. Despite the intense public attention generated by that provision, the practice is almost unheard of among other school districts.

NJSIAA Proposes Realignment

The New Jersey State Interscholastic Athletic Association (NJSIAA), the governing body for high school sports in the state, is proposing a major realignment of athletic conferences designed to foster competitive equity.

The proposal would reorganize what are currently 31 conferences into six "super" conferences that would involve more than 200 high schools in northern and parts of central New Jersey. There would be a seventh football conference for football teams in two of the super conferences.

Schools in Monmouth, Middlesex and Mercer counties and southern New Jersey are not affected by the plan.

"School boards should pay attention to this," explained Bruce K. Smith, president of the Hackettstown school board and an NJSBA representative to the NJSIAA Executive Committee. "It could affect team travel and the expenses related to travel, the competitive balance between teams, and some of the traditional rivalries schools have. For any individual school, it could be a positive or a negative thing, but it's important for board members to talk with their superintendents and their athletic directors, so a district-wide position can be formulated."

The plan was triggered by dissatisfaction with competitive balance between

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State-Required Template Meanwhile, NJSBA officials offered to meet with an Assembly Education Committee member who, last week, announced plans to require a standard statewide contract template for all superintendents. The goal of Assemblyman Patrick Diegnan (D-Middlesex) is to control costs and avoid wide disparities in

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Quiz: How Well Do You Know the Delegate Assembly?

The Delegate Assembly, the Association's major policy-setting body, meets twice a year to determine NJSBA's policy positions on educational issues. Those policies become what NJSBA staff will fight for, or against, in Trenton, Washington, D.C., the courts, and the court of public opinion. Over the years, the DA has impacted state educational policy on a number of issues.

Question: Which one of the policies below was *not* adopted by past Delegate Assemblies?

- A. supporting the ability of a school board to require random drug testing of students
- B. supporting regionalization of school districts, if approved locally and if studies demonstrate benefits
- C. supporting a school board's ability to require parental participation in parent-teacher organizations.

Be part of the policy-making! Each school district may send one member to the Delegate Assembly; the next DA will be held November 22.

Answer: C: Such a policy has never been proposed. A and B were approved by the DA.

Negotiations 2008: Local Boards Control Benefit Costs

An increasing number of local boards of education are successfully negotiating containment of health insurance costs—the fastest growing area of employee compensation.

“Teacher compensation constitutes the largest share of the public school budget, but salary is only part of the compensation picture,” explained Marie S. Bilik, NJSBA’s executive director. “Fringe benefits, including health insurance, make up more than 30 percent of the overall expense of employment and their cost is increasing far more rapidly than salary.

“As a result, we are finding more school boards negotiating provisions that save public tax dollars by implementing practices common in the private sector.”

Greater Cost Controls Of 243 multi-year agreements now in effect, 55 percent include provisions to contain health benefit costs, an NJSBA analysis shows. For the newest of these contracts (those in which year one is 2008-2009), the percentage with insurance cost-control provisions is even greater—81 percent. In comparison, just over half of 2007-2008 contracts included such clauses.

- Cost-containment provisions include—
- Requiring employee contributions toward insurance premiums (present in 14 percent of 2008-2009 contracts, but a rarity a decade ago).
 - Providing less costly health insurance programs to new employees (39 percent of contracts).
 - Providing a basic employer-paid plan with the option of employee-paid upgrades (20 percent).
 - Offering incentives to waive district-provided coverage for employees with other health insurance (59 percent).

Status of Negotiations Currently, 129 school districts are still negotiating agreements for 2008-2009. The number represents approximately 22 percent of all New Jersey school districts, or 61.4 percent of the 210 scheduled to begin new contracts this year. At this time last year, a similar percentage was still in negotiations.

“It’s not unusual for 125 to 150 school districts to begin the new school year still negotiating with their teachers unions,” said Bilik. “Until a new agreement is

reached, teachers are covered by the previous contract and are guaranteed salary, benefits and other protections. Teachers never work without a contract.

“Historically, most contracts are settled during the fall.”

The average salary increase reflected in all 2008-2009 teacher contracts is 4.61 percent, roughly the same as last year’s average. For contracts settled since January 2008, the rate is slightly lower, 4.57 percent. (NJSBA’s settlement rate data include the incremental raises paid to employees as a result of an additional year of experience. The rates reflect salary only and not any of the cost savings attained through changes in fringe benefits.)

Current salary settlement rates are far below those of the early 1990s, when average raises exceeded 9 percent.

Salary Guide Changes A final contract requires agreement on salary, fringe benefits and other terms and conditions of employment, including how the pay increases will be distributed among teaching staff, NJSBA officials explained.

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Important Negotiations Reminder to Business Administrators

Across the state, many districts are still in negotiations with teachers’ associations.

School business administrators and other personnel who are responsible for district salaries and payroll should take note:

If your district is currently in negotiations over a collective bargaining agreement with your teachers’ association, and the parties have not yet reached an agreement, and if the expired teachers contract was of three-years duration, then the district is prohibited from advancing teachers a step on the salary guide until a new agreement is in place. This prohibition is pursuant to the Neptune Township N.J. Supreme Court decision (*Bd. of Educ. v. Neptune Twp. Educ. Ass’n*, 144 N.J.16, 1996).

Based on this court decision and subsequent case-law, this means, until a new agreement is in place and ratified:

- Teaching staff members may not be advanced a step on the expired guide or paid their increments;
- Teaching staff members may not be moved to an advanced column on the guide (e.g., BA+30, MA, or MA+30);
- Teaching staff members may not be given increased longevity amounts for which they would otherwise be eligible;
- Support staff members who are covered by the same collective bargaining agreement as teachers may also not receive increments, horizontal advancement,

or increases in longevity, until a new agreement is reached.

In other words, these staff members must be maintained at the salary they were being paid as of June 30 when the contract expired.

This holding only applies to expired three-year contracts; it does not apply to expired one-year or two-year agreements. It also does not apply to support staff members who have a negotiated agreement separate from the teachers.

District officials who have questions about this prohibition should contact their attorney, their professional negotiator, or the NJSBA labor relations department at (888) 886-5722, extension 5219. 🍏

SCHOOL DISTRICT ACCOUNTABILITY ACT MANDATED TRAINING



Under the School District Accountability Act, all board members must attend the New Board Member Orientation Conference in their first year of service. In addition, board members must attend training in subsequent years, if they fall into one of the following categories:

- 1st Term, 2nd year of service—Governance I: NJQSAC
- 1st Term, 3rd year of service—Governance II: School Finance
- Re-elected/Reappointed Board Members—Advanced Training: Legal Update

For your convenience, NJSBA is offering numerous opportunities to fulfill the mandated training requirement at Workshop 2008 and regionally through county meetings.

MANDATED TRAINING AT WORKSHOP 2008 *Atlantic City Convention Center, Atlantic City*

Pre-registration is required by October 17. There is no registration fee, but you MUST be registered for Workshop prior to registering.

PLEASE REGISTER ME FOR THE FOLLOWING MANDATED TRAINING PROGRAM:

Governance I: NJQSAC

- Tuesday, October 28, 2008, 9:30 - 11:30 a.m.
- Thursday, October 30, 2008, 3:00 - 5:00 p.m.

Governance II: Finance

- Tuesday, October 28, 2008, 1:00 - 3:00 p.m.
- Thursday, October 30, 2008, 3:00 - 5:00 p.m.

Advanced Training: Legal Update

- Tuesday, October 28, 2008
 - 9:30 a.m. – 11:30 a.m.
 - 3:00 - 5:00 p.m.
- Thursday, October 30, 2008, 3:00 - 5:00 p.m.

REGIONAL MANDATED TRAINING

The price for each regional mandated training program is **\$37** per person. All programs begin with registration and local county school boards association updates from **6:30 to 7:00 p.m.** Mandatory training runs from **7:00 to 9:00 p.m.**

PLEASE REGISTER ME FOR THE FOLLOWING MANDATED TRAINING PROGRAM:

Governance I: NJQSAC

- November 12, 2008, Sussex County (location TBD)
- November 19, 2008, Cumberland County Technical School, Bridgeton
- December 2, 2008, Berkley Elementary School, Ocean County
- December 4, 2008, Essex County (location TBD)
- January 6, 2009, Gloucester County Office of Education, Sewell
- January 8, 2009, Raritan Valley Community College, North Branch

Governance II: Finance

- October 2, 2008, Morris County, Roxbury High School, Roxbury
- November 19, 2008, Cumberland County Technical School, Bridgeton
- December 4, 2008, Essex County (location TBD)
- January 6, 2009, Gloucester County Office of Education, Sewell
- January 8, 2009, Raritan Valley Community College, North Branch
- February 4, 2009, New Jersey Hospital Association Conference Center, Princeton

Advanced Training: Legal Update

- October 2, 2008, Morris County, Roxbury High School, Roxbury
- December 2, 2008, Union County (location TBD)
- February 5, 2009, Atlantic Cape Community College, Mays Landing Campus
- March 2, 2009, Burlington County Institute of Technology, Westampton Campus
- March 3, 2009, Bergen County (location TBD)



Academy Credits: .5
 CBM Core Areas: All
 MBM Core Areas: All
 CBL Core Areas: None

The School District Accountability Act places travel restrictions on school board members. Advance travel approval is required. For details, visit www.njsba.org/accountabilityact.

For more information, contact the Call Center at (888) 886-5722, ext. 5217, or direct line (609) 278-5217, or complete the coupon below and fax to (609) 695-2934.

Cancellation Policy: Cancellations made up to 10 working days prior to the program date will be refunded the entire registration fee. Cancellations made between 10 working days and 72 hours of the program start will be charged \$25. Cancellations made within 72 hours and no-shows will be charged full fee.

Registration Fee: \$37 for regional training/Free at Workshop with Workshop registration Payment enclosed Bill Board (Voucher enclosed)*

NAME: _____ TITLE: _____

DISTRICT: _____ COUNTY: _____

ADDRESS: _____

PHONE: (h) _____ (b) _____

FAX: _____ E-MAIL: _____

Return to: New Jersey School Boards Association, Call Center
 413 W. State Street, P.O. Box 909, Trenton, New Jersey 08605-0909 or FAX: (609) 695-2934

*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.

Model Superintendent Contract

continued

benefits, according to a statement from the Assembly Democratic Office.

NJSBA officials hope to demonstrate how the Association's model agreement would help Diegnan accomplish his goal.

"As long as they are not overly rigid, some state controls will assist local school boards in balancing a school district's need for educational leadership with the community's financial interests," said Marie S. Bilik, NJSBA executive director.

Diegnan plans to introduce his bill when the Assembly reconvenes Sept. 15.

Training Update NJSBA has incorporated a unit on superintendent contract development into the state-required training programs in school governance, law and finance for experienced board members. The new training will be first offered on Oct. 28 and Oct. 30 at Workshop 2008. (For workshop registration information, visit www.njsba.org/workshop, contact the NJSBA Call Center at (888) 886-5722,

Ext. 5217, or email hbullock@njsba.org.)

The training will also be available through regional sessions, live Webinars and pre-recorded online programs. Within a three-year cycle, all 4,800 New Jersey school board members will have received the training in superintendent contract development. To reach those school boards most directly involved in superintendent contract negotiations, NJSBA is also offering training in contract development through its Superintendent Search Service. 🍎



Pre-Registration Deadlines Approaching for Workshop Programs

Several of the special training sessions that will be offered at Workshop 2008 require pre-registration; those deadlines are approaching. Below are program descriptions.

Certified Board Leader Course Deadline: October 13

Engaging the Public This course will equip board members to educate and connect with their most powerful ally: the public. The topics covered include: how to examine a district's information-sharing tools; develop public engagement initiatives; implement "best practice" strategies; and identify and activate the opinion leaders in a community to help open a two-way flow of information. The program will be held Tues., Oct. 28 from 1:30 – 4:30 p.m. Registration is \$65. 1 Board Member Academy (BMA) credit towards the CBL designation.

Communicating Effectively This session will enable members to develop the skills to communicate their thoughts effectively, influence others, build relationships and manage conflict. Topics covered will include active listening techniques; giving and receiving feedback; recognizing one-way vs. two-way communication; and avoiding emotional triggers. The program will be held Tues., Oct. 28 from 1:30 – 4:30 p.m. Registration is \$65. 1 BMA credit towards the CBL designation.

Mandated Training Course Deadline: October 17

Governance I: NJQSAC This program is required for school board members in the second year of their first term in office. It covers the New Jersey Quality Single Accountability Continuum assessment program, which grades district performance in the areas of academic achievement, board governance, district administration, finances and facilities. Offered Tues., Oct. 28 from 9:30 – 11:30 a.m., and Thurs., Oct. 30 from 3 – 5 p.m. No fee for registered Workshop participants. .5 BMA credits towards the CBL designation.

Governance II: Finance This program satisfies the mandatory training requirement for school board members in the third year of their first term in office, and provides an excellent opportunity to discuss the impact of state initiatives on local districts. Offered Tues., Oct. 28 from 1 – 3 p.m., and Thurs., Oct. 30 from 3 – 5 p.m. No fee for registered Workshop participants. .5 BMA credits towards the CBL designation.

Advanced Training: Legal Update This program covers changes to N.J. school law, and is required for school board members in the first year of each subsequent term after being re-elected or re-appointed to office. Offered Tues., Oct. 28 from 10 a.m. – 12 noon, and 3 – 5 p.m., and Thurs., Oct. 30, 3 – 5 p.m. No fee for registered Workshop participants. .5 BMA credits towards the CBL designation.

Orientation Deadline: October 23

New Board Member Orientation This course will cover the roles and responsibilities of board members regarding the Sunshine Law and the School Ethics Act, policy-making, finance and the budget development process, student achievement, labor relations, evaluating the chief school administrator, and legislative activity. New board members are required to take this course in their first year of board service. Offered Tues., Oct. 28 from 9:30 a.m. – 4:15 p.m. Registration is \$125. 2 BMA credits towards the CBL designation.

NJSIAA Proposes Realignment

continued

schools, particularly in the football programs in public and non-public schools in the northern part of the state. Last December, a measure that would have separated public and private schools in regular season competition failed by just a handful of votes. Soon after, NJSIAA set up a committee of 34 members to discuss realignments.

Realigned Conferences The plan would divide the super conferences geographically, and split them into divisions based on enrollment. A flexible schedule program would allow schools to choose more of their opponents, rather than being locked into division schedules.

"The realignment plan has been sent to all superintendents and athletic directors," said Steven J. Timko, executive director of NJSIAA. "We're hoping to achieve balance, enrollment-wise and geographically. The old alignment hasn't been looked at in 27 years; enrollments have changed and schools that did not have strong programs then do have them now."

The report was released on Aug. 11. School districts had until Sept. 2 to submit feedback. At a Sept. 10 meeting, the organization's Executive Committee will discuss the plan and vote on the proposal. If approved, it will go to a vote by the entire membership in December and be enacted beginning with the 2009-2010 school year. 🍎

Is Your District Feeling the Squeeze?



Whether your district is self-represented or uses the services of a professional negotiator, NJSBA's bargaining conferences will help your board negotiate more effectively.

Negotiate Effectively in Tight Times

Preparing for Bargaining

September 13 9:00 a.m. - 4:15 p.m.

RWJ Hamilton Center for Health & Wellness

This fast-paced program will guide you through the preparation activities and legal framework critical to effective bargaining.

Topics include:

- The Board's Obligations and Rights
- The Roles of the Bargaining Team and the Board
- Costing Out the Current Agreement
- Developing Board Proposals

Academy Credits: 2; Core Area for CBM: Labor Relations; Core Area for MBM: Labor Relations

Intermediate Bargaining

September 27 9:00 a.m. - 4:15 p.m.

RWJ Hamilton Center for Health & Wellness

Learn what happens at the bargaining table; what to expect and how to respond. Topics include:

- The Mechanics of Bargaining (ground rules, timing, procedures)
- Analyzing Union Demands
- Using Comparative Data
- At-the-Table Techniques
- Impasse Procedures

Academy Credits: 2; Core Area for CBM: Labor Relations; Core Areas for MBM: Labor Relations, School Law

Cancellation Policy: Cancellations made up to 10 working days prior to the program date will be refunded the entire registration fee. Cancellations made between 10 working days and 72 hours of the program date will be charged \$25. Cancellations made within 72 hours and no shows will be charged the full fee. For possible cancellations due to inclement weather, call (609) 392-2000.

For more information, contact the call center at (888) 886-5722, ext. 5217

Negotiations 2008

continued

“Construction of the salary guide remains a major issue in school district bargaining and, often, can be more difficult than negotiating the overall increase in pay,” said Bilik. “For example, local school boards facing enrollment increases or large numbers of teacher retirements will work toward a guide designed to attract entry-level staff and to retain those teachers.

“Negotiating such salary guide changes is a complex process that often extends bargaining and delays final settlement.”

Additional Issues Other trends in school district negotiations include capping payment for unused leave time and placing controls on tuition reimbursement.

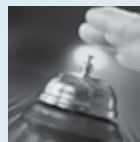
- 75 percent of 2008-2009 teacher contracts place controls on payment for unused sick leave. Strategies include capping the overall payment, limiting the number of days that can be cashed in, and ensuring that payment is equiva-

lent to the salary in effect at the time the sick day was earned.

- School districts continue to negotiate limits on tuition reimbursement. Such controls include limiting reimbursement to coursework related to a teacher's classroom responsibilities; establishing “return service obligations” that link tuition reimbursement to a teacher's

employment in the district for a specified amount of time; and placing caps, or strengthening existing limits, on the amount of reimbursement.

NJSBA compiles comparative data on teacher contract settlements. The data is available to members in the Labor Relations section of www.njsba.org, under “Current Negotiations Data.” 🍏



NJSBA At Your Service: Information 24/7

NJSBA's Web site is a valuable source of information for members—whenever they need it. It's worth taking the time to get better acquainted with the Association's Web site.

The “In the News” section includes recent news releases from the Association, several days' worth of “Daily Clips,” (a compilation of relevant articles about education that have appeared in local and national newspapers), and *BoardBlog*. Meanwhile the “What's New” section is home to announcements, bulletins, important documents, surveys and more. Upcoming training opportunities are listed on the left side of the home page, while the “Popular Resources” section will take readers directly to information that is frequently requested, such as details on the Accountability Act. Members who are unsure of where to find information can consult either the Web page search function, or the Site Map, listed along the bottom of the home page.

NJSBA At Your Service is a regular feature that spotlights some of the free services that are available from the Association.



NJSBA Executive Committee Meeting

In accordance with the Open Public Meetings Act, notice is hereby provided of a meeting of the New Jersey School Boards Association's Executive Committee. The meeting will be held at NJSBA Headquarters, 413 W. State St., Trenton, on Wednesday, Sept. 10, 2008, 6 p.m.

The meeting is open to the public.

The agenda, to the extent known at this time, will include action/discussion of minutes of the June 6-7, 2008 Executive Committee Retreat; vouchers past 60 days, ratification of Officers' vouchers; Board of Directors-Districts' outstanding dues; Association financials and year-end statement; proposed agenda for the Sept. 19, 2008 Board of Directors meeting; 2008 NSBA Northeast Region meeting; Governance and Operations Policies File Codes 4112.8, *Nepotism*, 4113.11, *Flex Time*, 4162.2, *Vacation Leave Accumulation and Advancement*, and 8260, *Executive Committee Member Expenses*; debriefing on 2008 NSBA Presidents' Retreat and Executive Directors' Institute; and Executive Committee Core Challenges, 2008 Workshop, 2008-2011 Strategic Plan, and Advocacy updates.

In addition, the Executive Committee will enter into closed session to discuss the Executive Director's evaluation.

For further information, contact Mary Alice Durham at (609) 278-5206.

Check the online version of *School Board Notes* for other important stories. Click on "*School Board Notes*" under the "*In the News*" heading of www.njsba.org.

C A L E N D A R



Sept. 10

NJSBA Executive Committee meeting, NJSBA Headquarters, Trenton, 6 p.m.

Sept. 13

Preparing for Bargaining, RWJ Hamilton Center for Health & Wellness, Mercerville, 9 a.m. — Pre-registration Required

Sept. 19

Audit Committee, RWJ Hamilton Center for Health & Wellness, Mercerville, 6 p.m.


NJSBA Board of Directors, RWJ Hamilton Center for Health & Wellness, Mercerville, 6:30 p.m.

Sept. 20

CAL Meeting, NJPSA, Monroe Township, 8:30 a.m.



Denotes NJSBA Board Member Academy Training Program

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SCHOOL BOARD NOTES

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