

SCHOOL BOARD notes

NJSBA: Eliminate 'Decades of Laws' that Favor Unions

NJSBA is calling for changes in “decades of laws” that give organized labor the upper hand in school district bargaining and often prevent management from making personnel decisions that best meet the needs of students.

“We urge the Administration and the Legislature to act swiftly on proposals that will strengthen school boards’ position in collective bargaining and will enable school management to make staffing decisions without unnecessary constraints,” said Marie S. Bilik, NJSBA executive director. “In these difficult financial times, such changes will benefit students and taxpayers.”

To accomplish this goal, NJSBA proposes the following changes in law:

Restore “last best offer.” “Last best offer” is a concept prevalent in public sector labor law. It permits a public employer to implement its “last best offer” when contract negotiations are fully exhausted.

Eliminated only from New Jersey public school labor negotiations in 2003, “last best offer” strengthened local school boards’ position in collective bargaining. “First, it served as a counterbalance to union threats of job actions,” Bilik said. “Second, it pro-

vided an incentive for unions to bargain in earnest.

“The state teachers union successfully campaigned for its elimination, based on the false premise that ‘last best offer’ had been the cause of teacher strikes,” Bilik noted. In fact, a district’s implementation of “last best offer” occurred only 11 times between 1968 and 2003. In comparison, there were 205 teacher strikes during that same period.

The absence of “last best offer” has been a factor in a significant increase in the number of school district negotiations that become deadlocked and went to fact-finding, according to NJSBA. Since its elimination, the difference between teacher contract settlements and the cost of living has further widened. The cost of teacher contract settlements has also risen at a rate greater than that of other government spending.

Set strong criteria for state-appointed factfinders Close to 30 percent (54) of the school districts that entered negotiations for new contracts to begin in 2009-2010 are currently deadlocked. The situation increases the influence of state-appointed

factfinders over contract settlements.

NJSBA believes that, in recommending a settlement, factfinders should place more weight on the state of the economy and individual districts’ ability to pay than on the settlements that exist in other school districts. That has not always been the case, resulting in factfinders’ recommendations not reflecting what a community can afford to pay.

“Legislation setting economic criteria upon which factfinders must base their recommendations would be a positive step in controlling employment costs in public schools,” said Bilik.

Enact anti-strike law with effective, uniform penalties. The illegality of teacher strikes in New Jersey is based on common law and court decisions that prohibit public employees from withholding services. Therefore, when teachers went on strike in the past, local school boards were able to secure back-to-work orders from Superior Court. If the teachers ignored the back-to-work orders, they were assessed fines or other penalties by the Superior Court judge. However, penalties varied widely and were often waived.

New Jersey needs an unequivocal prohibition against strikes. “A statute that declares teacher strikes illegal, establishes uniform automatic fines against local unions – including their decertification if they continue the job action – would balance the negotiations process,” said Bilik.

Declare non-strike job actions illegal. Teacher unions frequently implement job
continued on page 4

Schools Honored for Special Education Programs

A dozen New Jersey schools will be honored this month for creative special education efforts in the eighth annual Innovations in Special Education program.

Representatives from the schools will accept awards during a May 17 ceremony at the Marriott at Lafayette Yard in Trenton, held in conjunction with Special Education Week. The event is underwritten by corporate donations. NJSBA and ASAH, a non-profit organization of private schools and agencies serving students with disabilities, have sponsored Special Education Week since 1985.

Schools honored through the 2010 Innovations in Special Education program are listed on page 5.



Delegate Assembly News

Nominating Committee Issues Amended Report

The NJSBA Nominating Committee met, pursuant to Article VII, Section 5 of the Association Bylaws, to interview candidates for the office of Vice President for Finance. Six applications were received.

The committee interviewed six candidates and prepared an amended report naming a candidate for Vice President for Finance. All officer positions will be voted upon at the Annual Delegate Assembly meeting on May 15.

The Nominating Committee submits the following candidate to serve during the 2010-12 term of office for **Vice President for Finance** – Donald Webster Jr., Manchester Township (Ocean County).

The Association's bylaws also permit nominations to be made from the floor at the Annual Delegate Assembly meeting. The nominator must have the written consent of the candidate for nomination and present it to the presiding officer at the time the nomination is made.

Candidate for NJSBA Vice President for Finance



Donald Webster Jr., of the Manchester Township Board of Education, has been chosen by the Nominating Committee to be a candidate for NJSBA's Vice President for Finance for 2010-2012. The election will take place at the Delegate Assembly on May 15.

Statement and bio from Donald Webster Jr.:

I believe my education and more than 33 years of both private and New Jersey state government work experience have prepared me for the unique challenges presented by this position. I have hands-on

financial management experience working with multi-billion dollar budgets. My experience includes supervision of large groups of financial professionals (20+). In addition, my 13-plus years of service on the Manchester Twp. Board of Education (Ocean County) have provided me with a unique insight and perspective into the difficult educational and financial issues confronted by local school districts. Manchester Township has both a diverse working class population and a high percentage of senior citizens, yet we have successfully passed 10 of our last 13 budgets plus two building referendums. Our district has been awarded the Certificate of Excellence in Financial Reporting by the International Association of School Business Officials for the past 14 consecutive years, and our students routinely meet and exceed the academic standards set for both our DFG and state averages. I believe I am well qualified and prepared for this position, and I look forward to the opportunity to serve as the vice president for finance for the NJSBA during this challenging economic period.

Local Board Activities:

- Manchester Township BOE (Ocean County), 13 years
- Chairman, Finance Committee, 13 years; member, Negotiations Committee 7 years

Education:

- B.S., Accounting, James Madison University, VA
- M.B.A., Financial Management, Rutgers University Graduate School of Business

Employment/Community Affairs:

- North American Phillips Lighting Corp. (Norelco), financial staff accountant, 1976-1978
- State of New Jersey, 1978-2009 (retired). Last position held: Assistant Director, Office of Budget Planning and Fiscal Monitoring, NJ Department of Human Services.
- Adjunct Faculty Instructor of Accounting and Business Administration, Ocean County College, Toms River, 1987-1997
- Member of the Institute of Management Accountants
- Certified Healthcare Administrator
- Licensed Youth Soccer Referee (USSF)

NJEA Sues to Halt Reform Law

The New Jersey Education Association filed suit last week to overturn a law that requires public employees, including teachers, to contribute 1.5 percent of their salary toward healthcare benefits.

The suit, filed April 28 in Mercer County Superior Court, contends that the new law violates the collective bargaining rights of school employees and the mandatory contributions equate to an illegal salary reduction for public employees.

The NJEA suit is similar to two other suits filed last week by firefighters and police and other public employee unions, which challenged the 1.5 percent requirement as well as other pension reforms.

The governor's office has said the suits are without merit, and the pension and benefits reforms are reasonable compromises.

The suits stem from legislation (S-2, S-3 and S-4) signed into law in late March. NJSBA supported the legislation.

S-2 limits enrollment in the pension system to employees who work at least 35 hours per week at the state level, or 32 hours per week in local government and public schools. The law also changes the equation used to calculate pension benefits for future employees by dividing the number of years worked by 60, instead of the previous 55. The bill changes retirees' pension calculations from the three highest years of an employee's salary to the five highest years of salary.

S-3 requires all employees, including current school district employees, to pay at least 1.5 percent of their salary toward their health benefits after the expiration of their current contract. New employees will pay at least 1.5 percent of their base pension toward post-retirement health benefits.

S-4 limits sick leave payouts for all new local and school employees to \$15,000. 🍓

The New Jersey School Boards Association (NJSBA), in partnership with the New Jersey Parent Teacher Association (NJPTA), presents:

The NJSBA and NJPTA Legislative Event

Thursday, May 13, 2010
10:00 a.m. – 2:00 p.m. (Registration and coffee begins at 9:15 a.m.)
War Memorial Building*, Trenton

Now, more than ever, you are needed in Trenton to advocate on behalf of your public school district. Get started by networking with legislators, other school board members and members of the NJPTA.

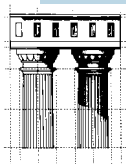
The day will feature a series of short briefings on various educational issues including school funding, curriculum standards, high school graduation requirements and testing. Each briefing will be followed by a brief Q & A session. You are welcome to stay for lunch and take an additional opportunity to interact with members from both organizations.

This opportunity is free to members, but pre-registration is required by **May 11**. For more information, contact at (609) 278-5282 or email sseyler@njsba.org.

**FREE Parking is available in the Marriott Garage adjacent to the building.*

NAME: _____ TITLE: _____
DISTRICT: _____ COUNTY: _____
ADDRESS: _____
PHONE: (h) _____ (b) _____
FAX: _____ E-MAIL: _____

Please fax the registration form to (609) 278-5280.



Training Opportunities

NJSBA Offers Unique ‘Unconference’ NJSBA is sponsoring a non-traditional conference – an “unconference” called EdCamp Philadelphia – to be held May 22 at Drexel University in Philadelphia.

EdCamp Philadelphia (www.edcamp-philly.org), devoted to K-12 issues, is designed for teachers, board members, administrators, technologists and anyone passionate about education.

“EdCamp is an unconference – a facilitated, participant-driven, face-to-face conference centered on a theme or purpose. The agenda and the conversations will be formulated live, in real time, collaboratively,” said Erik Endress, NJSBA’s director of association and business development. “Participants suggest topics to be discussed and then participate in the discussion.”

EdCamp Philadelphia will run from 8:30 a.m. to 3:30 p.m. Saturday, May 22.

Participation in EdCamp can be done in-person or online.

To see a short video about the event, go

to www.youtube.com/njsba. For information or to register, go to www.njsba.org/edcamp.

Leadership Conference A Leadership Conference will be offered at the NJASA/NJSBA Spring Conference from 9 a.m. to 3:30 p.m. May 20. The conference, sponsored by the Educational Leadership Foundation of NJ (ELFNJ), in partnership with NJSBA and the New Jersey Association of School Administrators, will combine some of the best elements of the NJASA/NJSBA Spring Conference with training delivered by NJSBA professionals.

The program is free to the first 100 registrants, approved through a grant provided by ELFNJ. To register for this program, complete a registration form and a grant application. A link that contains both forms is under the “What’s New” section of www.njsba.org. For more information, email info@elfnj.org.

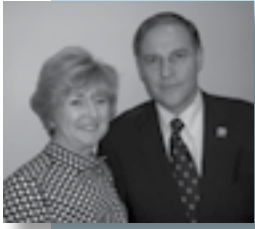
Mandated Training to Follow Delegate Assembly Mandated training for board members in their second and third years of their first term, and re-elected or reappointed board members, will follow the May 15 Delegate Assembly.

The training programs will be held from 1 to 3 p.m. May 15 (registration is at 12:30 p.m.) at the Wyndham Princeton Forrestal Hotel & Conference Center in Plainsboro, following NJSBA’s Delegate Assembly. The training satisfies the requirement of the state’s 2007 Accountability Act, which requires training in each year during a new board member’s first term in office, as well as for newly re-elected or reappointed members.

The May 15 programs are open to board members who fall into one of the following categories as of April 20:

- Governance II & III – Finance: For board members in their second and third years of their first term.
- Governance IV – Legal Update: For re-elected/reappointed board members.

In-person mandated training is offered free of charge. Web-based training, offered later in the year, will carry a \$50 fee. Download the registration form under the “What’s New” section of NJSBA’s home page, www.njsba.org. More information on additional dates and locations for other 2010-2011 mandated training will be forthcoming; check the NJSBA website for details.



Sharing Ideas on Shared Services

Barbara Horl of NJSBA's Governmental Relations Department, speaks with Assemblyman Jon M. Bramnick after a program April 29 on shared services.

Horl, a former president of the Matawan-Aberdeen school board, took part in a panel discussion, "How Shared Services Can Save Tax Dollars." The program, hosted by Assemblyman Bramnick, was held at Union County College in Cranford.

The panel also featured Dr. Carmen Centuolo, Union County Executive County Superintendent; Ginny Leiz, president of the Westfield Board of Education; Julia Walker, vice president of the Westfield Board of Education; Kerri Wright, school board attorney and member of the Chester Board of Education; and Kenneth DeRoberts, CEO of the Government Strategy Group.

The program was attended by numerous municipal officials, school board members and administrators, and state officials, including Assemblywomen Nancy F. Munoz and Caroline Casagrande.

NJSBA Board of Directors to Meet



In accordance with the Open Public Meetings Act, notice is hereby provided of a meeting of NJSBA's Board of Directors. The meeting will be held at the Wyndham Conference Center, 900 Scudders Mill Road, Plainsboro, at 7:30 p.m. Friday, May 14. The meeting is open to the public.

The agenda, to the extent known at this time, will include discussion and/or action on: open session minutes of the March 19 meeting; NJSBA budget for FY 2010-2011; Governance and Operations policies on professional licenses, personal time, leave for death in family, jury duty, sick time, extended leave, Association holidays, vacation leave, and reimbursement for expenses of Legislative Committee; presentation of Board Recertification Awards; presentation to outgoing Board of Directors members; Headquarters renovation update; and reports of the President and Executive Director.

In addition, the Board of Directors will enter into closed session to consider the Executive Director's evaluation. For further information, contact Nancy Fletcher at (609) 278-5214.

NJSBA Audit Committee to Meet

In accordance with the Open Public Meetings Act, notice is hereby provided of a meeting of NJSBA's Audit Committee. The meeting will be held at the Wyndham-Princeton Forrestal Hotel and Conference Center, 900 Scudders Mill Road, Plainsboro, at 6 p.m. Friday, May 14.

The meeting is open to the public. For further information, contact Joan Campbell at (609) 278-5211.

'Decades of Laws'

continued

actions to pressure the school board and the community during bargaining, according to NJSBA. "Certain job actions, such as refusal to assign homework or write college recommendations are disruptive to the education program, are threatening to the community and do not fall within a teacher's right of free expression," said Bilik.

A law that declares such job actions illegal and establishes fines would balance the strength of unions and school boards in negotiations.

NJSBA is also asking the Legislature

to eliminate current statute that, in effect, allows teachers to conduct job actions by refusing to work when school is in session on any of the 13 state holidays, such as Election Day or President's Day. Enacted more than a generation ago, this statute prohibits school districts from disciplining teachers who refuse to work on a state holiday, even if schools are open. Local teacher unions have used it to conduct one-day work stoppages, resulting in costs to the school district and disruption to education.

Overhaul seniority and bumping rights.

"In the current climate, with so many school districts forced to reduce person-

Legislative Events

NJSBA, PTA Team Up for Legislative Program NJSBA will partner with the New Jersey Parent Teacher Association to present a special joint Legislative Event.

New Jersey board members and parents will have a chance to network with others from different districts, share information, and address legislators about the challenges facing public schools in New Jersey.

The Legislative Event will run from 10 a.m. to 2 p.m. Thursday, May 13, at the War Memorial Building in Trenton. Free parking is available in the Marriott garage, adjacent to the building. Registration begins at 9:15 a.m. The program is free, but pre-registration is required by May 11. To register, check the "What's New" section of www.njsba.org. For more information, contact Sharon Seyler at sseyler@njsba.org or call (609) 278-5282.

Commissioner to Attend Southern Town Hall Meeting School board members will have the opportunity to hear from and interact with Education Commissioner Bret Schundler at NJSBA's Southern Town Hall Meeting on May 22.

The commissioner will talk about cuts in state aid, and what's ahead for public education in New Jersey. Legislative leaders have also been invited to participate in the discussion. A similar program was held in March in the northern region of the state.

The program will be held from 9:30 to 11:45 a.m. Saturday, May 22 at Glassboro High School, Glassboro. Registration is at 9 a.m. To register for the Southern Town Hall Meeting, go to www.njsba.org/STHM.

nel, it's important that they be able to retain the best staff, but current provisions can prevent that from happening," said Bilik. For example, under the existing process, a staff member needs only one day of experience in a certain discipline to exercise bumping rights to a position in that area. As a result, a staff member could "bump" an employee with far more experience in the field.

"We have to be fair to all employees and, above all else, we have to give priority to the education of children," said Bilik. "That means changing statute and regulation so

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Innovations in Special Education 2010 Recognized Programs

Springboard Program

Bergen County Special Services School District, Bergen County The Springboard Program helps students ages 18-21 make a successful transition into the world of adulthood by teaching daily living skills in real-life settings – through homes in Paramus and Garfield. Students, under the supervision of faculty and staff, are responsible for the upkeep and maintenance of both houses, and are able to apply daily life skills. To address the occupational needs of students, they are taught effective job-hunting skills and participate in internships in the community.

Contact: Robert Mortorano, principal, Bergen County Special Services; (201) 343-6000 ext. 8539; robmort@bergen.org.

Bonnie Brae Builders

Bonnie Brae School, Somerset County Troubled adolescent boys, ages 16 to 19, work two days a week with Habitat for Humanity as they learn social and workplace skills and personal advocacy. Students are paired with volunteer mentors. The program fosters confidence, develops vocational skills and equips students to handle the transition to the “real world.”

Contact: Sharon Singleton, special education teacher; (908) 647-0800 ext. 703; ssingleton@bonnie-brae.org.

iPod Testing Program

Boonton Township Public Schools, Morris County The district purchased iPods for use in testing special needs middle school students. Classroom teachers provide copies of upcoming tests, which are read and uploaded into the iPods. Students are able to review and hear the test, which is read to them via ear buds as they take tests with regular-instruction students. The program avoids the need for students to leave general education classrooms to have special education teachers read tests to them, and it allows special education students to stay with their peers.

Contact: Cordé M. Reed, director of special services, Boonton Township schools; (973) 334-4162 ext. 370.

Learning is Unleashed

ECLC of NJ – Ho-Ho-Kus, Bergen County The program brings dogs into the school to help students with autism and other disabilities build confidence, improve social and communication skills, and reduce behavior problems. These canine educators are fully integrated into daily school life and are an essential part of the students’ physical, occupational, and speech therapy services.

Each classroom has a weekly 45 minute dog therapy session. ECLC has also added a full-time facility service dog, Patrina, which is part of many students’ prescribed physical or occupational therapy plans. A service dog engages students in the classroom and during therapy sessions, and children thrive in the presence of the dog’s unconditional love and attention.

Contact: Vicki Lindorff, principal, ECLC of NJ, (201) 670-7880; vlindorff@eclcfnj.org.

Peer Groups

Green Brook Township, Somerset County In this K-8 program, regular education students in

both elementary and middle school volunteer their lunch time to eat and play with fellow students who are autistic. They help the students feel socially safe, learn age-appropriate social skills and develop friendships. A favorite activity for autistic students and their regular education peers is playing Wii video games. Students interact with each other to make the bowling, tennis and other games function.

Contact: Stephanie Bilenker, CSA/director of special services, Green Brook Township, (732) 968-1171; sbilenker@gbtps.org.

The Renaissance of Uniting Students Together

Kinnelon School District, Morris County High school students provide social and recreational experiences for special education students in the district’s primary, elementary and middle schools (ages 6 through 13) who do not ordinarily have access to these types of activities. Activities have included an egg decorating and hunt, a pajama and popcorn movie night held at the town library, a Halloween haunted house, and a faux New Years Eve party complete with a DJ, karaoke and refreshments. Student mentors are also engaged with younger students in activities such as tutoring and lunch and recess dates.

Contact: Dr. Richard Maizell, director of special services, Kinnelon School District; (973) 838-1418 ext. 111; maizellr@kinnelon.org.

Support Our Troops

Mainland Regional High School, Atlantic County Special education students at Mainland Regional, ages 15 to 18, operate an ongoing drive to send personal items such as deodorant, tissues and toothpaste to American military personnel deployed overseas. In each box, the students include poems, letters and cards they write. The soldiers respond in emails with great appreciation and connections are made. Students use a variety of skills in marketing the cause, budgeting for postage, item inventory, corresponding with recipients, and maintaining collaborative partnerships with community sponsors.

Contact: Jo-Anne Goldberg, supervisor, Mainland Regional High School; (609) 927-0825; jgoldberg@mainlandregional.net.

Shop Talk

Passaic County Technical Institute, Passaic County Deaf children are mainstreamed into various “shops” such as auto servicing, medical arts, clerical skills and culinary arts. The goal is to give these students, who are generally severely language delayed, the vocabulary and language they need to succeed in their chosen fields. “Shop Talk” identifies the vocabulary and language needed for the particular shop and reinforces it in a variety of contexts so that the student learns both the sign and the English word and can understand it receptively and use it expressively in appropriate situations.

Contact: Naomi Miller, speech/language therapist, Passaic County Technical Institute; (973) 389-2052.

Game Day

River Vale-Woodside School, Bergen County The program provides children with learning disabilities in grades two through five the opportunity to develop stronger social skills by playing games

with non-disabled students in a supportive environment. Taking turns, sharing, patience, being a gracious winner or accepting defeat are a few of the skills being addressed. The program also provides children with the chance to develop friendships with regular education peers.

The program does not require a large budget; students play games that can be bought at garage sales, or donated through PTA grants or from parents whose children outgrew them.

Contact: Kerry Arbadji, resource teacher, River Vale-Woodside School; (201) 358-4000; karbadja@rivervaleschools.com.

Is There a Picasso Among Us?

Schroth School – Ladacin Network, Monmouth County Students study an artistic genre and then collaborate to create works of art in that genre. In the 2008-2009 school year, students studied Expressionist and Abstract Expressionist art. The artists were not limited to traditional paint and palette, but also had access to digital media. Students shared their skills and creations at a special art exhibit displayed at a simulated “museum” designed to resemble a real art gallery. Community support for the project was significant, with a gallery in Freehold displaying the show. The 2010 show will be on tour to three locations in Monmouth County.

Contact: Lisa Graul, principal, Schroth School; (732) 493-5900 ext. 253; lisa.graul@ladacin.org.

Health and Fitness Program

The Children’s Institute, Essex County Healthy eating and fitness are especially important for special needs children, who can often face additional physical challenges. The program’s multi-pronged approach educates students, families and school staff, and focuses on nutrition, fitness and self-esteem. Activities have included installing cardiovascular equipment; using Wii fitness programs and fitness trainers and nutritionists; and running health fairs, family outings such as weekend family hikes, yoga classes and hip-hop dance classes. Surveys of the students indicate they are engaging in healthier eating and are exercising more.

Contact: Gina Catania, vice principal, The Children’s Institute; (973) 509-3050 ext. 244; gcatania@tcischool.org.

The Road to Work and Community Based Living – Super Senior Program

The Midland School, Somerset County “Super Seniors” is a two-year program for students 18 to 20 years old who have completed the four years of core curriculum and testing requirements needed to receive their high school diplomas. The goal of the program is to provide intense career preparation, and it includes instruction both at the school and at worksites. Job coaches accompany the students to help them adjust to the environment and learn job skills. Students also receive training in resume writing and job interview training, and they receive occupational, speech and language therapies focusing on problem solving for adult living.

Contact: Barbara S. Barkan, principal, The Midland School, (908) 722-8222 ext. 101; barkan@midlandschool.org.



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SCHOOL BOARD NOTES

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'Decades of Laws'
 continued

that school boards can retain the best qualified and highest performing staff.”

Reform tenure. New Jersey law grants lifetime tenure to teachers after three years in a position. At that point, their removal is permitted only upon certain conditions, with the burden of proof placed on the board, and only if the school board undertakes complex, lengthy and expensive tenure proceedings.

NJSBA has long sought elimination of lifetime tenure with a system of contractual tenure. “We also call on the Legislature to support other reforms, such as extending, from three to five years, the period before a teacher can gain lifetime tenure, as well as efforts to streamline tenure proceedings,” said Bilik.

“Going forward, the Administration and Legislature will consider a number of cost-saving measures that involve

C A L E N D A R

May 24

- ▶ 3Rs for New And Not So New Board Members, Central Region, Metuchen High School, Metuchen, 7 p.m. (no charge)

May 25

- ▶ Hudson County School Boards Association (SBA) Spring Meeting, Huber Street Elementary School, multi-purpose room, Secaucus, 6:30 p.m.
- ▶ 3Rs for New And Not So New Board Members, Southern Region, Hammonton High School, Hammonton, 7 p.m. (no charge)

May 26

- ▶ Salem County SBA, Annual Spring Meeting, Salem County Vo-Tech Restaurant, Woodstown, 6:30 p.m.
- ▶ 3Rs for New And Not So New Board Members, Northern Region, Mountain Lakes High School, 7 p.m. (no charge)

May 27

- ▶ Ocean County SBA 2010 Student Recognition Program, Frog Pond Elementary School, Little Egg Harbor Township, 5:30 p.m.

▶ Denotes pre-registration required

negotiations, employee benefits reform and changes to school district operations,” concluded Bilik. “A complete toolkit must

address tenure reform, changes in seniority regulations and the outlawing of certain job actions.”