

SCHOOL BOARD notes

NJSBA Comments on School Funding Motion

Although it strongly advocates full funding of the state's current school finance law, NJSBA will not enter the Education Law Center's (ELC) legal action before the state Supreme Court.

The motion, filed June 8, asks the court

to force the governor and the Legislature to restore state aid cuts planned for 2010-2011.

NJSBA's decision followed a review of the law center's arguments and the Supreme Court's May 2009 *Abbott XX*

that upheld the constitutionality of the School Funding Reform Act of 2008 (SFRA) as long as the law is implemented as the Legislature intended. The Association also considered economic conditions and their impact on state revenues to be significant factors.



A Message from NJSBA's President

Dear Local School Board Members:

On behalf of NJSBA's Officers, I thank the members of the New Jersey School Boards Association for their support and for the many warm wishes of congratulations on our election. We are honored to have been given the opportunity to serve our state's 4,800 dedicated school board members.

We take office at a critical and challenging time in the history of our state's public education system. New Jersey is in the throes of a great debate about reshaping the landscape of public education, and NJSBA will be a key participant in the dialogue.

School board members are special individuals who, for no compensation, subordinate their personal priorities for the good of public education and the children of our state. So my next request to you may seem unusual: Get *even more* involved! It is imperative that each of us extend our participation beyond our local districts and into efforts at the county, state and federal levels.

Board members play a unique role: We are able to advocate for public education, unswayed and unbiased by political agendas or union agendas. It is our job to ring the alarm when reform focuses just on economics and not on educational outcomes.

By actively participating in the "great debate" engulfing our state, local school board members can shape educational programs and initiatives, by making certain that excellence in education is not sublimated to the agendas of others.

Neither my fellow officers and I, nor the Association staff, have all of the answers. For this reason, one of my priorities is to solicit the broadest range of input from our membership. While the Association will continue to provide "top down" information to keep you informed of all developments, initiatives and available resources, we are looking to you to provide critical "bottom up" communication.

We will draw on your ideas, issues, problems and success stories to formulate our Association's agenda. And we will call upon you to vigorously advocate that agenda in as many groups, forums or gatherings as will give us an audience. Working together, we can be much more than bystanders and will have a pivotal role in developing New Jersey's educational priorities.

At all times, we will be guided by asking a very simple question, "How will this proposal affect our state's most critical asset – our children and their education?"

I look forward to working with you and would be most appreciative of your input and guidance as we move forward together. Just send me an e-mail at rwiss@njsba.org.

Your NJSBA officers commend your dedication to the schoolchildren of New Jersey.

Sincerely,
Raymond R. Wiss

NJSBA Leaders Address Issue A statement, issued Wednesday by the Association's officers, stresses the organization's long-standing belief in adequate levels of state support for all public school districts, while outlining NJSBA's reasons for not seeking participation in the matter:

"The New Jersey School Boards

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Appeals Court Upholds Surplus Cuts

On Monday, an appeals court released its decision upholding Gov. Chris Christie's Executive Order 14, which directed school districts to use surplus funds to make up for cuts in current-year (2009-2010) state aid.

Earlier this year, the governor froze \$475 million in 2010 school aid payments. Those cuts were made to bridge a gap of more than \$2 billion in the current year state budget.

The lawsuit was filed by the Perth Amboy school district, which lost some \$15 million in state aid.

The entire text of the opinion is available at www.judiciary.state.nj.us/opinions/a3361-09.pdf.

Summer School, Background Check Bills Approved

Legislative committees on Monday approved bills that would allow school districts to charge for summer school, and require criminal background checks of school board members and school volunteers.

The Assembly Education Committee unanimously approved bill A-2794 (Prieto, Quigley, Riley), which allows for districts to charge for summer school. Currently, the state prohibits districts from charging for remedial or advanced summer classes.

The bill would achieve a goal set by

NJSBA's Delegate Assembly on May 15 to secure legislation that would allow school districts to charge for summer programs. The bill, which contains provisions for families who can not afford the fee, is poised for a vote by the full Assembly. Its Senate counterpart, S-1974, will be heard by the Senate Education Committee on June 21.

Board Member Checks The Assembly Law and Public Safety Committee released A-444 (Green, Bramnick, Conners, Conway), which would require school board

members to undergo criminal history background checks and would disqualify members convicted of any crime that would disqualify a person from public school employment.

NJSBA has discussed major amendments to the proposal with one of the bill's prime sponsors, who appears receptive to many of the changes. The bill has broad bipartisan support.

Changes sought include permitting school districts to pay for the checks rather than placing the cost exclusively on unpaid school board members, extending the requirement to charter school trustees and municipal officials, and also requiring disclosure of previous convictions in nominating petitions and school ethics act reporting forms.

NJSBA was a prime mover behind the original statute requiring criminal background checks of prospective school employees. Based on its belief that students' health and safety is a paramount responsibility of school boards, it has supported expansion of that statute. In addition, current Association policy supports disclosure of past criminal convictions by current and prospective school board members.

The amendments sought by NJSBA would make a background check requirement far less burdensome for board members. A Senate version, S-295, is in the Senate Education Committee.

Volunteer Checks The Assembly Education Committee also released A-1019 (Spencer, Caputo), which calls for criminal background checks of school volunteers.

The committee's debate focused on the chilling effect the measure could have on volunteer participation, as well as whether the bill should cover one-time volunteers as well as regular volunteers. Before the bill goes to the full Assembly, legislators are expected to add an amendment, at NJSBA's request, defining which volunteers would be impacted by the measure.

Call for Entries to Digital Survey

School boards are invited to participate in the "2010 Digital School District Survey," a national survey designed to showcase exemplary school boards and districts' use of technology to govern the district, improve district operations, and communicate with students, parents and the community.

The project is sponsored by the Center for Digital Education in conjunction with the National School Boards Association. For more information, go online to www.centerdigitaled.com/2010DigDistricts.

The deadline for submissions is August 6.

The survey highlights the boards' online presence; the technology applications that allow the public to interact with school board members; electronic access to information such as school board calendars, policies and agendas; and technology advancements in the school board chambers.

Top-ranked school districts will receive awards and will be featured on the Center for Digital Education's website.

Boot Camp for Board Members



Charlene Zoerb, NJSBA Field Service Representative, discusses effective board governance during a small-group session at the New Board Member Orientation program on June 12 in Robbinsville. Approximately 175 new board members registered for the program. NJSBA has scheduled at least five more Orientation programs between now and the April 2011 school elections.

Deadline for School Leader Award Entries Extended

The deadline for the NJSBA School Leader Awards program has been extended to July 16.

The School Leader Awards showcase creative programs in New Jersey's public schools. Entries are judged on the degree of innovation and challenge, how well a program addresses a need, and how the program is integrated into the district's curriculum and into the state's Core Curriculum Content Standards. Judges also take into consideration a program's evaluation strategies, community involvement (if applicable) and any future plans for improvement.

In 2009, six programs were selected for recognition at NJSBA's Annual Workshop.

Winning entries will be recognized during a ceremony at Workshop 2010 in October.

For additional information, visit the School Leader Award section of NJSBA's website, www.njsba.org, or contact Ann Marie Smith at amsmith@njsba.org or (609) 278-5209.

School Funding Motion

continued

Association is committed to equal educational opportunity for all New Jersey children, regardless of the community where they live, and to adequate levels of state support to ensure fiscal equity among communities.

“In determining if it would seek participation in the Education Law Center’s motion, NJSBA also assessed the likelihood of a favorable court decision in this current economic climate. New Jersey is facing unprecedented financial difficulties.

“Therefore, NJSBA would best serve the interests of local boards of education by instead applying its resources to areas that would have the most likely financial and operational benefits for local school districts.

“These strategies include advocating the use of any future available

state revenue for school funding, opposing the diversion of state revenue away from public schools through proposals such as vouchers

“NJSBA would best serve the interests of local boards of education by instead applying its resources to areas that would have the most likely financial and operational benefits for local school districts.”

or tax credits, and advancing changes in labor law, statute and regulation that would enable school boards to control costs and direct available resources to the education program.”

The statement was signed by Raymond Wiss, NJSBA president; John Bulina,

vice president for legislation/resolutions; Charles Miller, vice president for county activities; Donald Webster, vice president for finance; and Harry Delgado, immediate past president.

Legal Question The issue raised by the ELC motion is whether (a) in a time of diminished revenues, the state satisfied the *Abbott XX* decision by following the mechanics of the funding formula, even though it made adjustments that reduced the dollars going to schools, or (b) the *Abbott XX* decision obligates the state to provide the money that the formula would have produced if the adjustments had not been made.

If the court intervenes immediately and implements the remedy sought by the ELC, its action would compel the governor and Legislature to increase school funding, but would not force the state to enact new taxes. And if the state chose not to raise revenues, the remedy would have to be implemented by adjusting the 2010-2011 budget.

Basic Argument In the June 8 filing, the ELC – which has represented the students in the state’s 31 special needs, or *Abbott* districts – contends that the May 2009 *Abbott XX* decision allowed the new school funding system, the SFRA, to go into effect on the condition that the formula be fully funded.

The law center quotes the court’s ruling, “Our finding of constitutionality is premised on the expectation that the state will continue to provide school funding aid during this and the next two years at the levels required by SFRA’s formula each year.” The ELC had initially argued against implementation of the SFRA in *Abbott XX*.

NJSBA supported many aspects of the School Funding Reform Act of 2008 including provisions which recognize that poor and at-risk children live in communities outside the 31 *Abbott* school districts, as well as the greater levels of state aid initially provided to overtaxed moderate- and middle-income communities. 🍏



Sept. 7 is Deadline for Delegate Assembly Resolutions

The cutoff for submission of resolutions for the next NJSBA Delegate Assembly will be 5 p.m. Tuesday, Sept. 7. The Delegate Assembly will take place on Nov. 20.

On June 9, NJSBA notified school business administrators, board presidents and county association presidents about the cutoff date. The mailing

included a description of the proper resolutions format.

Resolutions must be submitted in the proper format and mailed to:

Resolutions, November 20, 2010 Delegate Assembly, c/o Marie S. Bilik, Executive Director, New Jersey School Boards Association, 413 West State Street, P.O. Box 909, Trenton, NJ 08605-0909

To obtain a description of the format for submitting resolutions, contact Barbara Deveney toll free at (888) 886-5722, extension 5256, or by email at bdeveney@njsba.org.

Recycling Books

NJSBA’s Policy Department has sample policies that can help guide school boards when initiating a recycling program.

At the end of the school year in June, some schools may consider throwing away older-but-still-useable books. Before discarding older books, district officials might consider a free book fair: Setting the books on tables for students to select for summer reading. Many students come from homes that have few books or magazines, and the reading abilities of these students decline from lack of reading during the summer months.

Another recycling idea is a free book exchange. Some schools have had great success by having a stack of shelves filled with excess books, and featuring an exchange policy that allows a one-for-one swap, or two-for-one exchange, in order to build up the inventory. Some students or parents will replenish the shelves with many books, but take none. Book exchanges are sometimes operated by the parent-teacher organization or other adult volunteers.

For information on sample policies regarding book recycling programs, contact David Bosted, NJSBA policy consultant, at (609) 278-5267 or by email at dbosted@njsba.org.



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County Association News



Decades of Experience

John Vander Molen of the Manchester Regional Board of Education, left, and Jeffrey Fisher of the Haledon Board of Education, right, receive NJSBA Milestone Awards for serving over 40 years. Ray Pinney, center, NJSBA member outreach coordinator, presented the awards at the Passaic County School Boards Association Spring Meeting on May 10.

Board Member of the Year

Middlesex County School Boards Association members present Terry Kohl of the Metuchen Board of Education with the Middlesex County Board Member of the Year award at their Spring Meeting on June 2. From left is Matthew Speesler from the South Brunswick Board of Education; Dr. Patrick Piegari, executive county superintendent; Kohl; Catherine Sucher Greeley of the Piscataway Board of Education; Dr. Gerald Woehr of the Educational Information and Resource Center; Tom Connors from the Piscataway board; and Kevin E. Ciak, president of the Sayreville Board of Education and a past president of NJSBA.




C A L E N D A R




July 5

NJSBA offices closed in observance of Independence Day

July 10

 ELFNJ Leadership Conference, Mountain Villa School (Rutherford Hall), Allamuchy, 8:30 a.m.

 Denotes pre-registration required

 Denotes NJSBA Board Member Academy Training Program

Check the online version of *School Board Notes* for important stories not included in the print version. Click on “*School Board Notes*” under the “In the News” heading of www.njsba.org.