

SCHOOL BOARD notes

N.J.'s Race to the Top Application Goes to Washington

The Christie Administration submitted its “round two” application for the Race to the Top grant competition on June 1. But in a dramatic about-face, the final application reflects the reforms originally cited by the administration in its application in early May, rather than those in the version that the New Jersey Education Association endorsed last week.

The short-lived NJEA endorsement included areas of agreement between the administration and the teachers union on seniority, tenure and merit compensation. New Jersey stands to obtain as much as \$400 million in federal Race to the Top grants. The few grants that were awarded in the first phase of applications went to states that achieved buy-in from key stake-

holders such as school boards and teacher unions. During the first round, the NJEA had urged its local units not to endorse the state's Race to the Top application.

Among the reforms in the June 1 application are merit pay programs that compensate individual teachers based on student achievement. The plan also rewards effective teachers who accept assignments in low-performing schools.

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Bill Would Achieve DA Goal of Allowing Tuition for Summer School

A bill has been introduced in the state Legislature that would allow school boards to charge tuition for summer school. The bill would achieve a goal set by the NJSBA Delegate Assembly on May 15 to secure legislation that would allow school districts to charge for summer programs.

Currently, any district that offers remedial or advanced classes is prohibited by the state from charging for the service. The Glassboro Board of Education's resolution approved by the May 15 Delegate Assembly called for a change allowing districts to charge, noting that school boards are finding it increasingly difficult to continue offering such services due to severe cuts in school funding.

The bill, S-1974, was introduced in the Senate on May 27. An identical version, A-2794, has been introduced in the Assembly.

“The NJSBA believes that boards of education should be permitted to charge

fees to pupils attending summer, weekend, advanced or enrichment programs for credit or non-credit. The NJSBA further believes that districts should assume the cost for those students who do not have the ability to pay as determined by federal and/or state law,” said Michael Vrancik, NJSBA's director of Governmental Relations, in a letter to Assemblyman Vincent Prieto, sponsor of the bill. “A-2794 would give districts the ability to continue to offer these classes in today's challenging fiscal environment.”

If a student is from a household that is at or below the most recent federal poverty guidelines, the district would not be allowed to charge any tuition for summer programs, according to the bill. For all other students, the district could charge tuition ranging from 50 to 100 percent of tuition, based on the student's household income.

The bills will go to the Assembly and the Senate Education Committees.

\$2000 Credit Opens Door to Wide Range of Services



NJSBA will provide each local school board with a \$2,000 service credit for use in the next fiscal year. A part of the Association's 2010-2011 budget approved last month, the service credit reflects the Board of Directors' desire to give school boards the ability to receive advanced training and fee-based services in areas that are critical in the current economy.

The \$2,000 credit, provided to boards of education of regular public school districts only, may be applied to any fee-based training program or service, including –

- Workshop 2010 registration
- Customized policy writing services
- Superintendent search services
- Strategic planning
- Negotiations training
- Non-mandatory Board Member Academy training
- Salary guide services
- Online subscription services, such as *Negotiations Advisor*, the *PERC Index*, and *Index to School Law Decisions*

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Bill: All Concession Savings Must Offset RIFs

NJSBA is opposing a bill, S-1940 (Vandrew, Ruiz), that would require that savings achieved through concessions at the bargaining table be used to offset any reductions in force.

NJSBA believes the bill is unnecessary and will infringe on local school boards' responsibility to represent the public's interest.

"Since the announcement of drastic school aid cuts in March, over 85 percent of the state's local boards of education asked their teachers' associations to reopen existing agreements, with the goal of establishing wage and benefit concessions," reads NJSBA's position statement.

"Where contracts have been reopened, we believe that the goal of local school board has been preserving teaching positions to the greatest extent possible. Consequently, in these extraordinary financial circumstances, legislation like S-1940 is unneeded."

It continued, "In a better economy, the legislation will serve only to interfere with

the basic responsibility of local boards of education to provide educational services in the most cost-efficient manner possible. It would severely undermine their ability to carry out this responsibility by eliminating the managerial prerogative to allocate money saved through wage concessions for any purpose that would serve the interests of students and taxpayers."

Introduced May 20, S-1940 stipulates that when a school district implements a reduction in force for reasons of economy or other good cause, if a collective bargaining unit agrees to a wage or benefit concession during the time that a collectively negotiated agreement is in effect, or continues in effect by operation of law while a successor agreement is being negotiated, then the amount of money otherwise necessary to fund those wage and benefit concessions must be applied by the district to maintain bargaining unit staff member positions.

NJSBA believes that local school

boards' duty to negotiate must be secondary to their duty to educate the children in the district. Collective bargaining in New Jersey's public schools must be structured to provide an appropriate balance between school boards' negotiations obligation and boards' statutory rights and responsibilities to provide a thorough and efficient system of free public education.

S-1940 was scheduled for a hearing before the Senate Education Committee on June 3. A companion bill, A-2772 (Albano, Ramos), was introduced simultaneously, but no hearing has been scheduled. 🍌

Race to the Top continued

In addition, the application proposes to make it easier for school districts to terminate ineffective teachers, using teacher evaluations based on student achievement. Educational effectiveness would replace seniority as the main factor in deciding which teachers to retain during layoffs.

"Please know that my administration is committed to implementing these initiatives regardless of whether or not this application is successful," Christie said in a letter to the U.S. Department of Education. "Indeed, I am so committed to them that I decided that they should not be compromised to achieve a contrived consensus among the various affected special interest groups."

In all, 389 New Jersey school districts and charter schools signed a memo supporting the application.

NJSBA Supports New Version The State Department of Education's final application reflects the version that NJSBA endorsed on May 18. The full text of the letter from NJSBA executive director Marie S. Bilik that expresses the Association's support for the Race to the Top application can be found under the "What's New" section of www.njsba.org. 🍌

NJSBA Tracking Wage Concessions

Districts have been negotiating unprecedented settlement terms as part of either ongoing or reopened negotiations. As of June 1, 120 school districts have reported some form of wage freeze, settlement reduction or other concession. This figure does not include non-unionized employees.

For teacher groups, 67 districts have reported some form of wage freeze or concession. NJSBA is aware of discussions that

are ongoing in numerous other districts.

NJSBA has made available a continuously updated list of notable recent settlements, which can be found under the "Breaking Issues" section of the Labor Relations page of the Association's website, www.njsba.org.

The information can also be obtained by contacting the Labor Relations Department at (609) 278-5219. 🍌

Federal Teacher Subsidies Plan Stalls

A proposal to spend \$23 billion nationally to avert teacher layoffs stalled on May 27, according to news reports. David Obey, the Wisconsin congressman who is chair of the House Appropriations Committee, cancelled a meeting to insert the proposal into a war spending bill. Meanwhile, Sen. Tom Harkin, the chairman of the Senate Appropriations Committee, noted that he lacked the necessary votes.

It was estimated that the bill could have prevented the layoffs of some 300,000 teachers, support staff members and others. The bill would have directed funds to each state, which would then distribute the money to school districts based on state formulas or the federal formula for Title I aid to disadvantaged students. The local districts could then use the funds in pre-K to 12 schools to restore jobs, hire new staff or for compensation and training.

SPRING SCHOOL LAW FORUM 2010

Designed for School Board Attorneys – Board Members and Administrators Welcome



Tuesday, June 8, 2010

9 a.m. – 2 p.m. (Registration 8:30 a.m.)

**N.J. Principals and Supervisors Association
Headquarters, Monroe Township, N.J.**

Members: \$150 per person

Non-members: \$225 per person

Registration includes buffet lunch.

Pending Approval: 5.1 hours of CLE credits*

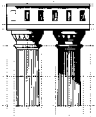
Learn about cutting-edge developments in school law. Practicing school board attorneys will share research and their experience in addressing the latest court decisions, administrative rulings, and statutes and code that affect public education and school district governance.

Learn about the latest developments in:

- Student Residency Law
- Open Public Records Act
- Destruction of Public Records Law
- Hot Issues in Special Education
- RIFs and Non-Renewals
- School Law Update

**This program is pending approval from the Board on Continuing Legal Education of the Supreme Court of New Jersey for 5.1 hours of total CLE credit. Of these, none qualify as hours of credit for ethics/professionalism, and none qualify as hours of credit toward certification in civil trial law, criminal trial law, workers compensation law and/or matrimonial law. BCLE Reg. 302:10*

If you have any questions, Please contact Cindy Stanhope at (609) 278-5254, or e-mail cstanhope@njsba.org.



Academy Credits: 1

CBM Core Areas: School Law, Policy, Board Operations, Relationships

MBM Core Areas: School Law, School/Community Relationships

CBL Status: Not eligible for credit

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.

The school district accountability law places travel restrictions on school board members. Travel approval is required in advance. For information, visit www.njsba.org/accountabilityact/

All registrations must be prepaid.

Please register me for the **Spring School Law Forum 2010**, Tuesday June 8, 2010, 9 a.m. – 2 p.m. at N.J. Principals and Supervisors Association Headquarters, Monroe Township, N.J.

Registration Fee:

\$150 per Member

\$225 per Non-member

Payment enclosed

Bill Board (Voucher enclosed)*

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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) 278-5280

*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.



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Service Credit continued

- Online policy services
- Association publications

Goal: Effective Governance “The service credit represents the NJSBA Board of Directors’ desire to reduce the Association’s surplus in a way that will promote effective local school board governance,” explained Marie S. Bilik, NJSBA executive director. The issuance of the service credits will reduce the undesignated surplus by 47.3 percent.

In addition to the \$2,000 per district service credit, boards will also experience a reduction in NJSBA dues of up to 5 percent. NJSBA’s 2010-2011 budget reflects a 6.2 percent reduction in operating expenditures, a 6.7 percent cut in staffing, and a salary freeze for employees.

“The vast majority of NJSBA services are dues based,” said Bilik. “These dues-based services include the on-site mandatory training, provided by the Association under the School District Accountability Act, which will be provided free of charge in 2010-2011.”

For information about how your board can use its \$2,000 service credit, talk to your NJSBA Field Service Representative. To find the name of your representative, contact Cathy Ewart at (888) 886-5722, ext. 5255 or cewart@njsba.org.

Important Notice Regarding Mandated Training

NJSBA cannot accept walk-in registrations for mandated training programs. Program facilities have strict space limitations and program materials are produced for pre-registered attendees only. Members who are pre-registered but cannot attend should contact NJSBA’s Call Center via e-mail at callcenter@njsba.org to cancel registration, so that someone else may attend. NJSBA appreciates board members’ cooperation in this matter.

Recognizing Excellence



Ernie Cuneo, center, a teacher at the Livingston High School, was honored at last month’s spring meeting of the Essex County School Boards Association for being named Essex County’s Teacher of the Year. Beside him is Essex County Executive County Superintendent Dr. Lawrence S. Feinsod (left), and Essex County School Boards Association president Everett Jennings (right).