

SCHOOL BOARD notes

Recent Teacher Settlements Decline to All-Time Low

According to recently reported 2010-2011 teacher contract settlements, agreements reached since January 2010 are averaging 2.03 percent. Those occurring during the second quarter only – April to June – are averaging 1.58 percent.

The second quarter average includes 23 districts where teachers have agreed to a wage freeze for the 2010-2011 school year. Overall, since January, 42 teachers' groups have agreed to a one-year pay freeze for the 2010-2011 school year, and an additional 43 districts have agreed to other givebacks and concessions.

These are the lowest statewide settlement figures since NJSBA began collecting teacher settlement data more than 30 years ago. A variety of ready-to-print reports on teachers' settlements, wage freezes and other comparative data are available on the NJSBA website (www.njsba.org) or by contacting the Labor Relations Department at (609) 278-5219.

A recent survey of the 198 school districts in which teachers' contracts expired on June 30 indicates approximately 80 percent are still in the process of negotiations or at impasse, which is similar to the percentage of unsettled contracts that NJSBA had recorded this time last year.

Labor Relations Training, page 4

New Jersey Teacher Settlement Rates, 2010

Since January	2.03%
Second quarter only (April-June)	1.58%

Schools to Reopen with Fewer Teachers, Larger Class Sizes

Congress Passes School Jobs Bill, page 2

Most New Jersey public school districts will reopen next month with fewer teachers, larger class sizes and/or reduced programs, according to an NJSBA survey released this week.

Since February, school districts have experienced two state funding cuts amounting to \$1.2 billion, as well as reductions to proposed local tax levies made by

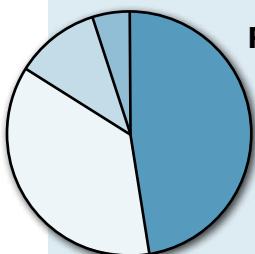
municipal officials following widespread budget defeats by voters in April.

To assess the impact of the financial cutbacks on classroom staffing and programs, NJSBA surveyed local school officials from May 25 through June 29. Approximately 40 percent of districts responded. While the survey results do not produce a comprehensive number of teaching staff reductions, they do identify trends in classroom staffing.

Fewer Teachers Eighty-one percent of the responding school officials said their districts would reduce teaching staff in 2010-2011. Almost half of the responding school districts said the teaching staff reductions represent up to 5 percent of 2009-2010 staffing levels. Another 36.6 percent of districts estimate that the layoffs will reduce teaching staff by 6 to 10 percent. Sixteen percent indicated they would reduce staff size by more than 10 percent.

NJSBA's most recent survey did not address non-teaching positions. However, an earlier survey, conducted in March, showed that 92.8 percent of responding school districts planned to lay off staff, with many citing losses of administrative positions, guidance counselors and librarians.

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Projected Teaching Staff Reductions, 2010-2011
Percentage of Classroom Teaching Positions Eliminated

- Clockwise:*
- 0.1% to 5% teaching staff reduction (47.4%)
 - 6% to 10% reduction (36.6%)
 - 11% to 15% reduction (11.4%)
 - 16% or more (4.6%)

NJDOE Announces \$270 Million in Facilities Grants


On July 28, the New Jersey Department of Education announced that 177 New Jersey school districts are eligible for approximately \$270 million in state funds toward the cost of 740 capital maintenance and construction projects.

With local funding added to the state share, the projects are estimated to cost approximately \$697 million and would generate as many as 6,000 jobs over the duration of construction.

The state grants, which are contingent on local voter or budget approval of the remaining costs to districts, represent at least 40 percent of eligible costs for projects in the regular operating districts. NJSBA advocated for the provision in the 2000 Educational Facilities Construction and Financing Act that required the state to fund at least 40 percent of eligible school-construction costs.

Grants are approved by the department

in fixed annual allocations based on a prioritization process that considers needs such as health, safety, special education, renovations of existing buildings, and overcrowding.

A report on the allocations can be found by going to the state Department of Education's website at www.nj.gov/education/facilities/projectapplication/rod/ and selecting "Status of Grants for Regular Operating District Projects." 


District Settles Matter Involving Previously Disabled Teacher

The Manalapan-Englishtown Board of Education recently settled a case in which the state Supreme Court determined last May that the school district must reinstate a teacher who had retired nearly 20 years ago on a disability pension due to an alcohol-related condition.

The Supreme Court ruled in *Klumb v. Board of Education of Manalapan-Englishtown* that the board should have rehired the teacher in 1999 when a job opened, since the Teachers Pension and Annuity Fund had determined that she was rehabilitated and able to perform.

Although the teacher fared poorly against other candidates during her interview for the position, the court determined that the district was obligated by statute to reemploy her, and sent the case back to the Commissioner of Education to determine the amount of back pay owed her.

The commissioner approved the settlement, under which the board obtained a waiver from the teacher of any future reemployment rights, and reduced its exposure for six years' back pay by nearly half, from a possible \$440,000 to \$240,000, minus taxes.

Under the Supreme Court's interpretation of current pension law, a board must rehire a former employee who becomes rehabilitated years after taking disability retirement, regardless of how long the teacher has been away from the job or the circumstances under which the departure occurred. NJSBA believes that this undermines a board's ability to hire the best staff. NJSBA is seeking an amendment to the pension law that would eliminate the possibility of a similar situation in the future. 



DA Resolution Deadline is Sept. 7

All resolutions submitted for the Nov. 20, 2010 Semiannual Delegate Assembly must be received at NJSBA's Trenton office by 5 p.m. Tuesday, Sept. 7. The second notice regarding the cutoff date was e-mailed and faxed to school business administrators, county association presidents and board presidents on

July 23. Also included in the mailing were the rules for appearing before the Resolutions Subcommittee, which will meet on Saturday, Oct. 2, to consider the resolutions submitted for the November Semiannual Delegate Assembly agenda.

Resolutions submitted for the Delegate Assembly must be mailed to:

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

NJSBA Executive Committee to Meet

In accordance with the Open Public Meetings Act, notice is hereby provided of a meeting of NJSBA's Executive Committee. The meeting will be held at the Holiday Inn Somerset, 195 Davidson Ave., Somerset, N.J., at 1 p.m. Saturday, Aug. 28.

The meeting is open to the public. The agenda, to the extent known at this time, will include the visionary direction of the Association and goals of the committee for 2010-2011. For further information, contact Nancy Fletcher at (609) 278-5214.

Congress OKs School Jobs Bill

The U.S. House of Representatives on Tuesday approved the \$10 billion Education Jobs Fund Amendment. The measure goes to President Obama for his signature. New Jersey is expected to receive \$268 million through the federal legislation, part of the administration's economic stimulus program.

According to the National School Boards Association, states must award the funds "for the support of elementary and secondary education to retain or create education jobs" for the 2010-11 school year or for both the 2010-11 and 2011-12 school years.

Prior to the prospect of Congressional approval of the federal funding, an NJSBA survey indicated that over 37 percent of New Jersey school districts anticipated offering employment to some of the non-tenured staff who received layoff notices in May. If the funding becomes available to schools in time for the 2010-2011 school year, that percentage could grow.



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REGISTRATION FORM

PLEASE FAX THE REGISTRATION FORM TO (609) 583-1040, OR E-MAIL REGISTER@NJSBA.ORG

REGISTRATION QUALIFICATIONS

Only board members and district staff are permitted to be included in a group registration. Board attorneys must register as individuals. Member rates are extended to all New Jersey school board members and staff of districts in good standing. Registration fee covers admission to all Workshop activities except the **School Law Forum**. The mandated training registration form is separate.

TYPE OF REGISTRATION	MEMBER	NON-MEMBER
<input type="checkbox"/> Group Registration (open to N.J. school districts only) Covers the board, chief school administrator, school business official, district staff. Attorneys may not be included.	Members Only \$550 <i>Up to 11 members</i>	
<input type="checkbox"/> Individual Registration*	\$100	\$200

DISTRICT REGISTRANTS Name(s) of District Member(s)	E-MAIL ADDRESS	ATTENDING		
		Tues, 10/19	Wed, 10/20	Member Appreciation Event
Chief School Administrator				
School Business Official				
Board Member				
Board Member				
Board Member				
Board Member				
Board Member				
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Board Member				
Board Member				
District Staff & Title				
Non-group registrant (please include title)				
		Total Amount Enclosed \$		

Do you wish to apply your service credit? (Applies to regular member school districts only) Yes No

Cancellation Fees: Jun 1-Sept 5 = \$50, Sept 6-30 = \$100; **Requests for refunds** cannot be accepted after September 30, 2010.

MAKE CHECK PAYABLE TO NJSBA AND MAIL TO: New Jersey School Boards Association, Workshop, 413 West State St., Trenton, New Jersey 08605-0909.

ANY CHANGES AND/OR CANCELLATIONS MUST BE SENT TO US IN WRITING. Fax to (609) 583-1040, or e-mail to register@njsba.org.

School District _____ County _____

Contact Person _____ Telephone # _____

Affiliation Name/Address (if not with a school district) _____

*Individual registration will be charged at a rate of \$100 per member for the first five members registered. The group rate of \$550 covers 11 members. Additional members (above 11) will be charged a discounted rate of \$50 per person.

REGISTRATION DEADLINE: October 1, 2010

Race to the Top Finalist Interviews This Week

State education department officials will travel to Washington, D.C. on Wednesday to make their case as to why New Jersey should be awarded some \$400 million in funding in the Race to the Top (RTTT) competitive grant program.

New Jersey will have 30 minutes to make a presentation on the state's education reform plans and will take part in an hour-long question and answer period with the grant competition judges.

On July 27, U.S. Secretary of Education Arne Duncan announced that New Jersey, along with 17 other states and the District of Columbia, were finalists for more than \$3 billion available nationally in

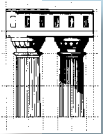
the second round of funding for the Race to the Top program. New Jersey was not a finalist in the first round Race to the Top competition earlier this year.

The application submitted by the Christie administration in June includes such proposals as merit compensation for teachers, programs that reward effective teachers who accept assignments in low-performing schools, and a proposal to make it easier for school districts to terminate ineffective teachers.

The New Jersey team will include Education Commissioner Bret Schundler, Deputy Commissioner Andrew Smarick; Assistant Commissioner Willa Spicer; Assistant Com-

missioner Rochelle Hendricks; and Daniel Gohl, program director for the Newark public schools. The group has been polishing its presentation, timing their responses, and trying to highlight aspects of the proposal which will win New Jersey the most points on the competition scoring rubric.

Race to the Top winners will be announced in September. In the first round of the competition, only Delaware and Tennessee received grant awards. However, Education Secretary Duncan has been quoted in media reports saying he expects 10 to 15 states to be awarded grants in the second round of the grant competition. 🍏



Labor Relations Programs to Prepare Boards for Bargaining

This fall, approximately 200 school boards will enter negotiations with their teachers' associations. In addition, many boards will also be bargaining with their support staff and their administrators/supervisors associations. With an unprecedented level of financial constraint and rising costs, coupled with legislative and regulatory uncertainty, it is more important than ever that boards prepare for this upcoming round of negotiations.

To help boards get ready for negotiations, NJSBA is offering two bargaining programs this fall. *Preparing for Bargaining* on Sept. 11 will help boards understand the role of the bargaining team, how to cost out the contract, how to develop board proposals, and the legal requirements that govern the negotiations process. *Intermediate Bargaining* on Sept. 25 will address union proposals, counter-proposals and tradeoffs, as well as effective communications techniques and impasse procedures.

In addition, the Labor Relations webpage at www.njsba.org/labor provides information on current topics, including health insurance information. It also contains current negotiations data and links to two subscriber services: *Index and Analyses of PERC Decisions* and *The Negotiations Advisor Online*. These labor relations resources can be valuable tools for districts that are preparing for negotiations.

NJSBA's labor relations staff members are also available to answer questions and assist board members, administrators and attorneys on such topics as negotiations, grievances, mediation, fact-finding, job actions and salary guides. Go to www.njsba.org/labor for more information on the department's programs and services, or call (888) 886-5722, ext. 5219.

Fall PR Forum Looks at Communications In Difficult Times

From difficult contract negotiations to negative news coverage, school boards face a variety of communications challenges.

NJSBA's Fall Public Relations Forum, on Thursday, Sept. 30, from 6:30 p.m. to 9:30 p.m. at Rowan University, will address how school boards should communicate with the public and the media during difficult times.

The program will include segments on communicating during negotiations, the principles of crisis communication, and a case study on how one district dealt with the fallout from the online posting of a controversial video recording from one of its schools.

Speakers will include Patrick Duncan, senior consultant and negotiator from NJSBA's Labor Relations department; M. Larry Litwin and Edward H. Moore, faculty members in the Public Relations and Advertising Department of Rowan's College of Communication; and Elizabeth A. Scott, Burlington Township Schools District Supervisor and Public Relations Coordinator.

For more information, visit NJSBA's website at www.njsba.org/training.

Treasurer: Expect Flat Funding in 2011

New Jersey Treasurer Andrew Sidamon-Eristoff recently told a Senate Budget Committee that the state's schools should expect the same level of funding in next year's budget that they received this year – and not higher levels. The budget for the fiscal year that began July 1, 2010 included cuts of approximately \$824 million to public education from the previous year's funding level.

Sidamon-Eristoff also noted in his remarks to the committee on July 28 that the state expects to make a payment of \$512 million to its pension funds for teachers and government workers in fiscal 2012, its first payment to the pension fund in four years. However, according to subsequent news reports, Gov. Chris Christie said at a press conference that the state would make the payment "if the state is in the position to make that contribution."

The state Office of Legislative Services has projected that New Jersey may face a deficit of \$10.5 billion next year if all programs are fully funded and the state makes the OLS-recommended pension payment of \$3.5 billion. 🍏

Fewer Teachers, Larger Class Sizes

continued

ians, as well as non-certified employees.

Causes of Layoffs An overwhelming majority (73.4%) of respondents identified “state school aid cuts” as

the primary cause of the teaching staff reductions. Approximately 8 percent attributed the layoffs to municipal reductions of voter-defeated school budgets in April. Over 6 percent cited enrollment

decline as a reason for the cuts, while 4.5 percent said teaching staff reductions resulted from long-term finan-

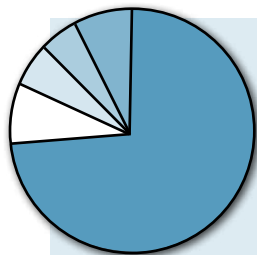
cial planning. The remaining 8 percent indicated that a combination of two or more of those factors contributed to the teaching staff cuts.

Impact of Cuts Over 42 percent of respondents cited “larger class size” as the primary outcome of the reductions in teaching staff; 34.5 percent said the layoffs would result in elimination of programs; and 10.2 percent said staff cuts would have “no negative impact.” Over 7 percent of responding districts said the staff reductions would result in “fewer course offerings.”

Impact on Teachers A large proportion of responding school officials (42.4%) said the reductions in force affected positions held by tenured teaching staff.

NJSBA’s survey indicated that four-fifths of districts issued non-renewal notices this year to those who hadn’t achieved tenure. Of those districts—

- 20.6 percent sent layoff notices to all non-tenured teachers.
- 8.5 percent notified more than half of their non-tenured teachers of their intention not to renew their contracts for 2010-2011.
- Nearly 42 percent of districts issued such notices to one-tenth to half of their non-tenured teachers. 🍎



Causes of Layoffs

Clockwise:

- State school aid cuts (73.4%)
- Defeated budgets (7.9%)
- Enrollment decline (6.2%)
- Long-term financial planning (4.5%)
- Other reasons/combination of above factors (8%)

Important Notes Regarding the Workshop 2010 Registration Process



It’s time to register for Workshop 2010. A Workshop registration form is included in this issue of *School Board Notes*. This year’s conference is Oct. 19 & 20 in Somerset, N.J. The conference is anchored at the Palace at Somerset Park, but will take place in several venues, all located on Davidson Avenue in Somerset.

Please take note of the important changes to this year’s registration process:

- 1. Dates Attending** – It must be indicated on the registration which date(s) board members will be attending.
- 2. Member Appreciation Event** – For each member, indicate whether or not they will attend the Member Appreciation Event from 5:30-9:30 p.m. on Tuesday, Oct. 19. More information on the event may be found online at www.njsba.org/workshop.
- 3. Applying the \$2000 Service Credit** – A \$2,000 credit, provided this fiscal year to boards of education of regular public school districts, may be applied to any NJSBA fee-based training program or service – including the Workshop 2010 registration fee. To apply the credit, it must be indicated on the Workshop registration form.
- 4. Registration Deadline** – The registration deadline for Workshop 2010 is **Oct. 1**. Adhering to the deadline is crucial, so that NJSBA may provide adequate shuttling between venues.

Learn more about Workshop 2010. On Wednesday, Aug. 18 from noon to 12:45 p.m., join NJSBA online for a Workshop 2010 Preview Learn@Lunch program. To register, visit www.njsba.org, and click on the Workshop Preview link under “What’s New.”

Public Relations Mini-Workshops – Request for Proposals

Could other school officials benefit from your public-relations expertise?

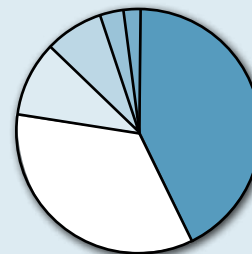
If so, consider submitting a program proposal for NJSBA’s School Public Relations Mini-Workshops, taking place at the annual Workshop 2010, Oct. 19-20 in Somerset. The Mini-Workshop program is scheduled for 2:30 p.m. to 3:30 p.m., Wednesday, Oct. 20.

The 30-minute roundtable presentations will be presented twice during the hour-long timeslot. Past participants have benefited greatly from the popular presentations on public relations topics such as media relations, involving parents and senior citizens in the schools, crisis communications, passing bond proposals and budgets, and community engagement. Prospective presenters are encouraged to submit a proposal on any communications or public relations topics believed to be useful to local school district officials.

If you are interested in submitting a proposal, download the Program Proposal Form that can be found under the “What’s New” section of NJSBA’s website, www.njsba.org, and return it to Ann Marie Smith, Administrative Assistant, Communications Dept., New Jersey School Boards Association, P.O. Box 909, Trenton, NJ 08605-0909. Applicants may also e-mail the form to amsmith@njsba.org or fax it to (609) 695-0413.

The deadline for receiving the completed form is Sept. 7.

Impact of Layoffs



Clockwise:

- Larger class size (42.4%)
- Full or partial elimination of programs (34.5%)
- No negative impact (10.2%)
- Fewer course offerings (7.3%)
- Combination of factors 1, 2 and 4 above (3.4%)
- Other impact (2.2%)



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Jasey Meets With NJSBA Staff



Assemblywoman Mila M. Jasey, a member of the Assembly Education Committee, met with NJSBA staff on Aug. 5 to discuss the governor's proposed "toolkit" measures designed to control local government and school district spending. From left to right, Michael Vrancik, NJSBA director of governmental relations; Assemblywoman Jasey; Barbara Horl, NJSBA lobbyist; and Ray Pinney, NJSBA member outreach coordinator.

C A L E N D A R

Aug. 28

- ▶ County Association Leadership (CAL) meeting, Holiday Inn, Somerset, 8:30 a.m.
- NJSBA Executive Committee, Holiday Inn, Somerset, 1 p.m.

Sept. 7

- ▶ Camden/Gloucester County School Boards Associations (SBA) meeting, Clementon Elementary School, Clementon, 6:30 p.m.

For more information about county school boards association activities, go online to www.njsba.org and select the name of the appropriate county association.

Sept. 8

- ▶ Camden/Gloucester County SBA meeting, "President's Roundtable," Camden County Vo-Tech School, Gloucester Township Campus, Sicklerville, 6:30 p.m.

Sept. 11

- ✔ "Governance 1: New Board Member Orientation," Jackson High School, Jackson, 8:30 a.m.
- ✔ "Preparing for Bargaining," Robert Wood Johnson Conference Center, Hamilton, 8:30 a.m.

- ▶ Denotes pre-registration required
- ✔ Denotes NJSBA Board Member Academy Training Program