

POSITIONS AND POLICIES ON EDUCATION

State and National Units

FILE CODE

1430

Federal Role in Education

- A. **The NJSBA believes** that it is the responsibility of the federal government to identify national interests in education, including national standards, and to provide full funding of those identified interests and initiatives. The role of the federal government should be to provide leadership in issues of national consequence that states and localities alone are unlikely to be able to meet, such as, protection of constitutional and civil rights for students and school employees; collection, analysis and reporting of national education statistics, and provision of general information about education. *[Authority: DA 11/09-ER (A)]*
- B. **The NJSBA believes** that the federal government, in cooperation with the states and local communities, should help meet the needs of key groups of students such as the gifted and talented, the socioeconomically disadvantaged, minority and language minority students, immigrants, migrant children, and those with disabilities.
- C. **The NJSBA believes** the authority for the management of public schools must remain with local boards of education. Federal authority over school districts should not exceed the scope necessary to meet national goals, including national standards, and to fulfill the state constitutional mandate for a thorough and efficient system of free public education. Federal authorities must give local districts the flexibility necessary to achieve the objectives and goals of federal education programs while maintaining local control. *[Authority: DA 11/02-3, DA 11/09-ER (A)]*
- D. **The NJSBA believes** there should be federal funding for federally mandated programs and incentives to local districts to develop programs of national interest. *[Authority: DA 12/83-1, BD 4/93, DA 11/00-CR School Finance]*
- E. **The NJSBA believes** there should be federal and state financial incentives to encourage interagency cooperation to promote early intervention programs for at-risk children; including prenatal care for pregnant teens; substance abuse prevention; parent and staff training; preschool programs and child care services; and health screening for infants and preschoolers. *[Authority: DA 6/89-CR Early Childhood Education, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR]*

State Role in Education

- A. **The NJSBA believes** the authority for management of public schools should rest with local boards of education and State authority over school districts should not exceed the scope necessary to fulfill the constitutional mandate for a thorough and efficient system of free public education. *[Authority: DA 10/78-CR Graduation Requirements, DA 6/80-A, DA 6/93-SR, DA 6/95-SR]*
- B. **The NJSBA believes** the State Department of Education has the right to intervene in the management of a local school district on certain statutory grounds but only after due process procedures have been followed and criteria established to return the district to local control.
- C. **The NJSBA believes** in due process procedures that include: an opportunity for the local board to submit a remedial plan of its own, in lieu of formal intervention by the State; a plenary hearing at which the State has the burden of proof to establish need for State intervention and to delineate planned corrective measures; and process guidelines and timeframes for withdrawal of the State and return of control to the local board of education. *[Authority: BD 1/81, DA 6/95-SR, BD 1/01]*
- D. **The NJSBA believes** in the appointment by the State Legislature of an independent overseer of the Department of Education's implementation of its corrective action plan. *[Authority: BD 1/01]*
- E. **The NJSBA believes** that all rules, regulations, and guidelines governing local boards of education

should be submitted for open public review and approval of the State Board of Education and implementation of state regulations should be consistent with officially adopted rules. *[Authority: DA 12/82-8, DA6/93-SR, DA 6/97-7]*

- F. **The NJSBA believes** that the Commissioner of Education should be appointed by the Governor upon the recommendation of the State Board of Education and with the advice and consent of the Senate and should serve at the pleasure of the Governor during the Governor's term of office. *[Authority: 6/79-6, BD 10/82, DA 6/93-SR, DA 6/96-SR]*
- G. **The NJSBA believes** that the term of office for State Board of Education members should be four years and appointments to the State Board of Education should be made using a set of selection criteria that includes demonstrated commitment to public education, a capacity to understand issues, and a willingness to devote the time necessary for active involvement. *[Authority: DA 12/80-4]*
- H. **The NJSBA believes** that it should work with the State Department of Education and other state associations to identify models of shared management services through the consolidation of administrative positions; and encourage districts to explore the sharing of management services by consolidating positions which could include but not be limited to the chief school administrator, business administrator, curriculum supervisors and special education supervisor. The State Department of Education should establish guidelines to ensure protection for participating districts and personnel. *[Authority: DA 11/95-CR Shared Services, DA 5/01-SR, DA 11/01-SR, DA 11/01-SR, DA 11/02-3, DA-5/06-SR, DA 5/11-SR, DA 5/16-SR]*

NJSBA Political Action Committee

The NJSBA believes that the establishment of an Association Political Action Committee would not be beneficial and that board of education members can better affect the political process by communicating with government decision makers through their state and county Associations and through their own individual efforts. *[Authority: DA 10/78-CR PAC Feasibility, DA 6/93-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR]*

Initiative and Referendum Legislation

The NJSBA believes that the representative democracy, which has served New Jersey and the United States so well for two hundred years is the best means of law making for the future. The Association opposes dilution of representative democracy by creation of an initiative and referendum system in the state. *[Authority: BD 3/86, DA 6/86-A, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR]*

Cross References:	1500	Relations between area, county, state, regional, and national associations and NJSBA
	2255	Action Planning for New Jersey Quality Single Accountability Continuum (NJQSAC)/T&E Certification
	3230	Federal funds
	6142.2	English as a second language; bilingual/bicultural
	6142.4	Physical education and health
	6146	Graduation requirements
	6147	Standards of proficiency
	6178	Early childhood education

Key Words: federal government, funding, state authority, political action committee, initiative and referendum