



MEMORANDUM

TO:	Special Education Task Force
FROM:	Gerald Vernotica, Chair Irene Lefebvre Michael Lee
RE:	Review of NJSBA Policies Concerning Special Education
DATE:	February 27, 2014

Enclosed is an updated list of the Task Force's suggested revisions to NJSBA's *Manual of Policies and Positions on Education*. This second look was warranted following the finalization of the recommendations in the Task Force Report. These revisions will harmonize the Task Force recommendations and NJSBA's advocacy efforts. In many cases, NJSBA had sufficient policy language to advocate for the Task Force recommendations. However, there were other cases in which the policies needed to be strengthened or revised to conform to our recommendations.

Attached are those policies that the policy subcommittee believes need to be amended to conform to the proposed recommendations of the Task Force. Additions are **in bold and underlined**. Deletions are in [brackets]. At the bottom of every policy is a rationale to support the language change.

POSITIONS AND POLICIES ON EDUCATION

County and Intermediate Units

File Code 1420

Cooperative Arrangements

- A. The NJSBA **believes** that the current variety of cooperative and regional service delivery arrangements support local boards of education in their mission to provide a thorough and efficient education to their students. These cooperative arrangements do not diminish the local board responsibility to provide for the needs and rights of students and parents. [Authority: DA 12/85-CR ESC Study, DA 11/95-CR Shared Services, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR]

Intermediate Units

- A. **The NJSBA believes** that each school district should have access to an intermediate unit (educational services commission or jointure commission) that provides coordination of services to all districts in an area without regard to county boundaries. The State Department of Education should ensure that all services offered by intermediate units are efficient, cost effective and provide the broadest range of services possible to districts within their area. [Authority: DA 11/95-CR Shared Services]
- B. **The NJSBA believes** there should be reasonable and practical requirements for the governance of intermediate units that fairly and equitably represent the interests and participation of all its members. The State Board of Education should establish intermediate units as Limited Purpose Local Education Agencies (LPLEAs) that are responsible to the State Department of Education and Executive County Superintendent of Schools to the same extent as all public school districts. [Authority: DA 11/95-CR Shared Services, DA 12/85-CR ESC Study, DA 6/88-CR Designation of Intermediate Units as LEA's, DA 10/79-CR Regionalization, DA 6/81-24, DA 6/83-A, DA 6/84-A, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR]
- C. **The NJSBA believes that the use of intermediate units should be encouraged by the State and the Executive County Superintendent where the intermediate unit can provide cost-effective, quality services that meet the needs of the student.**
- D. **The NJSBA believes that local districts should look to the intermediate units as a primary resource when seeking services for special needs students.**

NJSBA Relations with County Offices

- A. **The NJSBA believes** that the county offices of the State Department of Education provide needed services and support to local districts and should be entirely funded by the state.
- B. **The NJSBA believes** that the county offices should expand their responsibilities to districts to include offering expertise and technical assistance in the areas of budget review (as related to the educational program), program review, special education, vocational education and adult, continuing community education. [Authority: BD 11/74, DA 6/78-12, DA 6/93-SR, DA 11/95-CR Shared Services]
- C. **The NJSBA believes** that the county offices should maintain a special education data bank that would provide information to local child study teams on available services in the county. [Authority: DA 6/78-12, DA 6/93-SR, DA 11/95-CR Shared Services, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR]

Cross Reference

1500	Relations between area, county, state, regional and national associations
and the district	
6142.12	Career education
6171.4	Special education

Key Words: cooperative arrangements, intermediate units, county offices, budget, special education

Rationale for change: This new policy language corresponds with the Task Force Recommendations that state:

Shared Services: Regional Delivery Incentives—NJDOE and local school districts should explore a voluntary Regionalized Special Education Model/Shared Services Model, in which the county special services school districts, the educational services commissions, and the jointure commissions serve as coordinated hubs for special education and related services.

Services provided through these models could include the exploration and implementation of a “Regionalized Diagnostic Model” in which regional child study teams complete educational evaluations and give results/findings to the local education agency for implementation. By placing diagnostic functions at the regional or county level, more time would be available for team members to work directly with parents, teachers and students. Other examples include: transportation, personnel, professional development, technology, preschool programming and other services that support inclusive practices.

Shared Services: Encourage Local Initiative—To reduce costs and improve efficiency and quality, New Jersey should provide financial incentives for districts to work on shared service models among local districts, county and regional entities.

The task force also recommends that the state eliminate any impediments to the use of regional and county service models.

State School Finance System

- A. **The NJSBA believes** that New Jersey’s system of financing public schools should enable all local school districts to provide an equal educational opportunity for all children in New Jersey to receive a thorough and efficient education.
- B. **The NJSBA believes** that New Jersey’s school finance system should:
1. Define the elements of and the resources necessary to provide a thorough and efficient education;
 2. Provide funds to support and guarantee a thorough and efficient level of education to all public school children;
 3. Provide that all constituents of the state—individuals, businesses and communities—be required to pay a fair share, but that no one would be required to pay more than a fair share;
 4. Retain the principle that local school boards have the primary responsibility, with the assistance of the state, for ensuring that each child in the district obtains a thorough and efficient education, and permit a limited degree of local spending to fund a locally defined thorough and efficient education, with the state paying a share on an equalized basis;
 5. Recognize the diversity, unique circumstances and community composition of each local school district;
 6. Provide for equalized aid for capital expenditures and debt service, based on individual districts’ ability to pay as defined by the School Funding Reform Act or its successor;
 7. Provide state aid based on predictable statutory formulas which is predictable, transparent and capable of being re-calculated at the local district level;
 8. Provide current-year funding of all state aid;
 9. Provide state aid for the full excess cost of all mandated special education programs and services;
 10. Provide state funding for the full cost of all state mandates;
 11. Include a system of evaluation to ensure accountability in the allocation of state aid;
 12. Promote efficiency in the use of tax dollars; and recognize that the geographically adjusted average of expenditures by school district that have demonstrated an ability to provide a thorough and efficient education based on agreed-upon outcomes is an appropriate benchmark for the funds needed by every district to provide a thorough and efficient education;
 13. Be modified, as needed, through a comprehensive approach with input from NJSBA members;
 14. Provide all public school students in New Jersey districts with fiscal equity. *[Authority: DA 12/81-CR (Urban Education), DA 6/84-3, DA 42 6/85-CR (Proficiency Test), DA 12/91-CR (QEA), DA 6/93-2, BD 11/74 (Deleted as 3221.06- DA 6/93-SR), DA 12/76-15 (Deleted as 8211.3- DA 6/93-SR), DA 6/95-6, DA 11/95-CR School Finance, DA 5/96-CR (School Finance), DA 12/82-15, DA 11/96-CR (School Finance), DA 5/97-CR (School Finance), DA 11/01-SR, DA 11/06-CR (Ad Hoc School Funding Reform Committee), DA 11/06-SR DA 11/11-CR (Ad-Hoc School Finance Committee)]*
 15. **Reward districts and schools that meet ambitious learning goals, prioritize resources, model fairness, transparency, predictability and equity, decrease achievement gaps and provide the opportunity for the development of local educators to manage resources effectively is needed.**
 16. **Be sensitive to legitimate variations in school districts’ capabilities to meet student needs, including, but not limited to, proficiency levels, demographics, socioeconomic status, geographical location and physical abilities.**
- C. **The NJSBA believes** that the School Finance Committee should, as needed or as requested by the NJSBA Board of Directors, review the equity of distribution for construction state aid in view of socio-economic factors, wealth, geographic characteristics, equalized school tax rate and other financial conditions. *[Authority: DA 5/00-6, DA 11/00- CR (School Finance), DA 5/01-CR (School Finance), DA 11/01-SR, DA 11/06-SR), DA 11/11-CR (Ad-Hoc School Finance Committee)]*

State Revenue Raising System

- A. **The NJSBA believes** that the state revenue raising system should embody the following characteristics:
1. Guarantee sufficient revenues to consistently meet the state's constitutional and statutory funding obligations to school districts;
 2. Be balanced with respect to the ability to expand and contract in response to economic conditions (elasticity) and the capacity to produce a stable flow of revenue (stability);
 3. Be balanced with respect to sources of revenue (individuals, businesses, property, sales, etc.);
 4. Be designed to consider both an individual's and community's ability to pay. *[Authority: DA 9/82-1, DA 5/96-CR (School Finance), DA 11/96-CR (School Finance), DA 5/97-CR (School Finance)]*
- B. **The NJSBA believes** that the state should pay 50 percent of the statewide total cost of providing a thorough and efficient education for all public elementary and secondary students so that pressures on local property taxes can be relieved. *[Authority: DA 12/91-CR QEA, DA 5/96-CR (School Finance)]*
- C. **The NJSBA believes** that for the State to fund a thorough and efficient education at the 50 percent level, requires the state to rebalance the state's current funding sources: the income tax and the local property tax. *[Authority: DA 11/98-CR (School Finance), DA 11/11-CR (Ad-Hoc School Finance Committee)]*
- D. **The NJSBA believes** in a grass-roots support effort for the proposed funding alternatives to reduce overreliance on property taxes and to demonstrate to the Governor and the Legislature that the voters and property taxpayers will support funding for schools if it is provided in an equitable fashion. *[Authority: DA 11/98-CR (School Finance), DA 11/01-SR, DA 11/06-SR, DA 11/11-CR (Ad-Hoc School Finance Committee)]*
- E. **The NJSBA believes that the State should explore predictable and dedicated alternative methods of special education funding, including but not limited to, lottery, business fees, insurance and grants.**

State Aid to School Districts

- A. **The NJSBA believes** in an equitable distribution of education aid and related support payments which ensure that all school districts have an opportunity to benefit from governmental financial assistance.
- B. **The NJSBA believes** that as long as aggregate-income is used as a measure of local ability to pay for school costs, school districts and municipalities should have the benefit of a formal appeal process to challenge the assignment of income, similar to the formal appeal process available to challenge property values assigned to a municipality. *[Authority: DA 11/99-CR (School Finance)]*
- C. **The NJSBA believes** that when a new governor takes office, school districts should receive at least as much state aid as they received in the prior fiscal year and that upward aid adjustments should be made to compensate districts for increased costs in areas including but not limited to, student enrollment, special education, transportation, insurance, health care and utilities. The State shall not take a school district's allowable accrued surplus by reducing the district's aid in the amount of the surplus. *[Authority: DA 5/96-CR (School Finance), BD 3/02, DA 11/11-CR (Ad-Hoc School Finance Committee)]*
- D. **The NJSBA believes** that local school districts educating the children who reside in state tax-exempt properties should not be adversely impacted in bearing the local cost of education for those students. NJSBA supports seeking aid from the state to fully fund the education of such students. *[Authority: DA 11/01-SR, DA 11/05-2, DA 11/06-SR, DA 11/11-CR (Ad-Hoc School Finance Committee)]*

Fiscal Notes on Proposed Legislation

The NJSBA believes that every piece of proposed legislation affecting school districts should contain a note stating the financial impact on school districts, if any. *[Authority: DA 5/67-8, DA 12/77-16, DA 11/96-CR (School Finance), DA 5/97-CR (School Finance), DA 11/01-SR, DA 11/06-SR, DA 11/11-SR]*

Constitutional Convention

- A. **The NJSBA believes** that convening a constitutional convention to address property tax relief and/or reform abdicates the legislature's constitutionally enumerated obligation to impose taxes. [Authority: DA 5/05-4]
- B. **The NJSBA believes** that the legislature is the appropriate body to decide how to implement tax reform and that a special session of the legislature is the correct and most efficient alternative to address property tax reform. [Authority: DA 5/05-4, DA 11/01-SR, DA 11/06-SR, DA 11/11-SR]

Council on Local Mandates

The NJSBA believes that additional mandates imposed on local boards of education should have an identified funding source or appropriation. All enacted legislation affecting education should be forwarded to the Council on Local Mandates for review. The Council should be authorized to initiate proceedings and rule on unfunded mandates without the need for local districts to file costly complaints. In the absence of the Council on Local Mandates timely review of education legislation containing unfunded mandates, the NJSBA shall seek Board of Directors approval to initiate and file a complaint with the Council on behalf of all the local boards of education in New Jersey. [Authority: DA 5/12-2]

Cross References:	3000	Concepts and roles in business and noninstructional operations
	3100	Budget planning, preparation and adoption
	3210	Local funds
	3230	Federal funds
	3350	Tuition expense
	3350	Tuition expense
	5119	Transfers
	6141.1	Experimental/innovative programs
	6142.2	English as a second language; bilingual/bicultural
	6147	Standards of proficiency
	6171.3	Economically disadvantaged and Title 1
	6171.4	Special education
	6174	Summer school
	6200	Adult/community education
	9112	Elections/appointment

Key Words: finance, revenue, state aid, funding, convention, mandates

Rationale for change: This proposed new policy language incorporates the recommendation of the Special Education Task Force that our funding system should be one that rewards districts and schools that meet ambitious learning goals, prioritizes resources, models fairness, transparency, predictability and equity, decreases achievement gaps and provides the opportunity for the development of local educators to manage resources effectively as needed. This could be achieved through a funding mechanism that is sensitive to legitimate variations in school districts' capabilities to meet student needs, including, but not limited to, proficiency levels, demographics, socioeconomic status, geographical location and physical abilities.

Further, the proposed language incorporates the Task Force recommendation that the state should explore predictable alternative supplemental methods of special education funding, including, but not limited to lottery, business fees, insurance, and grants.

POSITIONS AND POLICIES ON EDUCATION

Intervention and Referral Services for General Education Pupils FILE CODE 6164.1

School Climate

A. The NJSBA believes that the State should promote and fund school district efforts to investigate methods to ensure that students receive personalized attention, where appropriate, in an effort to prevent feelings of alienation and friendlessness. [Authority: DA 11/99-ER (A), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

B. The NJSBA believes that local districts should promote school climates that embrace the inclusion of all students of all abilities in all aspects of district programming and services. The State should provide the necessary funding, including transportation and IEP-managed support services, to promote inclusive climates and practices.

Teacher-Mentor Programs

The NJSBA believes that teacher-mentor matchmaker programs are beneficial and may assist students in receiving the support, guidance and tutoring that will help them succeed. Boards of education should consider establishing teacher-mentor matchmaker programs. [Authority: DA 11/99-ER(A), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

Early Intervention Programs

The NJSBA believes that programs providing support services for elementary school students with behavioral problems could reduce the need to later classify these students as emotionally disturbed. [Authority: DA 5/99-15, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

Cross Reference: 5119 Transfers
5131.5 Vandalism/Violence

Key Words: climate, mentor, tutoring, early intervention

Rationale for change: This new policy language incorporates the Task Force recommendation, which states:

Professional Development & Technical Assistance--The Department of Education should continue and expand professional development and technical assistance to school districts on "applying scientifically based findings to facilitate systemic changes related to the provision of services to children with disabilities, in policy, procedure, practice, and the training and use of personnel"(IDEA,sec.663). Areas of importance include: understanding neurodevelopmental variation, multi-tiered intervention systems, creating an inclusive school culture and climate, progress monitoring and developing positive parent educator relationships. Districts that have a large number of students with IEPs in segregated schools and classrooms should receive technical assistance to ensure adequate supports in the least restrictive environment.

Technical Assistance: Facilitating Savings—The State should redouble its efforts to assist districts in creating efficiencies and improving program quality.

Statute enacted in 2007 (N.J.S.A. 18A:8-7) calls on the county offices of education to "facilitate shared special education services within the county including, but not limited to direct services, personnel development, and technical assistance." Other provisions of the law direct the county offices to work with districts to develop in-district special education programs and services including providing training in inclusive education, positive behavioral supports, transition to adult life, and parent-professional collaboration; and to provide assistance to districts in budgetary planning for resource realignment and reallocation to direct special education resources into the classroom.

POSITIONS AND POLICIES ON EDUCATION

Remedial Instruction

File Code 6171.1

State Graduation Requirements and Remedial Programs

The NJSBA believes boards of education should provide remediation or special attention to all students who fail to meet local and/or state high school graduation requirements and proficiency standards. Remediation should begin as early as possible. The State should assume its fair share of the cost of these remedial programs. [Authority: DA 10/78-CR (Graduation Requirements), DA 11/97-SR, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

After School Busing for Remedial Instruction

The NJSBA believes that the state should provide transportation aid for reimbursement of after-school busing services for remedial instruction. **The State should provide transportation funding for all students of all abilities in order to more fully participate in district after school programs.** [Authority: DA 12/86-2, DA 12/90-12, DA 11/97-SR, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

Cross References: 3220 State funds
3541.1 Transportation routes and services
6146 Graduation requirements

Rationale: Special Education Task Force recommendation on Shared Services: Transportation, states—

The NJDOE should continue to encourage shared transportation services through initiatives such as common county calendars and incentives.

The Task Force's 2013 survey indicates that there is room for growth in the shared special education transportation services. Although a wide majority of respondents indicate that they share transportation services, 12.2% identified "transportation" problems, such as school starting and ending times, as obstacles to increasing shared services. The survey also identified "transportation" as the third greatest driver of special education costs.

Further, the Task Force recommended that the State should redouble its efforts to assist districts in creating efficiencies and improving program quality.

POSITIONS AND POLICIES ON EDUCATION

Special Education

FILE CODE

6171.4

IDEA Funding

The NJSBA believes that the federal Individuals with Disabilities Education Act (IDEA) should be fully funded at its authorized threshold of 40 percent of the cost of special education. *[Authority: DA 12/80-2, DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Federal and State Funding

- A. **The NJSBA believes** that New Jersey's system of financing public education should enable all local school districts to provide appropriate public educational opportunities for all of New Jersey's educationally disabled students without unduly burdening local taxpayers.
- B. **The NJSBA believes** that the State should fund 100 percent of the costs of all required special education services in excess of a district's regular education per pupil amount. Excess cost funding for special education should be excluded from the spending growth limitation calculation. The State's excess cost system for State aid for special education should include prior approval procedures and appropriate monitoring.
- C. **The NJSBA believes** that State aid for special education should be calculated on a current year basis.
- D. **The NJSBA believes** that State reimbursement for the actual cost of providing transportation for special education students should be provided on a current year basis.
- E. **The NJSBA believes** that State aid for special education should "follow the student" to whatever school district is required to provide special education services for that student. In the alternative, the school district receiving State aid for special education services for a student shall reimburse the school district providing such services. If State aid for special education cannot "follow the student," the State should provide the additional funds necessary to provide special education services.
- F. **The NJSBA believes** that the State should provide an emergency interest-free loan fund to which school districts may apply when unanticipated special education costs threaten a district's ability to provide a T&E education to all of its students.
- G. **The NJSBA believes** that State aid should be available for extended academic year special education programs.
- H. **The NJSBA believes** that the State should provide for a second child count date in the second semester of the school year.
- I. **The NJSBA believes** that the State should provide funding for the identification and provision of programs and services for children with educational disabilities ages 3-5.

- J. **The NJSBA believes** that all New Jersey educationally disabled students should be provided an appropriate public education within New Jersey, and, where possible, within the regular school environment. When residential placements of educationally disabled students are necessary:
1. The State should assume all non-instructional costs for students placed in residential facilities;
 2. A school district's residential placement instructional cost responsibility should be limited to no more than two times the district-wide per pupil costs for the preceding school year;
 3. The State should assume full financial responsibility for the residential costs of court-mandated institutionalizations. *[Authority: DA 12/68-21, DA 12/72-CR (Urban Education), DA 12/72-CR (Special Education), DA 5/73-CR (Special Education), BD 11/74, DA 6/78-20, DA 1/79-10, DA 1/80-23,25, DA 12/81-CR (Urban Education), DA 12/83-17, DA 6/84-12, DA 12/88-5,5A,6, DA 12/90-11, BD 10/91, DA 12/91-3, DA 12/91-CR(QEA), DA 6/92-4, DA 12/94-5, DA 11/97-CR (Special Education), DA 11/99-4, DA 5/00-CR (Joint Committee)]*
- K. **The NJSBA believes** that federal and state law should specifically prohibit any court, administrative body or other entity from requiring a school board or state located within the United States to provide for a child's education, residential cost or the cost of any other service provided outside the United States. *[Authority: DA 11/03-4, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Tuition Costs

- A. **The NJSBA believes** the district responsible for paying the special education costs for pupils placed by the Division of Developmental Disabilities (DDD) in any alternate living arrangement to be the district of residence of the parents or legal guardian until the pupil reaches the age of 21.
- B. **The NJSBA believes** that a school district that receives special education students from another school district should be able to set its tuition rate as accurately as possible, without unnecessary state bureaucratic limitations.
- C. **The NJSBA believes** that public schools should receive fair consideration in determining their special education tuition rates. Private schools for the disabled should have the same tuition rate calculations and procedures and non-allowable costs as do public schools. *[Authority: DA 6/87-13, DA 11/97-CR (Special Education), DA 11/97-SR, DA 5/98-9, DA 5/02-SR, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Medicaid Reimbursement

The NJSBA believes that the Medicaid reimbursement split between the State of New Jersey and local school districts should not be skewed toward the State. *[Authority: DA 12/94-12, DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Shared Services

- A. **The NJSBA believes** interagency programming and collaboration should be encouraged to meet the diverse needs of educationally disabled students. Health and other special service agencies should bear the costs of non-education-related services.
- B. **The NJSBA believes** that districts should have the flexibility to contract with each other, intermediate units and private providers in an effort to provide child study team services in the most efficient manner possible. *[Authority: DA 11/95-CR (Shared Services), DA 11/97-CR (Special Education), DA 5/01-SR, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Teacher Certification and Professional Development

- A. **The NJSBA believes** that, prior to certification, all teachers should complete an appropriate educational program on understanding the nature and needs of students eligible for special education and related services.
- B. **The NJSBA believes** The state should require that teacher preparation programs have, as part of their curriculum, content in adapting curriculum, instruction, and assessment to meet the needs of all learners in the inclusive classroom. Pre-service teachers should have ample opportunity to learn and apply the instructional methods associated with multiple intelligences, multi-sensory instruction, differentiated instruction, intensive instruction, Universal Design for Learning, curriculum-based assessment, and assistive technology. Pre-service teachers should be equipped to establish learning environments that maximize attention and learning through the careful application of positive behavior supports and effective communication. Further, teacher preparation programs for pre-service teachers earning the Pre-Kindergarten through 3rd grade or the elementary education (K-6) certifications should include content in teaching students with reading disabilities.
- B. C. **The NJSBA believes** that all currently certified teachers should be required, as part of their continuing professional development, to participate in in-service programs related to special education students and programs. *[Authority: DA 12/75-CR (Special Education), DA 11/97-4, DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Regulatory Equivalency and Waiver for Special Education Rules and Regulations

The NJSBA believes that school districts should have flexibility in meeting special education requirements. Flexibility should be available as either a waiver or equivalency to a specific rule so that school districts can provide effective and efficient special education programs. *[Authority: DA 12/84-A, DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Transportation of Special Education Pupils

The NJSBA believes that school districts that provide inter-district transportation to educationally disabled children should have the flexibility to solicit bids for that transportation in a manner that is most cost-efficient to the school district, including but not limited to a per pupil, per vehicle or per mileage basis. *[Authority: DA 12/83-15, DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Records of Educationally Disabled Students

The NJSBA believes that records of educationally disabled students should be maintained, accessed, transferred and destroyed in the same fashion as those of non-disabled students. *[Authority: DA 12/86-8, DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Early Identification/Intervention

The NJSBA believes that early identification and provision of suitable educational programs for educationally disabled children, age birth to five, reduces educational deficiencies and permits earlier and easier transfer into the regular classroom setting. *[Authority: DA 12/68-21, DA 5/73-CR (Special Education), BD 11/74, DA 1/80-25, DA 12/81-CR (Urban Education), DA 6/89-CR (Early Childhood Education), DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]*

Awareness of Needs of Educationally Disabled

The NJSBA believes in the importance of increasing awareness of the needs of educationally disabled students and their parents at all levels; state, county and local. [Authority: DA 12/85-CR ESC Study, DA 11/97-CR (Special Education), DA 11/12-SR]

Parental Involvement

The NJSBA believes in the importance of parental involvement. All special education delivery agencies--including local and special purpose school districts, intermediate units and operational arrangements--should establish policies, bylaws, rules or operational guidelines creating advisory councils or other appropriate mechanisms designed to foster parental participation in agency affairs. [Authority: DA 12/85-CR (ESC Study), DA 11/97-CR (Special Education), DA 11/12-SR]

Interscholastic Competition - Disabled Students

The NJSBA believes that the New Jersey State Interscholastic Athletic Association (NJSIAA) is in the best position to determine how to provide interscholastic competition for disabled students on a local, regional and/or statewide basis, consistent with legal mandates of the Americans with Disabilities Act and congruent with the financial restrictions on local school districts. [Authority: DA 12/93-4, DA 11/97-CR (Special Education), DA 11/12-SR]

Cross References:	1400	Relations between other governmental agencies and the district
	1430	State and national units
	3220	State funds
	3230	Federal funds
	3240	Tuition income
	3324.1	Contracts
	3541.1	Transportation routes and services
	4112.2	Certification
	4131.1	Inservice education/visitations/conferences
	5020	Role of parents/guardians
	5118	Nonresidents
	5125	Pupil records
	5131	Conduct/discipline
	6111	School calendar
	6141.1	Experimental/innovative programs
	6142.12	Career education
	6145.2	Interscholastic competition
	6178	Early childhood education/preschool

Key Words: special education, funding, IDEA, transportation, certification,

Rationale: This change would make NJSBA policy concerning teacher certification and professional development consistent with the recommendations of the NJSBA Special Education Task Force. Specifically, the task force recommended:

Professional Development: Pre-service Teachers – The state should require that teacher preparation programs have, as part of their curriculum, content in adapting curriculum, instruction, and assessment to meet the needs of all learners in the inclusive classroom.

Pre-service teachers should have ample opportunity to learn and apply the instructional methods associated with multiple intelligences, multi-sensory instruction, differentiated instruction, intensive instruction, Universal Design for Learning, curriculum-based assessment, and assistive technology. Pre-service teachers should be equipped to establish learning environments that maximize attention and learning through the careful application of positive behavior supports and effective communication. Further, teacher preparation programs for pre-service teachers earning the Pre-Kindergarten through 3rd grade or the elementary education (K-6) certifications should include content in teaching students with reading disabilities.

Full-Day Kindergarten

- A. The NJSBA believes that full-day kindergarten programs benefit students. Technical assistance from the Department of Education and financial incentives including state funds for program planning, staff development, and renovation or construction of suitable kindergarten classrooms should be made available to districts seeking to convert from a half-day to full-day program.
- B. The NJSBA believes that full-day kindergarten programs should be developmentally appropriate.
- C. The NJSBA believes that full-day kindergarten should not be mandated by the State unless state funds are provided to meet the need for necessary additional facilities and staff.
- D. The NJSBA believes that full-day kindergarten programs should be supported under the T&E budget and the state funding formula should apply the same per-pupil cost weight for full-day kindergarten programs that is used for the elementary grades 1-5. [Authority: DA 6/89-CR (Early Childhood Education), DA 11/97-SR, DA 5/01-2, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

Early Childhood Development and Education

- A. The NJSBA believes that healthy development begins during the pre-natal period and that education begins at birth. Ideally, every child during the early childhood period (commonly defined as birth through age eight) should be provided with a continuum of developmental experiences that will enable him/her to grow and learn to his/her potential. **In order to promote a positive and inclusive climate, these programs should embrace the inclusion of all students of all abilities.**
- B. The NJSBA believes that the development of a comprehensive system of early childhood programs and services is a wise investment of public and private funds that will likely produce long-term educational and social dividends.
- C. The NJSBA believes that early childhood development and education should be a priority issue in the state and the nation. State, county, and local structures should be developed through which all education, health, and social welfare agencies work together to provide appropriate programs for young children and their parents.
- D. The NJSBA believes that the public schools can play an important role in the development of a comprehensive system of early childhood development and education through partnerships with other agencies and organizations that offer family-focused programs and services for young children and their families. School leaders should actively participate as members of community coordination bodies and state, county, and regional panels convened to plan and provide support for services to children and families.
- E. The NJSBA believes that programs that provide medical and nutritional services for mothers and infants in at-risk populations can result in healthier babies and avert later educational problems.
- F. The NJSBA believes that the smooth transition between early intervention programs and school-based preschool programs can be facilitated by adequate articulation between program administrators, teachers, and parents.
- G. The NJSBA believes that appropriate school staff (i.e., counselor, nurse, social worker) should be assigned the responsibility for planning collaboration of the child and family services in schools.
- H. The NJSBA believes that parents are children's "first teachers" and supports programs that through joint sponsorship of schools, community groups and social service agencies provide parenting education and aid to young parents.

I. The NJSBA believes that federal and state funding should be available to support child development programs for parents of children in the first three years of life; address the need for more trained early childhood professionals in early childhood education; and provide services for at-risk children under the age of three and their families. [Authority: DA 6/89-CR (Early Childhood Education), DA 11/97-SR, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

Preschool Programs

A. The NJSBA believes that the development of age-appropriate preschool programs for three- and four-year olds that include full-day care for children of working parents should be encouraged. Programs should provide an environment that is racially and culturally integrated and allows for the [mainstreaming] **inclusion** of children with educational disabilities **with their peers in the general education environment.**

B. The NJSBA believes that preschool programs should provide for the recognition of cultural and language diversity and efforts should be made to hire staff that can reflect the ethnic and cultural heritage of the children being served.

C. The NJSBA believes that preschool staff should have an understanding of the emotional needs of young children and be knowledgeable about school and community resources available to families to meet identified needs.

D. The NJSBA believes that preschool programs can be improved through the collaborative efforts of the public schools and community-based programs, including joint staff training opportunities and program articulation. Local school districts should be encouraged to work with community groups, institutions of higher education and the corporate sector to develop partnerships targeted to the delivery of quality preschool programs. [Authority: DA 6/89-ER (Early Childhood Education), DA 11/97-SR, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

Primary Grades (Pre- Kindergarten through Grade Three)

A. The NJSBA believes that a statement of philosophy, objectives, and principles for early childhood programs should be developed at the district and school level to provide a framework for development of policies, curriculum, instructional materials, program assessment, staff development and teacher evaluation.

B. The NJSBA believes that education programs for 4- to 8- year olds should be regularly evaluated to ensure that the quality and effectiveness of the classroom environment is consistent with exemplary early childhood practices.

C. The NJSBA believes that primary grades (pre-kindergarten through grade three) should be structured to provide a continuum of educational experiences for young children through cooperative planning by teaching teams and coordination of activities.

D. The NJSBA believes that the State Department of Education should make available staff training and technical assistance to local school districts so that teachers, administrators, board of education members, and parents are able to recognize and articulate developmentally appropriate practices and be able to structure early childhood programs according to accepted practices. [Authority: DA 6/89-CR (Early Childhood Education), DA 11/97-SR, DA 11/02- SR, DA 11/07-SR, DA 11/12-SR]

Child Care

A. The NJSBA believes that school-based before/after school programs can help meet the childcare needs of working parents. Local boards of education should be encouraged to work with municipal government, community-based groups and agencies, and parents to form partnerships that allow for the assessment of childcare needs; collaborative planning, and delivery of comprehensive services to make optimum use of all available resources.

B. The NJSBA believes that state and federal incentives should be available to fund the development of child care programs that target high-need populations such as infants of adolescent parents and young children with disabilities.

C. The NJSBA believes that boards of education should work with social service agencies and other school districts to develop childcare programs that meet the needs of adolescent parents. [Authority: DA 6/89-CR (Early Childhood Education), DA 11/97-SR, DA 11/02-SR 11/07-SR, DA 11/12-SR]

Administration of Early Childhood Programs

A. The NJSBA believes that an early childhood education unit should exist within the department of education and should be sufficiently staffed to provide local boards of education with on-going technical assistance; staff training; research information, and successful program models, and to coordinate early childhood efforts with the department of human services. [Authority: DA 6/89-CR (Early Childhood Education), DA 11/97-SR]

B. The NJSBA believes that the department of education should provide technical assistance to local boards of education to enable them to expand and improve their early childhood programs. Assistance should include pre-service and in-service training for teachers and administrators; program design, implementation, and evaluation techniques; and identification of developmentally appropriate practices.

C. The NJSBA believes the commissioner of education and the State Board of Education should have the benefit of a state-level advisory committee to advise them on early childhood policies, programs, and legislation. Representation on the advisory committee should include NJSBA, other statewide child advocacy organizations, Head Start agencies, local school districts, community-based programs, and parents.

D. The NJSBA believes that school districts should be permitted to provide programs using a blend of funding streams, including federal, state and local monies. Private sources of funding should be sought from foundations and the corporate sector. Federal and state funding should be available to support early childhood education programs and to enable school districts to build or renovate facilities for early childhood education and child care programs.

E. The NJSBA believes that boards of education should explore all options for providing facilities suitable for early childhood programs. Options should include, but not be limited to, unused elementary and high school classrooms, under-utilized public community-based facilities, and shared facilities with other school districts.

F. The NJSBA believes that on-going public awareness activities should emphasize: current demographic information related to young children and their families, the impact of unresolved social problems on the education system; the educational and social benefits of good quality, comprehensive early childhood development programs; and the need for creativity in early childhood education planning. [Authority: DA 6/89-CR (Early Childhood Education), DA 6/90-CR (Early Childhood Education), DA 11/97-SR, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

Certification for Early Childhood Education

The NJSBA believes that teachers of young children should have the appropriate training, knowledge, and experience. An early childhood teaching certificate should be required for teachers of preschool through grade three.

The NJSBA believes that the State Board of Education should consider the development of an Early Childhood/Special Education Certificate. [Authority: DA 6/89-CR (Early Childhood Education) DA 11/97-SR, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR]

Cross References: 1500 Relations between area, county, state, regional, and national associations and NJSBA
1600 Relations between other entities and the district
1600.1 School/business partnerships

3220 State funds
4112.2 Certification
5020 Role of parents/guardians
5134 Married/pregnant pupils
5141 Health
5142 Pupil safety
5145.4 Equal educational opportunity
6142.1 Family life education
6171.4 Special Education

Key Words: early childhood, preschool, certification

Rationale: Task Force research identified themes and practices that improve the academic outcomes of special education students. These practices overlap with the body of work on effective schools. The overlap suggests that, to improve academic achievement for special education students, priority be given to successful strategies in general education with attention to inclusive practices.

Inservice Training

- A. The NJSBA believes that local board members, in order to be effective, should have opportunities to participate in on-going inservice training activities throughout their term of service. Board of education policies should endorse board member attendance at programs designed to improve their knowledge and skill in governing the district and statutorily required board member attendance at an NJSBA Board Member Orientation Conference. [Authority: 6/91-7: DA 11/98 – SR]
- B. The NJSBA believes that boards of education should provide an orientation program for their new board members regarding district operations. The program should include information about the policies and practices of the local board, as well as providing copies of recent board minutes, negotiated contracts, and committee reports in the public domain. [Authority: 12/77-CR(Turnover) 11/98-SR]
- C. The NJSBA believes that board members and chief school administrators should have on-going joint training in their roles, responsibilities and ethics, collaborative teamwork, leadership team performance and self-assessment, to enable them to understand their distinct policy-making and administrative roles and how to carry them out successfully. [Authority: DA 11-03 ER (A)]
- D. The NJSBA believes that school board members should not be singled out for mandated continuing education because they are public officials who perform roles in our public school system which are parallel to those performed by all other state, county, and municipal officials. [Authority: DA 5/03-SR; DA 11/06-2, DA 5/08]

E. The NJSBA believes that board of education members should receive training that includes exposure to the legal, fiscal and programmatic aspects of special education to help promote the achievement of all of the students in their districts.

Preservice Training

- A. The NJSBA believes that school board candidates should have access to board candidacy publications.
- B. The NJSBA believes that the Association should make preservice training available to board of education candidates, both on the county and regional levels. [Authority; DA 6/91-7; DA 5/76-CR (Competency); DA 12/92 – SR; 11/98 – SR; DA 5/03-SR, DA 5/08]

Assistance to State-Operated School Districts

The NJSBA believes that it is well-suited to provide assistance to state-operated school districts, including, but not limited to inservice training for members of school boards who are appointed to serve in an advisory capacity in state-operated school districts. [Authority; BD 3/90; DA 5/03-SR, DA 5/08]

Cross References: 9111 Elections/appointment

Rationale: The Task Force made the following recommendations:

Professional Development—School districts and regional centers should provide targeted professional development to avoid IDEA violations.

Such training, done regularly, would prevent costly procedural and substantive errors, reduce legal exposure and promote and preserve a positive working relationship among districts, parents and the children that they serve.

Research shows the importance of (a) school leaders who can create, support and celebrate a culture of positive relationships, professionalism and trust in special education, and (b) the linkage between effective school board governance and student achievement.

Technical Assistance: IDEA Compliance—The Department of Education should continue and expand professional development and technical assistance to school districts on “applying scientifically based findings to facilitate systemic changes related to the provision of services to children with disabilities, in policy, procedure, practice, and the training and use of personnel” (IDEA, sec. 663).