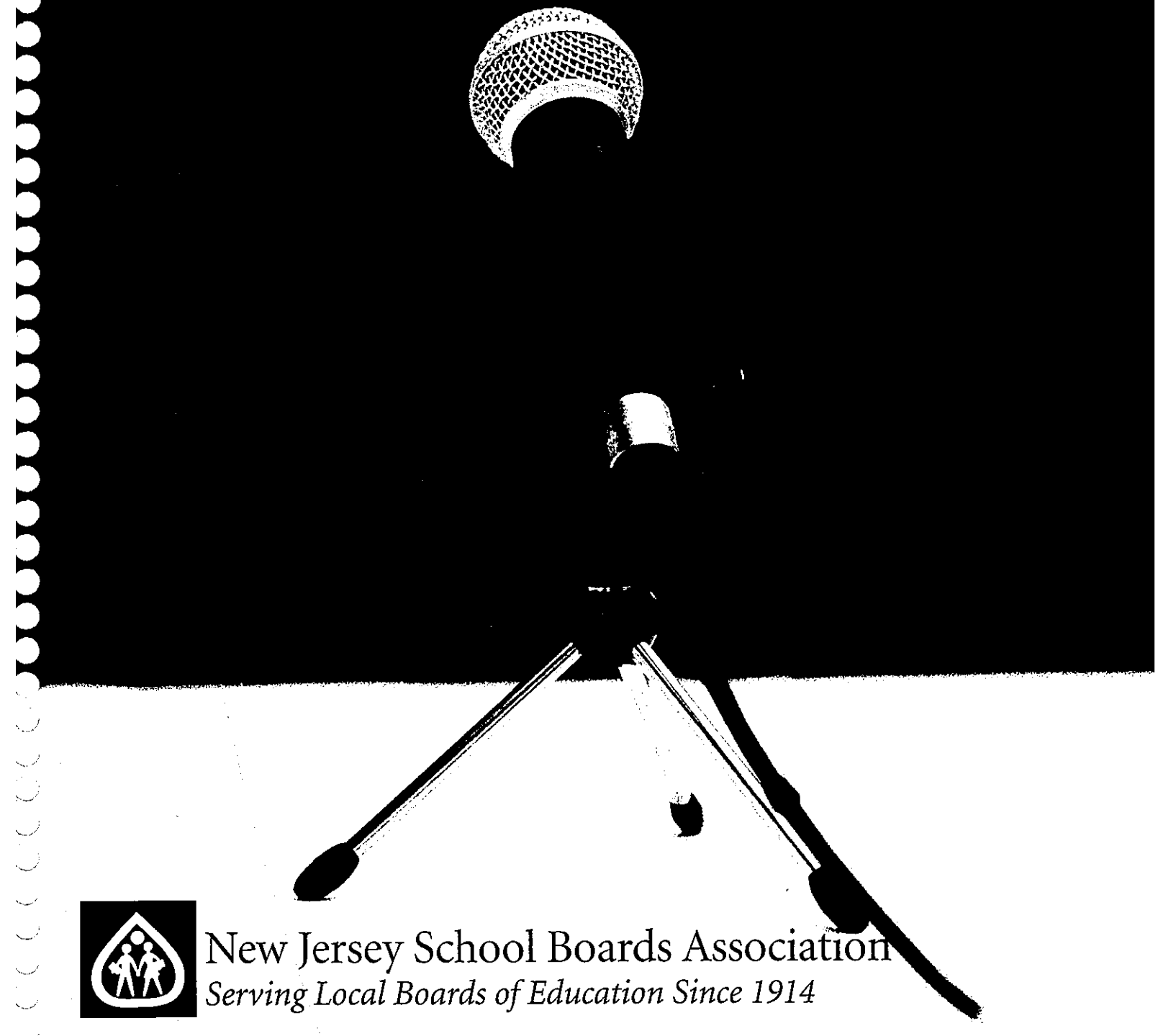
NJSBA
Delegate Assembly Handbook

May 19, 2018 • The Conference Center at Mercer • West Windsor, N.J.



New Jersey School Boards Association
Serving Local Boards of Education Since 1914

New Jersey School Boards Association

413 West State Street • Trenton, NJ 08618 • Telephone: 609.695.7600 • Toll-Free: 888.88NJSBA • Fax: 609.695.0413

ANNUAL DELEGATE ASSEMBLY
May 19, 2018

The Conference Center at Mercer
Mercer County Community College
West Windsor Campus
1200 Old Trenton Road
W. Windsor, New Jersey

SCHEDULE

8:00- 10:00 a.m.	Registration Hot Breakfast Buffet
9:00 a.m.	Call to Order
	Minutes of the November 18, 2017 Delegate Assembly
	Report of the Resolutions Subcommittee
	Resolutions
	Sunset Review
	Adjournment

Adjourned Meeting Date
June 23, 2018

Note: In case of inclement weather, call 609-392-2000 for a recorded message about a possible cancellation of the Delegate Assembly. If you get a busy signal, someone is listening to the message, please call back.

Mercer County Community College
West Windsor Campus
1200 Old Trenton Road
W. Windsor, NJ

From North or South via U.S. 1

- Exit onto Quakerbridge Road / South 533.
- After 2 miles (through 4 traffic lights), turn left at the Youngs Road traffic light.
- At the end of Youngs Road, turn right onto Hughes Drive and follow past Mercer County Park entrance.
- MCCC campus entrance is on the left.

From Route 206 North or South

- From 206 South, turn left onto Province Line Road (at traffic light).
- From 206 North, turn right onto Province Line Road.
- Follow Province Line Road through the next traffic light (Princeton Pike); continue to the next traffic light and turn right onto Quakerbridge Road / South 533.
- On Quakerbridge Road, follow directions from Route 1 (see above).

From North or South via Interstate 95/295

- Take Interstate 95 (which becomes Interstate 295) to Exit 65A, Sloan Ave. East.
- Continue straight on Sloan Ave. East (becomes Flock Road) to the end.
- Turn left at traffic light, onto Edinburg Road.
- Continue straight through one traffic light (becomes Old Trenton Road).
- Take right jug handle that leads to the MCCC campus entrance.

From East

- Follow Route 33 West until you see signs for Route 133 West (the new bypass route).
- Turn right onto Route 133 West.
- Take Route 133 West to the end and exit immediately onto Route 571 West (Princeton-Hightstown Road).
- Move immediately to the far-left turning lane and turn left onto Route 535 / Old Trenton Road.
- Follow Route 535 / Old Trenton Rd for approximately 5 miles.
- MCCC campus entrance is on the right.

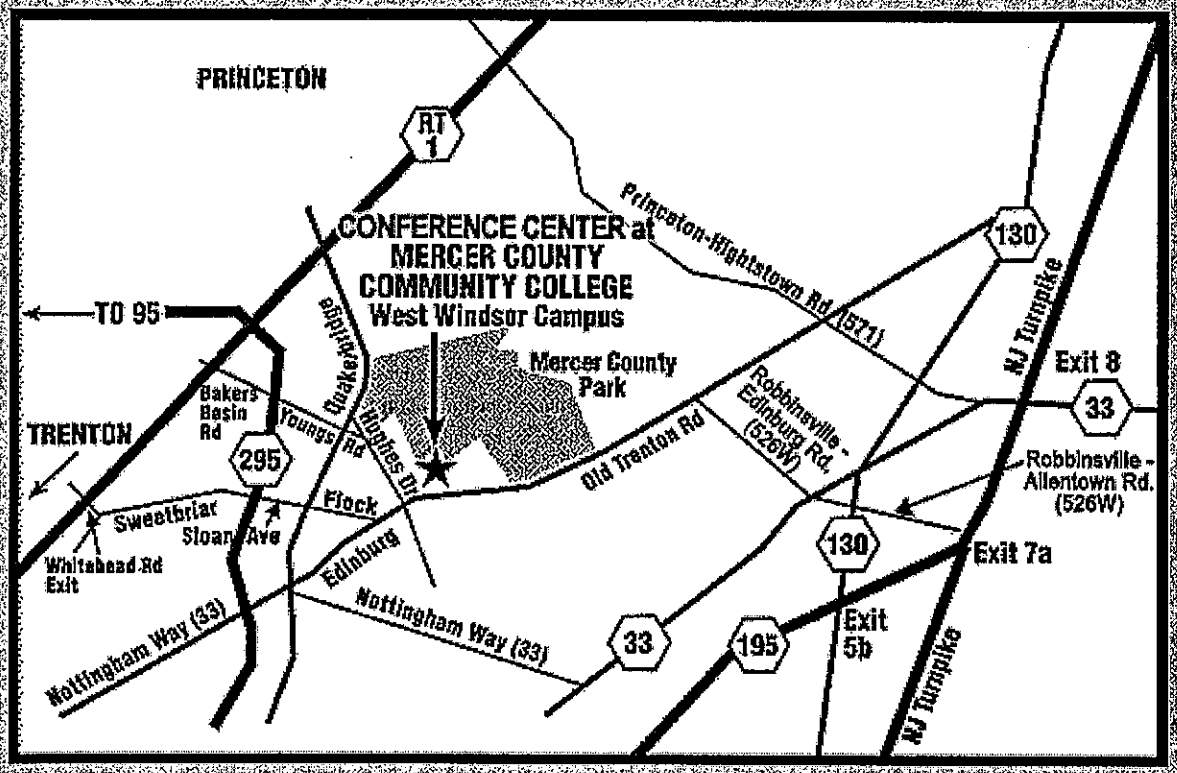
From North via NJ Turnpike

- Take Turnpike Exit 8 at Hightstown onto Route 33 West.
- Follow signs onto Route 133 West (the new bypass).
- Turn right onto Route 571 West (Princeton-Hightstown Road).
- Move immediately to the far-left turning lane and turn left onto Route 535 / Old Trenton Road.
- Follow Route 535 / Old Trenton Road for approximately 5 miles.
- MCCC campus entrance is on the right.

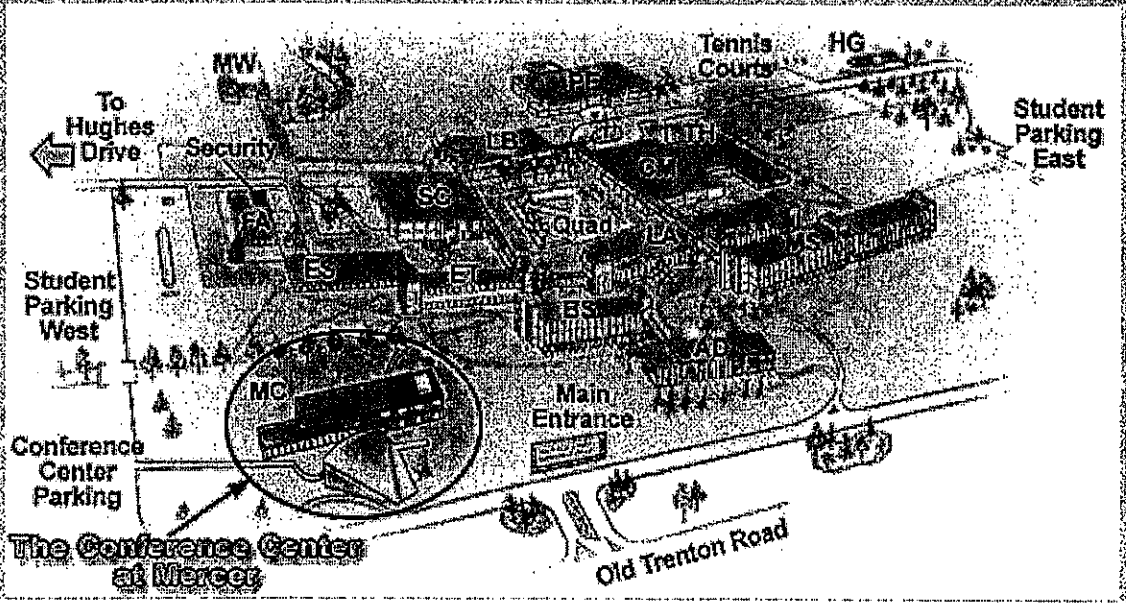
From South via NJ Turnpike

- Take Turnpike Exit 7A.
- Go West on I-195 to Exit 5B (first exit off I-195).
- North on Route 130, proceed to the second traffic light and turn left onto Robbinsville-Allentown Road (526 West).
- Go through traffic light and make immediate right onto Robbinsville-Edinburg Road (526 West).
- At the end of Robbinsville-Edinburg Road (526 West), turn left onto Old Trenton Road (535).
- Follow Old Trenton Road for 2 miles to campus entrance on right, after Mercer County Park.

AREA MAP:



CAMPUS MAP:



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NEW JERSEY SCHOOL BOARDS ASSOCIATION
BOARD OF DIRECTORS 2017-2018

OFFICERS/EXECUTIVE COMMITTEE

President	Daniel Sinclair Lakeland Regional Board of Education
Vice President for County Activities	Christy Tighe Greenwich Township Board of Education
Vice President for Finance	Michael R. McClure Maple Shade Board of Education
Vice President for Legislation/Resolutions	Brandon J. Pugh Moorestown Board of Education
Immediate Past President	Donald Webster, Jr. Manchester Township Board of Education

EX OFFICIO

Executive Director	Lawrence S. Feinsod, Ed.D. New Jersey School Boards Association

MEMBERS & ALTERNATES

ATLANTIC COUNTY
Anne Erickson, Greater Egg Harbor Regional Board of Education
Amber Umphlet, Egg Harbor Township Board of Education (Alt.)

BERGEN
Diane Holzberg, Demarest Board of Education
Sheli Dansky, River Edge Board of Education (Alt.)

BURLINGTON
Jennifer Montone, Burlington City Board of Education
Vacancy (Alt.)

CAMDEN
Gail M. David, Eastern Camden County Regional Board of Education
Naomi Davidson, Runnemede Board of Education (Alt.)

CAPE MAY
Andrea Olenik-Hipkins, Upper Township Board of Education
Vacancy (Alt.)

CUMBERLAND
Vacancy
Vacancy (Alt.)

ESSEX
Sandra Mordecai, West Orange Board of Education
Erika Jacho, Belleville Board of Education (Alt.)

GLOUCESTER
Peter J. Calvo, Glassboro Board of Education
Karen Vick (Alt.), Clearview Regional Board of Education (Alt.)

HUDSON
Michael Baruch, M.D., Guttenberg Board of Education
Matthew F. Cheng, West New York Board of Education (Alt.)

HUNTERDON
Laurie Markowski, Flemington-Raritan Regional Board of Education
Charles T. Miller, East Amwell Board of Education (Alt.)

MERCER
Gregory M. Stankiewicz, Princeton Board of Education
Anthony F. Messina, Ewing Township Board of Education (Alt.)

MIDDLESEX
Lucille (Lucy) Bloom, Sayreville Board of Education
Deven M. Patel, South Brunswick Board of Education (Alt.)

MONMOUTH
Mark A. Bonjavanni, Howell Township Board of Education
Cherie Adams, Belmar Board of Education (Alt.)

MORRIS
Irene LeFebvre, Boonton Town Board of Education
Michael Scarneo, Town of Dover Board of Education (Alt.)

OCEAN
Ben Giovine, Toms River Regional Board of Education
Vacancy (Alt.)

PASSAIC
Jeff Fischer, Haledon Board of Education
Nancy Lohse Schwartz, Pompton Lakes Board of Education (Alt.)

SALEM
Eileen C. Miller, Woodstown-Pilesgrove Board of Education
Dominick Miletta, Pittsgrove Board of Education (Alt.)

SOMERSET
Robert B. Morrison, Watchung Hills Board of Education
Barry Walker, Bridgewater-Raritan Board of Education (Alt.)

SUSSEX
Ray Morris, Newton Board of Education
Anthony Fasano, Hopatcong Board of Education (Alt.)

UNION
Helen E. Kirsch, Berkeley Heights Board of Education
Maureen Byrne, Winfield Board of Education (Alt.)

WARREN
Gusna Rutledge, Warren County Technical School Board of Education
Paul Williams, Harmony Township Board of Education (Alt.)

COUNTY ASSOCIATION LEADERSHIP
Ginny Murphy, Washington Township Board of Education, Gloucester County
Judith Amorim Dias, West Essex Regional Board of Education, Essex County (Alt.)

URBAN BOARDS
Jonathan Hodges, M.D., Paterson Board of Education, Passaic County
Vacancy (Alt.)

Marsha Hershman, Lindenwold Board of Education, Camden County
William Monk, Mount Holly Board of Education, Burlington County (Alt.)

Sudhan Thomas, Jersey City board of Education
Diane Johnson, Pennsauken Board of Education (Alt.)

VOCATIONAL BOARDS
Barbara Dawson, Morris County Vocation Board of Education
Anthony W. Wilcox, Special Services & Vocational School District of Gloucester County (Alt.)

NSBA REPRESENTATIVE (Non-Voting)
Kevin Ciak, Sayreville Board of Education

4/2018

New Jersey School Boards Association

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PROCEDURAL SUGGESTIONS FOR DELEGATES

Action in delegate meetings is sometimes prolonged when parliamentary procedure has not been properly followed in difficult situations. To speed the meeting, delegates might consider the following procedures:

Making Motions

To be discussed, a resolution must be moved by a delegate, preferably from the sponsoring board. The Vice President for Legislation/Resolutions does not move the resolution but merely reads a summary of the objectives sought in the resolution and the Resolutions Subcommittee's recommendation for delegate action as sent to all boards of education.

The recommendations proposed to the Delegate Assembly at the end of the discussion pages in this Delegate Handbook are made by the Resolutions Subcommittee. The Subcommittee is authorized by the NJSBA Bylaws to review all resolutions to come before the Delegate Assembly for policy consideration. Research on the issues presented in these resolutions sometimes leads the Resolutions Subcommittee to offer an alternative solution to the objectives sought with the Subcommittee recommending a substitute resolved clause for delegate approval. If a board delegate so chooses, the substitute resolved clause may be moved as the original motion for delegate approval.

When moving a resolution as originally presented by the sponsoring board of education, please say:

> I move Resolution No. ___ as originally submitted.

When moving a resolution with the substitute resolved clause recommended in the discussion pages, please say:

> I move Resolution No. ___ with the substitute resolved clause and recommended policy language for NJSBA'S Manual of Positions and Policies on Education.

Making Amendments

Any motion to amend a resolution or committee report recommendations must be submitted in writing to the Chair and official reporter before or at the time the motion is made on the floor.

An amendment form can be obtained at the Legal Table in the meeting room. You can consult with a staff attorney if you want help writing an amendment. The Legal Table is located in the front of the meeting room to your right.

When moving to amend a motion, please clarify your intent by saying one of the following:

- I move to strike on page ____, line ____ the word(s) _____.
- I move to strike on page ____, line ____ the word(s) _____ and insert the word(s) _____.
- I move to insert the word(s) _____ between _____ and _____ on page _____, line _____.
- I move to add at the end of line ____ on page ____ the word(s) _____.

Postponing or Referring a Motion

When delegates wish to defer action in order to develop more information, they should move to refer a resolution to a committee for study or refer a report back to the original committee for further study.

Close Votes

Whenever a delegate doubts the result of a vote as inconclusive or a tie, he/she may move that the vote be recast. If this motion is seconded, a majority vote is required to order a recount.

RULES FOR THE CONDUCT OF THE DELEGATE ASSEMBLY MEETING

1. **Credentials:** (a) The credential cards of all voting delegates shall be kept visibly displayed during the meeting. Voting shall be by electronic device. (b) The delegate to the Delegate Assembly must be either the delegate of record or alternate of record, or show proof of designated representation by the local board. A signed statement by the school business administrator on school district letterhead must be provided to show proof of designated representation by the local board. The delegate must show proof of identity at time of registration. (c) The registration desk shall close during the voting process in any contested election and no credentials shall be issued during such period. (d) An official count of all registered delegates shall be prepared and submitted to the President for announcement at the meeting just prior to the distribution of ballots in a contested election.

2. **Parliamentary Procedure:** (a) *Robert's Rules of Order Newly Revised, current edition*, shall govern the proceedings unless otherwise inconsistent with these rules. (b) There shall be an official parliamentarian to whom questions may be directed only through the Chair.

3. **Seating:** (a) All voting delegates, officers, members of the Board of Directors, county school board association representatives and staff shall be seated in front sections for easy access to the microphones for speaking privileges. (b) All others shall be seated in the rear of the meeting room.

4. **Recognition by Chair:** (a) An eligible speaker shall use a microphone and gain recognition of the Chair before speaking. (b) He/she shall give his/her full name and local board or official capacity. (c) Speakers shall state, at the outset, if they are speaking for or against a motion.

5. **Written Amendments:** (a) All motions to amend a resolution or committee report shall be submitted by the maker in writing to the Chair before or at the time the motion is made. The Chair has discretion to require any other motion to be submitted in writing. A majority vote is needed to pass the motion.

6. **Time Limitations on Speakers:**

   (a) The first presentation of a delegate moving a question shall be limited to three minutes. Subsequent presentations shall be limited to two minutes each. No authorized speaker shall speak a second time on the same question until all persons seeking the floor shall have had an opportunity to speak once.*

   (b) The first presentation of a delegate moving an amendment to a question shall be limited to two minutes. Subsequent presentations shall be limited to one minute each. No authorized speaker shall speak a second time on the same amendment until all persons seeking the floor shall have had an opportunity to speak once.

   (c) Discussion on a committee report shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of not more than five minutes, with a separate motion being required for each such extension.*

(d) Discussion on a proposed amendment to the *Bylaws* shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of five minutes, with a separate motion being required for each such extension.*

(e) Discussion on a resolution shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of not more than five minutes, with a separate motion being required for each such extension.*

(f) If a motion to amend the main motion is made, time will be suspended on the main resolution or committee report and five minutes will be allowed for discussion of the proposed amendment with the provision for extension as noted above (d). At the conclusion of a vote on the proposed amendment, time will be resumed on the main resolution or committee report.*

* Time clocks will be stopped when questions on parliamentary procedure are discussed and while proposed amendments are being prepared for presentation.

7. **Straw Poll:** There shall be no straw poll vote while the meeting is in session.

8. **A Motion to Call the Question:** (a) May not be made by a delegate at the conclusion of his/her remarks; (b) Will be deemed out of order if there are delegates waiting to speak **and** if discussion on the matter has not exceeded five minutes. A two-thirds vote of the delegates present and voting is needed to pass the motion.

9. **Motion to Reconsider:** Notwithstanding any provisions to the contrary in *Robert's Rules of Order Newly Revised, current edition*, once a resolution or *Bylaws* amendment has been voted upon, the delegates may not reconsider the vote on that resolution or *Bylaws* amendment.

10. **Breach of Order:** In debate a member's remarks must be germane to the question before the assembly—that is, his statements must have bearing on whether the pending motion should be adopted. If a member commits only a slight breach of order—such as addressing another member instead of the chair in debate, or in a single instance, failing to confine his remarks to the merits of the pending question—the chair will advise the member to avoid it. The member can then continue speaking if he commits no further breaches. If the offense is more serious as when a member persists in speaking on completely irrelevant matters in debate, the chair will warn the member; but with or without such a warning the president or any delegate can "call the member to order." If the chair does this, he says, 'The member is out of order and will be seated.' Another member wishing to call a member to order shall rise and say, without waiting to be recognized, 'Mr. [Chair], I call the member to order,' and then resumes his seat. If the chair finds this point of order well taken, he declares the offender out of order and directs him to be seated.

11. **Suspension of Rules:** These rules may be overridden by a two-thirds vote of the delegates present and voting.

NOTE: These Rules of Conduct for the Delegate Assembly will sunset at the conclusion of the Delegate Assembly.

New Jersey School Boards Association
Celebrating 100 years of service
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Minutes
NJSBA Semiannual Delegate Assembly
November 18, 2017

The Semiannual Delegate Assembly of the New Jersey School Boards Association (NJSBA) was held at The Conference Center at Mercer, Mercer County Community College on November 18, 2017. There were 133 delegates' present representing twenty counties.

President Daniel Sinclair called the meeting to order at 9:04 a.m. He directed the guests and alternates, not serving in an official capacity to their designated seating area and reminded everyone only certified delegates have the right to speak and vote on pending matters. He also reminded the participants that members of the staff and NJSBA Board of Director members, who are not serving as delegates, past presidents of the Association, and county school board presidents; or their designees, are afforded speaking privileges; but do not have voting privileges.

The President announced adequate notice of the meeting had been provided to three major newspapers and filed with the New Jersey Secretary of State. He reported the Delegate Assembly Handbook and other materials relating to the November 18, 2017 agenda were mailed on October 20, 2017 to all pre-registered delegates or to the school business administrators if the delegate was not pre-registered at the time of the mailing. A preview of the items on the agenda was published in the November 2nd issue of *School Board Notes*.

President Sinclair led the Pledge of Allegiance. He then recognized the following officers for their contribution to the Association:

VP for County Activities
Christy Tighe- Wanaque (Passaic)

VP for Finance and Chair for the Finance Committee
Michael McClure- Maple Shade (Burlington)

VP for Legislation/Resolutions and Chair of the Legislative Committee
Brandon J. Pugh - Moorestown (Burlington)

Immediate Past President, Chair of NJSBA Ethics Committee
Donald Webster, Jr. – Manchester Township (Burlington)

Mr. Sinclair also acknowledged the special contribution of those who have chaired the *ad hoc* committees of the Association:

Audit Committee
Barbara Dawson- Morris County Vo. Tech (Morris)

Standards and Assessment Committee, Co-Chairs
Eileen Miller- Woodstown- Pilesgrove Regional (Salem)
Special Education Committee
Irene LeFebvre- Boonton Town (Morris)

Urban Boards Committee
Marsha Hershman- Lindenwold (Camden)

School Finance
Michael Vrancik, Director of Governmental Relations (NJSBA)

Task Force on Educational Opportunities – (Non- College Bound Learners)
Donald Webster, Jr. - Manchester Township (Burlington)

NJSIAA Representatives
Gregory Bailey, West Milford (Passaic)
James Gaffney, Oakland (Bergen)
Howard Krieger, Upper Freehold Regional (Ocean)
Steve Shohfi, Lavallette (Ocean)

NJSIG Board of Trustees
Irene LeFebvre, Boonton Town (Morris)
Thomas F. Connors, Ph.D., Piscataway Twps. (Middlesex)

President Dan took a moment to recognize both Joe Fisicaro and Mark Biedron former State Board of Education Members.

Delegates were informed the following reports were included in the DA handbook as information and required no action: Audit Report, Resolutions Subcommittee Report, Special Education Committee Report, Standards and Assessment Report and Urban Boards Committee Report. Also included in the packet are the Legislative Committee Report and the School Finance Report which also do not require any action today.

He reminded the delegates in the event business was not completed today, the scheduled date for the adjourned Delegate Assembly is December 9, 2017 at a location to be determined.

Report of the President
President Sinclair thanked the representatives who attended the Delegate Assembly and those board members who serve throughout the state but could not attend.

He began his remarks by recognizing both the veteran and newcomer delegates who were attending the Assembly. He stated he has been a board member for eighteen years, but it was the first time he was reporting to the assembly as the NJSBA President. He has met so many dedicated people who have a singular mind set and it is to make public education better every day for our students, to advocate on the state and national level for our students, and advance student achievement for our students every day.

President Sinclair thanked Dr. Feinsod for making our organization a real player in the educational community in New Jersey. He then spoke about building relationships and how strong our leadership team was. He then recognized following officers for their contributions:

- Michael McClure – who is working with our business office staff to make sure that our organization finances are in order, and as a result the Board of Directors was presented a clean audit in November.
- Brandon Pugh- who is working with our governmental relations staff and meeting with legislators at the local, state and national level to advocate for our children. He played a major role in creating the agenda for our recent legislative committee meeting that was well received by our members.
- Christy Tighe – who is working with our member relations department to develop new and innovative programming for our county association meetings.

Also recognized was Immediate Past President Donald Webster, Jr. chair of the ***Non- College Lerner Committee***. This committee is charged with the task of studying educational opportunities for the non-college bound learners. At the first meeting held earlier in November, Dr. Feinsod charged the Task Force "*to study the current state of education and career opportunities for non- college-bound high school students; identify strategies to expand program options and recommend actions by local school boards, NJSBA and other government opportunities.*" Additionally, President Webster referenced an on-line article written by Assemblywoman Patricia Egan-Jones who praised NJSBA for forming this task force and a letter written by board member Russel Miller who is also a proponent of the west side of the building ,which includes music, arts, industrial design, etc.

President Sinclair concluded his speech with the announcement of both New Board Member Orientation Weekends which will take place Jan 5th-Jan 7th 2018 & February 23rd- February 25th 2018. He stated there is no better professional development program for newly elected board members in the nation. Lastly mentioned, were the expanding training opportunities for school board leaders. This past summer, NJSBA held three regional training sessions for board leaders, and at Workshop 2017 an extra day of training was added which included a leadership track of programs. NJSBA will hold a three day leadership conference; intensive training and small group exercises for school board presidents, vice presidents, and those who aspire to those roles. Like the Orientation programs, it will be funded through corporate donations.

In conclusion, President Sinclair stated our association is fortunate to count among its members people like you, public servants who go the extra mile for our states public school students – all 1.4 million of them. He then thanked the assembly for representing their school boards, communities and students.

Report of the Executive Director

Dr. Feinsod began his report by recognizing the staff, and summarizing some of the Association's recent progress, and focusing on the Associations vision for the future. He stated three years ago, NJSBA adopted a Strategic Plan for the years 2015, 2016 & 2017. It addressed four goal areas:

- Student Achievement
- Leadership & Advocacy
- Effective Governance through Training and Direct Services
- Finance

The plan strongly focused our Association on the advancement of student achievement. In line with this vision, NJSBA built relationships with a wide range of organizations- within the education community, in higher education, and in both the business and non-profit sectors. Our relationship with the State Department of Education and The New Jersey Institute of Technology has produced Future Ready Schools is off to an amazing start. At last month's Workshop, we recognized 63 schools that have been certified as "Future Ready". This number has far exceeded our expectations for the program's first year.

This new initiative is modeled on the very successful Sustainable Jersey for Schools program. As it completes its third year of operation, Sustainable Jersey has reached half of the states operating school districts. NJSBA is the only state school boards association with full-time staff dedicated to sustainability and STEAM education. He then spoke about the partnership with the U.S. Army who provided school boards with a STEAM education specialist who consults with local school boards, participates in professional development, and is instrumental in projects such as the STEAM Tank Challenge. Dr. Feinsod stated the STEAM Tank was of the many elements that made this year's annual Workshop one of the most successful to date.

NJSBA's research on student achievement , special education, school security, the accountability regulations and the superintendent salary cap have enhanced our status as a leading education advocate, and have contributed to changes in statue and regulation that give school boards more flexibility. Additionally we have established strong bonds with the commissioner of education, the governor's staff, the State Board of Education, and the legislative leaders on both sides of the aisle. Equally important is the fact we have given our members more opportunity for dialogue with their legislators. This year we visited lawmakers in virtually every legislative district.

Forums at the county school boards associations have included the Senate President, the Senate Republican Leader, the Assembly Majority Leader, the chair of the Senate Education Committee and the incoming Lieutenant Governor, among many others. As New Jersey enters a new era with a new governor and legislature; NJSBA is well positioned to advocate the interests of local school boards of education and public school students. Dr. Feinsod informed the assembly he was asked to join the Governor –elect's transition team, along with Mike Vrancik, from Governmental Relations.

Dr. Feinsod then explained the third goal of the strategic plan is to have the best trained board members in the nation and encourage their professional development. He stated this year both the Field Services and Member Engagement staff created half day regional leadership programs which took place in February & August and combined for an outstanding turnout of 350 attendees. Additionally Workshop 2017 offered a new leadership track which included seven sessions and attracted approximately 466 attendees. Furthermore, NJSBA will introduce a new weekend leadership program in April 2018, which will provide intensive training for board presidents, vice-presidents and members who aspire to these roles.

Dr. Feinsod stated online governance training has been updated and a new training vehicle for Governance II, III & IV called "Foundations for Success" is now being offered via our county associations. He then specified one of the most significant advances in direct and support services is the new online superintendent evaluation tool, which was rolled out at Workshop 2017. Furthermore, in conjunction with the New Jersey Association of School Administrators, our Field Services staff created up-to-date, standards –based evaluation. The response among board members and superintendents has been overwhelmingly favorable.

He then declared our fourth goal of the current Strategic Plan is Finance. This past spring a task force

researched the monetary value of our dues- based and member services. A prime example is the energy-purchasing program, the Alliance for Competitive Energy Services. Since 2009, ACES has saved school boards statewide over $202 million. The value of ACES is continuing through a new electricity agreement, which will save participating districts over $25 million through 2018.

Dr. Feinsod then reiterated he will be visiting all 21 county school boards associations, and at most meetings he addresses the important role ELF (Educational Leadership Foundation) plays in building corporate support. He then shared the following examples:

- This summer, NJSBA received confirmation of $100,000 in funding for both of our New Board Member Orientation Weekends.
- The new weekend leadership program scheduled for the weekend of April 20th will be funded thorough $50,000 in corporate contributions from Dell and VMware
- This year corporate New Jersey has provided $130,000 to fully fund more than 100 county school boards association training meetings. The contributions provide excellent programming, comfortable venues, hot meals, and as a direct result, attendance at county meetings has increased by 60 percent over the past three years.
- Our Corporate Member Program is growing and helping to support training and membership development. Last year a goal was set to obtain 25 corporate partners; today our number currently stands at 40.
- Workshop is our major non-dues source of revenue and for 2017, it met all of its goals in the area of finance, programming and attendance over 8,000

Furthermore, for the eighth consecutive year there has been no dues increase; non- dues revenue now constitutes 32.4 percent of our budget, the highest in NJSBA's 103- year history. He added our training and support services are built upon the foundation of advancing the achievement of all students. NJSBA has engaged in more public-private partnerships to support our services and to give local school boards the ability to secure needed products at lower cost. We have built bridges in government, industry, and education; all of them aimed at improving the education of New Jersey students.

Dr. Feinsod then focused his speech on the new strategic plan covering from 2018-2020. NJSBA will use the "3-D" process (Determination, Dreams & Destiny) which is offered to local school districts by our Field Services Department. The process involves stakeholder input, identification of the organization's strength and challenges, the establishment of a vision for the year 2020 and the setting of goals and objectives. He thanked the many delegates who participated in planning forums and read the new vision statement:

Student growth and learning are at the heart of all activities of the New Jersey School Boards Association. By advancing effective school district governance, our Association empowers local boards of education to ensure the well-being and success of every child.

He then continued overview of the Strategic Goals and Objectives and the areas they cover:

- Student Growth, Learning, Well- Being and Success
- Direct and Support Services
- Advocacy
- Developing New Jersey's School Board Members
- Building a "future ready" New Jersey School Boards Association

Dr. Feinsod emphasized in the area of student growth and learning the definition of "*achievement*" should include social- emotional learning and citizenship. He stressed this will involve changing *"perceptions within our membership, throughout the entire education community, and among lawmakers and the general public."* Also under the plan, NJSBA will give public attention to building public awareness of the contributions of local school boards of education and the issues which school districts face. Additionally, over the next three years NJSBA will continue to encourage the professional development of current board members and emphasize the positive impact that a school board has on student growth and learning.

Lastly, NJSBA will "Build a Future Ready Association" to ensure our schools and students will have the technology necessary for success and the objectives include:

- Eliminating regulatory obstacles which schools face in procuring technology
- Providing training and programs to help schools become future ready

Due to the technological challenges facing our members and the association, last May Dr. Feinsod hired a consultant to assess our IT infrastructure. The assessment made recommendations in the following four areas:

- Replacing and or updating hardware and software to ensure effective delivery of current and future services
- Upgrading or replacing the current membership database system, which handles program registration, Board Member Academy credits and other essential functions.
- Increased professional development for staff
- Development of a long-range IT plan.

Dr. Feinsod stated the Board of Directors approved a major upgrade to our technological capabilities, as recommended in the assessment. This upgrade translates to better service and calls for new equipment to accommodate teleconferencing to deliver professional development and other services. He then announced a $200,000 in-kind contribution of video- conferencing equipment from Cisco Systems to help make our goals a new reality.

He then ended his speech by indicating the next three years will present challenges for local boards of education, but with effective leadership and governance we will meet those challenges and create a brighter future for our schools and their students. Dr. Feinsod thanks the Assembly for their continued support and looks forward to working together to ensure the well-being and success of the 1.4 million school children in New Jersey.

Rules for Conduct of the Delegate Assembly
President Sinclair announced the Assembly will be using the electronic voting cards and explained how to use them.

He then introduced parliamentarian Michelle Bobrow, who was prepared to address any questions about the rules. He then stated the *Rules and Procedures for the Delegate Assembly* are included in the handbooks and *Robert Rules of Order* will be adhered to.

Delegate Assembly was **APPROVED**
Minutes of May 20, 2017

President Sinclair asked the assembly if there were any corrections, additions, or deletions to the minutes.

There were no objections

Minutes of May 20, 2017- **APPROVED**

Report of the RSC- Funding of Charter Schools
President Sinclair asked Vice President of Legislations/Resolutions Brandon Pugh to present the committees report to the Assembly.

Brandon stated at the May 20, 2017 Delegate Assembly the Edison Board of Education proposed new policy language for adoption by the Delegates and inclusion in the NJSBA's *Manual of Positions and Policies on Education.* The resolution requested that the NJSBA adopt a policy stating that the NJSBA believes that the charter schools erode the public education program of high quality suburban school districts by draining badly needed financial resources.

After debate, the delegates voted to refer the resolution to committee for further review and consideration and to have the resolution brought back to the Delegate Assembly for action. President Sinclair determined the NJSBA Resolutions Subcommittee (*Bylaws*, Art. V) was best suited to address the issues raised by the delegates, and to make a recommendation to the Delegate Assembly for its consideration. The Committee was charged to convene as many times as necessary to review NJSBA's policies concerning funding of charter schools and make recommendations, as necessary to the Delegate Assembly on November 18, 2017.

The RSC met on September 16 and reviewed the Edison resolution write up and the recommendation presented to the Delegate Assembly in May 2017; the 2012 Ad Hoc Charter Committee Report and recommendations presented to the May 2012 Delegate Assembly; the May 2017 DA transcript discussing the Edison resolution; and the entire body of NJSBA policies regarding charter schools, F/C 5117. The Resolutions Subcommittee recommends that the President create a task force to provide for ongoing study of charter schools and their relation to local school districts.

The Resolutions Subcommittee recommends the following revision to File Code 5117, of NJSBA's ***Manual of Positions and Policies:*** (Additions are underlined)

Charter School Application Process

The NJSBA believes that prior to the formal charter school application being submitted to the state, **or an application to expand an existing charter school**, the local board of education, following a public hearing, should approve or disapprove of the proposed charter school **or expansion.** A denial of a charter school **or application for expansion of an existing charter school** by the board of education may be appealed to the New Jersey Department of Education. In the absence of a process for board of education approval, NJSBA believed local voters or the board of school estimate should have approval rights, prior to the establishment of a charter school **or the expansion of an existing charter school**, as well as additional steps to incorporate local voter and elected school board opinion into chartering decisions.
Expansions of an existing charter school includes increasing the districts or region from which the students, adding to the programs offered, and/or increasing the grades open enrollment.
[Authority: DA5/11- ER (A), DA 5/12-CR Charter Schools)]

Brandon then entertained a motion to accept the report found on page 75 of the delegate handbook.

Karen Cortellino - Montville Township BOE (Morris County) made a motion to move the report; there were numerous seconds.

Michael Heller – Bloomfield BOE- (Essex County) had a question regarding erosion of high quality school districts.

Polls then opened to vote on the amendment

Amendment was passed – (91% vs. 9%)

Brandon then presented the Assembly with an additional vote on the original resolution from Edison brought to the May 20, 2017 Delegate Assembly and was referred to committee.

Resolution No.1- Edison (Middlesex)
The resolution proposed new policy language to the New Jersey School Boards Association's Delegate Assembly that NJSBA believes NJ charter schools in high quality suburban school districts erode the operations of public education by draining badly needed financial resources.

RECOMMENDATION:
The Resolutions Subcommittee recommended opposing this resolution.

He then entertained a motion to move the resolution.

- Theresa Ward- Edison Board of Education –moved the resolution
- Irene Lefebve- Boonton Township– second the motion
- Dr. Tom Collins – Piscataway Township BOE – Against
- Darcy Cimarusti- Highland Park BOE- Against
- Anthony Razzano- South River BOE- in favor
- Bryan Heggrety – Somerset BOE – Against

Brandon then asked Cyndy Jahn, General Counsel to discuss the background and research that was involved in the write-up and the subsequent recommendation from the Committee.

The resolution was then put to vote and **FAILED (33% vs. 67%)**

Report of the Vice President for Legislation/Resolutions
Brandon Pugh first thanked the Legislative Committee and the Resolutions Subcommittee for their work. He presented the Emergency Resolutions Subcommittee report; the cutoff for emergency resolutions was November 8, 2017. The Association received no emergency resolutions.

He then presented the Report of the Resolutions Subcommittee. The Association received three resolutions from local boards of education for submission to the agenda for the Semiannual Delegate Assembly prior to the official cutoff date on September 5, 2017. One Resolution was removed from the agenda of the Delegate Assembly by the Resolutions Subcommittee pursuant to Article V, Section 5f of the *Bylaws* because the resolution would constitute reaffirmation of existing Association policy.

Pursuant to Article V, Section 6, section taken by the Resolutions Subcommittee may be overridden upon a motion and simple majority vote. The motion to override must state specifically the remedy sought by the moving party. The motion to override shall not be subject to debate except that both the maker of the motion and the chair of the Resolutions Subcommittee shall be given three minutes to address the delegates concerning the motion.

A preview of the resolutions on the agenda was published in the November 2 issue of *School Board Notes* and placed on the NJSBA Web site.

He reminded delegates Rule No. 9 of the rules for conducting the Delegate Assembly precludes reconsideration of a resolution or *Bylaws* amendment and the policy adopted after the delegates have voted on it. If the policy language you prefer has not been moved, delegates must go to a microphone to amend the original motion before it is voted on.

Delegates must write the amendment on the amendment form. They do not have to write the policy language for either the original resolution or the substitute resolved language because the wording is at the podium, in the delegate packet, and the amendment typist has it on the laptop computer.

If you have any suggestions for improving this procedure, a place has been provided for your comments on the delegate questionnaire form you will receive electronically. This procedure comes from your suggestions, so your comments do produce results.

Brandon then reminded delegates decisions made today establish policy for our Association for years to come.

Resolution No.1
Middletown Board of Education (Monmouth) proposes additional NJSBA policy to prohibit reduction in state aid once the NJDOE approves the local budget.

Recommendation
The Resolutions Subcommittee recommends approval of this resolution with the following substitute resolved language which would create additional policy language at File Code 3100, Timelines for School Budget Process, to be included in NJSBA's *Manual of Positions and Policies on Education.*

The NJSBA believes that is detrimental to students, school programs, and taxpayers to have the state reduce projected school aid figures to school districts after the Commissioner of Education notifies school districts of their state aid entitlements by the statutory date of notification

Brandon then called Chris Jones to the podium to describe the recommendation and entertain any questions. He then entertained a motion to move the resolution.

- Sue Griffin – Middletown Township BOE –moved the motion forward
- Sherry Adams- Belmar BOE – in favor
- Robert Abbott- Washington Township BOE- in favor

The resolution was put to vote and PASSED **(95% vs. 5%)**
Resolution No. 2
Bloomfield Board of Education (Essex) proposes new NJSBA policy requiring that the state should fully fund special education costs including Extraordinary Aid Costs and transportation costs and limit the

increases that all providers can charge to the same 2% tax levy cap imposed on school districts, and that such funding follows the student when moving into another district.

Recommendation
The Resolutions Subcommittee recommends approval of this resolution with the following substitute resolved language which would create policy language at File Code: 6171.4 to be included in NJSBA's *Manual of Positions and Policies on Education.*

The NJSBA believes special education providers should have the same cap on their ability to charge local districts for services as local districts for services as local districts have on their ability to raise revenue.

Brandon then called John Burns to the podium to discuss the background and research that was involved in the write-up and the subsequent recommendation to the Committee. He then entertained a motion to approve the resolution with the substitute policy language.

- Michael Heller – Bloomfield BOE – moved the resolution

There were numerous seconds

- Len DiGiacomo- Eastampton BOE – in opposition with questions
- Lisa Marshall – Warren Hills BOE- in favor

Vote for continued discussion of revised amendment – **PASSED (65% vs. 35%)**

- Elliot Stroul- Jamesburg BOE- in favor
- Darcy Cimarusti- Highland Park BOE – opposed

The resolution was put to vote and **PASSED (81% vs. 19%)**

Sunset Policies
Brandon then addressed the Sunset Review Section 6000 (Instruction) and Section 7000 (Construction, Remolding and Renovation) of NJSBA's *Manual of Positions and Policies on Education.* In accordance with GO/8700 which directs the review of Association positions and policies on education according to certain standards/criteria , staff have reviewed all policies classified as part of the 6000 and 7000 sections of the NJSBA *Manual of Positions and Policies on Education.* Staff has identified those policies which require reaffirmation (List1) and those which require change including wording, amendment or deletion (List 2).

The criteria against which the policies were reviewed and reformatted are included in the report. One policy was in need of amendment due to outdated terminology and based upon one or more criteria/standards established as requirements for recommending any changes to existing policies on education. This policy comprises List 2. All changes are described in the rationale at the end of each policy. Deletions are in {brackets}, additions underlined. The criteria against which the policies were reviewed and reformatted are included in the report. Brandon then proposed that the Assembly consider all of the policies in the 6000 Section and 7000 as a group.

He then entertained a motion to approve the proposed policy changes to the 6000 and 7000 Sections of the NJSBA *Manual of Positions and Policies on Education*.

- Bruce Johnson – Carlstadt BOE- moved the motion forward

There were numerous seconds

The motion to approve proposed changes to the 6000 section & 7000 section – **PASSED (98% vs. 2%)**

Adjournment

President Sinclair thanked everyone for taking time from their Saturday to come.

Having no further business, a Motion was made to adjourn the meeting. The Motion was duly seconded and carried. The meeting was adjourned at 10:47 a.m.

Respectfully submitted,

Jennifer Siehl

November 18, 2017 Delegate Assembly

County	District	Last Name	First Name
Atlantic	Absecon Bd of Ed	Cottrell	Christopher
Atlantic	Egg Harbor Twp Bd of Ed	Szilagyi	Barbara
Atlantic	Grtr Egg Harbor Reg Bd of Ed	Erickson	Anne
Atlantic	Mullica Twp Bd of Ed	Wyld	Joy
Bergen	Carlstadt Bd of Ed	Young	Bruce
Bergen	Demarest Bd of Ed	Holzberg	Diane
Bergen	Dumont Bd of Ed	DeWald	Robert
Bergen	Edgewater Bd of Ed	Stefani-Rackow	Cristina
Bergen	Elmwood Park Bd of Ed	Freitag	Jeanne
Bergen	Fort Lee Bd of Ed	Morell	Holly
Bergen	Ho-Ho-Kus Bd of Ed	Nye	Mary Ellen
Bergen	Mahwah Township Bd of Ed	Wendrychowicz	Peter
Bergen	Montvale Bd of Ed	Rossig	Scott
Bergen	New Milford Bd of Ed	Steele	Joseph
Bergen	No Highlands Bd of Ed	Wei	Robert
Bergen	Oradell Bd of Ed	Walsh	John
Bergen	Ramsey Bd of Ed	Socci	Anthony
Bergen	Ridgewood Bd of Ed	Wilson	Jeanette
Bergen	River Edge Bd of Ed	Sin	Giyuchang
Bergen	Rutherford Bd of Ed	Jones	Diane
Bergen	Teaneck Bd of Ed	Williams	Clara
Bergen	Upper Saddle River Bd of Ed	Verducci	David
Bergen	Westwood Reg Bd of Ed	Miller	Russell
Burlington	Beverly Bd of Ed	Atkinson	Stacey
Burlington	Burlington City Bd of Ed	Gaspard-Tovar	Nicole
Burlington	Eastampton Twp Bd of Ed	DiGiacomo	Len
Burlington	Edgewater Park Bd of Ed	Holley	Lester
Burlington	Lenape Reg Bd of Ed	Fitzgerald	Barry
Burlington	Lumberton Bd of Ed	Bupp	Margaret
Burlington	Maple Shade Bd of Ed	McClure	Michael
Burlington	Moorestown Twp Bd of Ed	Pugh	Brandon
Burlington	Mount Holly Bd of Ed	Monk	William
Burlington	Mount Laurel Twp Bd of Ed	Haynes	Margaret
Burlington	Palmyra Bd of Ed	Toner	Sean
Burlington	Pemberton Twp Bd of Ed	Maier	Thomas
Burlington	Southampton Twp Bd of Ed	Hann	Russell
Burlington	Tabernacle Twp Bd of Ed	Corey	Gail
Camden	Barrington Bd of Ed	Chin-Glaser	Sherry
Camden	Berlin Boro Bd of Ed	Quinn	Dennis
Camden	Camden City Bd of Ed	Wilson	Martha
Camden	Chesilhurst Bd of Ed	Littles	Maria
Camden	Clementon Bd of Ed	Weyland	William

Camden	Collingswood Bd of Ed	Waugh	Jason
Camden	Eastern Camden Co Reg Bd of Ed	David	Gail
Camden	Gibbsboro Bd of Ed	Carrington	Maria
Camden	Haddon Twp Bd of Ed	Kendall	John
Camden	Lindenwold Bd of Ed	Hershman	Marsha
Camden	Pine Hill Bd of Ed	Gallagher	Leslie
Camden	Runnemede Bd of Ed	Davidson	Naomi
Camden	Waterford Twp Bd of Ed	Chiddenton	Terri
Camden	Winslow Twp Bd of Ed	Peterson	Julie
Cape May	Ocean City Bd of Ed	McAlister	Jacqueline
Cumberland	Cumberland Co Voc Bd of Ed	Hands	Ruth
Essex	Belleville Bd of Ed	Lamparello	Christine
Essex	Bloomfield Bd of Ed	Heller	Michael
Essex	Glen Ridge Bd of Ed	Yaros-Ramos	Heather
Essex	Millburn Bd of Ed	Woodhouse	Jennifer
Essex	Newark Bd of Ed	Carter	Dashay
Essex	So Orange-Maplewood Bd of Ed	Smith	Donna
Essex	West Essex Reg Bd of Ed	Dias	Judith
Gloucester	Elk Twp Bd of Ed	Spring	Mary
Gloucester	Logan Twp Bd of Ed	Kegler	Carolyn
Gloucester	Washington Twp Bd of Ed	Abbott	Robert
Gloucester	West Deptford Twp Bd of Ed	Kane	Christine
Gloucester	Woodbury Bd of Ed	Abbott	Steven
Hudson	West New York Bd of Ed	Parkinson	Adam
Hunterdon	No Hunterdon-Voorhees Reg BOE	Roll	Thomas
Mercer	Hamilton Twp Bd of Ed	Scales	Christopher
Mercer	Lawrence Twp Bd of Ed	Groeger	Jo Ann
Mercer	Princeton Bd of Ed	Stankiewicz	Gregory
Middlesex	Edison Bd of Ed	Ward	Theresa
Middlesex	Highland Park Bd of Ed	Cimarusti	Darcie
Middlesex	Jamesburg Bd of Ed	Stroul	Elliott
Middlesex	Middlesex Boro Bd of Ed	Hrevnack	John
Middlesex	Monroe Bd of Ed	Lang	Patricia
Middlesex	Piscataway Twp Bd of Ed	Connors	Tom
Middlesex	South Plainfield Bd of Ed	Miller	Sharon
Middlesex	South River Bd of Ed	Razzano	Anthony
Monmouth	Asbury Park Bd of Ed	Lesinski	Barbara
Monmouth	Atlantic Highlands Bd of Ed	Denzler	Alyson
Monmouth	Belmar Bd of Ed	Adams	Cherie
Monmouth	Colts Neck Twp Bd of Ed	Hernandez	Margaret
Monmouth	Fair Haven Boro Bd of Ed	Lang	Carol
Monmouth	Henry Hudson Reg Bd of Ed	Mohr	Melissa
Monmouth	Highlands Borough Bd of Ed	Knox	Diane
Monmouth	Holmdel Twp Bd of Ed	Liu	Chiung-Yin Cheng
Monmouth	Howell Twp Bd of Ed	Miller	Albert
Monmouth	Keansburg Bd of Ed	Mankowski	Michael
Monmouth	Manalapan Englishtown Bd of Ed	Parisi	Christine

Monmouth	Marlboro Twp Bd of Ed	Heller	Randy
Monmouth	Middletown Twp Bd of Ed	Griffin	Susan
Monmouth	Monmouth Reg Bd of Ed	Seavey	Steven
Monmouth	Union Beach Bd of Ed	Boyce	Sarah
Monmouth	Wall Twp Bd of Ed	Lynch	Robin
Monmouth	West Long Branch Bd of Ed	Gassman	Lauren
Morris	Boonton Twp Bd of Ed	LeFebvre	Irene
Morris	Denville Bd of Ed	Cappello	Dino
Morris	Hanover Twp Bd of Ed	Azzarello	Salvatore
Morris	Harding Twp Bd of Ed	Flynn	John
Morris	Mendham Twp Bd of Ed	Brauner	Jeffrey
Morris	Montville Twp Bd of Ed	Cortellino	Karen
Morris	Parsippany Troy Hills Bd of Ed	Golderer	Susy
Morris	Roxbury Twp Bd of Ed	Masi	Dan
Ocean	Lacey Twp Bd of Ed	Discenza	Regina
Ocean	Manchester Twp Bd of Ed	Webster	Donald
Ocean	Pinelands Regional Bd of Ed	Hanadel	Kim
Ocean	Point Pleasant Beach Bd of Ed	Ireland	James
Passaic	Bloomingdale Bd of Ed	Caraballo	Charles
Passaic	Lakeland Reg Bd of Ed	Sinclair	Daniel
Passaic	Passaic Co-Manchester Reg BOE	Vander Molen	John
Passaic	Pompton Lakes Bd of Ed	Troast	Timothy
Passaic	Wayne Bd of Ed	Pavlak	Donald
Passaic	West Milford Bd of Ed	Cytowicz	William
Salem	Woodstown-Pilesgrove Bd of Ed	Miller	Eileen
Somerset	Bridgewater-Raritan Bd of Ed	Walker	Barry
Somerset	Hillsborough Twp Bd of Ed	Trujillo	Jean
Somerset	Manville Bd of Ed	Liszczak	Sharon
Somerset	Somerville Bd of Ed	Puntillo	Daniel
Somerset	Warren Twp Bd of Ed	Sarosy	Jeannine
Somerset	Watchung Bd of Ed	Glasser-Nehls	Georgia
Sussex	Hardyston Twp Bd of Ed	Beltramine	Dorothy
Sussex	Newton Bd of Ed	Larsen	Tina
Sussex	Sussex Cty Technical BOE	Wexler	Diane
Sussex	Vernon Twp Bd of Ed	LePera	Lori
Union	Clark Twp Bd of Ed	Guerriero	Christine
Union	Garwood Bd of Ed	Langston	Amanda
Union	Linden Bd of Ed	Topoleski	Raymond
Union	Mountainside Bd of Ed	Gioia	Dante
Union	Rahway Bd of Ed	Dolce	Ronald
Union	Winfield Bd of Ed	Viteka	Frederick
Warren	Blairstown Bd of Ed	Karolchyk	John
Warren	Franklin Twp Bd of Ed	Roberto	Charles
Warren	Great Meadows Reg Bd of Ed	Cullen	Susan
Warren	Knowlton Twp Bd of Ed	Smith	Tammeisha
Warren	Lopatcong Bd of Ed	Taggart	William
Warren	Mansfield Township Bd of Ed	Momary	James

Warren	North Warren Reg Bd of Ed	Brandt	Robert
Warren	Oxford Bd of Ed	Lewis-Lahey	Anthony
Warren	Warren Hills Reg Bd of Ed	Marshall	Lisa
Warren	Washington Twp Bd of Ed	Graf	Karen

New Jersey School Boards Association

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MEMORANDUM

To: **NJSBA DELEGATES AND ALTERNATES**

From: **MICHAEL R. McCLURE, VICE PRESIDENT FOR FINANCE**

Date: **MAY 19, 2018**

Re: **FINANCIAL REPORT**

The *Bylaws* of the New Jersey School Boards Association require that a "detailed report of the financial condition of the Association" be presented at each annual meeting of the Delegates. The financial reports through March 31, 2018 have been distributed to you. Included are the 2017-2018 year-to-date revenues and expenses and a balance sheet and statement of cash flows..

The audit for fiscal year 2017-2018 will be completed in August and will be included in the annual report distributed at the November 2018 Board of Directors meeting.

NEW JERSEY SCHOOL BOARDS ASSOCIATION
STATEMENT of REVENUES and EXPENSES
For the Nine Months Ending March 31, 2018

	Month ended March			Year-To-Date Ended March			FULL-YEAR	FULL-YEAR
	BUDGET	ACTUAL	VARIANCE	BUDGET	ACTUAL	VARIANCE	BUDGET	2016-2017
MEMBERSHIP DUES	$ 592,859	$ 592,859	$ -	$ 5,335,738	$ 5,333,426	$ (2,312)	$ 7,114,315	$ 7,114,311
MEMBERSHIP PROGRAMS	0	3,000	3,000	283,870	302,983	19,113	283,870	301,593
TOTAL MEMBERSHIPS	592,859	595,859	3,000	5,619,608	5,636,409	16,801	7,398,185	7,415,904
MEMBERSHIP EXPENSES:								
COMMITTEES	7,436	4,837	2,599	55,537	46,529	9,008	78,272	54,771
CONFERENCES- DUES BASED, NET	3,618	3,720	(102)	39,618	14,407	25,211	53,464	33,959
MEMBERSHIP SERVICES & PROGRAMS	19,096	13,046	6,050	157,856	129,102	28,754	215,125	151,458
PUBLICATIONS INCLUDED WITH MEMBERSHIPS, NET	7,024	9,340	(2,316)	63,216	33,413	29,803	84,275	41,061
TRAVEL & LIAISON	13,338	14,396	(1,058)	118,042	94,280	23,762	158,054	110,399
TOTAL MEMBERSHIP EXPENSES	50,512	45,339	5,173	434,269	317,731	116,537	589,190	391,648
OVERHEAD:								
SALARIES	485,852	472,953	12,899	4,388,668	4,205,572	183,096	5,846,222	5,639,734
PERSONNEL ADMINISTRATION & TRAINING	191,603	180,452	11,151	1,724,421	1,642,945	81,476	2,299,230	3,740,074
HEADQUARTERS HOUSING	34,070	31,002	3,068	308,636	269,549	39,087	410,850	799,246
INSURANCE	7,181	7,182	(1)	64,642	64,712	(70)	86,188	83,565
OFFICE EXPENSE	31,114	37,953	(6,839)	278,465	193,530	84,935	371,799	299,434
TOTAL OVERHEAD EXPENSES	749,820	729,542	20,278	6,764,832	6,376,308	388,524	9,014,289	10,562,053
NET MEMBERSHIPS	(207,473)	(179,022)	28,451	(1,579,493)	(1,057,630)	521,862	(2,205,294)	(3,537,797)
WORKSHOP REVENUE	0	0	0	2,001,000	2,068,279	67,279	2,001,000	2,036,205
WORKSHOP EXPENSES	0	354	(354)	836,000	837,362	(1,362)	836,000	770,206
NET WORKSHOP	0	(354)	(354)	1,165,000	1,230,917	65,917	1,165,000	1,265,999
FEE BASED SERVICE REVENUE	63,584	55,848	(7,736)	480,258	406,583	(73,675)	671,018	568,497
FEE BASED SERVICE EXPENSES	18,852	21,629	(2,777)	165,237	193,665	(28,428)	221,790	159,819
NET FEE BASED SERVICES	44,732	34,219	(10,513)	315,021	212,918	(102,103)	449,228	408,678
CONFERENCE REVENUE	47,725	42,493	(5,232)	108,002	89,223	(18,779)	241,154	180,631
CONFERENCE EXPENSES	14,592	8,187	6,405	26,606	15,554	11,052	63,702	34,723
NET CONFERENCES	33,133	34,306	1,173	81,396	73,669	(7,727)	177,452	145,908
NET PUBLICATIONS	(77)	163	240	25,182	26,782	1,600	24,945	31,983
NET ISTEAM & SUSTAINABILITY	3,431	10,650	7,219	30,879	30,497	(382)	41,174	5,463
NET MISC. REVENUE INCLUDING INVESTMENT INCOME	10,250	16,670	6,420	91,737	151,337	59,600	122,495	129,382
FREE BALANCE SURPLUS							225,000	
NET REVENUE OVER EXPENSES	$ (116,004)	$ (83,368)	$ 32,636	$ 129,722	$ 668,490	$ 538,768	$ -	$ (1,550,384)

NEW JERSEY SCHOOL BOARDS ASSOCIATION
BALANCE SHEET
For the Nine Months Ending March 31, 2018

Assets	March 2018	March 2017
Current Assets:		
Cash and short-term investments	$ 7,475,920	$ 7,519,510
Accounts Receivable	156,375	181,340
Prepaid Expenses	193,980	48,576
Deferred Compensation	36,949	81,282
Total Current Assets	7,863,224	7,830,708
Fixed Assets:		
Land- HQ	1,686,534	1,686,534
Land	139,040	139,040
Building and Building Improvements	10,570,192	10,392,525
Furniture and Fixtures	806,241	766,637
Computer Hardware and Software	1,848,728	1,638,200
Telephone System	38,907	38,907
Automobiles	59,669	59,669
Total Fixed Assets	15,149,311	14,721,512
Less Accumulated Depreciation and Amortization	(6,621,598)	(6,181,648)
Total Fixed Assets - Net	8,527,713	8,539,864
Deferred Outflow of Resources - Pensions	6,340,627	2,754,113
Total Assets	$ 22,731,564	$ 19,124,685

NEW JERSEY SCHOOL BOARDS ASSOCIATION
BALANCE SHEET
For the Nine Months Ending March 31, 2018

Liabilities and Fund Balance	March 2018	March 2017
Current Liabilities:		
Accounts Payable & Accrued Liability	$ 704,119	$ 174,213
Prepaid Revenue	2,171,569	278,831
Accrued Vacation	481,881	494,842
Total Current Liabilities	**3,357,569**	**947,886**
Net Long-Term Pension Liability	**20,568,235**	**15,161,250**
Deferred Inflow of resources - Pension Relates	**349,851**	**695,316**
Fund Balances:		
Operating Fund Net investment in facilities	8,527,713	8,539,864
Operating Fund Surplus Beginning Balance	3,493,897	3,774,532
Operating Fund Surplus Fiscal Year 2017-2018, 2016-2017	668,490	2,982,431
Operating Fund Surplus Ending Balance	4,162,387	6,756,963
Unrestricted Fund - Net Pension Liability	(14,577,459)	(13,102,453)
Capital Fund - Strategic Plan	0	78,775
Capital Fund - Building	73,311	47,084
Capital Fund - IT Replacement	269,957	0
Total Fund Balances	**(1,544,091)**	**2,320,233**
Total Liabilities and Fund Balances	**$ 22,731,564**	**$ 19,124,685**

NEW JERSEY SCHOOL BOARDS ASSOCIATION
STATEMENT OF CASH FLOW
as of March 31, 2018

	MAR. 2018	MAR. 2017
Cash Flows from Operating Activities		
Collections from customers	$ 9,680,592	$ 9,675,775
Cash paid to vendors and staff	(7,540,530)	(7,345,911)
Net Cash Provided by Operating Activities	**2,140,062**	**2,329,864**
Cash Flows from Investing Activities		
Purchase of equipment	(342,964)	(18,532)
Interest collected	74,853	23,499
Net Cash Flow Used for Investing Activities	**(268,111)**	**4,967**
Cash Flow from Financing Activities :		
Payments of debt obligations	0	0
Interest paid	0	0
Net Cash Flow Used for Financing Activities	**0**	**0**
Net Increase in Cash	**1,871,951**	**2,334,831**
Cash at Beginning of Period	**5,603,969**	**5,184,680**
Cash and Equivalents at End of Period	**$ 7,475,920**	**$ 7,519,511**
Reconciliation of operating income to net cash provided by operating activities:		
Operating income	$ 593,637	$ 2,958,932
Adjustments to reconcile operating income to net cash provided by operating activities:		
Depreciation	0	0
Amortization	0	0
Bad debt allowance	(3,000)	0
Changes in operating assets and liabilities:		
Accounts receivable	(32,045)	(8,311)
Prepaid expenses	(43,452)	94,730
Accounts payable and accrued expenses	330,478	(215,311)
Other Liabilities	1,294,445	(500,176)
Net cash provided by operating activities	$ 2,140,062	$ 2,329,864

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REPORT OF THE LEGISLATIVE COMMITTEE
By
Brandon J. Pugh
Vice President for Legislation/Resolutions
Prepared for the May 19, 2018 Delegate Assembly

As Vice President of Legislation/Resolutions, I would like to report the Legislative Committee's activities since the November 18, 2017 Delegate Assembly.

CHARGE:

1. The Committee shall encourage, promote and assist in the development of local, county and Statewide legislative networks.

2. The Committee may initiate legislative policy recommendations for consideration by the Board of Directors or the Delegate Assembly.

3. The Committee shall review issues and NJSBA's advocacy agenda and offer input on these matters.

4. The Committee shall clarify existing positions on legislation by analyzing bills pending in the Legislature.

5. The Committee shall recommend a biannual legislative agenda.

6. The Committee members may be called upon to testify at meetings and hearings of the State Legislature on issues.

7. The Committee shall serve as a membership base for the Resolutions Subcommittee.

8. The Committee members may participate in NJSBA's legislative training activities.

9. The Committee shall review federal legislation and other initiatives that affect local school boards and offer input on these matters.

10. The Committee shall serve as a united voice for the needs of all children by testifying, initiating local resolutions, writing/meeting/telephoning legislators, and communicating with local board members at county functions.

At the heart of the Committee's charge is its crucial service as a link between local boards of education and the New Jersey School Boards Association on current legislative and administrative

code issues. Committee members encourage, promote and assist in the development of local, county and Statewide legislative networks.

The Legislative Committee consists of 80 members and alternates who represent their respective legislative districts. Having members from all legislative districts ensures that each legislator is contacted on a regular basis by board members who advocate and champion the needs of 1.4 million public school children. Having active Committee members and alternates ensures a stronger and more consistent message to ALL legislators. Please look at the vacancy list below. If you know of any board members in your district who would be great in our advocacy efforts, let us know.

Legislative Committee Vacancies

Legislative Committee Vacancies

LD #	County
2-alt	Atlantic
9-alt	Atlantic, Burlington, Ocean
10-alt	Ocean
12-alt	Burlington, Middlesex, Monmouth, Ocean
19-alt	Middlesex
20-alt	Union
33-mem	Hudson
33-alt	Hudson
34-alt	Essex and Passaic
35-alt	Bergen, Passaic
40-alt	Bergen, Essex, Morris, Passaic

Since the last report, the Committee met on December 2, 2017 and had discussions and received updates on various issues including:

December 2, 2017--

OPENING REMARKS: Dan Sinclair, President and Dr. Larry Feinsod, Executive Director

STATE LEGISLATIVE UPDATES:

The legislative update provided by the Governmental Relations staff was a brief discussion of the lame-duck session and speculation about what happens in the next legislative cycle, specifically with school aid. If the Governor-elect wants to increase the millionaires tax and Congress makes good on its promise to reduce or eliminate state and local tax deductions, will there be enough new revenue to fully fund school aid? Tom Byrne mentioned that there are a small portion of NJ residents that are truly millionaires (less than 50,000 pay nearly $1 billion in state income taxes). If some of them leave NJ for a lower or no-income tax state like Florida, will we have the revenue we need, especially in light of the looming pension shortages?

GUEST SPEAKER - Tom Byrne, Chairman of the New Jersey State Investment Council & Managing Director of Byrne Asset Management provided a Pension and Healthcare Overview:

- Existing pension shortfall is $90+ billion;

- A large portion of that is on the State side (i.e. State PERS and TPAF) for which the State has not provided sufficient funding for 20+ years;

- Local pensions are much closer to being actuarially sound because, unlike the State, municipalities and counties have not missed any payments since the mid-90's;

- The dedication of the State lottery proceeds has helped only marginally because the amounts added to the pension funds are offset by State funds now being diverted to cover other costs originally paid for by lottery proceeds;

- The Judicial retirement system is technically the first pension system that could default (as early as 2023);

- This is significant because a default would provide a test case to determine if pensions are a contractual obligation that the State must honor at the expense of other obligations (e.g. school funding)? Private sector companies have seen courts rule that they could reduce or suspend retirement benefits in extreme financial circumstances. How would NJ judges rule on this issue when their own retirement system was the focal point?

- Health benefits are also dramatically underfunded – this specifically impacts retired teachers who receive free post-retirement medical benefits funded solely by State government;

- Mr. Byrne stressed that there are solutions but they'd likely include a substantial reduction in retirement payouts, perhaps as high as 40%.

NEW BUSINESS/COMMITTEE SHARING: Discussion included school board elections and ballot issues, health care premium increases for SEHBP vs. State Plan and possible impact of proposed federal income tax changes for local district tax levy increases in the coming school year.

February 10, 2018 –

OPENING REMARKS: Dan Sinclair, President and Dr. Larry Feinsod, Executive Director

GUEST SPEAKER - Diana Pasculli, of the NJ Department of Education, attended the NJSBA Legislative Committee Meeting on Saturday, February 10, 2018. She presented on the newly revised performance reports that the NJDOE has recently released. The report applies to 2016-17 school year which includes more than two dozen new data elements and parent-friendly school Summary Reports. Part of the report is a published one-page summary providing easy-to-read highlights of each school. It also includes a dashboard of key indicators such as student progress, graduation rates and 2-year and 4-year college attendance. The NJDOE continues to seek input on how to further improve the implementation of these reports. Any interested members of the public wanting to provide their input can do so by completing the NJDOE's feedback survey.

STATE LEGISLATIVE UPDATES:

At this point the Legislature has taken action to push back the Governor's Budget Address from Feb. 27th to March 13th, typical for a new administration. This means that school aid numbers won't be

officially released until mid-March. The Commissioner has the authority to push back the due date for district budget submissions and is expected to make that announcement shortly.

Absent legislation to increase revenues (i.e. increasing the millionaires portion of the state gross income tax), the assumption is that the funds added by the Legislature as a result of changes during last year's appropriation process will be continued as part of the base for FY19.

A3381/S414 – "Pass the Trash" legislation requires school districts, charter schools, nonpublic schools, and contracted service providers to review employment history of prospective employees who will have regular contact with students to ascertain allegations of child abuse or sexual misconduct. Passed in Senate 39-0; pending Assembly vote.

GUEST SPEAKER(S) - County Vocational/Technical Schools Overview, Judy Savage ED, Council on County Vo-tech Schools and Christopher Nagy, Superintendent Burlington County Vo-tech:

- Not all counties are created equally with respect to levels of support provided directly by county governments; this accounts for disparity in tuition charged to individual districts throughout the state;
- County Vo-Techs continue to evolve based on demands of respective student populations;
- More students are gravitating toward high tech programs vs. traditional vocational offerings;
- Students in Vo-Techs are still required to meet regular academic standards;
- Capacity issues continue limit Vo-Tech opportunities across NJ.

NEW BUSINESS:

Committee sharing included discussion of ways to reduce health benefits premiums at the local district level.

Staff
Michael Vrancik, Director, Governmental Relations
Cyndy Jahn, Esq., General Counsel
Raymond Pinney, Director, County Activities and Member Engagement
John Burns, Esq., Counsel
Christopher Jones, Legislative Advocate
Jonathan Pushman, Legislative Advocate
Sharon Seyler, Legislative Advocate
Anette Airey, Administrative Assistant

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LEGISLATIVE COMMITTEE ROSTER
5-19-18

State District	Name	Title	Board of Education
1	Dennis Roberts	Member	Middle Township (Cape May)
	Josephine Sharpe	Alternate	Wildwood City (Cape May)
2	Peter Castellano	Member	Egg Harbor Township (Atlantic)
	Vacancy		
3	Carolyn Kegler	Member	Logan Township (Gloucester)
	Cheryl Potter	Alternate	Elk Township (Gloucester)
4	Candice Zachowski	Member	Washington Township (Gloucester)
	Maryjo Dintino	Alternate	Gloucester Township (Camden)
5	Martha Wilson	Member	Camden City (Camden)
	Joseph Coldren	Alternate	Woodbury (Gloucester)
6	Joyce Miller	Member	Gibbsboro (Camden)
	Kathryn Judge	Alternate	Cherry Hill (Camden)
7	Lester Holley	Member	Edgewater Park (Burlington)
	Harry Litwack	Alternate	Delanco (Burlington)
8	Dennis Quinn	Member	Berlin Borough (Camden)
	Thomas Maier	Alternate	Pemberton (Burlington)
9	Kim Hanadel	Member	Pinelands (Ocean)
	Vacancy	Alternate	
10	Steve Shohfi	Member	Lavallette (Ocean)
	Vacancy	Alternate	
11	Bob English	Member	Eatontown (Monmouth)
	Dr. Paul Christopher	Alternate	West Long Branch (Monmouth)
12	William Sullivan	Member	North Hanover (Burlington)
	Vacancy	Alternate	

13	Maryann Fiel	Member	Highlands (Monmouth)
	Melissa Mohr	Alternate	Henry Hudson (Monmouth)
14	Elliott Stroul	Member	Jamesburg (Middlesex)
	Steven Riback	Alternate	Monroe (Middlesex)
15	Jo Ann Groeger	Member	Lawrence Township (Mercer)
	Lisa Wolff	Alternate	Hopewell Township (Mercer)
16	Barry Nathanson	Member	South Brunswick (Middlesex)
	Jean Trujillo	Alternate	Hillsborough (Somerset)
	Arthur Robinson	**Resource**	South Brunswick (Middlesex)
17	Anthony Brooks	Member	North Brunswick (Middlesex)
	Dr. Tom Connors	Alternate	Piscataway (Middlesex)
	Ira Stern	Resource	Piscataway (Middlesex)
18	**Deborah Boyle**	**Member**	South Plainfield (Middlesex)
	Anthony Razzano	**Alternate**	South River (Middlesex)
19	Daniel Harris	Member	Woodbridge (Middlesex)
	Vacancy	Alternate	
20	Archange Antoine	Member	Roselle (Union)
	Vacancy	Alternate	
21	J. Brendan Galligan	Member	Westfield (Union)
	Beverly Cwerner	Alternate	Bernards Township (Somerset)
	Robin McKeon	Resource	Bernards Township (Somerset)
22	Deborah Bridges	Member	Rahway (Union)
	Raymond Topoleski	Alternate	Linden (Union)
	Sharon Schueler	Resource	Middlesex Borough (Middlesex)
23	Teresa Kane	Member	Milford (Hunterdon)
	Lisa Marshall	Alternate	Warren Hills (Warren)
24	Robert Carlson	Member	Wallkill Valley Regional (Sussex)
	Bethany Summers	Alternate	North Warren (Warren)
	Tammeisha Smith	Resource	Knowlton (Warren)
25	Dino Cappello	Member	Denville (Morris)
	Michael Bertram	Alternate	Morris Hills Regional (Morris)
26	Karen Cortellino	Member	Montville (Morris)

	Alison Cogan	Alternate	Parsippany Troy (Morris)
27	**Elizabeth Baker**	**Member**	South Orange-Maplewood (Essex)
	Jennifer Woodhouse	**Alternate**	
	Stephanie Lawson-Muhammad	**Resource**	South Orange-Maplewood (Essex)
28	Jill Fischman	Member	Bloomfield (Essex)
	Marques-Aquil Lewis	Alternate	Newark (Essex)
29	**Nelson Barrera**	Member	
	Dashay Carter	Alternate	Newark (Essex)
30	Albert Miller	Member	Howell Township (Monmouth)
	Eric Brophy	Alternate	Wall (Monmouth)
31	Lorenzo Richardson	Member	Jersey City (Hudson)
	Joel Torres	Alternate	Jersey City (Hudson)
32	Christina Stefani-Rackow	Member	Edgewater (Bergen)
	Steven Rodas	Alternate	West New York (Hudson)
33	**Vacancy**	Member	
	Vacancy	Alternate	
34	Judith Bassford	Member	Clifton (Passaic)
	Vacancy	Alternate	
	Cameron B. Jones, Sr.	Resource	East Orange (Essex)
35	John Vander Molen	Member	Passaic Co.Manchester Reg. (Passaic)
	Vacancy	Alternate	
36	Diane Lahullier	Member	Carlstadt (Bergen)
	Jeanine Ferrara	Alternate	Little Ferry (Bergen)
37	Clara Williams	Member	Teaneck (Bergen)
	David Sarnoff	Alternate	Fort Lee (Bergen)
38	John Walsh	Member	Oradell (Bergen)
	Joseph Steele	Alternate	New Milford (Bergen)
39	Charles Caraballo	Member	Bloomingdale (Passaic)
	Peter Wendrychowicz	Alternate	Mahwah Township (Bergen)
	Jeffrey Pollack	Resource	Dumont (Bergen)
40	Catherine Kazan	Member	Wayne (Passaic)
	Vacancy	Alternate	

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REPORT OF THE SCHOOL FINANCE COMMITTEE
Prepared for the Annual Delegate Assembly
May 19, 2018

CHARGE:

To solicit input from a cross-section of interested current and former board members on issues related to school finance and the fiscal implications of proposed legislative education reforms.

Members of the Committee were selected using the criteria of school District Factor Group (DFG) designation, district size, and geographical location of the district. A survey was then sent to a group of selected members to confirm their interest and indicate their availability for conference call and in-person meetings.

REPORT:

The School Finance Committee has met twice since the November 2017 Delegate Assembly. At both meetings the discussion was focused primarily on two issues: 1. the persistent underfunding of the current statutory aid formula and 2. The misallocation of aid -- there is a large difference between the statutory full funding of School Funding Reform Act (capped aid) and the real, full funding of SFRA (uncapped aid).

Under the original provisions of the SFRA, "full funding" isn't "full funding," since the capped aid amount limited initial state aid growth. These limits were supposed to be phased out within a defined period (5 years) along with the Adjustment Aid funds that were originally designed to limit reductions in aid to districts that lost enrollment immediately prior to the new law's implementation in 2008.

Though hard to conceptualize, the school aid amounts provided by the state should have transcended the capped vs. uncapped designation within five years of the law's original implementation. Because of difficult economic times reflected by drastic shortfalls in gross income tax revenues, state school aid disbursements have been essentially frozen for nearly a decade. Hence the funding promises embodied in the original SFRA have never materialized. Under the hybrid scenario in effectively in place during that extended time period demographic and economic changes at the district level have further distorted the aid amounts to individual districts. The end result is some districts taxing beyond their required local fair share while others essentially receive a tax subsidy from the state in the form of aid payments that exceed what the formula actually requires.

At the February meeting members of the committee were asked to bring information with them to the next scheduled meeting regarding underfunding SFRA impacts their districts as well as a list of persistent unfunded mandates and how they might impact their individual districts.

School Finance Committee 2018

Judith Bassford	Clifton	Passaic
Deborah Boyle	SouthPlainfield	Middlesex
Dr. Tom Connors	Piscataway	Middlesex
Daniel Harris	Woodbridge Township	Middlesex
Amy Jablonski	Chesterfield Township	Burlington
Cathy Kazan	Wayne Township	Passaic
Tammeisha Smith	Knowlton Township	Warren
Joseph Steele	New Milford	Bergen
Raymond Topoleski	Linden	Union
Clara Williams	Teaneck	Bergen
Bruce Young	Carlstadt	Bergen

Staff

Michael Vrancik	Director, Governmental Relations
Christopher Jones	Legislative Advocate
Anette Airey	Administrative Assistant

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REPORT OF THE SPECIAL EDUCATION COMMITTEE
By Irene LeFebvre, Chair
Prepared for the Semi-Annual Delegate Assembly
May 19, 2018

As Chair of the Special Education Committee, I would like to report on the Special Education Committee's activities since the May 2017 Delegate Assembly.

CHARGE:

The Special Education Committee shall prepare and present appropriate testimony on special education issues affecting the delivery of special education services to children in New Jersey and in support of Association policies. The Committee shall report periodically to the Delegate Assembly and may also recommend positions on special education issues for consideration by the Board of Directors.

Meetings:

The Special Education Committee met on October 18 and November 18, 2017 and on February 7, 2018. The agendas of those meetings included the topics and presentations outlined below.

Update on NJDOE Special Education Activities

The Committee met with John Worthington, Director of the NJ Department of Education's Office of Special Education Policy and Procedure, and Cynthia Hoenes-Saindon, the Acting Special Education Ombudsman, and was informed about the following activities of the NJDOE:

Posting of Decisions: The NJDOE will begin posting its special education decisions on its website. Pursuant to *N.J.S.A.* 18A:46-1.2, which was enacted into law in July 2017, the N.J. Department of Education is required to make available an electronic database of legal decisions concerning special education in New Jersey. The NJDOE must make the database available on its website so that it can be easily accessed by parents, school districts, child study team members, or other interested members of the public who wish to obtain information on legal decisions regarding New Jersey special education matters. The database will contain a full-text copy of each decision rendered by the New Jersey Office of Administrative Law (OAL) in a special education due process hearing. If the OAL decision is appealed, any subsequent decision on the matter rendered by a New Jersey State court or a federal court must also be included in the database.

Restraint and Seclusion: N.J.S.A. 18A: 46-13.4 to 13.7 require a school district, an educational services commission, or an approved private school for students with disabilities that chooses to utilize physical restraint on students with disabilities to ensure that: physical restraint is used only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger; a student is not restrained in the prone position unless the student's primary care physician authorizes, in writing, the use of this restraint technique; staff members who are involved in the restraint of a student receive training in safe techniques for

physical restraint from an entity determined by the board of education to be qualified to provide such training. This training must be updated at least annually. the parent or guardian of a student is immediately notified by telephone or through some means of electronic communication when physical restraint has been used on the student. A full written report of the incident must be provided to the parent or guardian within 48 hours of the occurrence of the incident. The law also requires that a seclusion technique is used on a student with disabilities only in an emergency in which the student is exhibiting behavior that places the student or others in immediate physical danger. The law also requires the Department of Education to establish guidelines to ensure a review process is in place for school districts, educational services commissions, and approved private schools for students with disabilities to review the use of physical restraints and seclusion techniques in emergency situations and the repeated use of these measures on a single student, within a single classroom, or by a single individual. The student's IEP team may use this review process to revise the behavioral intervention plan or classroom supports, and the school district, educational services commission, or approved private school for students with disabilities may use the review process to determine whether to revise a staff member's professional development plan.

Facilitated Individualized Education Plans This free NJDOE program provides a facilitator to local districts and parents to assist in helping them to come to agreement on a student's IEP, thereby reducing the amount of disputes that end up in litigation. This program is a small, yet popular, one where there is great demand for facilitation services. As a result, the NJDOE is also increasing the amount of training it provides to districts on running an effective IEP meeting.

New HIB Regulations The committee discussed new Harrassment, Intimidation and Bullying regulations that will be in effect starting July 2018 that will require boards to hear HIB appeals that arise from those students that they send to approved private schools for students with disabilities. Each approved private school for students with disabilities (PSSD) shall develop, adopt, and implement a policy prohibiting harassment, intimidation, or bullying on school grounds. The policy shall include a provision for notifying the appropriate sending district board(s) of education personnel of the students involved when the approved PSSD receives a complaint or report of an act of HIB occurring on a sending district board of education school bus, at a sending district board of education school-sponsored function, and off school grounds. When a complaint or report of HIB involves students from more than one school district, the sending district board(s) of education of the victim(s) involved shall initiate the investigation. Parents or guardians of students who attend a PSSD and are parties to an HIB investigation may request a hearing before the sending district board of education concerning the information received about an investigation.

The committee expressed concern that, in hearing appeals from the PSSD, boards of education would be required to make determinations on HIB incidents involving students who are not part of the daily life of the district and require districts to second guess educators at the PSSD.

Access to Special Education Settlement Records The committee discussed *L.R. v. Camden*, an Open Public Records Act case involving whether or not the public can access special education settlement records. In the published opinion of four consolidated appeals, the court described the

intersection between the Open Public Records Act (OPRA), federal Family Educational Rights and Privacy Act (FERPA) and the New Jersey Pupil Records Act (NJPRA). The NJSBA participated in the case and argued that the three referenced laws, read together (*in pari materia*), exempt student records from disclosure to third parties unless the parent, guardian or adult student consent to disclosure; the requester is an enumerated party as provided for in the NJPRA; or a court orders disclosure pursuant to a hearing. The Appellate Division determined that if the requestor can meet the requirements of a "bona fide researcher" as required in student records regulations and have parent/guardian consent, then they may be able to access the records.

SPECIAL EDUCATION COMMITTEE MEMBERS 2017-18

Member Name	***District Name***
Irene LeFebvre, *chair*	Boonton Town Bd. of Ed
Sheli Dansky	River Edge Bd. of Ed
Cathy A. Moncrief	Lindenwold Bd. of Ed.
Eleanore Shaffer	Hampton Twp. Bd. of Ed
Anthony W. Wilcox	Special Svcs and the Voc Sch Dist of the County of Gloucester
Cherie L. Adams	Belmar Bd. of Ed
Gerard Crisonino	Berkley Heights Bd. of Ed
Christine Parisi	Manalapan-Englishtown Bd. of Ed
Lisa Marshall	Warren Hills Regional Bd. of Ed.
Rita Barone	Watchung Hills Regional Bd. of Ed.
Sharon Schueler	Middlesex Boro Bd of Ed
Staff	
John J. Burns, Esq.	Counsel

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REPORT OF THE RESOLUTIONS SUBCOMMITTEE

by

Brandon J. Pugh
Vice President for Legislation/Resolutions

Prepared for the Annual Delegate Assembly
May 19, 2018

The Resolutions Subcommittee met Saturday, April 14, 2018 at NJSBA Headquarters, Trenton, to review the resolutions that will come before the Annual Delegate Assembly on May 19, 2018.

The Association received 8 resolutions from local boards of education for submission to the agenda for the Annual Delegate Assembly. Four resolutions were removed from the agenda of the Delegate Assembly by the Resolutions Subcommittee pursuant to Article V, Section 5c and 5f of the *Bylaws*. Two resolutions regarding firearms were not moved forward for action by the Resolutions Subcommittee. Pursuant to Article V, Section 6, action taken by the Resolutions Subcommittee may be overridden upon a motion and simple majority vote. The motion to override must state specifically the remedy sought by the moving party. The motion to override shall not be subject to debate except that both the maker of the motion and the chair of the Resolutions subcommittee shall be given three minutes to address the delegates concerning the motion.

Enclosed are the resolutions admitted to the Delegate Assembly agenda by the subcommittee, plus background materials and recommendations for action to the delegates and other enclosures:

- Resolution No. 1 – School Security and Student Safety
- Resolution No. 2 – School Funding
- Sunset Review of File Code 9000 (Organization/Operations of Local Boards)
- Legislative Committee Report
- School Finance Committee Report
- Special Education Committee Report

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RESOLUTIONS SUBCOMMITTEE OF THE LEGISLATIVE COMMITTEE

JANUARY--DECEMBER 2018

CHAIR **Brandon J. Pugh,** NJSBA VP for Legislation/Resolutions

REGION A - MEMBERS

District 2	**Peter Castellano,**	Egg Harbor Twp. BOE (Atlantic)
District 5	**Martha Wilson,**	Camden (Camden)
District 6	**Joyce Miller,**	Gibbsboro BOE (Camden)
District 8	**Dennis Quinn,**	Berlin Borough BOE (Camden)

REGION B – MEMBERS

District 11	**Bob English,**	Eatontown BOE (Monmouth)
District 12	**William Sullivan,**	No. Hanover BOE (Burlington)
District 13	**Melissa Mohr**	Henry Hudson BOE (Monmouth)
District 17	**Dr Tom Connors,**	Piscataway Township BOE (Middlesex)

REGION C – MEMBERS

District 22	**Deborah Bridges,**	Rahway BOE (Union)
District 24	**Robert Carlson,**	Wallkill Valley Regional BOE (Sussex)
District 26	**Karen Cortelino,**	Montville BOE (Morris)
District 30	**Albert Miller,**	Howell BOE (Monmouth)

REGION D – MEMBERS

District 34	Judith A. Bassford,	Clifton BOE (Passaic)
District 35	John Vander Molen,	Passaic Co-Manchester Reg. BOE (Passaic)
District 36	Diane Lahullier,	Carlstadt BOE (Bergen)
District 37	Clara Williams,	Teaneck BOE (Bergen)

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REGION A – ALTERNATES

District 4	**William Weylan**	Clementon BOE (Camden)
District 6	**Kathryn Judge,**	Cherry Hill BOE (Camden)
District 8	**Thomas Maier,**	Pemberton Twp. BOE (Burlington)
District 10	**Steve Shohfi,**	Lavalette BOE (Ocean)

REGION B – ALTERNATES

District 13	**Maryann Fiel**	Highlands Borough BOE (Monmouth)
District 15	**Jo Ann Groeger,**	Lawrence Twp. BOE (Mercer)
District 17	**Anthony Brooks,**	North Brunswick BOE (Middlesex)
District 19	**Daniel Harris,**	Woodbridge Twp. BOE (Middlesex)

REGION C – ALTERNATES

District 22	**Raymond Topoleski,**	Linden BOE (Union)
District 25	**Michael Bertram**	Morris Hills Regional BOE (Morris)
District 27	**Michael King,**	Millburn Twp. BOE (Essex)
District 28	**Jill Fischman,**	Bloomfield BOE (Essex)

REGION D – ALTERNATES

District 38	**John Walsh,**	Oradell BOE (Bergen)
District 38	**Joseph Steele,**	New Milford BOE (Bergen)
District 39	**Peter J. Wendrychowicz,**	Mahwah Twp. BOE (Bergen)
District 40	**Catherine Kazan**	Wayne Twp. BOE (Passaic)

EX-OFFICIO: **Daniel Sinclair**, NJSBA President — Lakeland Regional BOE (Passaic)

STAFF: Cynthia J. Jahn, Esq., General Counsel/Director MSU — **E-mail:** cjahn@njsba.org
Cindy Harrison, Executive Assistant to General Counsel — **E-mail:** charrison@njsba.org

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G:DA\May 2018\Resolutions Subcommittee\CommitteeRoster

RESOLUTIONS REMOVED FROM THE AGENDA (May 19, 2018)

Sponsor	Objective Sought/NJSBA Policy #	Status Report/Activities
Highland Park (Middlesex) *Charter School Program Expansion*	The resolution requested that NJSBA adopt **new** policy language for inclusion in NJSBA's Manual of Positions and Policies on Education, concerning the application and expansion process of charter schools.	Reaffirms existing Association policy. Current NJSBA policy belief statement directly encompasses the issue brought by the resolution.
Oxford (Warren) *Sending/Receiving*	The resolution requested that NJSBA policy concerning the relationship between sending and receiving districts; including financial requirements and other issues should be outlined in a send/receive agreement. Oxford further calls for sending districts to receive a non-voting "courtesy or advisory seat" when a district contributes less than 10% to the total population; and for tuition to be capped at 2% annually. Finally, Oxford calls on the NJSBA handbook to be updated and reflect these best practices.	Reaffirms existing Association policy. Current NJSBA policy belief statement directly encompasses the issue brought by the resolution.
South Orange-Maplewood (Middlesex). *Health Benefits Reform*	The resolution requested that NJSBA propose revised and additional policy language for adoption by the Delegate Assembly and inclusion in NJSBA's Manual of Positions and Policies on Education, concerning the operation of the School Employees' Health Benefits Program (SEHBP). The resolution requests language providing that local districts have no fewer than two voting	Reaffirms existing Association policy. Current NJSBA policy belief statement directly encompasses the issue brought by the resolution.

	members on the SEHBP Plan Design Committee; that the SEHBP should offer participating districts at least the same health insurance options available to state, county and municipal employees, through the State Employees Health Benefits Plan; that the SEHBP should be required to permit local school districts to offer incentives to employees to participate in lower cost health care plans; and that the SEHBP Plan Design Committee should be required to meet on a monthly basis and have other meeting procedures so that the SEHBP may be restored to financial and programmatic stability, and provide efficient, economical and flexible health insurance options to districts.	
South Plainfield (Middlesex) *HIB Law*	The resolution requested that NJSBA propose **new** policy language for adoption by the Delegate Assembly and inclusion in NJSBA's Manual of Policies and Positions on Education – Violence/Vandalism 5131.5. Specifically, the resolution requests that the NJSBA adopt belief statements seeking additional detail for the definition of "Harassment, Intimidation and Bullying" as well as the term "real or perceived characteristic." Moreover, the resolution seeks that the NJSBA add language to this policy requesting State aid be provided to local boards of education to implement the mandated provisions of the Anti-Bullying bill of Rights, including the hiring and training of school	Reaffirms existing Association policy. Current NJSBA policy belief statement directly encompasses the issue brought by the resolution.

	staff member to investigate and respond to HIB incidents. *File Code 5131.5*	
	RESOLUTIONS NOT ADVANCED	
Manchester Regional (Passaic)/ Haledon (Passaic) *Gun Control*	The resolution requested that NJSBA adopt **new** policy language for adoption by the Delegate Assembly and inclusion in NJSBA's Manual of Positions and Policies on Education stating the NJSBA believes that gun control measures including a ban on assault weapons, a limit on the size of clips/magazines and mandatory background checks for all types of weapons purchases are needed to protect the children of New Jersey. In support of this belief the NJSBA shall seek state and federal legislation to implement this belief.	The Resolutions Subcommittee voted unanimously to send the resolution from the Board of Directors to the delegates for action. Further, the Resolutions Subcommittee did not approve advancing the Manchester Regional and Haledon resolutions for action by the delegates.

School Security and Student Safety **RESOLUTION NO. 1**

NEW JERSEY SCHOOL BOARDS ASSOCIATION

413 West State Street
Trenton, NJ 08618

1-888-886-5722

ANNUAL DELEGATE ASSEMBLY
May 19, 2018

The following resolution was received from the NJSBA Board of Directors:

WHEREAS, A safe and secure school environment is essential to student growth, learning, well-being and success; and

WHEREAS, The February 2018 school shooting in Parkland, Florida, and previous tragedies underscore the continued need to assess school security and student safety in a holistic manner that should include the prevention of gun-related incidents and other types of violence, as well as mental health services and security enhancements; and

WHEREAS, In 2014, the New Jersey School Boards Association published a report, *What Makes Schools Safe?*, which resulted from a year-long study of state law and regulation, school district practices, and resources to promote the safety and security of our schools; and

WHEREAS, The report, written by the NJSBA School Security Task Force, cited profiles of school shooters by federal law enforcement and other agencies, which indicate the need for a thorough examination of the care and treatment of the mentally ill and for effective intervention; and

WHEREAS, The NJSBA task force also cited federal and state reports, which found that mental health intervention did not take place prior to three-quarters of school shootings; and

WHEREAS, The NJSBA report recommended strong collaboration among agencies at the state level to ensure the effective delivery of mental health services and early intervention strategies; and

WHEREAS, The NJSBA study also focused on the important role of social-emotional learning and character development in a safe and secure school climate; and

WHEREAS, New Jersey has among the strongest gun control laws in the nation and the lowest incidence of gun-related deaths; and

WHEREAS, The *Report of the NJ SAFE Task Force*, published following the tragic school shooting in Newtown, Connecticut, found that "two-thirds of the guns used to commit crimes in New Jersey had been originally acquired elsewhere, beyond the reach of our gun control laws"; and

WHEREAS, The SAFE Task Force also found that "to a significant degree, the ability to keep guns and ammunition out of the wrong hands in this State depends on the laws and enforcement efforts in other jurisdictions"; and

WHEREAS, Since the 2012 Newtown, Connecticut tragedy, local school districts in New Jersey have focused on securing access to schools and other preventive measures, including "target hardening" strategies that involve building redesign and construction; and

WHEREAS, The 2014 NJSBA task force study cited a need among school districts for federal and state financial assistance to fund building enhancements to meet individual school security needs and the assignment of specially trained law enforcement officers if warranted; and

WHEREAS, The Delegate Assembly is the official policymaking body of the New Jersey School Boards Association; and

WHEREAS Education-related policies resulting from prior Delegate Assembly and Board of Directors actions are codified in the NJSBA's *Manual of Positions and Policies on Education*; now, therefore, be it

RESOLVED, That the New Jersey School Boards Association Board of Directors propose the following additional policy language for adoption by the Delegate Assembly and inclusion in NJSBA's *Manual of Positions and Policies on Education*:

The NJSBA believes that ensuring the safety of our students requires meaningful and uniform laws governing access to firearms including stringent background checks throughout the nation; inter-agency collaboration to ensure the effective delivery of mental health services and early intervention strategies; and state and federal financial support for security enhancements at the local school district level; and be it further

RESOLVED, That the following resolution be placed on the agenda for consideration at the May 19, 2018 Delegate Assembly.

Adopted by the Board of Directors
New Jersey School Boards Association,
On March 16, 2018

RESOLUTION NO. 1

SYNOPSIS

Resolution No. 1 submitted by the NJSBA Board of Directors proposes **new** policy language pertaining to school security and student safety, including the prevention of gun-related incidents and other types of violence, as well as mental health services and school security enhancements.

NJSBA also received resolutions submitted by the Manchester Regional and the Haledon Boards of Education, which are identical, proposing **new** policy language as follows: "The NJSBA believes that gun control measures including a ban on assault weapons, a limit on the size of clips/magazines and mandatory background checks for all types of weapons purchases are needed to protect the children of New Jersey."

The Manchester Regional and Haledon resolutions were not moved forward for action by the Resolutions Subcommittee.

The proposed resolved clauses in the Board of Directors' resolution would supplement an existing body of policy related to school safety and violence prevention.

BACKGROUND

The February 2018 school shooting in Parkland, Florida, and previous tragedies underscore the continued need to address school security and student safety in a holistic manner, including the prevention of gun-related incidents and other types of violence, access to mental health services and school security enhancements.

NJSBA has a long history of policy addressing safe schools and combating violence, harassment, bullying and intimidation in schools. (FC/5131.5 Vandalism/School Violence; FC/5131.7 Possession of Weapons). In 1999, in direct response to the tragedy at Columbine High School, Colorado, NJSBA adopted extensive policies addressing the school environment; staff training; school curriculum; law enforcement and organizational partnerships; gun-free school zones, etc. This policy, recommended by the Board of Directors and approved by the Delegate Assembly, is set forth below:

File Code 5131.5
School Violence

A. **The NJSBA believes** that boards of education have a responsibility to ensure that schools are safe havens for learning by taking actions to diminish the potential for violence and bullying in their schools.

B. **The NJSBA believes** that boards of education should regularly review their policies regarding school violence to ensure that they address methods/strategies for dealing with incidents of violence; require record-keeping of acts of violence in order to make judgments as to the future handling and prevention of violence; specify methods of reporting acts of

violence; and provide for the training of staff to handle and prevent of acts of violence in their schools and on their athletic fields.

C. **The NJSBA believes** that the State Board of Education, the New Jersey State Department of Education, the State legislature, and other agencies should assign a high priority to the issue of school violence, harassment, intimidation and bullying through providing means for local school districts to:

- promote a district-wide attitude of sensitivity in dealing with others;
- investigate school violence, harassment, intimidation and bullying and promulgate methods of preventing and combating them, including policies and other strategies for prevention during a pending criminal or school investigation of a student;
- train staff to respond quickly and appropriately to incidents of violence, harassment, intimidation and bullying;
- provide means for increasing supervision in activities outside the classroom;
- include topics in the curriculum that address the causes and prevention of violence, harassment, intimidation and bullying; and encourage students, teachers, and others who may be victims of violence, harassment, intimidation and bullying to report such actions to school officials. *[Authority: DA 10/78-CR Violence; DA 6/93-SR; DA 11/99-ER(A); DA 5/10-2]*

D. **The NJSBA believes** that boards of education should have immediate psychological counseling available for school-age victims and witnesses of assault.

E. **The NJSBA believes** that boards of education should adopt a crisis management plan for each school that specifies procedures to be followed in the event of a school shooting or other violent incident.

F. **The NJSBA believes** that the state should fund violence prevention programs that foster partnerships among local institutions, organizations, and individuals most closely involved with young.

G. **The NJSBA believes** that the state and federal governments should provide funding for local law enforcement activities directed toward youth in schools and in communities.

H. **The NJSBA believes** that boards of education should work for the establishment of a police liaison program in each school to foster stronger relationships among police, students and staff.

I. **The NJSBA believes** in the establishment of a coordinating council with representation from the Juvenile Justice Commission, Administrative Office of the Courts, Department of Human Services, Department of Law and Public Safety, Department of Education and other appropriate public members to assess the most successful programs for youth and act as the catalyst to replicate these model programs. *[Authority: DA 11/99-ER(A)]*

J. **The NJSBA believes** that additional state and federal funding for grants should be made to

organizations that operate the most successful youth violence prevention, non-violence promotion, rehabilitation and restorative justice programs identified by the coordinating council.

K. **The NJSBA believes** that it should maintain close liaison with organizations such as the New Jersey State Interscholastic Athletic Association, the State Board of Education, the Department of Education, and similar agencies to examine issues related to the causes, prevention, and resolution of issues of violence and vandalism, and to implement appropriate plans of action.

L. **The NJSBA believes** that the State Board of Education or another appropriate agency should establish and maintain a clearinghouse of information for local districts on the prevention and handling of acts of violence.

M. **The NJSBA believes** that, in addition to the State Board of Education, the Association should undertake investigations of vandalism and violence issues on its own, when deemed appropriate by the Board of Directors. *[Authority: DA 10/78-CR Violence; DA 6/93-SR; DA 11/99-ER(A), DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]*

In 2013, after the school shooting that took place at Sandy Hook Elementary School, Newtown, Connecticut, the Delegates adopted additional policy addressing firearms, in addition to existing policy contained at FC/5131.7 concerning possession of weapons on school property.

File Code 5131.5
Firearms Laws

A. The NJSBA believes in the vigorous support and the rigid enforcement of federal and state laws pertaining to the sale, possession and/or use of firearms and ammunition.

B. The NJSBA further believes that the federal and state government should be encouraged to enact additional statutes and regulations as determined necessary by the Association to enhance and ensure the safety or all stakeholders in the school environment. *[Authority: DA 5/13-1, DA 5/17-SR]*

File Code 5131.7
Possession of Weapons

A. NJSBA believes that the unauthorized possession of any weapon in any part of the building or on the grounds of any school in the State of New Jersey should be a crime of the third degree. [Authority: DA 6/90-4, 5/97-SR]

B. NJSBA believes that there should be gun-free zones within 1000 feet of any and all school buildings in the State of New Jersey and possession and/or sale of guns within that zone would be a crime of the third degree. [Authority: DA 11/99-ER (A)]

C. NJSBA believes that, where firearms laws permit the possession of a firearm on school grounds, such possession should only occur after approval by the board of education. [Authority: DA 6/90-4, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]

New Jersey has among the strongest gun laws in the nation and one of the lowest gun death rates, according to several sources. New Jersey requires that all guns, firearms and assault weapons be registered. Firearm identification cards or permits are required to purchase arms. Many weapons, including "assault firearms," as well as large-capacity ammunition magazines, are prohibited. Assault arms may only be purchased for competitive shooting matches. Certain individuals cannot possess firearms. (*N.J.S.A.* 2C:39-1 *et. seq.*; 2C:58-1 *et. seq.*; *N.J.A.C.* 13:54-1 *et. seq.*)

Gun Safety Legislation

On March 26, 2018, the General Assembly passed a six-bill package addressing access to firearms. Each bill and its Senate complement await action in Senate committee. Both the Governor and the Senate President have publicly declared support for the legislation.

- A-1181/S-160 – Requires firearms seizure when a mental health professional determines a patient poses a threat of harm to self or others.
- A-1217/S-2259 "Extreme Risk Protective Order Act of 2018 – Authorizes gun violence restraining orders and firearm seizure warrants.
- A-2757/S-2374 – Requires background checks for private gun sales.
- A-2758/S-2376 – Codifies regulations defining justifiable need to carry a handgun.
- A-2759/S-2245 – Prohibits possession of ammunition capable of penetrating body armor.
- A-2761/S-102 – Reduces maximum capacity of ammunition magazines to 10 rounds; exempts firearms with .22 caliber tubular magazines from the 10-round limitation.

These bills were either introduced or saw initial movement following the Parkland tragedy.

Current legislative proposals related to school security not only address access to firearms, but also mental health, physical security, the relationship with law enforcement, and related matters.

DISCUSSION

The scope of security-related legislation now before the State Senate and General Assembly, along with discussions at the federal level, reinforces the need for Association policy to take a holistic approach to student safety including, but not limited to, the issue of firearms access.

An example of NJSBA's holistic approach to this subject is the work of the School Security Task Force, appointed in the months following the 2012 tragedy in Newtown, Connecticut. Composed of 15 members, the task force consulted with experts in law enforcement, architecture, school climate, and state procedures on emergency planning and crisis response. It includes 84 recommendations on best practices in school districts, changes in state law, and funding for security purposes. The task force report, *What Makes Schools Safe?,* was issued in 2014 following a year-long study. (The full report is accessible at www.njsba.org/schoolsecurity2014.)

In March 2018, the President and Executive Director appointed a new committee that is in the process of updating the 2014 study.

The Association was also represented on the state's School Security Task Force, which issued its report in 2015.

NJSBA believes that children in New Jersey should be learning in a safe and secure environment. Too many schools have been subject to horrific acts of violence, resulting in the injury and death of children, adolescents and school staff. Society is saturated with depictions of violence, which desensitizes our youth. Tragedies such as those at Columbine High School in Colorado, Sandy Hook Elementary School in Newtown, Connecticut and most recently at Stoneman Douglas High School in Parkland, Florida, underscore the need for meaningful action to address access to weapons, the delivery of mental health services and the physical security of our schools.

The Board of Directors' proposed policy embraces this comprehensive approach. While the Manchester Regional/Haledon resolution certainly does not reject it, the local boards' proposal focuses exclusively on gun control.

The State of New Jersey has among the nation's most stringent laws governing access to firearms, including a ban on assault weapons. Nonetheless, many other states allow the possession of weapons that are prohibited here. Additionally, a federal assault weapons ban expired in 2004.

The *Report of the NJ SAFE Task Force*, published after the Newtown, Connecticut, school shooting, found that "two-thirds of the guns used to commit crimes in New Jersey had been originally acquired elsewhere, beyond the reach of our gun control laws."

Under current policy (FC 5131.5, "Firearms Laws"), NJSBA supports enforcement of existing federal and state laws pertaining to the sale, possession and/or use of firearms and ammunition and encourages additional laws to ensure safety in the school environment. Another provision (FC 5131.7, "Possession of Weapons") supports gun-free school zones and strong penalties for the possession of *any type of weapon*, including a firearm, on school property.

The policy language proposed by the Board of Directors would provide *unequivocal authorization* for NJSBA to advocate on proposed enhancements and changes to laws governing firearms access, including stricter background checks.

At issue, therefore, is whether policy language should reference specific types of weapons and ammunition.

Evidence exists on the increased threat to student health and safety posed by assault weapons. The challenge is to develop policy broad enough that would not limit the Association in addressing proposals related to threats from all gun-related incidents and other types of violence.

For more than 15 years, NJSBA's *Manual of Positions and Policies on Education* has been based on the concept of belief statements reflecting the Association's mission and the principles of its membership. Those policy statements must also provide flexibility so that the organization is not limited in the positions it can take in support of its mission.

Specifying particular weapons or ammunition in a policy may restrict the Association from taking a position on legislation involving other types of weapons or ammunition. Conversely, broader policy language focusing on the prevention of gun-related and other violence in the schools would give NJSBA unequivocal authorization to address all legislative proposals related to gun control, including firearms access and background checks.

STATEMENT OF REASONS

1. NJSBA has a long history of supporting efforts to enhance school security and student safety. In so doing, the Association has taken a holistic approach, addressing issues of weapons in schools, physical plant security, school climate, and preparedness.

2. The State of New Jersey currently has comprehensive statutes and regulations regulating the sale and possession of arms. Additional state legislation that would strengthen current laws even further has been approved by the Assembly and has the support of the Governor and the Senate President.

3. Laws governing firearm sales and possession are not consistent throughout the nation.

4. Current NJSBA policy does not give the Association the unequivocal authority to address proposed legislation or regulations concerning access to firearms or related subjects, even though they have an impact on the security of our schools.

5. NJSBA policy should be stated in broad terms so as not to restrict the Association from taking positions on any issue affecting the safety and security of our students.

RECOMMENDATION

The Resolutions Subcommittee recommends approval of the Board of Directors resolution with the following resolved clause, which would create **new** policy language in NJSBA's *Manual of Positions and Policies on Education*:

> **The NJSBA believes** that ensuring the safety of our students requires meaningful and uniform laws governing access to firearms including stringent background checks throughout the nation; inter-agency collaboration to ensure the effective delivery of mental health services and early intervention strategies; and state and federal financial support for security enhancements at the local school district level.

School Funding **RESOLUTION NO. 2**

NEW JERSEY SCHOOL BOARDS ASSOCIATION

413 West State Street
Trenton, NJ 08618 **1-888-886-5722**

ANNUAL DELEGATE ASSEMBLY
May 19, 2018

The following resolution was received from the Chesterfield Township Board of Education (Burlington):

WHEREAS, New Jersey's public school system is amongst the best in the nation, bringing students to our state for the quality of our schools, and mindful that there is movement of students both in an out of the state of New Jersey and amongst the various school districts within the state, New Jersey's school finance system should provide funds to support and guarantee a thorough and efficient education to all public school children; and

WHEREAS, The Delegate Assembly is the official policy making body of the New Jersey School Boards Association; and

WHEREAS, Education-related policies resulting from prior Delegate Assembly and Board of Directors actions are codified in the NJSBA's Manual of Positions and Policies on Education; now, therefore, be it

RESOLVED, That the Chesterfield Township Board of Education proposes the following **additional** policy language for policy #3220 "State Funds" for adoption by the Delegate Assembly and inclusion in NJSBA's Manual of Positions and Policies on Education as read:

The NJSBA believes...that school districts should receive state aid based on the legislatively approved school funding formula, without predetermined growth limits. When students change districts, state funding should follow the child; and, be it further

RESOLVED, That this resolution be placed on the agenda for consideration at the May 19, 2018 Delegate Assembly.

Adopted at a regular meeting of the
Chesterfield Township Board of Education
on February 21, 2018

_____

Patrick Pisano
Business Administrator/
Board Secretary

RESOLUTION NO. 2

SYNOPSIS

Resolution No. 2 from the Chesterfield Board of Education (BOE) proposes additional NJSBA policy requiring state aid be distributed formulaically, without growth limits and reflect current student population data.

BACKGROUND

The School Funding Reform Act (SFRA), enacted in 2008, was intended to be the basis on which state aid was to be distributed to school districts. The underlying principle of the SFRA was to determine 1.) What would constitute an adequate budget for a district; 2.) What a district could contribute to that adequate budget through its local tax base; and 3.) Provide state aid based on the difference. A major factor in determining an adequate budget is enrollment. The formula was designed on the principle of having state funding "follow the child."

However, due to a lack of resources to provide full funding of the SFRA commitment; "growth limits" were included in the SFRA. Districts spending above adequacy per the SFRA were capped were limited in the growth of their state aid to no more than 10% of the prior year's aid. Those deemed below adequacy were capped at 20% growth.

Additionally, after the initial cuts of FY2010 in the first months of the Christie Administration, the Administration determined that no district would receive less state aid than the prior year. It appears the Murphy Administration has chosen to continue this policy, based on the preliminary numbers released by the New Jersey Department of Education on March 15, 2018.

Due to the state aid growth limits and the lack of resources available from the state, districts such as Chesterfield have been limited in the aid they have received. Per NJDOE documents, if the SFRA formula were run without growth limits, Chesterfield would be due $4,144,448 in state aid for FY2019. Instead, it is scheduled to receive $862,248; 20.8% of the uncapped aid amount. Statewide, without the growth limit caps; the SFRA would call for $9.56 Billion in state aid to school districts. The proposed FY2019 budget calls for $8.13 billion.

RELEVANT NJSBA POLICY

File Code 3220: State School Finance System

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;
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.

DISCUSSION

Chesterfield's issues are two-fold; neither of which is limited to the district. The growth-limit caps have led to state aid numbers that do not reflect true need. The situation is compounded by the fact that failure to run the SFRA formula has resulted in Chesterfield not receiving state aid that reflects its enrollment growth. The district's local fair share, according to the formula, should be approximately $6.7 million. However, it is anticipated they will be required to raise $9.2 million locally in order to provide an adequate education for their students.

STATEMENT OF REASONS

1. School districts are required to provide a thorough and efficient education to all school age children in their district, regardless of artificial growth limits in state aid.

2. Growth limits, which were initially designed to phase in the current formula when it was enacted a decade ago are now impeding districts from fulfilling this responsibility.

3. State aid should be provided based on the most recent data, including enrollment, that are available.

RECOMMENDATION

The Resolutions Subcommittee recommends approval of this resolution with the following substitute resolved language which would create **additional** policy language to be included in NJSBA's *Manual of Positions and Policies on Education*:

> **The NJSBA believes** that school districts should receive state aid based on the school funding formula in current New Jersey statute, without predetermined growth limits, and calculated based on the most recent and available student population statistics.

New Jersey School Boards Association

413 West State Street • Trenton, NJ 08618 • Telephone: 609.695.7600 • Toll-Free: 888.88NJSBA • Fax: 609.695.0413

REPORT OF THE RESOLUTIONS SUBCOMMITTEE
ON
The Periodic Review of Positions and Policies on Education
and review of
Section 9000 (Organization/Operations of Local Boards)
in accordance with GO/8700
By
Brandon J. Pugh, Chairperson
To the Annual Delegate Assembly
May 19, 2018

Review of Section 9000 (Organization/Operations of Local Boards): In accordance with GO/8700 which directs the review of Association positions and policies on education according to certain standards/criteria, staff have reviewed all policies classified as part of the 9000 section of the NJSBA Manual of Positions and Policies on Education. Staff have identified those policies which require reaffirmation and those which require change including wording, amendment or deletion.

Policies Recommended for Reaffirmation: 19 policies were identified as still relevant and recommended for reaffirmation as written because the facts and philosophy remain current. These policies comprise List 1; copies of these policies follow List 1.

Recommendation: The Resolutions Subcommittee recommends approving reaffirmation of the 19 policies included in List 1.

Policies in Need of Change: 1 policy was in need of amendment or partial deletion for one or more of the criteria/standards established as requirements for recommending any changes to existing policies on education. This policy comprises List 2. Copies of this policy follows List 2 in format indicating the original policy, with **deletions in {brackets}, additions underlined**, with the reason for the recommended change at the end of the policy.

The criteria/standards against which the policies were reviewed are:

A. Is the policy still relevant to today's education system and operation?

B. Does the policy provide a basic philosophy or overarching belief on an issue to guide the actions of the Association?

C. Does the policy address only a portion of a complex issue and not provide the comprehensive guidance necessary for thorough Association action?

D. Has the action requested in policy been wholly or partially accomplished through legislative or State Board Action?

E. Will a change to the policy affect any other policy area?

F. Is the intent of this policy more appropriately addressed in another policy area?

Recommendation: The Resolutions Subcommittee recommends approval of the proposed changes to the 1 policy included in List 2.

New Jersey School Boards Association

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PERIODIC REVIEW OF POSITIONS AND POLICIES ON EDUCATION

REVIEW OF SECTION 9000

ORGANIZATION/OPERATIONS OF LOCAL BOARDS

POLICIES RECOMMENDED FOR REAFFIRMATION WITHOUT CHANGES

FILE CODE	TITLE
9110	Number of Members and Terms of Office
9111	Qualifications
9112	Elections/Appointment
9113	Filling Board Vacancies
9114	Resignation/Removal from Office
9125	Appointment of Treasurer of School Moneys
9126	Appointment of Attorney
9140	Board Representatives
9150	Board Consultants
9200	Orientation and Training of Board Members
9250	Expenses
9270	Conflict of Interest
9271	Code of Ethics
9311	Formulation, Adoption, Amendment of Policies
9321	Time, Place, Notification of Meetings
9322	Public and Executive Sessions
9340	Membership in Associations

9360	Legislative Program
9420	Recognition of Individuals--Citizens, Pupils, Staff Members or Members of Board

Board Member Term of Office

A. **The NJSBA believes** that the current three-year term for board members should be maintained. While NJSBA recognizes the many problems engendered by rapidly changing membership, and appreciates the importance of having consistent school policy to allow educational and organizational initiatives a chance to work, it believes that extending the present term would have the overriding disadvantage of discouraging candidates for board office. *[Authority: DA 5/76-CR (Competency), DA 11/98-SR, DA 11/03-ER(A)]*

B. **The NJSBA believes** that the term of office of members of boards of education of county vocational schools should expire July 1, and a newly appointed member of a board of education of a county vocational school should be appointed during the month of June and should assume office on July 1. *[Authority: DA 6/85-13, DA 11/98-SR,DA 11/03–SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Board Size

The NJSBA believes the number of board members should be a local option since each district is most familiar with its own characteristics and can most appropriately balance its desire for efficiency and representation. *[Authority: DA 6/85-13, DA 11/98-SR, DA 11/03–SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Membership of Special Services School Boards

The NJSBA believes that the County Board of Chosen Freeholders should be able to appoint six or eight public members to the board of education of a county special services school district, provided that changes in the number of members shall not occur more than once every three years. *[Authority: DA 6/79-29, DA 6/93-SR, DA 11/98-SR, DA 11/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Reapportioning Membership on Regional Boards

A. **The NJSBA believes** that whenever a change in census produces a realignment of regional board members and election imbalances are created in any one year for one or more constituent districts, the constituent districts should be able to appeal to the Commissioner of Education. The Commissioner should have the statutory authority to hear the appeal and to change the length of term or terms of the necessary number of board members to provide a better balance, by either extending a term or terms to four years or shortening a term or terms to two years. *[Authority: DA 5/75-15, DA 11/98-SR]*

B. **The NJSBA believes** that revised periodic estimates of New Jersey population should be used, in addition to federal census figures, to apportion regional districts every five years. *[Authority: DA 5/74-14, DA 11/98-SR, 11/03–SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Membership of County Vocational School Boards

The NJSBA believes that the board of education of a county vocational school should consist of five, seven or nine members, as determined by the appointing authority, and that the appointing authority should not be permitted to change the number of board members more than once every three years. *[Authority: DA 5/76-11, DA 11/98-SR, DA 11/03-SR, DA 5/08-SR, DA 5/13-SR, DA 6/18-SR]*

Cross References: 1410 Local units
6130 Organization plan

Key Words: term, membership, boards, vocational

New Jersey School Boards Association, P.O. Box 909, Trenton, NJ 08605-0909

Residency and Literacy Requirements

The NJSBA believes that qualifications for board of education candidates should include being a registered voter, residency in the district for one year, and the ability to read and write. *[Authority: DA 5/76-CR (Competency), DA 6/93-SR, DA11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Definition of Competency and Local Control

The NJSBA believes that competence to serve as a school board member is a subjective concept that is best determined locally by voters or the appointing authority. *[Authority: DA 5/76-CR (Competency), DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Criminal Background Checks

The NJSBA believes that board members and charter school trustee members should have the opportunity to demonstrate affirmatively to the Commissioner of Education evidence of rehabilitation upon finding of a criminal offense that would disqualify them from membership. *[Authority: DA 11/11-1, DA 5/13-SR, DA 5/18-SR]*

Cross Reference:
9112 Elections/Appointment
9114 Resignation/Removal from Office
9200 Orientation/Training

Key Words: residency, literacy, board member, criminal background, rehabilitation

Uniformity in School Elections

A. **The NJSBA believes** that a uniform statewide system of school elections run by county election officials standardizes the election process, avoids confusion and encourages voter turnout. A collaborative relationship should exist between election officials and school officials. Interested groups at the statewide and county levels, including the New Jersey Association of Election Officials, should work collaboratively to promote procedures that foster the cost-efficiency of school elections and encourage voter turnout. *[Authority: DA 5/01 CR - Committee on School Elections, 11/98-SR, DA 5/13-SR]*

B. **The NJSBA believes** that election costs should be billed to school districts according to a standardized format that is uniform throughout the state, itemized in a clear, detailed manner, and designed to permit any school district to compare itemized costs per voter with any other school district in the state, with the goal of developing a statewide model for permissible charges. *[Authority: DA 5/01 CR - Committee on School Elections, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Voting Places

A. **The NJSBA believes** that school district elections should be held in the same nonpublic voting places as are permissible for general and primary elections. *[Authority: DA 1/80-11, 11/98-SR]*

B. **The NJSBA believes** that during school board elections, the polls should remain open, at a minimum, between the hours of 5:00 p.m. and 9:00 pm and during any additional time that the school board may designate between the hours of 7:00 a.m. and 9:00 p.m. and should remain open as long as necessary to permit those in line at the time set for closing the polls to cast their ballots. *[Authority: DA 5/62-5, DA 5/66-1, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Ballots

A. **The NJSBA believes** in the use of a single ballot when more than one school election is held on the same day in the same polling place, but believes that boards should be able to waive the single ballot requirement whenever both the regional and constituent districts agree that it is within their mutual best interests to use a separate ballot in each school district. *[Authority: BD 10/79, BD 4/93-SR, DA 11/96-3, 11/98-SR]*

B. **The NJSBA believes** that one sample ballot should be mailed to each mailing address in the municipality or municipalities served by the school district. *[Authority: DA 5/96-4, 11/98-SR]*

C. **The NJSBA believes** that each county clerk should be required to place a single absentee ballot notice, including the addresses of each school district in the county, in a county newspaper circulation in all districts in the county. If no one newspaper satisfies such requirements, then the county clerk should be required to place the notice in a sufficient number of newspapers to insure circulation of the notice in each school district. *[Authority: DA 6/77-15, 11/98-SR]*

D. **The NJSBA believes** that a regional school district should be authorized to include additional information on the ballot showing the exact amount of taxes a constituent district will be required to raise to support the regional school budget. *[Authority: DA 11/98-2, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Candidates

A. **The NJSBA believes** standard nominating petitions should provide for: the printed identification of

signatories and their addresses, instructions for completion; personal delivery of the petition by the candidate; reasonable evening hours to accept delivery of the petition; and such standard nomination petitions should authorize the candidate to witness the signatories execution of the petition and certify the petition. *[Authority: DA 6/84-11, DA 11/98-1, 11/98-SR]*

B. **The NJSBA believes** each candidate for election to a board should be authorized to appoint no more than three challengers in addition to himself for each polling place, and to permit the appointment of no more than five challengers on behalf of each choice on each question on the ballot. *[Authority: DA 12/65-8, 11/98-SR]*

C. **The NJSBA believes** that the deadline for withdrawing from school board election candidacy should conform to the ballot printing schedule *[Authority: DA 6/84-11, 11/98-SR]*

D. **The NJSBA believes** that in any election where no candidate has timely filed a nominating petition, a write-in candidate must receive at least ten (10) write-in votes in order to qualify to fill the seat. In the event no write-in candidate must receive at least ten (10) write-in votes, the local board of education should have sixty (60) days to fill the vacancy or vacancies; failing this, the County Superintendent should have the right to appoint. *[Authority: DA12/84-15, 11/98-SR]*

E. **The NJSBA believes** that, to ensure an informed electorate, those candidates that file petitions must disclose any past criminal convictions as defined by Title 2C of the NJ Criminal code on the date of filing their petition. *[Authority: DA 5/05-1, DA 5/03-SR, DA 5/08-SR]*

F. **The NJSBA believes** that the deadline for the submission of the nominating petition for school board candidates in the November school board election should be in closer proximity to the school election than as presently set forth in statute. Timeframes for the November school election should be modeled after the calendar for the municipal non-partisan elections held at the general election, and the April school election calendar, to establish practical and workable deadlines. The NJSBA further believes that the law should be amended to address inconsistencies between the statute addressing the filling of vacancies, and the date for filing the nominating petition for the November school election. *[Authority: DA 5/12-3, DA 5/13-SR, DA 5/18-SR]*

Officials

A. **The NJSBA believes** that County Boards of elections should provide training in election procedures for both school and general election workers and should issue certificates to demonstrate that the workers have received proper instruction in the use of voting machines. *[Authority: DA 12/81-9, 11/98-SR]*

B. **The NJSBA believes** parity in compensation for school election officials with that of district (municipal election board workers. *[Authority: DA 6/81-10, 11/98-SR, DA 5/03-SR, DA 5/08 –SR, DA 5/13-SR, DA 5/18-SR]*

Permanent Voting Record

The NJSBA believes that a permanent record of the names of voters in each school election should be maintained. This record should be made available to candidates for board membership. *[Authority: DA 5/65-20, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Increasing Election Turnout

The NJSBA believes in continuing efforts to increase voter turnout in school district elections. *[Authority: DA 12/82-17, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Non-Binding Referenda

The NJSBA believes local boards should be able to conduct a non-binding referendum on a public question which directly pertains to the district. *[Authority: BD 6/95, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR]*

Interim Regional Board Members

A. **The NJSBA believes** the executive county superintendent should be obligated to select interim regional board members for newly created districts only from lists submitted by and after consultation with local boards of constituent districts.

B. **The NJSBA believes** the executive county superintendent should be obligated to select members for enlarged regional districts only from lists submitted by and after consultation with each new constituent district. In the case of any local board's failure to act within 15 days after the passage of the referendum creating a new or an enlarged regional district, the county superintendent would select members from qualified citizens in those districts. *[Authority: DA 12/68-3, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Disclosure of Criminal Convictions

The NJSBA believes that any school official, as defined by the School Ethics Act, shall disclose in the Annual Statement by School Officials any past criminal convictions as defined by Title 2C of the NJ Criminal Code. *[Authority:* DA 5/05-1, *DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Timing of Elections

The NJSBA believes that annual school elections, including the election of candidates, should not be conducted on or near the date of any partisan election. *[Authority: BD 5/05, BD 5/06, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Notice of Election Date

The NJSBA believes that a board of education and the public should, in addition to the notice requirements of the Open Public Meetings Act, receive additional notice and an opportunity to be heard whenever a municipal governing body determines to move the school board election. *[Authority: DA 5/13-3, DA 5/18-SR]*

Cross Reference: 9111 Qualifications

Key Words: elections, voting, ballots, referenda, disclosure

Filling Board Vacancies

A. **The NJSBA believes** that vacancies should be filled by special elections only in the case of tie votes or the failure to elect due to improper election procedures;

B. **The NJSBA believes** that executive county superintendents should not be authorized to fill vacancies, except where the number of vacancies negates a quorum or the board fails to act within 65 days;

C. **The NJSBA believes** that local boards should have the authority to fill vacancies occurring for any other reason. Vacancies filled by either the executive county superintendent or the board would be on an interim basis only until the next annual school election.

D. **The NJSBA believes** that school boards should conduct public interviews of candidates for vacancies on boards. [*Authority*: *DA 12/80-8, BD 4/93, DA 11/98 – SR, DA 11/03-SR, DA 5/08-SR, DA 5/18-SR]*

Cross References: 9112 Elections/appointment
9322 Public and executive sessions

Key Words: vacancies, election

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Implementation of Recall

A. **The NJSBA believes** that board members should not be the subject of recall efforts based on the member's lawful exercise of an explicitly delegated constitutional, statutory regulatory obligation or authority;

B. **The NJSBA believes** that recall efforts should provide procedural and substantive due process for the recall candidate, including but not limited to requiring a recall petition to state the basis of the recall;

C. **The NJSBA believes** that any recall election that is brought against a board member should be administered by a neutral entity such as the county clerk in order to avoid the appearance of a conflict of interest on the part of any board employee; and

D. **The NJSBA believes** that any school board member who becomes subject to a recall effort, wherein the recall petition does not assert a criminal or quasi-criminal conviction as a basis for the recall effort, should be entitled to indemnification from the board of education for any cost incurred in any civil, administrative or other legal proceeding opposing the recall election. *[Authority: DA 5/98-11, DA 11/98-SR, DA 11/03-1, DA 11/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Board Member Removal

A. **The NJSBA believes** that whenever an elected or appointed member of any board of education ceases to reside in the local or constituent district, or shall become mayor or a member of the governing body of either the local or constituent municipality, his membership in the board should immediately cease.

B. **The NJSBA believes** that whenever an elected or appointed member of a county special services or county vocational school district ceases to be a resident of the district or takes office as a member of the governing body of a county, his membership on the board should immediately cease.

C. **The NJSBA believes** that any member who fails to attend three consecutive public meetings of the board without good cause may be removed by it. Boards of education should also be authorized to remove board members who, without good cause, during any year of their elective term, fail to attend two-thirds of the board's public meetings as defined by the Open Public Meetings Act.

D. **The NJSBA believes,** that whenever a member of a board of education is disqualified as a voter or is convicted of false swearing, his membership on the board should immediately cease. *[Authority: DA 5/98-11, DA 11/98-SR DA 11/03-1,DA 11/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross References: 9271 Code of ethics
9322 Public and executive sessions

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Optional Position

A. **The NJSBA believes** that the employment of a Treasurer of School Moneys should be at the option of the local board of education and that local boards of education should be permitted to hire any qualified individual as the Treasurer of School Moneys provided that individual is not an employee of the district and/or a holder of an elected or appointed position in that district. *[Authority: DA 11/96-7, DA 11/98-SR]*

B. **The NJSBA believes** that the duties and responsibilities of a Treasurer of School Moneys should be defined by each local board of education. *[Authority: DA 11/96-7, DA 11/98-SR DA 11/03-1,DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Key Words: treasurer

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Frivolous Litigation

A. **The NJSBA believes** that school boards should be authorized to pay reasonable counsel fees (not to exceed $10,000) to the prevailing party in an action brought pursuant to the Open Public Meetings Act. School boards should be authorized to collect reasonable counsel fees from the non-prevailing party, in any frivolous action brought under the Open Public Meetings Act. *[Authority: BD 4/93, DA 11/98-SR]*

B. **The NJSBA believes** that school boards should be authorized to collect all reasonable litigation costs and reasonable attorney fees from the non-prevailing party, including fees and costs on appeal, in any action brought before the Commissioner of Education, where the Commissioner finds that the position of the non-prevailing party is frivolous. *[Authority: DA 11/96-4, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross Reference: 9322 Public and executive sessions

Key Words: Litigation, fees, counsel

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Students as Board Members

The NJSBA believes that "full-time" students should be legally prohibited from being elected or appointed to serve on the board of education of the district in which they are enrolled. *[Authority: DA 5/74-23; DA 11/98 – SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Student Participation in Government

The NJSBA believes that local school districts should promote and provide students with the opportunity for appropriate participation in units of government such as the town council, the local board of education, the county board of freeholders and the state legislature. *[Authority: DA 6/82-7; DA 11/98 – SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross References:
1410 Local units
1420 County and intermediate units
1430 State and national units

Key words: students, representatives

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District Staff as Consultants

The NJSBA believes the use of local district staff as paid consultants to other districts, in areas of the staff member's expertise, would enable districts to share proven and validated programs and would keep educational dollars within the public education community. *[Authority: DA 12/91-CR QEA, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross Reference: 1600 Relations between other entities and the district

Key Words: board consultants

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, DA 5/13-SR]*

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. *[Authority: DA 5/14 (Special Education Task Force), DA 5/18-SR]*

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, DA 5/13-SR, DA 5/18-SR]*

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, DA 5/13-SR, DA 5/18-SR]*

Cross References: 9111 Elections/appointment

Keywords: orientation; training; board members; inservice

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Compensation and Reimbursement

The NJSBA believes that board members should remain unpaid, but that as volunteer officials they should not be burdened financially. Board policies should allow board member reimbursement for expenses incurred for board member training, travel or other legitimate expenditures. *[Authority: DA 5/59-5, 6, DA5/76-CR (Competency) DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Travel Reimbursement Regulations

The NJSBA believes that regulations governing travel and related reimbursable expenditures provide accountability to the public; and such regulations should be identical for all districts.
[Authority: DA 5/06-1, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]

Cross References: 9270 Conflict of interest
9271 Code of ethics

Key Words: expenses, reimbursement

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Conflict of Interest

A. **The NJSBA believes** that board members and school administrators should be precluded from participation in the collective negotiation process when they have immediate family members employed in the district in the bargaining unit in question.

B. **The NJSBA believes** that board members and school administrators should be authorized to fully participate in the collective negotiation process where their conflict is limited to an out-of-district union affiliation. *[Authority: DA 12/94-1, DA 11/98-SR]*

C. **The NJSBA believes** that the position of teacher and member of the board of education in the same school district are incompatible and represent intolerable potential conflicts of interest. District employment of board members should be prohibited unless the member resigns or ceases to be a member 6 months prior to accepting such employment. *[Authority: DA 5/59-5, 6, DA 12/92-SR, DA 11/98-SR]*

D. **The NJSBA believes** that an employee of a board of education should not be permitted to hold the position of mayor, chief executive officer or member of the governing body in the same municipality. *[Authority: DA 6/81-1, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Nepotism

A. **The NJSBA believes** that the School Ethics Act, including the Code of Ethics for School Board Members, as well as related policy models in the Association's Critical Policy Reference Manual provide sufficient guidance to prevent nepotism and conflicts of interests in board hiring decisions.

B. **The NJSBA believes** that any regulations governing nepotism should be adopted pursuant to the Administrative Procedures Act and should be identical for all districts.
[Authority: DA 5/07-1, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]

Doctrine of Necessity

The NJSBA believes the Doctrine of Necessity is a vital tool to be used by boards of education when needed. The use of the Doctrine of Necessity should be permitted when a board is searching for and selecting a new superintendent. *[Authority: DA 11/14-3, DA 5/18-SR]*

Cross References:

1410	Local units
4135.3	Negotiations
9140	Board Representatives
9250	Expenses
9271	Code of ethics

Key Words: conflict, nepotism, Abbott

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Board Member Ethics

The NJSBA believes that it is necessary and desirable to set forth a guide to conflict of interest situations and unethical activity for board members and suggests the following Code of Ethics for adoption by individual boards:

A CODE OF ETHICS FOR SCHOOL BOARD MEMBERS

1. I will uphold and enforce all laws, state board rules and regulations, and court orders pertaining to schools. Desired changes should be brought about only through legal and ethical procedures.

2. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools which meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.

3. I will confine my board action to policymaking, planning, and appraisal and I will help to frame policies and plans only after the board has consulted those who will be affected by them.

4. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.

5. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action which may compromise the board.

6. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.

7. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. But in all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.

8. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.

9. I will support and protect school personnel in proper performance of their duties.

10. I will refer all complaints to the chief administrative officer and will act on such complaints at public meetings only after failure of an administrative solution. *[Authority: BD 2/71, DA 5/75-CR Ethics, BD 6/85, DA 5/97-7, 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Penalty for Violation of Ethics Code

The NJSBA believes that the School Ethics Commission should be authorized to reprimand, censure or remove a board member for any violation of NJSBA's Code of Ethics for School Board Members. The rights of the accused board member should be balanced with the board's need for an orderly and efficient operation and shall include an expedited hearing process before the School Ethics Commission to ensure a decision within 60 days of receipt of notice of violation; indemnification for the accused board member for civil, administrative, criminal or quasi-criminal or other legal action for any act or omission arising out of and in the course of the performance of the accused board member's duties as a member of the board of education. The burden of proof should be placed on the accusing party, whether an individual or the board of education, to factually establish a violation of NJSBA's Code of Ethics. *[Authority: DA 5/75-CR Ethics, DA 5/97-7, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

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School Ethics Committee Advisory Opinions

The NJSBA believes the statutory language of *N.J.S.A.* 18A:12-31 should be revised so that all ethics advisory opinions should be made public, unless the school official whose proposed conduct is the subject of the advisory opinion seeks to keep it private. [Authority: DA 11/14-1, DA 5/18-SR]

Cross References:

3530	Insurance management
9114	Resignation/removal from office
9250	Expenses
9270	Conflict of interest

Key Words: code of ethics, indemnification

School Board Policy

A. **The NJSBA believes** that sound school board policy is essential to the successful and efficient functioning of the public schools.

B. **The NJSBA believes** that in order to meet legal requirements and to provide effective direction for the operation of the district and its schools, local district policies should be reviewed on an ongoing basis. Boards should involve all stakeholders, including members of the community in the policy development and review process when appropriate. *[Authority: DA 5/76-CR (Policy Advisory), DA 12/82-CR (Urban Education), DA 6/93-SR, DA 11/98-SR]*

C. **The NJSBA believes** that the role of the State Department of Education in approving local district policy should not exceed the requirements of administrative code or encroach on the authority of local boards of education regarding the management and operation of the district. *[Authority: DA 12/87-5, DA 6/93-SR, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross Reference: 1430 State and national units

Key Words: policy

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Timing, Notification and Agenda of School Board Meetings

A. **The NJSBA believes** that boards should be permitted to commence their meetings no later than 9:00 p.m. *[Authority: DA 5/69-21; DA 11/98-SR]*

B. **The NJSBA believes** each local school district should have the option of holding its organization meeting on any day of the first two weeks following the April school election. [*Authority: DA 12/85-3; DA 11/98-SR]*

C. **The NJSBA believes** that any notification and agenda requirements for school board meetings should effectuate a balance between the public's right to attend board meetings and the board's need to conduct its business efficiently, and without unreasonable delay or undue expense or administrative burden. [*Authority:* BD 4/93]

D. **The NJSBA believes** that advisory committees should not be subject to notification, agenda or other requirements of the Open Public Meetings Act. *[Authority: BD 4/93, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross Reference:

6115	Ceremonies and observances
3100	Budget planning, preparation and adoption
9112	Elections/appointment
9322	Public and Executive Sessions

Key Words: meetings, notifications, agenda

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Open Public Meetings Act

A. **The NJSBA believes** that it should play an important role in educating board members regarding their obligations under the Open Public Meetings Act. *[Authority: DA 12/77-20; DA 11/98-SR]*

B. **The NJSBA believes** that fines should be imposed for violations of the Open Public Meetings Act that involve gross negligence. *[Authority: BD 4/93]*

C. **The NJSBA believes** that the Open Public Meetings Act should provide specific criteria for when minutes of a closed meeting must be released to the public. Criteria should recognize the need for confidentiality in certain actions and should not require release of minutes until the "need for confidentiality ceases" and should not set arbitrary time limits on the release of minutes. *[Authority: BD 4/93]*

D. **The NJSBA believes** that where a public body is subject to a court order for failure to comply with the Open Public Meetings Act, the court should not appoint an overseer or order a rehearing of local actions voided, but rather, the public body should be required to report back to the court that voided its action, on what it has done to comply with the court's order. *[Authority: BD 4/93, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross References:
9126 Appointment of attorney
9321 Time, Place, Notification of Meetings
9325.4 Voting method

Key Words: open public meetings act

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POSITIONS AND POLICIES ON EDUCATION
Membership in Associations

FILE CODE
9340

NJSBA's Statutory Status

The NJSBA believes in mandatory membership of all local boards of education in the New Jersey School Boards Association, as established in the originating statute enacted in 1914. *[Authority: BD 6/94, DA 6/94, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross Reference: 1410 Local units

Key Words: NJSBA, membership

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Legislative Activity

The NJSBA believes that County School Boards Associations should encourage active participation of board members in legislative and political matters. *[Authority: DA 12/77-CR Governance, DA 6/93-SR, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross Reference: 1420 County and intermediate units

Key words: county, legislative

POSITIONS AND POLICIES ON EDUCATION
Recognition of Individuals--Citizens, Pupils, Staff Members or Members of Board

FILE CODE
9420

Recognition of Outstanding Performance

A. **The NJSBA believes** that the recognition and reward of outstanding performance is one of many ways to attract and retain quality staff.

B. **The NJSBA believes** that local districts should, after careful study and assessment, develop both financial and nonfinancial means of recognizing and rewarding outstanding performance. Approaches to recognizing outstanding performance should include: criteria and indicators appropriate to each position; criteria for staff eligibility; and procedures to administer the program. *[Authority: DA 12/82-CR Urban Education, DA 11/98-SR]*

C. **The NJSBA believes** appropriate information and assistance should be provided to local boards of education to assist them in developing staff recognition programs. *[Authority:DA12/83-1, DA 11/98-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Cross References: 2400 Evaluation of administrative effectiveness
4111 Supply of Qualified Candidates
4116 Evaluation

Key Words: staff recognition

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PERIODIC REVIEW OF POSITIONS AND POLICIES ON EDUCATION

REVIEW OF SECTION 9000

ORGANIZATION/OPERATIONS OF LOCAL BOARDS

POLICIES RECOMMENDED FOR REAFFIRMATION WITH CHANGES

FILE CODE	TITLE	SUBHEADING(S) RECOMMENDED FOR CHANGE
9300	Governance	Articulation of Curriculum in Sending-Receiving Districts Sending-Receiving Handbook

Articulation of Curriculum in Sending-Receiving Districts

The NJSBA believes that to ensure that students are provided with the best opportunity to succeed under the {core curriculum standards, the core curriculum code} New Jersey Student Learning Standards, the standards should require sending and receiving districts to demonstrate how they are articulating their curriculum to maximize student success. *[Authority: DA 11/98-CR (School Finance) DA 11/98-SR, DA 11/02-SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Contractual Relationship

A. **The NJSBA believes** that all sending and receiving relationships should operate under the terms of a negotiated contract of at least three-five years. The contract should outline the parameters for the operation of an existing sending-receiving relationship in a formal, negotiated agreement. Districts that currently operate a sending-receiving relationship without a term-specific contract should be required to negotiate such a contract within two years of the effective date of enabling legislation. Districts currently operating under a fixed-term contract would continue to the end of their current contractual term. *[Authority: DA 11/98-CR (School Finance)]*

B. **The NJSBA believes** that the termination of a sending-receiving relationship between school districts where the contract term has expired, one year's notice is given and the sending district has an appropriate educational alternative equal to or better than the existing educational program for its students should be permitted. *[Authority: DA 6/86-18, DA 6/88-16, DA 6/89-CR Sending to Level III Districts DA 11/98-CR (School Finance)]*

C. **The NJSBA believes** that a receiving district's being placed at Level III of the monitoring process should not act as a triggering mechanism for severance of a sending-receiving relationship. Rather, it is but one component that should be considered by the Commissioner in making an assessment as to the quality of education being received by the sending district's students. *[Authority: DA 6/89-CR Sending to Level III Districts, DA 11/98 SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Sending-Receiving Students

The NJSBA believes in sending-receiving circumstances that involve the use of discretion on the part of either board of education, decisions should be based on the best interests of students -- both in the sending district and in the receiving district. To this end, each community needs to be involved in discussions between the sending and receiving boards at all levels. *[Authority: DA 11/98-CR (School Finance), DA 11/98 SR, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Apportionment of Pupils Among High Schools

The NJSBA believes that the apportionment of pupils from sending districts among two or more high schools should be mutually determined by each of the districts involved. *[Authority: DA 6/84-CR Sending-Receiving, DA 11/98-CR (School Finance), DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Dispute Resolution Process

A. **The NJSBA believes** that the State Board of Education's Administrative Code should include a dispute resolution process for issues that cannot be resolved between sending and receiving boards of education that includes the following steps: a local negotiation process, including meetings between administration, board of education and community members; when local negotiations fail, a county-office based mediation process; and when all else fails, require the districts to enter into binding arbitration. *[Authority: DA 11/98-CR (School Finance)]*

B. **The NJSBA believes** that in the case of petitions from sending-receiving districts seeking conflict resolution, the State Board of Education, rather than the Commissioner, should be the next level of review for Initial Decisions of Administrative Law Judges. *[Authority: DA 6/84-CR Sending-Receiving, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Sending-Receiving Handbook

The NJSBA believes that a sending-receiving best practices handbook can assist both sending and receiving districts in their joint effort to provide an effective, articulated educational program based on the {core curriculum} Student Learning Standards adopted by the State Board of Education. *[Authority: DA 11/98-CR (School Finance), DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Availability of Receiving District Information

A. **The NJSBA believes** sending-receiving districts should establish meaningful communication, which would include but not be limited to: periodic re-evaluation of the sending-receiving relationship by a neutral party; full utilization of NJSBA resources; and regularly scheduled meetings between the boards and administrative staff of the districts involved in the relationship.

B. **The NJSBA believes** all information pertaining to the operation of the receiving district should be readily available to a sending district, including, but not limited to: a copy of the budget submitted to the county superintendent; board minutes; curriculum guides; district goals and objectives; audits; the master plan; and Middle States and monitoring reports. *[Authority: DA 6/84-CR Sending-Receiving, DA 6/89-CR Sending to Level III Districts, DA 11/98-CR (School Finance, DA 5/03-SR, DA 5/08-SR), DA 5/13-SR, DA 5/18-SR]*

Sending-Receiving Tuition and Budget Development

The NJSBA believes that there should be effective procedures and practices for addressing tuition and budget development in sending-receiving relationships to include:

- Allowing sending and receiving boards of education to make budgetary provisions for abrupt shifts in tuition costs so that programmatic cuts do not have to be made in order to accommodate tuition increases;
- A tuition reserve account outside the district's spending cap;
- Permitting districts to restrict fund balance for anticipated adjustments in tuition outside the excess fund balance calculation;
- Instituting budgetary procedures so that large tuition increases are spread over several years;
- Adjusting the tuition notification calendar to more closely reflect the current budget process so that tuition can be more accurately estimated: move the January 15 tuition notification date (to sending district) to February 15; move the December 15 enrollment notification date (to receiving district) to January 15; allow more time between the time of notification of state aid figures and budget adoption. *[Authority: DA 11/98-CR (School Finance, DA 5/03-SR, DA 5/08-SR), DA 5/13-SR, DA 5/18-SR]*

Sending-Receiving Tuition Increases

A. **The NJSBA believes** that year-over-year per pupil tuition increases levied by receiving districts and schools have adversely impacted tuition-paying districts' ability to provide effective educational programs in their districts.

The NJSBA recognizes that year-over-year per pupil tuition increases levied by receiving districts and schools have forced some tuition-paying districts to seek voter approval for tax increases well in excess of the 2% cap on the tax levy contravening the intention of P.L. 2010, c.44 and imposing a severe burden on their taxpayers in the event of an affirmative vote and placing the districts' programs at risk in the event of a negative vote.

B. **The NJSBA believes** there should be a statutory cap on year-over-year per pupil tuition increases levied by receiving districts and schools. *[Authority: DA 11/14-2, DA 5/18-SR]*

Proportional Representation/Sending-Receiving

The NJSBA believes that sending boards of education should have proportional representation, including voting privileges, on receiving districts' boards of education. Representation should be determined by the percent of enrollment that students from the sending district(s) comprise among the student population in the grades for which a sending/receiving relationship exists. Representation and voting privileges of a sending board of education or combination of sending boards should be limited to ensure that a receiving district board of education always retains the majority voting privilege. *[Authority: DA 6/89-CR (Sending to Level III Districts), DA 11/98-CR (School Finance), DA 11/02-CR (Sending/Receiving- 2002, DA 5/03-SR, DA 5/08-SR), DA 5/13-SR, DA 5/18-SR]*

Sending Representative Voting Rights

The NJSBA believes the statutory language of *N.J.S.A.* 18A:38-8.1 should be revised to expand the voting rights of sending district representatives on matters before the receiving district board of education to include the ability to vote on all matters that impact the students of the sending district in the receiving district; all district-wide issues, all board governance issues and all matters related to the grade levels to which the sending district sends its students. *[Authority: DA 5/14-4, DA 5/18-SR]*

Merger, Consolidation or Regionalization of School Districts

A. **The NJSBA believes** that when districts determine after thorough study that regionalization would provide educational and/or financial benefits to the districts involved, they should be encouraged to regionalize. *[Authority: DA 10/79-CR Regionalization, DA 12/80-CR Deregionalization, DA 12/91-1, DA 11/98 SR]*

B. **The NJSBA believes** that the Commissioner of Education and the State Board of Education should be prohibited from ordering the merger, consolidation or regionalization of two or more existing school districts without a prior public referendum in each of the affected districts approving such action provided that any such legislation should not permit the denial of rights guaranteed under the Constitution of the United States or the State of New Jersey. *[Authority: DA 5/72-1, 1a, DA 10/79-CR Regionalization, DA 12/80-CR Deregionalization, BD 1/81, DA 11/98-CR (School Finance)]*

C. **The NJSBA believes** that prior to the submission of a regionalization proposal by any district or districts which desire to join with any other district or districts and become an all-purpose or limited-purpose regional school district, all of the districts involved shall be required to participate in a study of the proposed regionalization. The study of the proposed regionalization should include, but not be limited to the following factors: enrollment trends, goals, philosophy, board member apportionment, racial balance, education program, tax rates, and long-range implications of regionalization. All findings and conclusions of the study should be forwarded to the executive county superintendent who should consider these in his/her determination as to the advisability of regionalization. State aid should be provided for regionalization studies. *[Authority: DA 12/80-CR Deregionalization, DA 12/91-1, DA 11/98-CR (School Finance) , DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

Tax Impact

The NJSBA believes there should be a ten-year phase in of any increase in the tax levy of a constituent member of a newly-formed regional school district that results from the manner in which costs are apportioned among the

members of a regional school district under current statute. *[Authority: DA 10/79-CR Regionalization, DA 12/91-1, DA 11/98-CR (School Finance, DA 5/03-SR, DA 5/08-SR), DA 5/13-SR, DA 6/18-SR]*

Constituent District Representation on Regional Boards

The NJSBA believes that regional boards of education should be authorized to permit a board member from a constituent district to serve on a regional board with discussion privileges but without voting rights. *[Authority: DA 12/80-CR Deregionalization, 11/98-CR (School Finance), DA 5/03-SR, DA 5/08-SR, DA 5/13-SR]*

Deregionalization

A. **The NJSBA believes** that in order to facilitate deregionalization for districts desiring it all districts that comprise the regional district should be required to participate in an all-encompassing study in the event one of the constituent districts desires to withdraw from the regional district. This study shall be developed jointly by the regional and constituent districts prior to the submission of a resolution for withdrawal from a regional district and shall be conducted as follows:

- The committee involved in the study shall be comprised of one representative from each constituent board of education and one representative from the regional board itself and the chairperson of the committee shall be a non-voting neutral, appointed by the Commissioner of Education from outside the county;
- The study shall be completed within six months after the district desiring to withdraw notifies the other constituent districts of its intent;
- The study shall include long-range data on financial, educational and population trends, and should explore educational and organizational alternatives. In the event that agreement cannot be reached by the committee, any constituent district or the regional board may prepare its own position statement. These position statements, together with any other conclusions and recommendations of the committee, shall be forwarded to the executive county superintendent of schools along with the resolution for withdrawal;
- All discussion and actions of the committee shall be conducted in closed session;
- The cost of the study shall be borne by the district or districts desiring to withdraw;
- The executive county superintendent of schools shall consider all conclusions and recommendations of the committee and include them in his/her report to the Board of Review. *[Authority: DA 12/80-CR Deregionalization, 11/98-CR (School Finance)]*

B. **The NJSBA believes** that if two or more constituent districts submit resolutions for withdrawal the executive county superintendent and Board of Review should be required to consider these resolutions simultaneously. Simultaneous consideration shall be required where one constituent district submits a resolution for withdrawal, and one or more other constituent districts submit their own resolutions within 30 days after receiving notice of the first resolution. *[Authority: DA 12/80-CR Deregionalization, 11/98-CR (School Finance)]*

C. **The NJSBA believes** that the question of withdrawal should go to public referendum if the Board of Review does not comply with the prescribed timetable for conducting hearings and reaching its final determination. *[Authority: DA 12/80-CR Deregionalization, 11/98-CR (School Finance)]*

D. **The NJSBA believes** that each member of the Board of Review should be able to appoint a designee. *[Authority: DA 12/80-CR Deregionalization, 11/98-CR (School Finance)]*

E. **The NJSBA believes** that the executive county superintendent should be required to include in his/her initial report an inventory of all assets, and to specify the division and distribution of assets and liabilities based on the amount of ratables in the withdrawing school district on which the last school tax was levied.

[Authority: DA 12/80-CR Deregionalization, 11/98-CR (School Finance)]

F. **The NJSBA believes** that the Commissioner of Education should be required to appoint a neutral person or group of persons from outside the regional district to certify all financial and educational data, enrollment projections and related statistics. *[Authority: DA 12/80-CR Deregionalization, 11/98-CR (School Finance)]*

G. **The NJSBA believes** that when a withdrawing district has no regional district lands or buildings within its geographical boundaries at the time of withdrawal, the withdrawing district should be allotted a share of the equity in the regional district's lands and buildings based on the amount of ratables in the respective districts.

H. **The NJSBA believes** when a withdrawing district has regional district lands and buildings within its geographical boundaries at the time of withdrawal, the regional district be allotted a share of the equity in such lands and buildings based on the amount of ratables in the respective districts; and

I. **The NJSBA believes** that any unappropriated balance (surplus) in the regional district should be distributed between the withdrawing district and the regional district based on the amount of ratables in the respective districts.*[Authority: DA 12/80-CR Deregionalization, 11/98-CR (School Finance) , DA 5/03-SR, DA 5/08-SR, DA 5/18-SR]*

Transfer of Employee Rights to Withdrawing Districts

The NJSBA believes that every local school district should have the right to select its own teaching staff and that there should not be a provision for transfer of employment rights, tenure and seniority from regional districts to withdrawing districts. *[Authority: DA 12/81-14, 11/96-SR, 11/98-CR (School Finance, DA 5/03-SR, DA 5/08-SR), DA 5/13-SR, DA 5/18-SR]*

Send-All Districts

The NJSBA believes the current organizational structure of send-all districts, communities that have chosen not to operate a school building, but rather to send their students to other districts, serves the educational and financial needs of their communities therefore, any efforts by the state to eliminate send-all districts should be strenuously and vigorously opposed. *[Authority: BOD 5/04, DA 5/03-SR, DA 5/08-SR, DA 5/13-SR, DA 5/18-SR]*

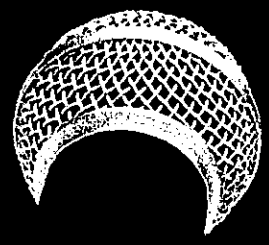
Cross References:

1400	Relations between other governmental agencies and the district
3100	Budget planning, preparation and adoption
3240	Tuition income
4110	Tenure
4111	Recruitment, selection and hiring
6147	Curriculum Standards
9325.4	Voting method

Key Words: curriculum, sending receiving, consolidation, regionalization, send-all

Rationale: Revisions reflect current educational terminology.

The Delegate Assembly is the policymaking body of the New Jersey School Boards Association. These materials are submitted for consideration by the delegates at the Semi-Annual Meeting on May 19 2018.



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