

NJSBA

Delegate Assembly Handbook

May 15, 2021 • Virtual Webex Conference



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 **Virtual Webex Conference**

May 15, 2021

Agenda

| | | |
|-----------|---|------------------------------------|
| 8:00 a.m. | REGISTRATION | |
| 9:00 a.m. | CALL TO ORDER Presiding: Michael McClure | |
| | PLEDGE OF ALLEGIANCE | Delegates |
| | RECOGNITION OF COMMITTEE CHAIRS | Michael McClure |
| | REPORT OF THE PRESIDENT | Michael McClure |
| | REPORT OF THE EXECUTIVE DIRECTOR | Dr. Lawrence S. Feinsod |
| | ADOPTION OF THE RULES FOR THE CONDUCT OF THE DELEGATE ASSEMBLY | Michael McClure Parliamentarian |

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MINUTES OF THE MEETING OF
November 21, 2020

Michael McClure

REPORT OF NOMINATING COMMITTEE

Daniel Sinclair

ELECTION OF OFFICERS

Daniel Sinclair

REPORT OF THE V. P. FOR
LEGISLATION/RESOLUTIONS

Karen Cortellino

Resolutions Subcommittee Report

CONSIDERATION OF RESOLUTIONS

Karen Cortellino

REPORT OF SPECIAL EDUCATION
COMMITTEE

Karen Cortellino

SUNSET REVIEW

Karen Cortellino

INSTALLATION OF OFFICERS

Michael McClure
Irene LeFebvre

ADJOURNMENT

Michael McClure

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**New Jersey School Boards Association
413 West State Street
Trenton, New Jersey 08618
(609) 695-7600**

DELEGATE CERTIFICATION FORM

I, the undersigned, hereby certify that I am a regular voting member of the _____ Board of Education in the County of _____;
that to the best of my knowledge, said Board of Education is a member in good standing of the New Jersey School Boards Association, and that I am duly appointed and authorized to act as the Delegate from said Board of Education at the Annual Delegate Assembly on May 15, 2021.

SIGNATURE

ADDRESS

CITY/STATE/ZIP

NEW JERSEY SCHOOL BOARDS ASSOCIATION
ANNUAL DELEGATE ASSEMBLY
May 15, 2021

Summary of Delegate Action

Enclosed for your convenience to
report to your board of education.

ACTION TAKEN

ELECTION OF OFFICERS

*President – Irene M. LeFebvre,
Boonton Board of Education (Morris)*

*Vice President for County Activities – Bruce R. Young,
Carlstadt-East Rutherford Board of Education (Bergen)*

*Vice President for Finance – Tammeisha D. Smith,
Knowlton Township Board of Education (Warren)*

*Vice President for Legislation/Resolutions – Karen Cortellino,
Montville Township Board of Education (Morris)*

RESOLUTION NO. 1 – South Orange Maplewood Board of Education (Essex County) proposes **revised** policy language to express the belief that it is important to cultivate inclusive, affirming and welcoming school communities that contribute to the overall safety, pedagogy and school climate; and to support and work with board members and school districts to create greater awareness, to ensure continued safety, support, student engagement and implementation of best practices and policies of all students, including those who are perceived as being lesbian, gay, bisexual, transgender, or questioning, or who are LGBTQ+.

RECOMMENDATION:

The Resolutions Subcommittee recommends approval of this resolution with the following substitute resolved language which would create revised policy language at File Code: 5145.4, to be included in NJSBA's Manual of Positions and Policies on Education:

Student/Student Relations Discrimination and Intimidation

A. The NJSBA believes that students have the right to be educated in an environment free of discrimination and intimidation that promotes mutual respect and acceptance among the students regardless of age, gender, race, ethnicity, religious belief, physical ability, gender identity or expression, affectional or sexual orientation and perceived difference. Students should be expected

to treat each other with respect and should not be subjected to or subject other students to demeaning remarks, whether discriminatory and/or intimidating statements and/or actions.

B. The NJSBA believes that students' acts of discrimination and/or intimidation should not be tolerated. Proven acts of discriminatory practices should result in disciplinary action.

C. The NJSBA believes that local school boards and districts should make all necessary and appropriate efforts to raise awareness, employ best practices, and create an inclusive, safe and positive school climate for all students, including those that are actual or perceived as being lesbian, gay, bisexual, transgender, questioning, or other sexual orientation, gender identity or expression.

RESOLUTION NO. 2 – Pursuant to Article V, Sec. 2 of the *NJSBA Bylaws*, the NJSBA Special Education Committee submits the following report and recommendation for action by the Delegate Assembly seeking adoption of new policy language requiring training for parent advocates. The report and recommendation were approved unanimously by the Committee at its March 10, 2021 meeting.

RECOMMENDATION

The NJSBA Special Education Committee recommends approval of the following policy language which would create new policy to be included in NJSBA's Manual of Positions and Policies on Education:

The NJSBA believes that trained non-lawyer parent advocates provide a valuable service to parents and students. Mandatory training of non-lawyer parent advocates is essential to protect the interests of parents, students and districts. Training for parent advocates should result in an understanding of the appropriate role of a parent advocate as well as the requirements of federal and state special education laws and regulations, IEP development, and conflict resolution. Training should be ongoing. The state should provide funding for such training.

PERIODIC REVIEW OF POSITIONS AND POLICIES ON
EDUCATION
REVIEW OF SECTIONS 1000 AND 2000
COMMUNITY RELATIONS/ADMINISTRATION
POLICIES RECOMMENDED FOR REAFFIRMATION
WITHOUT CHANGES

| FILE CODE | TITLE |
|-----------|---|
| 1000/1010 | Concepts and Roles in Community Relations; Goals and Objectives |
| 1100 | Communicating with the Public |
| 1120 | Board of Education Meetings |
| 1200 | Participation by the Public |
| 1314 | Fundraising by Outside Organizations |
| 1400 | Relations Between Other Governmental Agencies and the District |
| 1410 | Local Units |
| 1420 | County and Intermediate Units |
| 1430 | State and National Units |
| 1500 | Relations Between Area, County, State, Regional and National Associations and NJSBA |
| 1600.1 | School/Business Partnerships |
| 2000 | Concepts and Roles in Administration |
| 2130 | Administrative Staff |
| 2240 | Research, Evaluation and Planning |
| 2255 | Action Planning for New Jersey Quality Single Accountability Continuum (NJQSAC)/T&E Certification |

PERIODIC REVIEW OF POSITIONS AND POLICIES ON
EDUCATION
REVIEW OF SECTIONS 1000 AND 2000
COMMUNITY RELATIONS/ADMINISTRATION
POLICIES RECOMMENDED FOR REAFFIRMATION WITH
CHANGES

| FILE CODE | TITLE | SUBHEADING(S) RECOMMENDED FOR CHANGE |
|--------------|--|--|
| 1600 | Relations Between Other Entities And the District | Development of Child Care Programs and Services |
| 2224 | Equal Employment Opportunity/Nondiscrimination | Equal Employment Opportunity/Nondiscrimination |

Amendments

Delegates wishing to propose amendments to policy language must email them directly to bbarnett@njsba.org. Delegates must clearly indicate language to be deleted, and/or language to be added. All deletions will be highlighted and **[bracketed]** in red and additional language will be underlined in blue.

This is an example to show how to indicate additions and deletions:

This is sample language to show how to submit **[a resolution]** an amendment correctly.

To ensure that you are allotted your full discussion time, the time clocks will be stopped while the proposed amendments are prepared for viewing. The parliamentarian will tell the staff timing discussion when to stop the time clocks and when they should resume timing discussion.

NEW JERSEY SCHOOL BOARDS ASSOCIATION
BOARD OF DIRECTORS 2020-2021
(As of 4/16/21)

OFFICERS/EXECUTIVE COMMITTEE

| | |
|---|---|
| <i>President</i> | Michael R. McClure Maple Shade Board of Education |
| <i>Vice President for County Activities</i> | Bruce R. Young Carlstadt-East Rutherford Board of Education |
| <i>Vice President for Finance</i> | Tammeisha D. Smith Knowlton Township Board of Education |
| <i>Vice President for Legislation/Resolutions</i> | Karen Cortellino, M.D. Montville Township Board of Education |
| <i>Immediate Past President</i> | Daniel Sinclair Lakeland Regional Board of Education |
| EX OFFICIO | Lawrence S. Feinsod, Ed.D. <i>Executive Director</i> New Jersey School Boards Association |

MEMBERS & ALTERNATES

ATLANTIC COUNTY

Amy Hassa, Hamilton Township Board Of Education
Jerome Page, Pleasantville Board of Education (Alt.)

BERGEN

Sheli Dansky, River Edge Board of Education
Joseph Steele, New Medford Board of Education (Alt.)

BURLINGTON

Harry Litwack, Delanco Board of Education
Erica Campbell, Palmyra Board of Education (Alt.)

CAMDEN

Vacancy
Naomi Davidson, Runnemede Board of Education (Alt.)

CAPE MAY

Vacancy
Jacqueline McAlister, Ocean City Board of Education (Alt.)

CUMBERLAND

Michelle Kennedy, Fairfield Township Board of Education
Vacancy (Alt.)

ESSEX

Shane Berger, Bloomfield Board of Education
 Shannon Cuttle, South Orange-Maplewood Board of Education

GLOUCESTER

Peter J. Calvo, Glassboro Board of Education
 Jennifer Cavallaro-Fromm, Kingsway Regional Board of Education (Alt.)

HUDSON

Maria Mattiace, Guttenberg Board of Education
 Haissam Jaafar, North Bergen Board of Education (Alt.)

HUNTERDON

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

MERCER

Dana Krug, West Windsor-Plainsboro Board of Education
 Anthony F. Messina, Ewing Township Board of Education (Alt.)

MIDDLESEX

Patrick Walsh, South Amboy Board of Education
 Joyce Mehta, South Brunswick Board of Education (Alt.)

MONMOUTH

Mark A. Bonjavanni, Howell Township Board of Education
 Vacancy

MORRIS

Irene LeFebvre, Boonton Town Board of Education
 Paul Breda, Wharton Borough Board of Education (Alt.)

OCEAN

Melanie Biscardi, Manchester Board of Education
 Richard Casey, Ocean Gate Board of Education (Alt.)

PASSAIC

Nancy Lohse Schwartz, Pompton Lakes Board of Education
 Joseph Canova, Clifton Board of Education (Alt.)

SALEM

Emily Cannon, Pittsgrove Township Board of Education
 Vacancy (Alt.)

SOMERSET

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

SUSSEX

Marie S. Bilik, Green Township Board of Education
 Vacancy (Alt.)

UNION

J. Brendan Galligan, Westfield Board of Education
 Maureen Byrne, Winfield Board of Education (Alt.)

WARREN

Paul Williams, Harmony Township Board of Education
 Scott Nodes, Greenwich Township Board of Education (Alt.)

COUNTY ASSOCIATION LEADERSHIP

Vacancy
 Mattia Scharfstein, Stanhope Board of Education (Alt.)

URBAN BOARDS

Jonathan Hodges, M.D., Paterson Board of Education, Passaic County
 Rita Martin, Winslow township board of Education (Alt.)

William Monk, Mount Holly Board of Education, Burlington County
 Rosa E. Moreno-Ortego, Elizabeth Board of Education, Union County

Diane Johnson, Pennsauken Board of Education
 Sheila Etienne, Asbury Park Board of Education (Alt.)

VOCATIONAL BOARDS

Elizabeth Martin, Hunterdon County Vocational Board of Education
 Jon Barr, Union County Vocational Board of Education (Alt.)

NSBA REPRESENTATIVE (Non-Voting)

Vacancy
(Exclusive to NSBA Officer or NSBA BOD member)

4/16/21



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 you would like to make a motion, or second a motion, you will need to type into the chat box your name, district, and "I would like to move ...," or "I second...." Once it is in the chat room, the meeting monitor will share your name with the VP/Legislation, who will call on you and your microphone will be unmuted.

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.

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Making Amendments

Delegates wishing to propose amendments to policy language must email them directly to bbarnett@njsba.org. Delegates must clearly indicate language to be deleted, and/or language to be added. All deletions will be highlighted and [bracketed] in red and additional language will be underlined in blue.

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 delegate's credential is the link sent by the Cisco Webex host to all duly registered delegates. Voting shall be recorded by the designated 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; or the member must submit a signed certification found in the DA handbook. The delegate must email the board letter or a certification that they are the delegate to charrison@njsba.org at time of registration. (c) The registration process 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 casting of a vote 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. **Speaking:** (a) All voting delegates, officers, members of the Board of Directors, county school board association representatives and staff shall have speaking privileges. (b) All others shall be muted for the meeting.
4. **Recognition by Chair:** (a) An eligible speaker shall use the chat function 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 through the chat room. 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, her/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 her/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, s/he says, “The member is out of order and will be muted.” Another member wishing to call a member to order shall say, waiting to be recognized, “Ms/r. Chair, I call the member to order.” If the chair finds this point of order well taken, s/he declares the offender out of order and directs them to be muted.
- 11.
 - a. NJSBA is authorized to conduct public meetings virtually, including the Delegate Assembly pursuant to *N.J.S.A. 10:4-9.3*.
 - b. Participants shall endeavor to join the meeting from a quiet location, with video if a delegate and muted device until recognized by the chair.
 - c. All those on the virtual dais shall use video unless it is impossible to do so, using a well-lit space with the camera at or close to eye level.
 - d. Participants shall silence their microphones or mute their outgoing audio unless speaking.
 - e. The presiding officer shall ensure that all members on the virtual dais who wish to contribute to

discussion, in the proper course of the agenda, shall have the opportunity to do so.

f. All speakers shall identify themselves prior to making remarks, including district and/or official capacity.

g. Upon adjournment, all participants shall leave the meeting promptly.

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.

G:DA\ Rules of Conduct-Revised 6-2020



Minutes NJSBA Semiannual Delegate Assembly November 21, 2020

The Semiannual Delegate Assembly of the New Jersey School Boards Association (NJSBA) was held virtually on November 21, 2020. President Michael R. McClure and Vice President for Legislation/Resolutions Karen Cortellino, M.D, presided over the meeting from the Association's headquarters in Trenton. Executive Director Lawrence S. Feinsod provided his report to the board from headquarters. There were 234 participants, 146 delegates present, representing 21 counties.

President Michael McClure called the meeting to order at 9:00 a.m. He reminded everyone in attendance that only certified delegates have the right to speak and vote on pending matters. He indicated that participants will see the presenters on their screen and slides that are presented but will not have video so they will not be seen and participants will not see each other. Voting tallies and policy amendment language will be visible.

President McClure also reminded the delegates that members of the staff, NJSBA Board of Directors 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.

President McClure announced that adequate notice of the meeting had been provided to three major newspapers and filed with the New Jersey Secretary of State. He reported that the Delegate Assembly Handbook and other materials related to the November 21, 2020 agenda were mailed on November 2, 2020 to all pre-registered delegates and were posted on NJSBA's website.

President McClure led the delegates in the Pledge of Allegiance.

Mr. McClure acknowledged the following officers for their contributions to the Association.

President

Michael R. McClure, Maple Shade (Burlington)

VP for County Activities

Bruce R. Young, Carlstadt-East Rutherford (Bergen)

VP for Finance and Chair of the Finance Committee

Tammeisha D. Smith, Knowlton Township (Warren)

VP for Legislation/Resolutions and Chair of the Legislative Committee

Karen Cortellino, M.D., Montville Township (Morris)

Immediate Past President

Daniel Sinclair, Lakeland Regional (Passaic)

Mr. McClure also acknowledged the special contributions of those who have chaired the Association's standing and *ad hoc* committees:

Audit Committee

Laurie Markowski, Flemington-Raritan Regional (Hunterdon)

Standards and Assessment Committee

Eileen Miller, Woodstown-Pilesgrove Regional (Salem)

Special Education Committee

Irene LeFebvre, Boonton Town (Morris)

Urban Boards Committee

Marsha Hershman, Lindenwold (Camden)

School Finance

Thomas F. Connors, Ph.D., Piscataway Township (Middlesex)

NJSIAA Representatives

James Gaffney, Oakland (Bergen)

Howard Krieger, Upper Freehold Regional (Monmouth)

Steve Shohfi, Lavallett (Ocean)

Daniel Sinclair, Lakeland Regional (Passaic)

Dominick Miletta, Ex-Officio Representative

NJSIG Board of Trustees

Irene LeFebvre, Boonton Town (Morris)

Thomas F. Connors, Ph.D., Piscataway Twp. (Middlesex)

Josephine Sharp, Wildwood City (Cape May)

Report of the President - President McClure began his report by acknowledging New Jersey's local boards of education for stepping up to the enormous challenge presented by COVID-19. Since March, they continued the education process, while keeping students safe. President McClure also acknowledged the New Jersey School Boards Association for stepping up to the challenge. Most notably, the Virtual Workshop 2020 but also the virtual county meetings, programs and training. He thanked the New Jersey Schools Boards Association Board of Directors for their leadership in finding ways to address the educational problems presented by the pandemic. President McClure made particular mention of Irene LeFebvre, New Jersey's School Board Member of the Year for 2020-2021 and her tireless and passionate dedication to the children of Boonton Town Board of Education, to the Morris County School Boards Association and NJSBA.

Report of the Executive Director - Dr. Lawrence Feinsod began his report by recognizing the school board members, school administrators, teachers, parents and students, who have kept the education process going since March. He addressed NJSBA activities and progress in enabling school districts to meet the challenges presented by the public health crisis and ensuring that NJSBA members continue to benefit from essential training, advocacy, and direct service.

- **Virtual Workshop 2020** - NJSBA's Virtual Workshop 2020 exceeded its programming, attendance and financial goals. There were more than 6,000 participants, who were able to access more than 100 sessions and nearly 140 exhibitors. Workshop featured keynote speakers: Anna Maria Chavez, CEO of the National School Boards Association, outgoing Interim Commissioner of Education Kevin Dehmer, and Sabrina Capoli, the student representative to the New Jersey State Board of Education.
- **Maintaining Communication with Members** -NJSBA maintained a high level of activity for its members. The county school boards associations continued throughout the summer months. School Board Notes continued to be published on a weekly basis. The field services team conducted 16 online programs on various aspects of school governance, implemented a virtual summer leadership program and facilitated an increased number of superintendent searches. The NJSBA Legal and Labor Relations Services Department, Policy and Call Center responded to thousands of requests for information and assistance. Since March, NJSBA has presented at least five original online training and informational programs on a weekly basis. These sessions are broadcast live and archived on the web site. Dr. Feinsod shared the statistics on how well members are interacting with their state Association.

- **Research Projects** - NJSBA has been engaged in a series of research projects. The most recent special report, “Reopening Schools: Online Learning and the Digital Divide,” was released on October 23. The report looks at challenges facing school districts in providing remote instruction, including overcoming the digital divide. Shortly after the report was released, the Senate Majority office reached out to NJSBA, seeking more information regarding student learning loss for potential legislation.

Earlier reports included “Searching for a New Normal in New Jersey’s Public Schools,” issued in May, which addresses potential issues involved in the reopening of schools. In August, “Choosing the Best Road Back for Our Children” was released, which includes an Advocacy Agenda for Public Education during the Pandemic and emphasizes the need for additional support from the state and federal government.

A fourth report is scheduled for release in January. It will focus on the psychological impact of the pandemic on our students.

- **NJSBA Partnerships** - NJSBA is looking forward to working with Dr. Angelica Allen-McMillan, whom Governor Murphy nominated as commissioner of education in late October. Dr. Allen-McMillan is a sincere, dedicated lifelong educator, a former school board member in Montclair, and has been a frequent participant in the Morris County School Boards Association meetings, where she served as executive county superintendent. After her appointment, Dr. Allen-McMillan and Dr. Feinsod had a productive conversation about current educational issues and the impact of the pandemic on the public schools.

NJSBA announced its fifth annual STEAM Tank Challenge, which is sponsored with the U.S. Army. The 2021 Challenge will be conducted virtually but will continue the STEAM Tank entrepreneurial spirit; inspiring students to work collaboratively to develop innovative solutions to climate change, societal programs, the pandemic and much more.

NJSBA again led a statewide effort to encourage school districts to schedule a Military Opportunities Day. This initiative is designed to inform students and parents about the post-secondary education and career opportunities available through service.

- **Advocacy Update** - Most recently, NJSBA was instrumental in Governor Murphy issuing an executive order providing some relief for boards of education in relation to indoor capacity limits.

NJSBA, along with our colleagues at NJASA, NJASBO and the Garden State Coalition of Schools, stalled action on S-2843, also known as the “Coaches’ Bill,” which would grant automatic multi-year contracts to certain coaches, and provide unreasonable protections for these positions.

There has been progress on legislation that would require the state to coordinate cooperative purchasing systems to assist public schools in acquiring COVID-related goods and services. The bill is cited in NJSBA’s “Pandemic Advocacy Agenda,” which was included in the NJSBA report, “Choosing the Best Road Back.”

NJSBA was a leading advocate in the effort to restore funding for School Based Youth Services. The funding was restored to the budget that went into effect on October 1.

The governor vetoed A-4006, which would postpone NJQSAC review because of disruptions caused by the pandemic. NJSBA has reached out to the bill’s sponsor, Assemblyman Nicholas Chiaravalloti, to discuss next steps. The Assembly Appropriations Committee advanced new legislation, which will grant a one-year postponement to a significant portion of districts scheduled for QSAC review.

- **Executive Director Goals** - Dr. Feinsod shared his five goals for 2020-2021, which are based on the current NJSBA Strategic Plan.

1. Conducting a three-day virtual conference

2. Expanding school districts' ability to secure essential products and services
3. Advancing the Sustainable Jersey Digital Schools Program
4. Conducting research on the pandemic's impact on education
5. Advancing virtual training through the NJSBA Online University

- **Member Services & Training** - Due to the pandemic, the valuable in-person new board member weekend training conference will not be held. However, plans are underway to provide an exciting virtual multi-day program that will include small group sessions led by group leaders.

A staff task force, called the "NJSBA 2021: Moving Forward Committee," has been established to review how NJSBA will go forward with professional development and other services post-COVID-19.

Rules for Conduct of the Delegate Assembly - President McClure explained that all the delegates or those designated by the board to represent the district have been sent directions on how to vote using their smart phone or computer. The tally of the vote will be shown on the screen. The procedure for voting will remain the same whether it is for a resolution, amendment, or any other procedure. All delegates were asked to open their chat window for the duration of the meeting. He then reviewed the rules for making a motion and/or amendment.

President McClure introduced parliamentarian Michelle Bobrow, who was prepared to address any questions on the rules. President McClure stated that the *Rules and Procedures for the Delegate Assembly*, which are included in the handbooks, and *Robert Rules of Order* will be adhered to. There were 153 delegates from 19 counties, which represented a quorum.

Adoption of the rules for the conduct of the DA was moved by Anne Erickson, Greater Egg Harbor Regional, (Atlantic) and duly seconded by Dan Masi, Roxbury (Morris).

*With no further discussion, the motion to adopt the rules for the conduct of the November 21, 2020 Delegate Assembly was **APPROVED***

Minutes of the June 27, 2020 Delegate Assembly - Hearing no corrections, additions, or deletions to the minutes of the June 27, 2020 Delegate Assembly, *President McClure declared the minutes approved as posted.*

Committee Reports - President McClure announced that the following reports were published in the delegate handbook and do not require any action: Audit Committee, Legislative Committee, School Finance Committee and Special Education Committee.

Report of the Vice President for Legislation/Resolutions - Karen Cortellino, M.D., Montville Township (Morris) presented the Emergency Resolutions Subcommittee report. The cutoff for Emergency Resolutions was November 12, 2020. The Association received no Emergency Resolutions.

Dr. Cortellino presented the report of the Resolutions Subcommittee. The Association received two resolutions from local boards of education, for submission to the agenda for the Semiannual Delegate assembly by the official cutoff date of September 17, 2020. One resolution (Oxford) was withdrawn by the sponsoring board because NJSBA has existing policy.

A preview of the resolution on the November 21 agenda was published in School Board Notes and placed on the NJSBA web site.

Dr. Cortellino reminded delegates that Rule No. 9 of the rules for conducting the Delegate Assembly precludes reconsideration of a resolution or a *Bylaws* amendment after the delegates have voted on it. If a proposed amendment was not sent in advance, and the policy language you prefer has not been moved, you must move to amend today. To amend a resolution today, type into the chat box, to all participants, your name, board, state if you are the voting delegate, and that you would like to amend the motion. Email your amendment to bbarnett@njsba.org. You must clearly indicate language to be deleted and/or added. You will see the language on

your screen after the typist finishes typing it. Do not re-state the entire resolution, only the language you wish to amend.

If you wish to speak at any other time, type that into the chat room, to all participants, with your name, district and if you are the voting delegate. The meeting monitor will share your name with the chair who will call on you in turn. Comments must be new, different and germane to the matter before the body.

Delegates were reminded that decisions made today establish policy for the Association for years to come on many significant issues.

Resolution No. 1

Lodi Board of Education (Bergen) proposes new policy language supporting the requirement that a board member with a term of office extending beyond the next election must resign the seat currently held before submitting a nominating petition to stand as a candidate for a seat different than the seat currently held by the member.

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

The NJSBA believes that a board member with a term of office extending beyond the next election should resign the seat currently held, before submitting a nominating petition to become a candidate for a board seat different than the seat currently held by the member.

A motion was made by Natalie Delgado, Lodi Board of Education (Bergen), to move the resolution with the substitute policy language. Motion was duly seconded.

Before discussion, staff discussed the background and research that was involved in the write-up, and the subsequent recommendation from the Committee.

After discussion the motion to approve the resolution with the substitute policy language was amended. The following are the proposed amendments:

Proposed Amendment 1 – Passed

The NJSBA believes that a board member [with a term of office extending beyond the next election] whose seat is not up for re-election in the upcoming election cycle, should resign the seat currently held, before submitting a nominating petition to become a candidate for a board seat different than the seat currently held by the member on that same board.

Proposed Amendment 2 – Failed

The NJSBA believes that a board member with a term of office extending beyond the next election whose seat is not up for re-election in the upcoming election cycle, should resign the seat currently held, before submitting a nominating petition, resignation contingent upon certification by the clerk, to become a candidate for a board seat different than the seat currently held by the member on that same board.

Proposed Amendment 3 - Passed

The NJSBA believes that a board member with a term of office extending beyond the next election whose seat is not up for re-election in the upcoming election cycle, should resign the seat currently held, before submitting a nominating petition to become a candidate for a board seat [different] other than the seat currently held by the member on that same board.

Proposed Amendment 4 – Failed

The NJSBA believes that a board member with a term of office extending beyond the next election whose seat is not up for re-election in the upcoming election cycle, shall not be eligible to submit a nominating [should resign the seat currently held, before submitting] a nominating petition to become a candidate for a board seat other than the seat currently held by the member on that same board.

Proposed Resolution as Originally Amended - Passes

The NJSBA believes that a board member whose seat is not up for reelection in the upcoming election cycle should resign the seat currently held before submitting a nominating petition to become a candidate for a board seat other than the seat currently held by the member on that same board.

A motion was made by Natalie Delgado, Lodi Board of Education (Bergen), to move the resolution with the substitute policy language. Motion was duly seconded and passed by a vote of 114-17.

Adjournment

President McClure thanked everyone for taking the time to attend the Delegate Assembly. Having no further business, a motion was made to adjourn the meeting. The motion was duly seconded and carried, the meeting was adjourned at 11:24 a.m.

Respectfully submitted,



Cynthia J. Jahn, Esq.
General Counsel

| Firstname | Lastname | Boe | County |
|------------|------------|---------------------------------|------------|
| Kristy | Bird | Egg Harbor Twp Bd of Ed | Atlantic |
| Kathy | Mimler | Estell Manor Bd of Ed | Atlantic |
| Anne | Erickson | Greater Egg Harbor Reg Bd of Ed | Atlantic |
| Margaret | Erickson | Hamilton Twp. Bd of Ed | Atlantic |
| Carla | Thomas | Pleasantville Bd of Ed | Atlantic |
| Henry | Goldsmith | Weymouth Twp Bd of Ed | Atlantic |
| Kathryn | Van Buren | Bogota Bd of Ed | Bergen |
| Eugene | Gorfin | Cresskill Bd of Ed | Bergen |
| Samuel | Trusty | Englewood City Bd of Ed | Bergen |
| Holly | Morell | Fort Lee Bd of Ed | Bergen |
| Joseph | Rosano | Franklin Lakes Bd of Ed | Bergen |
| Stacey | Wunsch | Haworth Bd of Ed | Bergen |
| Mary Ellen | Nye | Ho-Ho-Kus Bd of Ed | Bergen |
| Mary | Albanese | Leonida Bd of Ed | Bergen |
| Natalie | Delgado | Lodi Bd of Ed | Bergen |
| Joseph | Steele | New Milford Bd of Ed | Bergen |
| Robert | Wei | Northern Highlands Bd of Ed | Bergen |
| James | Gaffney | Oakland Bd of Ed | Bergen |
| Scott | Kaufman | Ramsey Bd of Ed | Bergen |
| Michael | Jacobs | Ridgefield Bd of Ed | Bergen |
| Michael | Lembo | Ridgewood Bd of Ed | Bergen |
| Gyuchang | Sim | River Edge Bd of Ed | Bergen |
| Lorraine | Waldes | River Vale Bd of Ed | Bergen |
| Dennis | Healey | Rutherford Bd of Ed | Bergen |
| Emily | Kaufman | Saddle River Bd of Ed | Bergen |
| Edward | Salaski | Tenafly Bd of Ed | Bergen |
| Roberta | Hanlon | Westwood Reg Bd of Ed | Bergen |
| Velina | Riggi | Burlington Twp Bd of Ed | Burlington |
| Andrea | Katz | Chesterfield Bd of Ed | Burlington |
| James | McGuckin | Cinnaminson Bd of Ed | Burlington |
| Harry | Litwack | Delanco Bd of Ed | Burlington |
| Len | DiGiacomo | Eastampton Twp Bd of Ed | Burlington |
| Lester | Holley | Edgewater Park Bd of Ed | Burlington |
| Barry | Fitzgerald | Lenape Reg Bd of Ed | Burlington |
| Kevin | Leahan | Lumberton Bd of Ed | Burlington |
| Ellen | Wiest | Maple Shade Bd of Ed | Burlington |
| Lauren | Romano | Moorestown Twp Bd of Ed | Burlington |
| Russell | Hann | Southampton Twp Bd of Ed | Burlington |
| Joseph | Bucs | Springfield Twp Bd of Ed | Burlington |
| Gail | Corey | Tabernacle Twp Bd of Ed | Burlington |
| Michele | Cecilio | Brooklawn Bd of Ed | Camden |
| Hillary | Garr | Eastern Camden Co Reg Bd of Ed | Camden |
| Maria | Carrington | Gibbsboro Bd of Ed | Camden |
| Allison | Rodman | Haddon Twp Bd of Ed | Camden |
| Marsha | Hershman | Lindenwold Bd of Ed | Camden |
| Leslie | Gallagher | Pine Hill Bd of Ed | Camden |

| | | | |
|-------------|--------------|---------------------------------|------------|
| Terri | Chiddenton | Waterford Twp Bd of Ed | Camden |
| Cheryl | Pitts | Winslow Twp Bd of Ed | Camden |
| Michele | Barbieri | Upper Township Bd of Ed | Cape May |
| Ruth | Hands | Cumberland Co Voc Bd of Ed | Cumberland |
| Michelle | Kennedy | Fairfield Twp Bd of Ed | Cumberland |
| Benjamin | Morse | Bloomfield Bd of Ed | Essex |
| Terry | Tucker | East Orange Bd of Ed | Essex |
| Yambeli | Gomez | Newark Bd of Ed | Essex |
| Elizabeth | Baker | So Orange-Maplewood Bd of Ed | Essex |
| Erin | Siders | South Orange Maplewood Bd of Ed | Essex |
| Lisa | Freschi | Verona Bd of Ed | Essex |
| Jann | Skelton | West Essex Reg Bd of Ed | Essex |
| Jennifer | Tunncliffe | West Orange Bd of Ed | Essex |
| Michele | Giaquinto | Clearview Reg Bd of Ed | Gloucester |
| Tina | Desilvo | Delsea Regional | Gloucester |
| Christopher | Fay | East Greenwich Bd of Ed | Gloucester |
| Mary | Snively | Elk Twp Bd of Ed | Gloucester |
| Peter | Calvo | Glassboro Bd of Ed | Gloucester |
| Mary Beth | Koniecki | Pitman Bd of Ed | Gloucester |
| Peggy | Ulmer | Woodbury Bd of Ed | Gloucester |
| Lorenzo | Richardson | Jersey City Bd of Ed | Hudson |
| Debra | Roosen | Bethlehem Twp Bd of Ed | Hunterdon |
| Allison | Grantham | Clinton Twp Bd of Ed | Hunterdon |
| Elizabeth | Martin | Hunterdon Co Voc Bd of Ed | Hunterdon |
| Teresa | Kane | Milford Bd of Ed | Hunterdon |
| Tara | Hintz | No Hunterdon Voorhees Bd of Ed | Hunterdon |
| Andrew | Saunders | Readington Bd of Ed | Hunterdon |
| Christina | Lands | East Windsor Regional Bd of Ed | Mercer |
| Pamela | Kelly | Hamilton Twp Bd of Ed - Mercer | Mercer |
| Deborah | Linthorst | Hopewell Valley Reg Bd of Ed | Mercer |
| Jo Ann | Groeger | Lawrence Twp Bd of Ed - Mercer | Mercer |
| Dana | Krug | West Windsor-Plainsboro BOE | Mercer |
| Lindsay | McDowell | Cranbury Twp Bd of Ed | Middlesex |
| Darcie | Cimarusti | Highland Park Bd of Ed | Middlesex |
| Elliott | Stroul | Jamesburg Bd of Ed | Middlesex |
| John | Hrevnack | Middlesex Boro Bd of Ed | Middlesex |
| Rupa | Siegel | Monroe Township Bd of Ed | Middlesex |
| Kelly | Ellis-Foster | Old Bridge Twp Bd of Ed | Middlesex |
| Thomas | Connors | Piscataway Twp Bd of Ed | Middlesex |
| Lisa | Rodgers | South Brunswick Bd of Ed | Middlesex |
| Sharon | Miller | South Plainfield Bd of Ed | Middlesex |
| Ryan | Palamara | Atlantic Highlands Bd of Ed | Monmouth |
| Cherie | Adams | Belmar Bd of Ed | Monmouth |
| Marian | Castner | Colts Neck Twp Bd of Ed | Monmouth |
| Regina | Melnyk | Highlands Borough Bd of Ed | Monmouth |
| Mark | Bonjavanni | Howell Twp Bd of Ed | Monmouth |
| John | Hausmann | Keyport Bd of Ed | Monmouth |

| | | | |
|------------|------------|---------------------------------|----------|
| Janet | Lewis | Manalapan Englishtown Bd of Ed | Monmouth |
| Ben | Forest | Red Bank Bd of Ed | Monmouth |
| Sarah | Boyce | Union Beach Bd of Ed | Monmouth |
| Irene | LeFebvre | Boonton Town Bd of Ed | Morris |
| Michael | Stewart | Jefferson Twp Bd of Ed | Morris |
| Michael | Bertram | Morris Hills Reg Bd of Ed | Morris |
| Melissa | Spiotta | Morris School District BOE | Morris |
| Joseph | Chang | Mt. Lakes Bd of Ed | Morris |
| Bernadette | Dalesandro | Netcong Bd of Ed | Morris |
| Alison | Cogan | Parsippany Troy Hills Bd of Ed | Morris |
| Lisa | Mezik | Rockaway Twp Bd of Ed | Morris |
| Dan | Masi | Roxbury Twp Bd of Ed | Morris |
| Karol | Ruiz | Town of Dover Bd of Ed | Morris |
| Jessica | Clayton | Brick Twp Bd of Ed | Ocean |
| Tara | Rivera | Jackson Twp Bd of Ed | Ocean |
| Robert | Riggs | Lacey Twp Bd of Ed | Ocean |
| Melanie | Biscardi | Manchester Township | Ocean |
| Cheryl | Salway | Point Pleasant Boro Bd of Ed | Ocean |
| Michele | Williams | Toms River Reg Bd of Ed | Ocean |
| Charles | Caraballo | Bloomington Bd of Ed | Passaic |
| Frank | Kasper | Clifton Bd of Ed | Passaic |
| Jeffrey | Fischer | Manchester Reg Bd of Ed | Passaic |
| Catherine | Kazan | Wayne Twp Bd of Ed | Passaic |
| Tracy | Scull | Quinton Bd of Ed | Salem |
| Eileen | Miller | Woodstown-Pilesgrove Reg BOE | Salem |
| Thomas | Casey | Bedminster Bd of Ed | Somerset |
| Theresa | Joyce | Branchburg Twp Bd of Ed | Somerset |
| Jean | Trujillo | Hillsborough Bd of Ed | Somerset |
| Louis | Petzinger | Manville Bd of Ed | Somerset |
| Lucien | Sergile | Somerville Bd of Ed | Somerset |
| David | Breeze | Warren Twp Bd of Ed | Somerset |
| Marie | Bilik | Green Twp Bd of Ed | Sussex |
| Ronald | Hoffman | Hardyston Twp Bd of Ed | Sussex |
| Kimberly | Bragg | Sparta Twp Bd of Ed | Sussex |
| Diane | Wexler | Sussex County Technical BOE | Sussex |
| Robert | Carlson | Wallkill Valley Reg Bd of Ed | Sussex |
| Christine | Guerriero | Garwood Bd of Ed | Union |
| Cameron | Cox | Plainfield Bd of Ed | Union |
| Delia | Ware-Tibbs | Roselle Bd of Ed | Union |
| Amy | Boroff | Scotch Plains-Fanwood Bd of Ed | Union |
| J. Brendan | Galligan | Westfield Bd of Ed | Union |
| Frederick | Viteka | Winfield Bd of Ed | Union |
| Lisa | Strutin | Allamuchy Bd of Ed | Warren |
| Rudolph | DiGilio | Franklin Twp Bd of Ed - Warren | Warren |
| Scott | Nodes | Greenwich Twp Bd of Ed - Warren | Warren |
| George | Babula | Harmony Bd of Ed | Warren |
| Tammy | Smith | Knowlton Twp Bd of Ed | Warren |

| | | | |
|-----------|-------------|--------------------------------------|--------|
| Pamela | Thomas | Lopatcong Bd of Ed | Warren |
| James | Momary | Mansfield Township Bd of Ed - Warren | Warren |
| Bethany | Summers | North Warren Reg Bd of Ed | Warren |
| Linda | Koufodontes | Oxford Bd of Ed | Warren |
| Rosemarie | Person | Phillipsburg Bd of Ed | Warren |
| Lisa | Marshall | Warren Hills Reg Bd of Ed | Warren |



New Jersey School Boards Association

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MEMORANDUM

To: NJSBA DELEGATES AND ALTERNATES
From: TAMMEISHA D. SMITH, VICE PRESIDENT FOR FINANCE
Date: MAY 15, 2021
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, 2021 have been distributed to you. Included are the 2020-2021 year-to-date revenues and expenses and a balance sheet and statement of cash flows.

The audit for fiscal year 2020-2021 will be completed in August and will be included in the annual report distributed at the November 2021 Board of Directors meeting.

NEW JERSEY SCHOOL BOARDS ASSOCIATION
STATEMENT of REVENUES and EXPENSES
For the Eight Months Ending February 28, 2021

| | Month ended February | | | Year-To-Date Ended February | | | FULL-YEAR | |
|---|----------------------|-----------|----------|-----------------------------|-------------|----------|-------------|-------------|
| | BUDGET | ACTUAL | VARIANCE | BUDGET | ACTUAL | VARIANCE | BUDGET | 2019-2020 |
| MEMBERSHIP DUES | \$592,666 | \$592,675 | \$9 | \$4,741,335 | \$4,741,394 | \$59 | \$7,112,000 | \$7,112,091 |
| MEMBERSHIP PROGRAMS | 0 | 6,876 | 6,876 | 274,795 | 288,301 | 13,506 | 274,795 | 304,220 |
| TOTAL MEMBERSHIPS | 592,666 | 599,551 | 6,885 | 5,016,130 | 5,029,695 | 13,565 | 7,386,795 | 7,416,311 |
| MEMBERSHIP EXPENSES: | | | | | | | | |
| COMMITTEES | 5,914 | 694 | 5,220 | 40,931 | 6,759 | 34,172 | 70,821 | 59,008 |
| CONFERENCES- DUES BASED, NET | 3,479 | 1,000 | 2,479 | (5,605) | 653 | (6,258) | 9,875 | 22,755 |
| MEMBERSHIP SERVICES & PROGRAMS | 14,851 | 10,330 | 4,521 | 118,808 | 86,708 | 32,100 | 178,214 | 171,518 |
| PUBLICATIONS INCLUDED WITH MEMBERSHIPS, NET | 5,760 | (2,413) | 8,173 | 56,080 | 11,938 | 44,142 | 79,104 | 15,336 |
| TRAVEL & LIAISON | 10,320 | 1,863 | 8,457 | 72,560 | 10,623 | 61,937 | 113,853 | 80,742 |
| TOTAL MEMBERSHIP EXPENSES | 40,324 | 11,474 | 28,851 | 282,774 | 116,681 | 166,093 | 451,867 | 349,359 |
| OVERHEAD: | | | | | | | | |
| SALARIES | 450,636 | 420,929 | 29,707 | 3,867,060 | 3,797,952 | 69,108 | 5,827,323 | 5,911,984 |
| PERSONNEL ADMINISTRATION & TRAINING | 179,814 | 179,555 | 259 | 1,488,289 | 1,419,051 | 69,238 | 2,182,670 | 154,895 |
| HEADQUARTERS HOUSING | 33,445 | 22,738 | 10,707 | 277,560 | 229,904 | 47,657 | 411,353 | 926,344 |
| INSURANCE | 8,061 | 7,957 | 104 | 64,488 | 63,714 | 774 | 96,717 | 89,113 |
| OFFICE EXPENSE | 29,500 | 25,141 | 4,359 | 271,000 | 253,949 | 17,051 | 388,990 | 438,667 |
| TOTAL OVERHEAD EXPENSES | 701,456 | 656,320 | 45,137 | 5,968,397 | 5,764,570 | 203,828 | 8,907,053 | 7,521,003 |
| NET MEMBERSHIPS | (149,114) | (68,243) | 80,872 | (1,235,041) | (851,556) | 383,486 | (1,972,125) | (454,051) |
| WORKSHOP REVENUE | 0 | 0 | 0 | 600,000 | 977,560 | 377,560 | 600,000 | 2,388,469 |
| WORKSHOP EXPENSES | 0 | 6,216 | (6,216) | 100,000 | 154,034 | (54,034) | 100,000 | 949,049 |
| NET WORKSHOP | 0 | (6,216) | (6,216) | 500,000 | 823,526 | 323,526 | 500,000 | 1,439,420 |
| FEE BASED SERVICE REVENUE | 76,390 | 108,076 | 31,686 | 519,116 | 540,794 | 21,678 | 824,655 | 766,047 |
| FEE BASED SERVICE EXPENSES | 30,360 | 38,038 | (7,678) | 239,796 | 285,292 | (45,496) | 361,235 | 377,347 |
| NET FEE BASED SERVICES | 46,030 | 70,038 | 24,007 | 279,320 | 255,502 | (23,818) | 463,420 | 388,700 |
| CONFERENCE REVENUE | 10,830 | (4,850) | (15,680) | 37,474 | 64,082 | 26,608 | 180,785 | 86,741 |
| CONFERENCE EXPENSES | 3,229 | 0 | 3,229 | 10,538 | 0 | 10,538 | 59,303 | 10,007 |
| NET CONFERENCES | 7,601 | (4,850) | (12,451) | 26,936 | 64,082 | 37,146 | 121,482 | 76,734 |
| NET PUBLICATIONS | 2,022 | 3,009 | 987 | 16,176 | 25,194 | 9,018 | 24,265 | 34,238 |
| NET ISTTEAM & SUSTAINABILITY | 4,324 | 199 | (4,126) | 18,176 | 13,264 | (4,912) | 35,458 | 10,460 |
| NET MISC. REVENUE INCLUDING INVESTMENT INCOME | 21,458 | 31,598 | 10,140 | 171,664 | 141,355 | (30,309) | 257,500 | 295,191 |
| FREE BALANCE SURPLUS | | | | | | | 570,000 | |
| NET REVENUE OVER EXPENSES | (67,679) | 25,535 | 93,213 | (222,769) | 471,367 | 694,138 | 0 | 1,790,692 |

NEW JERSEY SCHOOL BOARDS ASSOCIATION
BALANCE SHEET
For the Eight Months Ending February 28, 2021

| | 2021 | 2020 |
|---|--------------------|--------------------|
| Assets and Deferred Outflow of Resources | | |
| Current Assets: | | |
| Cash and short-term investments | \$8,358,611 | \$8,346,316 |
| Accounts Receivable | 329,538 | 418,055 |
| Allowance For Doubtful Accounts | (15,000) | |
| Prepaid Expenses | 294,251 | 272,875 |
| Deferred Compensation | | |
| Total Current Assets | 8,967,400 | 9,037,246 |
| Fixed Assets: | | |
| Land- HQ | 1,686,534 | 1,686,534 |
| Land | 139,040 | 139,040 |
| Building and Building Improvements | 10,636,633 | 10,636,633 |
| Furniture and Fixtures | 1,005,635 | 975,358 |
| Computer Hardware and Software | 975,525 | 922,615 |
| Telephone System | 38,907 | 38,907 |
| Automobiles | 50,764 | 59,669 |
| Total Fixed Assets | 14,533,038 | 14,458,756 |
| Less Accumulated Depreciation and Amortization | (6,690,100) | (6,191,347) |
| Total Fixed Assets - Net | 7,842,938 | 8,267,409 |
| Deferred Outflow of resources: | | |
| Deferred Outflow of Resources - Pension Related | 2,494,658 | 4,520,015 |
| Deferred Outflow of Resources - OPEB Related | 1,098 | 84,832 |
| Total Deferred Outflow of Resources | 2,495,756 | 4,604,847 |
| Total Assets and Deferred Outflow of Resources | 19,306,094 | 21,909,502 |

| | 2021 | 2020 |
|--|---------------------|---------------------|
| Liabilities, Deferred Inflow of Resources and Fund Balance | | |
| Current Liabilities: | | |
| Accounts Payable & Accrued Liability | 1,069,760 | 1,557,269 |
| Prepaid Revenue | 2,787,569 | 2,771,868 |
| Accrued Vacation | 512,947 | 494,031 |
| | <u>4,370,276</u> | <u>4,823,168</u> |
| Total Current Liabilities | | |
| | | |
| Net Long-Term Liabilities: | | |
| Net Pension Liability | 12,397,525 | 14,557,227 |
| Net OPEB Liability | 1,332,392 | 10,740,563 |
| | <u>13,729,917</u> | <u>25,297,790</u> |
| Total Net Long-Term Liabilities | | |
| | | |
| Deferred Inflow of resources : | | |
| Pension Related | 5,537,238 | 5,012,683 |
| OPEB Related | 13,797,427 | 6,335,552 |
| | <u>19,334,665</u> | <u>11,348,235</u> |
| Total Deferred Inflow of Resources | | |
| | | |
| Fund Balances: | | |
| Operating Fund Net Investment in facilities | 7,842,939 | 8,267,409 |
| | | |
| Operating Fund Surplus Beginning Balance | 4,331,365 | 3,977,015 |
| Operating Fund Surplus Fiscal Year 2020-2021 | 471,369 | 864,029 |
| Operating Fund Surplus Ending Balance | 4,802,734 | 4,841,044 |
| Unrestricted Fund - Net Pension Liability | (15,774,738) | (15,785,299) |
| Unrestricted Fund - OPEB Liability | (15,128,721) | (17,070,439) |
| Capital Fund - AMS | 0 | (10,589) |
| Capital Fund - Strategic Plan | | |
| Capital Fund - Building | 56,459 | 94,079 |
| Capital Fund - IT Replacement | 72,563 | 104,102 |
| Total Fund Balances | <u>(18,128,764)</u> | <u>(19,559,693)</u> |
| | | |
| Total Liabilities, Deferred Inflow of Resources and Fund Balances | <u>19,306,094</u> | <u>21,909,500</u> |



New Jersey School Boards Association

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REPORT OF THE LEGISLATIVE COMMITTEE

By

Dr. Karen Cortellino, M.D.

Vice President for Legislation/Resolutions

Prepared for the May 15, 2021 Delegate Assembly

As Vice President of Legislation/Resolutions, I would like to report the Legislative Committee's activities since the November 21 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

LD # County

| | | | |
|--------|---------------------|--------|------------------------|
| 4-alt | Camden, Gloucester | 24-alt | Morris, Sussex, Warren |
| 5-mem | Camden, Gloucester | 28-alt | Essex |
| 14-alt | Mercer, Middlesex | 31-alt | Hudson |
| 17-alt | Middlesex, Somerset | 33-alt | Hudson |
| 18-alt | Middlesex | 38-alt | Bergen, Passaic |

Since the last report, the Committee met on December 5, 2020 and March 6, 2021 during which it heard from invited guest speakers, received updates from the governmental relations staff, and held discussions on various timely educational and legislative issues.

December 5, 2020

Opening Remarks: Dr. Cortellino opened the virtual meeting by thanking the Committee members for their continued efforts on continuing to promote advocacy, especially during the pandemic. Opening comments were provided from President Michael McClure and Dr. Larry Feinsod, followed by quorum count and new board member introduction.

Dr. Cortellino introduced the Committee's Guest Speaker, Mark Magyar, Associate Executive Director of the Senate Majority Office, who serves as a policy advisor to Senate President Sweeney. Mr. Magyar discussed various education-related issues, including school district regionalization, "Chapter 44", school funding and budget concerns, and the Legislature's response to the COVID-19 health crisis. Mr. Magyar also took the time to respond to several questions from committee members. During the course of the meeting, several members asked for additional information regarding "Chapter 44". The NJSBA is working closely with the NJ Association of School Business Officials to collect data on the implementation of the law and its financial impact. School districts have been encouraged to complete an electronic survey conducted by NJASBO, which can be found on their website.

Legislative Updates: Mr. Jonathan Pushman informed the Committee that Ms. Sharon Seyler was retiring from the Association after 16 years of service. Mr. McClure, Dr. Feinsod, Dr. Cortellino, the Governmental Relations staff and the Committee thanked Ms. Seyler for her dedication and commitment to the Association's mission, and wished her all the best in her new position in the private sector.

Ms. Seyler discussed two COVID-19 relief bills introduced on the federal side. One has Congressional support of \$82 billion geared towards public education. The other bill is geared

towards education supporting banding devices. Ms. Seyler mentioned a federal mask distribution to every state, and NJ has received 2.5 million. Also discussed was the free and reduced lunch kits. In 2019, forms were completed to qualify. During the pandemic, some districts were able to feed their students universally, whether they qualified or not based on the percentage of free and reduced. With some schools not reopening immediately in September, whether hybrid or virtual, not all forms were completed. It is important the forms are completed as the students qualify for a one-time pandemic credit card for the 2020-2021 school year. They received one for 2020 as forms were completed for 2019. For spring and summer 2021, they will not receive this card if this card is not completed. Being federal funds, Ms. Seyler asked that committee members encourage their boards to complete these forms.

Mr. John Burns highlighted S-1790, the bill that would update the HIB laws for boards of education. This bill represents many months of hours and work in collaborating with the NJ Principal and Supervisors Association, the NJ Association of School Administrators and the Garden State Coalition of Schools, as well as with the sponsor of the bill, Senator Joseph Pennacchio. The bill updates the procedures in how HIB complaints are handled and will place a renewed emphasis on the importance of school climate. Previously, when the bill was introduced, there were concerns that the school resource officer would become an integral part of the HIB complaint procedure. This was removed, as it wasn't appropriate. There is a provision in the bill that requires administrators to consult with law enforcement when there is a belief or concern that a HIB incident may constitute a violation of the criminal code of NJ. Additionally, an update to the bill includes the creation of a funded position at the DOE - the school climate coordinator. This individual will be a resource for parents, educators and students when they have questions on HIB. They will also research data to make policy recommendations for updates to the state-wide bullying program. Additionally, there are requirements for parental notification for when complaints are filed and it will require additional notice. There will be renewed emphasis to ensure bullying information is prominently displayed on district and school websites. This will help districts to make sure both victims and parents have the information they need to support their students during a bullying incident.

The second topic Mr. Burns discussed was the remote public meeting regulations and the new law that specifically authorized remote meetings for boards of education. Two laws on the matter were passed, and the most recent one authorized the Department of Community Affairs to issue remote meeting regulations for all local public bodies. When the Department of Community Affairs originally put these regulations together, BOE's were not considered; yet the regulations do apply. Another issue reviewed is some of the requirements were as an unfunded mandate. The regulations require that boards of education use software that meets the FedRAMP Standard for completing remote meetings and because of that standard, it precludes your ability to use free versions of software. One of the questions asked was where would the funding come from to allow school districts and municipalities to procure this software as it is viewed as an unfunded mandate. Another provision in the bill had two scenarios for conducting board meetings. There is concern as NJSBA believes there should be a third option where the board could be physically present, and yet the audience be remote. The final issue concerns how the board is expected to interact with the public. Mr. Burns sent an email to the Department of Community Affairs asking when these regulations would be completed and adopted. They acknowledged they received a joint letter from the Association and NJ League of Municipalities, but could not give a particular time when the final version of the regulations would be in place. This means, the emergency regulations remain in place and all boards must follow them.

Mr. Christopher Jones discussed the State Budget. It is a nine-month budget for the shortened Fiscal Year 2021, as a law passed earlier in the year added three months to Fiscal Year 2020 to give the administration and legislature more time to determine how the pandemic would affect the economy. During the summer, the governor issued a revised budget for FY2021, and flat funded school aid overall. However, the reallocations of aid pursuant to “S-2” were still retained. Senator Ruiz made a push to have the additional monies reinstated (as was the plan in the governor’s original FY2021 budget proposal); however, it was unsuccessful. Two important items in the budget are the School Based Youth Services Program. This program was proposed for potential elimination in the governor’s revised budget. Due to the efforts of the Association’s and other education groups’ members reaching out to their legislators expressing that this was not favorable, the funding was restored in the final budget. The second item discussed was extraordinary special education aid. The trajectory over the last several years has been towards fully funding this aid category. With Senator Sweeney’s support, additional monies were added, on top of what was proposed. The funding category received an additional \$25 million. It was previously funded at 55% and has increased to over 80%, with hopes of continuing the trajectory to eventually being fully funded.

Mr. Jonathan Pushman spoke on several key items. Mr. Pushman mentioned the Association made traction on a bill up for review on Monday, as part of the Pandemic Advocacy Agenda, which will provide key relief on the QSAC review process for districts that are up for review in the current school year. A few months ago, A-4006/S-2404 was submitted to the governor that would have delayed for one year any district that was up for QSAC review in the current school year, and pushed them into the next school year. This was with the idea of districts do not want to be distracted and have their administrators spending time on QSAC review when there are other issues to be addressed during the pandemic. That bill was vetoed by the Governor, as he thought it would create a backlog and increased workload with the DOE. The Association has heard from members and districts that QSAC does not need to be considered a priority this year. Assemblyman Chiaravalloti, sponsor of the vetoed legislation, reintroduced another QSAC relief bill. With the support of NJSBA, the superintendent’s association, DOE and Governor’s office, A-4975 passed Assembly committee and is expected for a floor vote at the next Assembly voting session. Its counterpart in the Senate, S-318, is up for a Senate committee hearing on December 7th.

Mr. Pushman discussed the law now commonly referred to as “Chapter 44”, the health benefits reform law enacted earlier in the year. A few districts are now becoming aware that it’s not having the intended effect that it was to have on their finances. NJSBA is working closely with NJASBO to gather important financial data on health care spending post-Chapter 44. A survey is available on NJASO’s website, and they have received approximately 100 responses. Mr. Pushman encouraged all the committee to have their business administrators complete the survey, especially if their district has been financially impacted. When the law becomes effective January 1, the Association will continue to collect information, gather feedback from our members, and engage in discussions with key stakeholders on “Chapter 44”. Mr. Pushman encouraged committee members to communicate with their respective legislators, informing them of their experiences.

Also discussed was S-2843, which establishes various job protections for high school athletic coaches. On October 29, the Senate was scheduled to take a floor vote. However, the Senate removed the bill prior to the start of the voting session and it did not receive a vote. NJSBA opposes this bill, and joined several other major statewide education organizations (NJASA, NJPSA, NJ

Council of County Vocational-Technical Schools, Garden State Coalition of Schools, and NJASBO) in opposing the legislation and sent a joint letter to the Senate ahead of the scheduled vote. After the bill was scheduled for a vote, NJSBA issued an alert asking school board members to contact their State Senator and urge him or her to vote “no” on the bill. A Sample Resolution is also available for boards to adopt expressing the opposition to the bill. Mr. Pushman encouraged committee members to present the resolution to their boards.

Committee Sharing: A member asked the status on State testing; Mr. Pushman responded this is an issue that will present itself in the near future, especially in the Spring, as the DOE cancelled standardized testing for the fall and it’s expected they will provide more guidance in the Spring.

A member mentioned that at November’s DA, Lodi’s resolution was discussed. In regard to that, the member proposed that the committee present a resolution for the May DA, stating that there is limited time to challenge BOE petitions. Ms. Cyndy Jahn asked the member to submit her proposal, and she and the Legal Department will look into this further in regards to filing and challenging petition dates.

A member brought up her concern that Kindergarten is not mandated by the state, and currently with the pandemic, parents may have missed sending their children to pre-school and are now not in Kindergarten as well. Mr. Pushman and Ms. Seyler provided a background of the state’s reasoning’s for funding pre-school, but not mandating Kindergarten.

A lengthy conversation ensued on COVID-19, with members asking once the vaccinations become widely available, whether will it become a mandate for schools, whether there will be testing of school staff and students, etc. At the moment, it has not yet been addressed by the Legislature, and the DOE and Department of Health are working actively together to address the issue of providing testing kits once more readily available.

A member discussed a bill that state-wide auditors had approached legislators about pushing back on audit due-dates. They were given a three-month extension, from June to September, to conduct municipal audits. Consequently, they were behind in conducting school board audits which typically would be due on December 5. Initially, school boards were closed or didn’t want auditors on-site. The governor signed a law yesterday that would give an auditor a two-month extension, until February 5.

March 6, 2021

Opening Remarks: Dr. Cortellino opened the virtual meeting by thanking the Committee members for their continued advocacy efforts, especially during these difficult times of the pandemic. Opening comments were provided by President Michael McClure and Dr. Larry Feinsod, followed by a quorum count and new committee member introductions.

Dr. Feinsod also provided an introduction of the meeting’s invited guest speaker, Senator Vin Gopal, from Legislative District #11. Senator Gopal delivered opening remarks and engaged in an informative “Q&A” session, moderated by Mr. Pushman. Senator Gopal discussed a number of significant issues including:

- School district regionalization and the bill (S-3488) the Senator is co-sponsoring with Senate President Sweeney;
- Educational issues during COVID-19, such as school re-openings, teacher vaccination priority; remote learning, etc.;
- Marijuana decriminalization and the new prohibition on parental notification upon a minor's first offense;
- School funding and the State budget. The Senator referred to the \$25 million increase Governor Murphy has proposed for Extraordinary Special Education aid, and indicated his desire for an even greater increase. He also highlighted the proposed \$50 million Stabilization Fund, which is aimed at easing the transition for some districts that will be losing state aid pursuant to "S-2", and stated that he is seeking clarification on the process.
- "Chapter 44"/Health Benefits Reform. The Senator revealed that he will be meeting with school representatives in his district along with Senate President Sweeney to discuss the negative financial impact the law is having on some boards of education.

The Senator provided his email address to the committee and invited members to contact him with any questions: vin@vingopal.com.

The Senator was joined by Mark Magyar, Associate Executive Director to the Senate Majority Office, serving as policy advisor to Senate President Sweeney. Mr. Magyar provided an in-depth analysis of the recently introduced legislation that would establish a grant program and other financial incentives to explore regionalization. Mr. Magyar also provided his contact information: Email: mmagyar@njleg.org; Cell: (908) 246-8468; Office: (609) 847-3700

Legislative Updates: The committee received updates from the governmental relations department staff.

Mr. John Burns provided an update on S-1790, which concerns school district procedures regarding harassment, intimidation and bullying. He also discussed pending legislation that would require schools to comply with a parental request to have their child repeat a grade due to concerns over learning loss during COVID-19. Another bill would allow special education students who exceed the age of eligibility to receive services sometime in the next two years to apply to request an additional year of services.

Mr. Christopher Jones provided an update on the proposed FY2022 state budget and the latest federal stimulus package.

Mr. Jonathan Pushman addressed the issue of "Chapter 44" and school employee health benefits. He referred to the sample resolution drafted by the NJSBA urging the Governor and Legislature to provide financial relief to any districts experiencing adverse financial impacts under the new law.

The following resources were referenced during the staff reports to the committee and supplement information contained in the materials submitted prior to the committee meeting:

- FY2021 Budget-in-Brief: <https://www.nj.gov/treasury/omb/publications/22bib/BIB.pdf>
- Standardized Assessment Waiver Requests

- NJDOE Memo (2/19/21):
<https://www.nj.gov/education/broadcasts/2021/feb/WaiverRequest.pdf>
- USED Letter (2/22/21):
<https://www.njsba.org/wp-content/uploads/2021/02/FederalWaiverLetter.pdf>
- S-3488 (Regionalization)
https://www.njleg.state.nj.us/2020/Bills/S3500/3488_I1.PDF
- A-1662/S-1790 (HIB Revisions)
https://www.njleg.state.nj.us/2020/Bills/A2000/1662_U1.PDF
- S-3434 (Special Education/Aging Out)
https://www.njleg.state.nj.us/2020/Bills/S3500/3434_I1.PDF
- S-3470 (Grade Retention due to COVID)
https://www.njleg.state.nj.us/2020/Bills/S3500/3470_I1.PDF
- NJDOE Broadcast Memo (3/3/21): “Guidance Regarding Compensatory Education Determinations for Students with Disabilities as a Result of COVID-19”
<https://www.nj.gov/education/broadcasts/2021/mar/GuidanceforDeterminingCompensatoryEducationforStudentswithDisabilities.pdf>
- “Chapter 44” Sample BOE Resolution
<https://www.njsba.org/news-publications/school-board-notes/february-23-2021-vol-xliv-no-32/sample-resolution-available-for-boards-to-urge-relief-from-chapter-44-costs/>
 - NJ Association of School Business Officials – Chapter 44 Survey Results:
<https://www.njasbo.com/news/553411/State-Budget-Address-C.44--School-Ethics-Commission.htm>

Committee Sharing: A member asked on the status of the segregation lawsuit that was previously discussed by the Honorable Gary S. Stein, former New Jersey Supreme Court justice, at a prior Committee meeting. Mr. Pushman and Mr. Burns will provide any information they have to the committee as it becomes available.

A member asked about municipal PILOT agreements and their impact on school districts. Mr. Jones responded that there is legislation pending on this issue that would require towns to share PILOT payments with school districts, but it has not progressed in the Legislature.

A member asked on the Association’s position of standardized testing. Mr. Pushman stated the Association is in support of it; however, with the current pandemic, it makes it very difficult with many students throughout the state attending classes remotely. This is currently being addressed at the Federal level, and Dr. Feinsod acknowledged the Association has expressed their opinion to the DOE and at the Federal level.

Staff

Jonathan Pushman, Director, Governmental Relations

Cyndy Jahn, Esq., General Counsel

Raymond Pinney, Director, County Activities and Member Engagement

John Burns, Esq., Counsel

Christopher Jones, Legislative Advocate

Anette Airey, Administrative Assistant



New Jersey School Boards Association

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LEGISLATIVE COMMITTEE ROSTER

5-15-21

| State District | Name | Title | Board of Education |
|----------------|----------------------|------------------|---------------------------------------|
| 1 | Michele Barbieri | Member | Upper Township (Cape May) |
| | Josephine Sharpe | Alternate | Wildwood City (Cape May) |
| 2 | Peter Castellano | Member | Egg Harbor Township (Atlantic) |
| | Kristy Bird | Alternate | Egg Harbor Township (Atlantic) |
| 3 | Carolyn Kegler | Member | Logan Township (Gloucester) |
| | Cheryl Potter | Alternate | Elk Township (Gloucester) |
| 4 | John Shaw | Member | Winslow (Camden) |
| | Vacancy | Alternate | |
| | Maryjo Dintino | Resource | Gloucester Township (Camden) |
| 5 | Vacancy | Member | |
| | Joseph Coldren | Alternate | Woodbury (Gloucester) |
| 6 | Joyce Miller | Member | Gibbsboro (Camden) |
| | Carol Matlack | Alternate | Cherry Hill (Camden) |
| 7 | Lester Holley | Member | Edgewater Park (Burlington) |
| | Sean Toner | Alternate | Palmyra (Burlington) |
| 8 | Janet DiFolco | Member | Mount Holly (Burlington) |
| | Barry Fitzgerald | Alternate | Lenape (Burlington) |
| 9 | Kim Hanadel | Member | Pinelands (Ocean) |
| | Regina Discenza | Alternate | Lacey Township (Ocean) |
| 10 | Steve Shohfi | Member | Lavallette (Ocean) |
| | Michael Horgan | Alternate | Toms River (Ocean) |
| 11 | Bob English | Member | Eatontown (Monmouth) |
| | Dr. Paul Christopher | Alternate | West Long Branch (Monmouth) |
| 12 | Angela Reading | Member | Northern Burlington Reg. (Burlington) |

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|----|----------------------|------------------|-----------------------------------|
| | Tara Rivera | Alternate | Jackson (Ocean) |
| | Andrea Katz | Resource | Chesterfield (Burlington) |
| 13 | Melissa Mohr | Member | Henry Hudson (Monmouth) |
| | Matthew Kitchen | Alternate | Keansburg (Monmouth) |
| 14 | Elliott Stroul | Member | Jamesburg (Middlesex) |
| | Vacancy | Alternate | |
| 15 | Jo Ann Groeger | Member | Lawrence Township (Mercer) |
| | Deborah Linthorst | Alternate | Hopewell Township (Mercer) |
| 16 | Barry Nathanson | Member | South Brunswick (Middlesex) |
| | Jean Trujillo | Alternate | Hillsborough (Somerset) |
| 17 | Anthony Brooks | Member | North Brunswick (Middlesex) |
| | Vacancy | Alternate | |
| 18 | Deborah Boyle | Member | South Plainfield (Middlesex) |
| | Vacancy | Alternate | |
| 19 | Daniel Harris | Member | Woodbridge (Middlesex) |
| | Lynn Kasics | Alternate | South Amboy (Middlesex) |
| 20 | Delia Ware Tibbs | Member | Roselle (Union) |
| | Jerry Jacobs | Alternate | Elizabeth (Union) |
| 21 | William Hulse | Member | Cranford (Union) |
| | Robin McKeon | Alternate | Bernards Township (Somerset) |
| 22 | Deborah Bridges | Member | Rahway (Union) |
| | Sharon Schueler | Alternate | Middlesex Borough (Middlesex) |
| 23 | Teresa Kane | Member | Milford (Hunterdon) |
| | Lisa Marshall | Alternate | Warren Hills (Warren) |
| 24 | Robert Carlson | Member | Wallkill Valley Regional (Sussex) |
| | Vacancy | Alternate | |
| 25 | Dino Cappello | Member | Denville (Morris) |
| | Michael Bertram | Alternate | Morris Hills Regional (Morris) |
| 26 | Alison Cogan | Member | Parsippany Troy (Morris) |
| | Nancy Helbourg | Alternate | Rockaway Township (Morris) |
| 27 | Pamela Chirls | Member | Livingston (Essex) |
| | Jennifer Tunnicliffe | Alternate | West Orange (Essex) |

| | | | |
|----|--------------------------|------------------|---------------------------------------|
| | Erin Siders | Resource | South Orange-Maplewood (Essex) |
| 28 | Jill Fischman | Member | Bloomfield (Essex) |
| | Vacancy | Alternate | |
| 29 | Nelson Barrera | Member | Belleville (Essex) |
| | Yambeli Gomez | Alternate | Newark (Essex) |
| 30 | Albert Miller | Member | Howell Township (Monmouth) |
| | Mary Rose Malley | Alternate | Howell Township (Monmouth) |
| 31 | Lorenzo Richardson | Member | Jersey City (Hudson) |
| | Vacancy | Alternate | |
| 32 | Christina Stefani-Rackow | Member | Edgewater (Bergen) |
| | Adam Parkinson | Alternate | West New York (Hudson) |
| 33 | Melanie Tekirian | Member | Hoboken (Hudson) |
| | Vacancy | Alternate | |
| 34 | Judith Bassford | Member | Clifton (Passaic) |
| | Jessica De Koninck | Alternate | Montclair (Essex) |
| | Cameron B. Jones, Sr. | Resource | East Orange (Essex) |
| 35 | John Vander Molen | Member | Passaic Co. Manchester Reg. (Passaic) |
| | Anyelis Diaz | Alternate | Haledon (Passaic) |
| 36 | Jeanine Ferrara | Member | Little Ferry (Bergen) |
| | Michael Jacobs | Alternate | Ridgefield (Bergen) |
| | William Barnaskas | Resource | Bergen County Spc Svcs (Bergen) |
| 37 | Paula Colbath | Member | Fort Lee (Bergen) |
| | Denise Villani | Alternate | Cresskill (Bergen) |
| 38 | John Walsh | Member | Oradell (Bergen) |
| | Vacancy | Alternate | |
| 39 | Charles Caraballo | Member | Bloomingtondale (Passaic) |
| | Jeffrey Pollack | Alternate | Dumont (Bergen) |
| 40 | Catherine Kazan | Member | Wayne (Passaic) |
| | Mary Ellen Nye | Alternate | Ho-Ho-Kus (Bergen) |



New Jersey School Boards Association

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PROGRESS REPORT OF THE SCHOOL FINANCE COMMITTEE

Catherine Kazan, Chair

Prepared for the Annual Delegate Assembly

May 15, 2021

CHARGE:

The School Finance Committee is Standing Committee of the Association consisting of nine members appointed annually by the president. The committee shall monitor the school funding law in New Jersey and its impact on all types of school districts in the state. The committee shall also study issues relating to school finance, report periodically to the Delegate Assembly, recommend additions, modifications, or deletions to policy as needed, and take any other action as directed by the president, executive board, Board of Directors or Delegate Assembly.

REPORT:

Since the November 21, 2020 Delegate Assembly, the School Finance Committee has met virtually twice, on December 8, 2020 and March 9, 2021.

December 8, 2020 meeting

Opening Remarks

Dr. Tom Connors (Chair) announced he was not re-elected to his school board, and therefore will not be returning to the School Finance Committee (SFC). He thanked the committee for the opportunity to serve as chair and the ability to gain additional in-depth knowledge of school funding. Mr. Michael McClure and Dr. Larry Feinsod also extended their appreciation to Dr. Connors for his efforts.

Dr. Connors read the mission of the committee, which is to monitor the school funding laws in New Jersey that impact school districts, and study issues relating to school finance.

Discussion Items

Mr. Christopher Jones provided background on the Hillsborough Board of Education's (BOE) resolution put forward at the November 23, 2019 Delegate Assembly and on S4289. Both concern allowing districts losing aid per S2 to exceed the property tax cap in order to replace these losses. This was passed by the legislature but ultimately vetoed by the Governor. Mr. Jones mentioned conversations with the Governor's office on the issue continue. He also suggested that Ms. Trujillo and her board members reach out to their legislators.

Additionally, Dr. Connors raised the issue of determining the focus of the committee going forward. He suggested the committee further understand the SFRA and S2. According to Dr. Connors, the committee should review state aid annually and keep in mind COVID-related issues, i.e. lap tops, chrome books. Going into next fiscal year, there will still be costs associated with COVID and the reopening of schools.

Next Steps

The committee then discussed possible future topics for the SFC. It was suggested that for next year, members discuss with their superintendents and business administrators what costs do they see associated in reopening of their schools in the "traditional" manner, i.e. five days of in-classroom

instruction. Also, the committee may wish to discuss for next year the topic of school regionalization, as it pertains to the school funding formula.

Another item the committee may want to address is to determine the status of the standing committee that Senator Sweeney suggested at the November 2019 Delegate Assembly. At the time, the NJDOE was being sued by a district to reveal the formula used for the distribution of income, and the Senator mentioned a committee should be created to review the funding formula at certain timely intervals.

March 9, 2021 Meeting

Opening Remarks

The new chair of the committee, Catherine Kazan, was formally announced by Mr. Michael McClure and Dr. Larry Feinsod. Mr. McClure, Dr. Feinsod and Ms. Tammeisha Smith extended their appreciation to Ms. Kazan for accepting the appointment. Ms. Kazan read the mission of the committee, which is to monitor the school funding laws in New Jersey that impact school districts, and study issues relating to school finance.

Discussion Items

Mr. Christopher Jones reviewed the FY2022 budget proposed by Governor Murphy on February 23. Notable additions were a \$578 million increase in K-12 education formula aid, bringing the total formula aid to \$9.26 billion. Prior to the pandemic, the Governor had proposed increasing education formula aid by \$336 million; however, this increase was retracted when the state revisited the FY2021 budget. This new budget proposal restores that money and adds \$242 million more. This keeps the state on schedule for achieving full formula funding by FY2025. The budget proposal would also:

- Expand state investment in pre-K education by \$50 million, including \$26 million for new programs;
- Increase Extraordinary Special Education Aid by \$25 million; and
- Provide \$50 million for a Stabilization Aid grant program targeted at districts losing aid per S2.

Another discussion item was the potential additional tax revenue from the recent legalization of marijuana. The tax money would most likely not generate any revenue until 2024.

Also discussed was S3488, intended to promote school district regionalization. Mr. Pushman provided additional background on the bill. The bill establishes criteria for state-funded regionalization studies, increases flexibility on regionalization cost apportionment, and bars any regionalization that would encourage segregation. It also provides financial incentives for districts that are losing state aid due to declining enrollment to regionalize by extending the schedule for their Adjustment Aid cuts from four years to eight years. It includes no mandate or other requirement for any school district to regionalize.

Mr. Jones reviewed the \$1.9 trillion American Rescue Plan, notably the \$130 billion for K-12 aid to school districts. (NOTE: This has decreased to \$122.78 billion since the meeting). Additionally, he mentioned the DOE will be releasing additional information, once this Plan is in effect.

Next Steps

Mr. Jones provided an overview of the issue first raised by the Hillsborough BOE at the November 2019 Delegate Assembly. Hillsborough is seeking to allow districts that are losing aid per S2 to

exceed the property tax cap in order to replace these losses. Mr. Jones raised the prospect this could be revisited following the November 2021 elections but before the new legislature and gubernatorial term begins.

School Finance Committee 2020-2021

| | | |
|-------------------------------|----------------------------------|------------|
| Catherine Kazan, <i>Chair</i> | Wayne | Passaic |
| George Babula | Harmony | Warren |
| Judith Bassford | Clifton | Passaic |
| Deborah Boyle | South Plainfield | Middlesex |
| Paula Colbath | Fort Lee | Bergen |
| Daniel Harris | Woodbridge Township | Middlesex |
| Andrea Katz | Chesterfield | Burlington |
| Joseph Steele | New Milford | Bergen |
| Jean Trujillo | Hillsborough | Somerset |
| Michael McClure | NJSBA President | Ex Officio |
| Tammeisha Smith | NJSBA Vice President for Finance | Ex Officio |

Resource

| | | |
|-----------------|------------------------------|------------|
| Michael Horgan | Toms River | Ocean |
| Matthew Kitchen | Keansburg | Monmouth |
| Cheryl Potter | Elk Township | Gloucester |
| Angela Reading | Northern Burlington Regional | Burlington |

Staff

| | |
|----------------------------|----------------------------------|
| Lawrence S. Feinsod, Ed.D. | Executive Director |
| Jonathan Pushman | Director, Governmental Relations |
| Christopher Jones | Legislative Advocate |
| Anette Airey | Administrative Assistant |



REPORT OF THE SPECIAL EDUCATION COMMITTEE

Irene LeFebvre, Chair

Prepared for the Annual Delegate Assembly

May 15, 2021

As Chair of the Special Education Committee, I would like to report on the Special Education Committee's activities since the November 2020 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 recommend positions on special education issues for consideration by the Board of Directors.

MEETINGS:

The Special Education Committee met on August 12, 26, November 4, 10, 2020, January 27, 2021, February 4, 10, 17, 25, March 3 and 10, 2021. The agendas of those meetings included the topics and presentations outlined below.

COVID-19 from the Parents Perspective—The Committee met with Peg Kinsell, Institutional Policy Director, Special Education Parent Advocacy Network on the impact that the pandemic has had on parents and students. Ms. Kinsell said that the parents that her organization works with had found that the pandemic exacerbated difficulties concerning language barriers and parent communication in general. Other difficulties included parents and students adapting to remote instruction, especially where students' disabilities made it difficult to sit in front of a computer for any length of time.

COVID-19 and Approved Private Schools for Students with Disabilities—The Committee met with Gerard Thiers, Executive Director, ASAH (Association of Schools and Agencies for the Handicapped), the association that represents approved private schools for students with disabilities, and also with Ken Alter, Director of Deron Schools in Union and Montclair concerning the impact of the pandemic on these private schools and the students sent to them by districts. Most of the private schools planned to be fully open as of September 2020 with safeguards for staff and students. Their goal was to provide all of the services for which they were contracted.

Training for Parent Advocates—The Committee heard from Peg Kinsell, Institutional Policy Director, and Carolyn Hayer, both from the SPAN Parent Advocacy Network regarding the training that they provide for those who wish to become parent advocates. As referenced later in this report, this training is comprehensive and strives to provide advocates with the knowledge and skills to assist parents and students in special education matters.

The NJSBA Special Education Committee thanks all of the speakers who came to its meetings to share their knowledge and expertise. Their participation is invaluable to the work of the Committee.

Report of the Special Education Committee
Prepared for the Annual Delegate Assembly – May 15, 2021
Page 2

Bills—The Committee discussed the following legislative bills:

A-4357--Permits special education students and bilingual education students to repeat prior year grade level during 2020-2021 school year upon parental request.

https://www.njleg.state.nj.us/2020/Bills/A4500/4357_I1.PDF

S-3434 --Requires boards of education to provide special education and related services to certain students exceeding age of eligibility for special education and related services.

https://www.njleg.state.nj.us/2020/Bills/S3500/3434_I1.PDF

SPECIAL EDUCATION COMMITTEE MEMBERS 2020-21

Member Name

Irene LeFebvre, *Chair*
Cherie L. Adams
Rita Barone
Sheli Dansky
Lisa Marshall
Holly Morell
Cathy A. Moncrief
Sharon Schueler
Eleanore Shaffer
James Gaffney, *Resource Person*

District Name

Boonton Town Bd. of Ed
Belmar Bd. of Ed
Watchung Hills Regional Bd.
River Edge Bd. of Ed
Warren Hills Regional Bd. of Ed
Fort Lee Bd. of Ed.
Lindenwold Bd. of Ed
Middlesex Borough Bd. of Ed.
Hampton Twp. Bd. of Ed
Oakland Bd. of Ed.

Staff

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PARENT ADVOCATE REPORT AND RECOMMENDATION

SYNOPSIS

Pursuant to Article V, Sec. 2 of the *NJSBA Bylaws*, the NJSBA Special Education Committee submits the following report and recommendation for action by the Delegate Assembly seeking adoption of new policy language requiring training for parent advocates. The report and recommendation were approved unanimously by the Committee at its March 10, 2021 meeting.

BACKGROUND

Opinion 56 of the Committee on the Unauthorized Practice of Law

The committee's inquiry into the role of parent advocates in special education matters began when the Committee on the Unauthorized Practice of Law (CUPL) issued Opinion 56 on September 30, 2020. The CUPL is a committee of the New Jersey Supreme Court that "reviews grievances regarding unauthorized practice of law and also issues advisory opinions" concerning what is, and is not, the practice of law. (Note that *N.J. Court Rules* 1:21-1(f) allows non-attorney advocates to represent parents or children in contested special education matters in the Office of Administrative Law and expected to comply with certain rules of proceedings *N.J.A.C.* 1:1-5.5(g)). Opinion 56 was addressing their role in other proceedings.)

In Opinion 56, the CUPL said:

[N]on-lawyers with knowledge or training with respect to children with disabilities and their educational needs may charge fees for consulting activities but may not charge fees for representing the parents or children in formal mediation or administrative proceedings. They may, however, charge fees for advising parents regarding educational problems, evaluating such problems, the proper educational placement for children with disabilities, producing technical reports, and serving as an expert witness. Lawyers may work with such non-lawyer educational consultants but may not "partner" with the consultant or share legal fees with the consultant; the lawyer must be hired by the parents separately from the consultant. (Opinion 56, p.10 <https://njcourts.gov/notices/2020/n201016a.pdf>)

However, on October 14, 2020, the CUPL issued a stay of its opinion pending stakeholder input into six questions:

1. Whether non-lawyer advocates should be permitted to represent, and speak on behalf of, parents or children with disabilities in meetings with the school district concerning the individualized education program (IEP), without the presence and/or participation of the parents or children?
2. Whether non-lawyer advocates should be permitted to represent, and speak on behalf of,

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parents or children with disabilities in mediation proceedings concerning the IEP?

3. What safeguards should be required when non-lawyer advocates represent, and speak on behalf of, parents or children with disabilities in meetings concerning the IEP or in mediation proceedings?
4. What criteria must the non-lawyer advocate meet to be permitted to engage in activities that are considered, in Opinion 56, to be the practice of law?
5. Is it in the public interest to permit non-lawyer advocates to engage in these activities that are considered, in Opinion 56, to be the practice of law? If so, why?
6. How can the public be protected from non-lawyer advocates who do not have adequate knowledge or training with respect to children with disabilities and their educational needs?

The NJSBA Special Education Committee worked with Association staff to answer four of the questions asked. The special education committee's responses centered around the need to have special education resources used as efficiently as possible with as many of those funds flowing into the classroom, rather than into the courtroom. This was one of the themes in NJSBA's report, *Special Education: A Service, Not a Place*, issued in 2014. Additionally, the NJSBA relied on its comments to the NJDOE's *Proposed Special Education Due Process Prehearing Guidelines*, issued in January 2020 in which it applauded the joint decision of the Office of Administrative Law and the NJDOE to provide training for Administrative Law Judges in special education. Specifically, the ALJ's will be receiving training in special education law and procedures, legal writing and settlement procedures. In its November 13, 2020 comments to the CUPL, the NJSBA stressed that such efforts will lead to more effective and efficient proceedings. This will reduce litigation costs for districts and allow more time for school personnel to focus on student achievement. Similarly, non-lawyer advocates should also be trained. Mandatory training for advocates will ensure that parents and students are receiving effective assistance while establishing minimum standards for bringing disputes to the local district or the OAL. Through effective training, the time spent litigating disputes can be reduced because all non-lawyer advocates will have a standard knowledge base, permitting disputes to be resolved with greater efficiency. This will permit more time and resources to be focused on effective programming and services to support the special education student. (See Attachment 1)

Though NJSBA was able to adequately respond to the questions of the CUPL, the NJSBA Special Education Committee believes that the Association's advocacy efforts would be enhanced by having a specific policy addressing the need for mandatory training of non-lawyer parent advocates.

RELEVANT NJSBA POLICY

The NJSBA has no policy specifically on point concerning parent advocates. Policies related to the issue are included below for informational purposes:

File Code 6171.4 Teacher Certification and Professional Development

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A. The NJSBA believes that, prior to certification, all teachers should complete an appropriate educational program on understanding the nature and needs of students eligible for special education and related services.

B. The NJSBA believes the State should require that teacher preparation programs have, as part of their curriculum, content in adapting curriculum, instruction, and assessment to meet the needs of all learners in the inclusive classroom. Pre-service teachers should have ample opportunity to learn and apply the instructional methods associated with multiple intelligences, multi-sensory instruction, differentiated instruction, intensive instruction, Universal Design for Learning, curriculum-based assessment, and assistive technology. Pre-service teachers should be equipped to establish learning environments that maximize attention and learning through the careful application of positive behavior supports and effective communication. Further, teacher preparation programs for pre-service teachers earning the Prekindergarten through 3rd grade or the elementary education (K-6) certifications should include content in teaching students with reading disabilities. [Authority: DA 5/14 (Special Education Task Force)]

C. The NJSBA believes that all currently certified teachers should be required, as part of their continuing professional development, to participate in in-service programs related to special education students and programs. [Authority: DA 12/75-CR (Special Education), DA 11/97-4, DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR, DA 11/17-SR]

File Code 9200 Inservice Training

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]

DISCUSSION

The IDEA

The purpose of the federal Individuals with Disabilities Education Act (IDEA) is to ensure that all children with disabilities ages 3 through 21 have available to them a Free Appropriate Public Education (FAPE) that provides special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living. To protect the rights of children with disabilities and parents of such children, the law seeks to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation. Finally, the law seeks to assess, and ensure the effectiveness of, efforts to educate children with disabilities.

What's an IEP?

The purpose of the Individualized Education Plan (IEP) is to ensure that the student receives FAPE in the least restrictive environment. The IEP is a written plan that describes in detail the individual student's special education program. The IEP should describe how the student currently performs and the student's specific instructional needs. The IEP must include detailed and measurable annual goals and short term objectives or benchmarks. The IEP must be designed to confer a meaningful benefit to the student. To the maximum extent appropriate, children with disabilities are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature and severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

How disputes occur

Because of the highly regulated and highly specialized nature of special education, disputes can occur between parents and the district at any time in the process. For example, there may be disputes about eligibility and the need for an IEP, what the goals and objectives should be, whether the programs and services offered meet the needs of the student as described in the IEP. There may also be disputes about the placement of the child in a particular learning environment or other disputes related to the student and their educational program.

The need to resolve disputes as early as possible

Whenever there is a dispute between parents and school districts, it is in the student's best interest, as well as the parent and the district, to resolve the dispute as expeditiously as possible. If a change needs to be made to the placement or services that a student is receiving, it is in everyone's interest to ensure that the student is in an environment that promotes the student's achievement. To that end, there is a dispute resolution process available for parents and districts to utilize. Each state sets up their own process for dispute resolution.

What is the dispute resolution process?

New Jersey has a process of dispute resolution that seeks to help parents and districts to resolve disputes early on, without the need for extended litigation. Mediation is an available option involving the use of a third party to help the parties resolve the dispute. The NJDOE will assign a state mediator to assist the parties. If the mediation is successful, the dispute is over, and whatever adjustments that are agreed upon are implemented. If the mediation is not successful, then either party can file a due process petition to be heard at the Office of Administrative Law (OAL). A due process petition is the first step in the formal hearing process. The petition is filed with the Office of Administrative Law who assigns it to an administrative law judge to fact-find and to render a final decision on the dispute. Either the parent or the district can appeal the decision to federal district court. When a due process petition is filed, it is the district that has the burden to prove that its placement decision is the correct one, regardless of whether or not it is the district that actually files the complaint. In addition, if the district loses in the dispute, the district must pay the parent's attorney's fees.

Role of the parent advocate

The IDEA provides that any party to the administrative due process hearing has “the right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.” 20 U.S.C. § 1415(h)(1). According to the rules of the Office of Administrative Law, a non-lawyer may appear in a contested case before that Office “to represent parents or children in special education proceedings, provided the non-attorney has knowledge or training with respect to handicapped pupils and their educational needs so as to enable the non-attorney to facilitate the presentation of the claims or defenses of the parent or child.” Specifically, a parent or child “may be represented by individuals with special knowledge or training with respect to handicapped pupils and their educational needs.” *N.J.A.C.* 1:6A-5.1(a). The non-lawyer who seeks to represent parents or children with disabilities in special education proceedings must follow the procedures requiring an application for permission to appear. *N.J.A.C.* 1:6A-5.1(b); *N.J.A.C.* 1:1-5.4(a)(7). The non-lawyer must submit a written Notice of Appearance/Application. *N.J.A.C.* 1:1-5.4(b)(4). The Notice must include an “explanation certifying how he or she has knowledge or training with respect to handicapped pupils and their educational needs so as to facilitate the presentation of the claims or defenses of the parent or child. The applicant shall describe his or her relevant education, work experience or other qualifications.” *N.J.A.C.* 1:1-5.4(b)(4)(iv). The difficulty is that this is the first time in the entire IEP process that there is any mention of any qualifications for the parent advocate. In addition, the process utilized at the OAL results in practice in the approval of advocates with very limited experience in applying the IDEA legal standards or presenting cases. To assure the integrity and effectiveness of the dispute resolution process, the state must ensure that parents have access to a trained advocate from the outset of the representation at the first initial meeting of the IEP team and through mediation, not just in representation before the OAL. A trained advocate will have knowledge of the applicable laws and processes to advise and aid parents in their advocacy for their student. The advocate will be able to clearly communicate realistic expectations of what the IEP process can, and cannot, provide for the child.

In the current IEP process, the parent advocate is the only person communicating with the parents who is not required to have any formal training at the outset. Everyone else—school personnel, lawyers, and administrative law judges--must all have formal training concerning their roles before engaging with parents. Training of parent advocates is in the best interest of students, parents, school districts and the public-at-large.

SPAN as example of effective training

The Special Education Parents Advocacy Network (SPAN) offers training to become a parent advocate. This training encompasses a minimum of thirty hours initial training with an additional twenty-five hours available. This training gives the participants an understanding of the special education laws and processes as well as the role of a non-attorney advocate in dispute resolution processes, among other subjects. Furthermore, SPAN requires that their

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trained advocates receive ongoing continuing education to stay up to date with current developments in special education. The NJSBA Special Education Committee believes that this is a prime example of the kind of training that protects the interests of all involved. (See Attachments 2 and 3)

STATEMENT OF REASONS

1. Article V, Sec. 2 of the *NJSBA Bylaws* permits the Special Education Committee to submit to the Resolution Subcommittee a resolution to be forwarded to the delegates provided that it is germane to the committee's charge and adopted by a majority vote of such committee at any meeting.
2. Non-lawyer parent advocates provide a valuable service by helping parents to navigate the special education laws and procedures as they seek to secure the appropriate services for their students.
3. Requiring training for non-lawyer parent advocates protects parents and students by creating realistic expectations that are student-focused.
4. Having trained non-lawyer parent advocates assists districts because disputes can be resolved more efficiently allowing limited special education funding to be spent on educational programming to promote student achievement rather than legal disputes.

RECOMMENDATION

The NJSBA Special Education committee recommends approval of the following policy language which would create new policy to be included in NJSBA's *Manual of Positions and Policies on Education*:

The NJSBA believes that trained non-lawyer parent advocates provide a valuable service to parents and students. Mandatory training of non-lawyer parent advocates is essential to protect the interests of parents, students and districts. Training for parent advocates should result in an understanding of the appropriate role of a parent advocate as well as the requirements of federal and state special education laws and regulations, IEP development, and conflict resolution. Training should be ongoing. The state should provide funding for such training.



ATTACHMENT 1

November 13, 2020

VIA ELECTRONIC & REGULAR MAIL

Committee on the Unauthorized Practice of Law
Attention: Carol Johnston, Committee Secretary
Richard J. Hughes Justice Complex
P.O. Box 970
Trenton, New Jersey 08625-0970

RE: Request for comments on Opinion 56

Dear Ms. Johnston:

The New Jersey School Boards Association (NJSBA), a federation of all local school districts in the state, is writing to you in response to your request for comments concerning Opinion 56.

In 2014, the NJSBA released a report concerning the costs of special education and the importance of effective delivery of services to students with disabilities. In *Special Education: A Service Not a Place*, the NJSBA examined ways to reduce costs while improving the efficiency and quality of services to special needs students. As part of that report, the NJSBA surveyed its members concerning special education cost-drivers. Litigation was identified as a frequent contributor to these rising costs.

The NJSBA report recommended high quality and more expansive training of school personnel as one of the ways to reduce special education disputes and litigation. Through training, the quality of supports to parents, students and staff are increased while decreasing conflict and the need for litigation.

In 2020, NJSBA supported efforts to increase training for Administrative Law Judges. The NJSBA supported the NJ Department of Education's joint efforts with the Office of Administrative Law to "[i]dentify and obtain training and professional development programs for ALJ's" as outlined in their *Proposed Special Education Due Process Prehearing Guidelines*, issued in January 2020. When enacted, the NJSBA believes that such efforts will lead to more effective and efficient proceedings. This will reduce litigation costs for districts and allow more time for school personnel to focus on student achievement.

Similarly, non-lawyer advocates should also be trained. Mandatory training for advocates will ensure that parents and students are receiving effective assistance while establishing minimum standards for bringing disputes to the local district or the OAL. Through effective training, the time spent litigating disputes can be reduced because all non-lawyer advocates will have a standard knowledge base, permitting disputes to be resolved with greater efficiency. This will permit more time and resources to be focused on effective programming and services to support the special education student.

With these thoughts in mind, the NJSBA provides the following answers to some of the questions that the committee has asked:

Whether non-lawyer advocates should be permitted to represent, and speak on behalf of, parents or children with disabilities in meetings with the school district concerning the individualized education program (IEP), without the presence and/or participation of the parents or children? A non-lawyer advocate should not be permitted to represent or speak on behalf of parents or children without their presence or participation. Unlike licensed attorneys, non-lawyer advocates have no mandatory training nor code of ethics regarding a duty of representation. In order to have the most effective meetings and ensure that the interests of the student are paramount, parents should always be present, even if the non-lawyer advocate is also there. While the advocate may participate in the discussion and ask questions, it is ultimately the parent who should respond and provide the needed consent concerning any decisions made by the IEP team. The parent is always free to caucus with their advocate before making a decision, but any decision should ultimately be communicated by the parent. Further, state regulations recognize the parent as a member of the IEP team rather than the non-lawyer advocate; therefore, the parent should always be present and make any final decisions.

Whether non-lawyer advocates should be permitted to represent, and speak on behalf of, parents or children with disabilities in mediation proceedings concerning the IEP? The NJSBA recognizes that special education disputes can be challenging for parents. Having a trained parent advocate present during mediation sessions could be helpful to parents, as trained advocates can assist in cogently presenting the concerns and needs of students to the district and can assist the parents in understanding the position of the district. However, the non-lawyer advocate's role should be advisory only; the parents should communicate their position/decision to the IEP team directly after any consultation they may seek to have with their advocate.

What safeguards should be required when non-lawyer advocates represent, and speak on behalf of, parents or children with disabilities in meetings concerning the IEP or in mediation proceedings? New Jersey should require mandatory training of non-lawyer advocates to ensure that they meet minimum standards of knowledge and expertise concerning special education and the representation of parents/students. This will help to protect parents and their students and promote effective and efficient proceedings in disputes with school districts. In addition, advocates should continue to be ineligible to seek fee recovery if a case is litigated. To modify this rule would decrease the incentive to resolve cases at the initial stages of a dispute resulting in more protracted and costly proceedings.

How can the public be protected from non-lawyer advocates who do not have adequate knowledge or training with respect to children with disabilities and their educational needs? The State of New Jersey, whether through this committee, the legislature or executive branch, should require some sort of licensing or certification that demonstrates that the non-lawyer advocate has met minimum standards of knowledge and expertise in order to protect parents/students and the public interest. While the NJSBA is aware that court rules allow non-lawyer advocates to represent parents before the Office of Administrative Law upon a showing that they are sufficiently qualified and make the required application, there is currently no oversight or assurance of competency for parents before that point in the dispute. What occurs if the non-lawyer advocate does not meet the standards set forth by the OAL? With state-required training and certification of non-lawyer advocates, parents would then know that a certified non-lawyer advocate met minimum qualifications before the dispute reached the OAL.

The NJSBA views this issue as one of equity and access for parents and their students. Parents should have access to effective representation from trained individuals throughout the dispute process. While attorneys regularly receive training as a condition of possessing their license, there are currently no such training standards for non-lawyer advocates. The NJSBA urges the committee to require training for non-lawyer advocates in all special education matters. Training protects parents, students, school districts and the public interest.

The NJSBA thanks you for the opportunity to comment on Opinion 56. Should you have any questions or need additional information, please contact me at: jpushman@njsba.org or 609-529-5154.

Sincerely,



Jonathan Pushman
Director
Governmental Relations



SRP Curriculum 2017

| Session # | Session Title | Session Takeaways | Session Content | Resources-Materials | Activities | Homework |
|-----------|---|--|--|---|--|--|
| 1a | Information and Resources for Families | <p>a. Participants will understand SPAN's mission, vision, and projects.</p> <p>b. Participants will have a clear understanding of the SRP Program.</p> <p>c. Participants will know the wide range of resources available to support families in NJ.</p> | <ul style="list-style-type: none"> Welcome and Introductions Explanation of SRP Program and expectations Overview of SPAN and NJ Resources for Families presentation. | <ol style="list-style-type: none"> PowerPoint handout Summary of SPAN Projects handout History of SPAN document DDS "Resources" booklet DDS "Resources" booklet - Spanish Phone log handout Current Workshop Offerings booklet SRP Agreement Confidentiality policy SRP Registration Form | <ul style="list-style-type: none"> Get to Know You Icebreaker SPAN website demo Resources BINGO | <ul style="list-style-type: none"> Complete SRP Registration Form via SmartSheet Link Review SRP Letter of Agreement Review SPAN's Confidentiality Policy |
| 1b | Basic Rights in Special Education | <p>a. Participants will understand the basic rights afforded to children and families receiving special education services.</p> <p>b. Participants will know the 7 steps of the special education delivery cycle.</p> <p>c. Participants will be able to identify solutions to problems that arise during the special education process.</p> | <ul style="list-style-type: none"> Presentation of BR in Special Education Review of handouts | <ol style="list-style-type: none"> PowerPoint handout Special Education Delivery Cycle/Classification Categories handout El Process Chart Special Education Process Chart Sample letters requesting evaluation/independent evaluation SFS 008-16 What To Do While Waiting for the Results of Your Child's Evaluation SFS 009-16 What Happens When We Disagree? (Special Ed Decisions in the Case of Divorce) SFS 010-16 Rights of Immigrant and LEP Parents and Students in the Education Process Education Related Acronyms and Glossary of Terms handout "The Right To..." handout Assessment Tools handout Special Education Parent Advisory Group (SEPAG) Guide The Right to Special Education in NJ (ELC) | <ul style="list-style-type: none"> Small group table top activity using scenarios to identify helpful resources to address problems families may face related to special education... | <ul style="list-style-type: none"> Bring a copy of the PRISE and NJ Administrative Code to next session. Can be electronic or printed. |
| 2a | Federal & State Laws and Regulations | <p>a. Participants will understand the difference between laws, regulations, and policies.</p> <p>b. Participants will have increased understanding of the following laws and regulations: IDEA, SECTION 504, ADA, ESSA, NJAC, N.J.L.A.D. Anti-bullying Bill of Rights, State Programs to Support Student Development.</p> <p>c. Participants will know who must comply, who is protected, what is required, and what are the accountability mechanisms for each law listed above.</p> | <ul style="list-style-type: none"> Presentation of Laws & Regulations PowerPoint Examine NJ Administrative Code organization and layout Review of charter schools/vouchers and their impact on special education Review of handouts | <ol style="list-style-type: none"> PowerPoint handout Section 504 Information Packet Comparison of 504 and IDEA handout 504 FAQs - Protecting Students with Disabilities handout Dear Colleague Letter: Access by SWD to Accelerated Programs ESSA Primer SFS 002-15 Section 504 and the ADA in Schools Endrew Decision Handout (Fact Sheet) Charter schools/vouchers (Fact Sheet) Anti-Bullying Bill of Rights Q&A | <ul style="list-style-type: none"> Laws & Regs Jeopardy! | <ul style="list-style-type: none"> Identify 3 key citations in the NJ Administrative Code. |
| 2b | Inclusion-Least Restrictive Environment (LRE) | <p>a. Participants will understand the legal requirements for Least Restrictive Environment in the IEP.</p> <p>b. Participants will know the value of inclusion for ALL children and will be able to identify components of a successful inclusive setting.</p> <p>c. Participants will increase their knowledge of strategies to effectively include students with special needs in general education classes.</p> | <ul style="list-style-type: none"> Presentation of Inclusion/LRE PowerPoint Examine NJAC 6A:14-4.2-4.3 Tour websites with resources and expertise related to Inclusion/LRE (inclusioncampaign.org-parentcenterhub.org-inclusiveschools.org-njcle.org) Review of handouts | <ol style="list-style-type: none"> PowerPoint handout Inclusion White Paper Inclusion Flow Chart - NJCDD Out of District Placements: Issues to Consider - NJCDD Accommodating CwSN in after school & summer programs NJSOE Placement in LRE handout SPAN Sample Letter RE: LRE SFS 001-15 Inclusion and Preschool SFS 003-15 Inclusive Education Inclusion of Children with Special Needs in After School and Summer Programs booklet MAP After School Resources handout Universal Design for Learning (UDL) Information/Resources handout. | <ul style="list-style-type: none"> Inclusion/LRE Family Feud | <ul style="list-style-type: none"> Make sure that one of the three citations due the following week is related to LRE. |

| Session # | Session Title | Session Takeaways | Session Content | Resources-Materials | Activities | Homework |
|-----------|---|---|---|--|---|---|
| 3a | Individualized Education Plan (IEP) | <p>a. Participants will understand the required components of the IEP</p> <p>b. Participants will develop the ability to read and understand an IEP document and its content to ensure measurable goals that develop skills.</p> <p>c. Participants will learn how to glean critical information from evaluations and assessments.</p> <p>d. Participants will increase their knowledge of strategies to effectively participate in the development and implementation of IEPs designed for achievement.</p> | <ul style="list-style-type: none"> Group share of administrative code citations from previous session's homework Presentation of IEP PowerPoint Review of handouts Large group discussion on challenges of developing an IEP for achievement based on high expectations Small group brainstorming sessions on ways to address challenges/barriers identified in group discussion | <ol style="list-style-type: none"> PowerPoint handout Annotated IEP IEP Meeting checklist Pre-IEP Meeting Letter Modifications & Supplementary Aids & Services handout SFS 004-15 Related Services SFS 005-15 Extended School Year Blooms Taxonomy Terms of Measurability Examples of Measurable Annual Goals Diagramming a Goal Worksheet SFS 002-15 Section 504 and the ADA in Schools | <ul style="list-style-type: none"> Complete Positive Student Profile using student scenarios | <ul style="list-style-type: none"> Identify a challenging behavior that can be addressed in class during PBS session. |
| 5 | | | | | | |
| 3b | Transition to Adulthood | <p>a. Participants will increase awareness of transition resources for families of youth with special needs.</p> <p>b. Participants will understand the critical importance of self-determination in transition planning.</p> <p>c. Participants will gain knowledge of the resources and supports available for youth transitioning to adulthood.</p> | <ul style="list-style-type: none"> Presentation of Transition to Adulthood PowerPoint Visit "Dude, Where's My Transition Plan" website Review of handouts | <ol style="list-style-type: none"> PowerPoint handout Guidelines for Transition: Basic Stuff to Know packet Transition to Adult Life Resources for Health Practitioners packet SFS 006-15 Transition to Adult Life DVRS Myths & Facts handout Transition Checklist handout Independent Living IEP Team Decision Assistance Form | <ul style="list-style-type: none"> Small group Transition Camp activities | <ul style="list-style-type: none"> Visit www.parentcenterhub.org to locate and review transition resources |
| 6 | | | | | | |
| 4a | Positive Behavior Supports and Discipline | <p>a. Participants will be able to identify challenging behaviors, understand the importance of identifying the function of a behavior, and gain knowledge of Positive Behavior Supports that can address such behaviors.</p> <p>b. Participants will learn strategies that encourage desirable behavior in children.</p> <p>c. Participants will increase their awareness of the legal rights of children with and without disabilities in the area of discipline.</p> <p>d. Participants will gain a better understanding of the discipline procedures and protections for students with disabilities.</p> <p>e. Participants will increase their knowledge regarding the dangers of restraint and seclusion in school.</p> | <ul style="list-style-type: none"> Presentation of PBS/Disciplines PowerPoint Examine FBA/PBS packet. Review of handouts Discussion re: restraints & seclusion | <ol style="list-style-type: none"> PowerPoint handout Summary of the Discipline & Manifestation Determination Provisions of IDEA What Parents Should Know About the Use of Restraints & Seclusion pamphlet from NJCDD No Restraint Sample Letter In the Name of Treatment booklet from Aprais How Safe is the Schoolhouse? analysis of seclusion & restraint laws & policies ELC Student Discipline Rights & Procedures Guide NJ DOE Discipline Requirements document IDEA regulations on discipline Collaborative & Proactive Solutions handout SEAT Function of Behavior handout #1 SEAT Function of Behavior handout #2 | <ul style="list-style-type: none"> Determining the "Function of Behavior" SEAT activity. Table top discussions to brainstorm solutions to challenging behaviors identified during homework. | <ul style="list-style-type: none"> Visit www.pbis.org and select one document, resource or piece of information to share with the group. |
| 7 | | | | | | |
| 4b | Student Supports | <p>a. Participants will increase understanding of I&RS, RTI, & MTSS framework.</p> <p>b. Participants will gain awareness of how to use tiered interventions to help students achieve.</p> <p>c. Participants will learn how to develop an IEP to ensure students have the supports needed to be successful.</p> | <ul style="list-style-type: none"> Presentation of Student Supports PowerPoint Review of handouts | <ol style="list-style-type: none"> PowerPoint handout (SPAN) NJTSS presentation (NJ DOE) What are Multi Tiered Systems of Support (Education Week) Accurate Decision Making within a MTSS (RTI Action Network) Sample flow chart of supports School Wide System for Student Success handout Multiple Intelligences handout Disproportionality handout | <ul style="list-style-type: none"> Small group activity - using data in decision making Multiple Intelligences worksheet | <ul style="list-style-type: none"> Review SWIFT Field Guides at: http://guide.swiftschools.org/ |
| 8 | | | | | | |

| Session # | Session Title | Session Takeaways | Session Content | Resources-Materials | Activities | Homework |
|-----------|-------------------|---|--|---|--|---|
| 5a | Advocacy Skills | <p>a. Participants will increase understanding of conflict and the way people respond</p> <p>b. Participants will understand the protections available to students receiving special education services</p> <p>c. Participants will be prepared to effectively address issues that may arise between families and school systems.</p> | <ul style="list-style-type: none"> • Presentation of Advocacy Skills PowerPoint • Review of handouts | <ol style="list-style-type: none"> 1. Powerpoint handout 2. 5 Conflict Handling Modes handout 3. CADRE Continuum handout 4. Options to Resolve Disputes handout 5. How to Analyze a Case 6. CADRE Communicating with Your Child's School handout | <ul style="list-style-type: none"> - Creating Agreement group activities - Role plays | <ul style="list-style-type: none"> • Complete Big Tent registration/log-in |
| 9 | | | | | | |
| 5b | Leadership Skills | <p>a. Participants will understand the importance of family engagement for student success</p> <p>b. Participants will learn the importance of serving on groups</p> <p>c. Participants will be prepared to participate on decision making groups</p> | <ul style="list-style-type: none"> • Presentation of Leadership Skills PowerPoint • Review of handouts | <ol style="list-style-type: none"> 1. Powerpoint handout 2. 10 Tips for Family Engagement 3. 14 Activities: Building Capacity for Parent Involvement (NJ DOE) 4. Checklist for Student Success (US DOE) 5. Parents Right to Know Letter 6. Link to SoG guidebooks | <ul style="list-style-type: none"> - Types of groups activity (SoG) - Time & Energy activity (SoG) | <ul style="list-style-type: none"> Complete for submission at session 6 • SRP Agreement • Confidentiality Agreement |
| 10 | | | | | | |
| 6a | Health Advocacy | <p>a. Participants will gain awareness of various health insurance models, mental health services, the child behavioral health system and adult systems of care</p> <p>b. Participants will increase understanding of how to access health coverage and the services available for children with special health care needs</p> <p>c. Participants will better understand consumer laws, access to insurance, and how to advocate for health supports and services</p> | <ul style="list-style-type: none"> • Presentation of Advocacy Skills PowerPoint • Review of handouts | <ol style="list-style-type: none"> 1. Powerpoint handout 2. ACA Tip Sheet - Age Out 3. ACA Fact Sheets (healthcare.gov) 4. Healthcare Financing Fact Sheet Series 5. Health Resources handout 6. Health Advocacy Tool Kit 7. ASAN Health Care in Transition Tool Kit 8. Transition Resources for Health Practitioners 9. Why Does Medicaid Matter handout 10. Medicaid Fact Sheets 11. Who Pays First Guide 12. Being A Healthy Adult Booklet 13. Health Passport - E/S 14. Oral Healthcare handout | <ul style="list-style-type: none"> - Health Bingo | <p>Visit/review: www.healthcare.gov and www.spanadvocacy.org/content/family-family-health-information-center-family-voices-nj</p> |
| 11 | | | | | | |
| 6b | Graduation | <p>a. Participants will understand the requirements/restrictions of being an SRP volunteer</p> <p>b. Participants will gain awareness of the supports available to SRP volunteers</p> <p>c. Participants will identify next steps in their role as an SRP volunteer</p> | <ul style="list-style-type: none"> • Review of SRP Agreement, Confidentiality Policy, Role of SRP, Big Tent Communications, Submission of Volunteer Hours Log • Presentation of Certificates of Completion | <ol style="list-style-type: none"> 1. Role of SRP handout 2. Big Tent instructions 3. Volunteer Hours log 4. Volunteer booklet 5. Leadership booklet 6. Certificate of completion 7. Starfish pin | <ul style="list-style-type: none"> - Graduation celebration | |
| 12 | | | | | | |

ATTACHMENT 3

SEVA CURRICULUM OUTLINE

SESSION 1 – DEEPENING CONCEPTS OF KNOWLEDGE AND INFORMATION

Focused on:

1. Laws related to special education – federal, state, and relevant court decisions;
2. Inclusion – the decision-making process including acceptable/unacceptable reasons for denying inclusive placements;
3. Transition – the importance of appropriate transition planning and IEP development;
4. Emerging issues – for special populations;
5. Research – regarding inclusion and transition, including best practices; and strategies for improving your own research skills.

SESSION 2 AM – WHAT FAMILIES NEED TO KNOW AS THEY BUILD CAPACITY TO ADVOCATE FOR SERVICES

Focused on:

1. Special education process – evaluation through IEP development, placement, and post-school outcomes;
2. Family assistance/support strategies – effective communication and building leadership capacity
3. Problem solving strategies – creating agreement and conflict resolution

SESSION 2 PM - PREPARING SEVAs TO PROVIDE SUPPORT AT IEP MEETINGS

Focused on:

1. Advocacy strategies & skills- using tools and worksheets to help families identify & prioritize their child's needs
2. Effective communication skills – conducting meetings with families and collaboratively preparing for IEP meetings

SESSION 3 - SEVA ROLE IN ASSISTING PARENTS AT IEP MEETINGS

Focused on:

1. Improving communication skills – with families and school staff
2. Problem solving skills – managing the IEP meeting
3. Advocacy – avoiding the unauthorized practice of law
4. Empowering families – supporting parent leadership development



REPORT OF THE NJSBA NOMINATING COMMITTEE

By
Daniel Sinclair, CHAIR

**Prepared for the Annual Delegate Assembly
May 15, 2021**

The NJSBA Nominating Committee met pursuant to Article VII, Section 5 of the *Bylaws* of the Association to interview candidates for NJSBA offices. Ten applications were received, however, one applicant withdrew from the interview process. The Committee interviewed nine candidates and prepared a report naming a candidate for President, Vice President for County Activities and Vice President for Legislation/Resolutions.

The Nominating Committee submits the following candidates to serve as Association Officers for the 2021-2023 term:

- ***President – Irene M. LeFebvre, Boonton Board of Education (Morris)***
- ***Vice President for County Activities - Bruce R. Young, Carlstadt-East Rutherford Board of Education (Bergen)***
- ***Vice President for Finance – Tammeisha D. Smith, Knowlton Township Board of Education (Warren)***
- ***Vice President for Legislation/Resolutions – Karen Cortellino, Montville Township Board of Education (Morris)***

Additional Information for Filling Officer Positions According to NJSBA *Bylaws*, candidates may also be nominated by petition, signed by at least ten members from at least five different district boards of education, and filed with the Executive Director and received no later than **Wednesday, March 31, 2021**. There were no petitions filed.

The following Nominating Committee members were present at the meetings for selection of candidates:

- Daniel Sinclair, Chair, Immediate Past President, NJSBA
- Naomi Davidson, Runnemede Board of Education (Camden)
- James Gaffney, Oakland Board of Education (Bergen)
- J. Brendan Galligan, Westfield Board of Education (Union)
- Yuenge Groce, Salem City Board of Education (Salem)
- Jeffrey Hicks, Southampton Board of Education (Burlington)
- Dana Krug, West Windsor-Plainsboro Board of Education (Mercer)
- Charles Miller, East Amwell Board of Education (Hunterdon)
- Sharon Miller, South Plainfield Board of Education (Middlesex)
- Robert Morrison, Watchung Hills Board of Education (Somerset)
- Tara Rivera, Jackson Board of Education (Ocean)
- Mattia Scharfstein, Stanhope Board of Education (Sussex)
- Paul Williams, Harmony Board of Education (Warren)

STAFF

- Cynthia J. Jahn, Esq., General Counsel
- Cynthia Harrison, Executive Administrative Assistant

Four Experienced Candidates Seek Positions as NJSBA Officers

In accordance with NJSBA bylaws, a proposed slate of officers selected by the Nominating Committee will be presented to the delegates for their vote at the annual Delegate Assembly on May 15, 2021.

The Nominating Committee selected the following school board members for election by the delegates to serve as NJSBA officers from 2021 to 2023:

- **President: Irene M. LeFebvre**, Boonton Town Board of Education, Morris County.
- **Vice President for County Activities: Bruce R. Young**, Carlstadt-East Rutherford Board of Education, Bergen County.
- **Vice President for Finance: Tammeisha D. Smith**, Knowlton Township Board of Education, Warren County.
- **Vice President for Legislation/Resolutions: Karen Cortellino**, Montville Township Board of Education, Morris County.

NJSBA bylaws also provide a process for candidates to be nominated by petition. No nominating petitions were received by the NJSBA by the March 31 deadline. According to guidelines set by the NJSBA Board of Directors, candidates for NJSBA officer positions are to receive publicity in *School Board Notes*. The information below is provided by the candidates.



Irene M. LeFebvre,
President

Candidate statement:

After 26 years of involvement with the NJSBA, and after leading my local board and county school boards

association, I now feel ready to assume a leadership role on the state level. It has been my pleasure and honor to support the NJSBA's work in multiple roles. As a member of the Delegate Assembly and the Board of Directors, and as a volunteer from my district and county, I have participated in setting a direction for the association by serving on committees that searched for the Executive Director, developed the current Strategic Plan and nominated the NJSBA's officers. I have fully supported the training mission of NJSBA by leading my board to achieve certification – twice – and by personally achieving the status of Certified Board Leader. I have helped the field service staff provide training on basic and advanced levels in weekend and one-day programs. By participating in several task forces and ad-hoc committees, I helped develop position and information papers on critical issues in education. While serving as chair of the NJSBA Special Education Committee, I maintained a balanced focus on meeting these most fragile students' needs and the impact on district finances. I have learned from the best leaders while developing my leadership style and skills. I currently have the time and resources and a sincere desire to serve the NJSBA in the role of president. I look forward to the collaboration and the challenge.

Local Board Activities

- Boonton Town Board of Education, 26 years of the past 27 years, serving as president and vice president several times, chairing many board committees.
- First won election to the Boonton board as a write-in candidate.
- Led the board through NJSBA board certification twice. Served as chair during the process.
- Served as liaison to the Morris County Educational Services Commission. The commission provides services such as transportation and

purchasing to Morris County public school districts and educational programs for special education children.

County Activities

- Morris County School Boards Association. Served as president, as a member of the executive committee and as vice president of legislation.
- NJSBA County Association Leadership (CAL) committee representative.
- County representative to the NJSBA Board of Directors, as an alternate and also as a member.

NJSBA Activities

- School Board Member of the Year 2020-2021
- Certified Board Member
- Master Board Member
- Certified Board Leader
- Task Force Membership: Special Education Task Force (2017); Opportunities for Non-College-Bound Learner Task Force; Ambassador Program: Career Focused Students; Task Force on the Delivery of Mental Health Services; Health and Wellness Steering Committee.
- Chair, NJSBA Special Education Standing Committee. Presented testimony to legislative committees and the Montclair State University Summer Conference on Special Education.

Education

- BA in Mathematics; N.J. Teacher Certification (Math 7-12), Caldwell College, N.J. (1962-1966)
- Master of Arts in Educational Administration, Caldwell University, J. (2000-2002)

Employment (Retired 11/30/17)

- Boonton High School ('66-'71)
- Daytop Village Residential Drug/Alcohol Rehabilitation Center (~'92-'96)
- Teacher of Mathematics (Half Day)
- Boonton Recreation Director (~'92-'98)
- FGL & Associates (1984-2000)
- Passaic County Educational Services Commission (1999-2017)

- Teacher of Mathematics – Memorial Hall (Alternative High School for At-Risk & Special Education Students grades 7-12)
- Vice Principal – Memorial Hall
- Principal – Park School (Kindergarten and Primary Special Education School for Paterson School District)



Bruce R. Young, Vice
President for County
Activities

Candidate statement: I am pleased to submit my name to continue serving as the NJSBA's vice president

for county activities. My commitment to the advancement of public education, as well as my qualifications, experience, and years of service to NJSBA make me the right choice for this role. I am extremely approachable and organized and my vast expertise and knowledge of school board matters will help me to be successful in enhancing the education field. Over more than two decades, I have served as a dedicated board member on several school boards including the Bergen County School Boards Association (BCSBA). During my service on the Carlstadt-East Rutherford Board of Education, I was a four-term president. I also served as the chair for finance, negotiations, policy, and buildings and grounds committees, in which my involvement was key in the acquisition of funding through the FAA and Port Authority for the soundproofing of Becton Regional High School. Additionally, while president of the Carlstadt Board of Education, I was successful in implementing a campaign for a new school referendum. In 2010 when I was made aware of a need to serve on a county level, without hesitation I got involved with the BCSBA. There I served as vice president for four years and as President from 2017 to 2019. During my service on the BCSBA, I committed myself to visiting all Bergen County district meetings. One of the highlights of my volunteering as a School Board member was when I was chosen as the NJSBA School Board Member of the Year in 2017. I have had the pleasure of being the NJSBA vice president for county activities for the past two years. Also during my service with the NJSBA, I was appointed to the Board of Directors, Finance Committee, Policy and Sub-resolution Committee, and most recently I was asked to participate in the Strategic Planning and School Security committees. I am proud to have obtained all of my NJSBA certifications (Certified Board Member, Master Board Member and Certified Board Leader).

Local Board Activities

- Carlstadt Board of Education, 1990 to 2008, and again from 2012 to 2018. Elected president four times. Member of various committees including finance, negotiations, shared services, building and grounds, and policy. Played a key role in passing a referendum to build the new Carlstadt Public School.
- Carlstadt-East Rutherford Regional Board of Education, 2002 to 2008, and again in 2018. Elected President for two terms. Chair of finance, negotiation, policy, and building and grounds committees. Key involvement in the acquisition of funding through the FAA and Port Authority for the soundproofing of Becton Regional High School.

County Activities

- Elected to the Bergen County School Boards Association. Served as vice president of legislation from 2012 to 2016.
- President of the Bergen County School Boards Association from 2017 to 2019.
- Appointed to the NJSBA Board of Directors in 2017.

NJSBA Activities

- Named NJSBA School Board Member of the Year, Oct. 2017 to Oct. 2018.
- Appointed to NJSBA's finance and school security committees.
- NJSBA Vice President for County Activities, 2019 to present.

Education

- East Rutherford High School, East Rutherford, N.J.

Employment/Community Activities

- Part-time zoning official, January 2015 to 2020.
- Carlstadt Director of Public Works, January 2014-15.
- Carlstadt Senior Friendship Club, 2013 to present. President, 2016 to 2018.
- Carlstadt VFW and American Legion, 1975 to present.



Tammeisha D. Smith,
Vice President for
Finance

Candidate statement: I have a passion for education and have exhibited a continued dedication to

New Jersey's 1.4 million students, ensuring they all receive a thorough and efficient education. I support the advancement of public education and promote the achievement of all students through diligent advocacy. With all my years of public service and volunteering in the areas of education, healthcare and social justice for all, I believe I deliver the qualities for a leadership role with the NJSBA and look forward to continuing as the NJSBA vice president for finance. My history of being fully engaged in NJSBA roles and opportunities on local, county and state levels, coupled with my achievements, impressive leadership in business and my community involvement illustrate a true acumen for helping to lead the NJSBA. Lastly, in these unsettling times of increased racial bias, inequities and social injustices, I plan to deliver an emboldened and passionate leadership to our diverse membership, demonstrating that NJSBA executive leadership is truly representative of all the districts it serves. Through my service, I will show NJSBA continues to support and promote increasing the diversity of the NJSBA officers on the Executive Committee and in leadership roles throughout the state. It has been a great experience and tremendous pleasure serving the last two years as the vice president for finance, and I look forward to continuing in that role.

"If your actions inspire others to dream more, do more and become more, then you are a leader."— John Quincy Adams

Local Board Activities

- Board member, Knowlton Township Board of Education, Warren County, 2010-2011. Served

on the Policy Committee.

- Board Vice President, 2012-2013. Member of finance, policy, and contract negotiations committees. Served as a member of the Delegate Assembly.
- Board President, 2014 to present. Served as a member of the finance, facilities, contract negotiations and community outreach committees. Represented the district as a member of the NJSBA Delegate Assembly.

County Level Positions

- Vice President, Warren County School Boards Association, 2017 to 2019. Served on legislative committee in 2018 (a new committee).

NJSBA Activities

- NJSBA vice president for finance, 2019 to present.
- Legislative and Finance Committees, 2017 to present.
- Certified Board Member, May 2018.
- Master Board Member, April 2020.
- Certified Board Leader, April 2021.

Education

- Bachelor of Science in Business Administration (BSBA), Trinity College & University.

Employment

- Currently semi-retired with ample time to be fully engaged with NJSBA responsibilities on a local, county and state level.

Professional Experience

- Chief Executive Officer and Owner: Dunbar Center, Inc. – 2016 – Current
- Insurance Consultant: Foundation Risk Partners – May 2016 – Current

Community Service

- Governor Appointee to N.J. Department of Health – Office on Minority and Multicultural Health Board Member.
- St. Luke's University Health Network – Board of Trustees
- Saint Michael's Medical Center – Community Advisory Board
- United Negro College Fund (UNCF) N.J. Leadership Council



Karen Cortellino, M.D.,
Vice President for
Legislation/Resolutions

Candidate statement: I am currently completing my first term as the NJSBA vice president for legislation/resolutions. I have found the experience rewarding. This has been a difficult time, yet I have learned a great deal. I have been privileged to learn of legislative actions in real time. I have had the opportunity to work closely with the competent NJSBA staff and have honed my parliamentarian skills. Prior to my term as an officer, I served in leadership positions on my local school board and in the County Association. I have developed relationships with state legislators in my capacity as president of the Morris County School Boards Association (MCSBA) and as a member of the MCSBA legislative committee,

as well as my service as the board president for the Montville Township Board of Education for more than five years. I am seeking a second term, first because I enjoy the work, but also, I believe that consistency in leadership at this difficult time aids the Association. I believe I will be a strong voice and advocate for public schools in our state. I look forward to continuing to serve in this crucial position.

Local Board Activities

- Member Montville Township Board of Education, May 2006 to present.
- Served as board president, May 2010-January 2016.
- Served on every standing board committee and various ad hoc committees.
- Served during four MTEA teacher negotiations.

County Level Activities

- Morris County School Board Association, President, 2013 – present.
- May 2006 to present. Active member.
- May 2008-April 2010 – Board of Directors.
- May 2010-May 2013 – Vice President.

NJSBA Activities

- NJSBA vice president for legislation/resolutions, 2019 – present.
- March 2014 – Master Board Member.
- March 2015 – Certificated Board Leader.
- Invited to participate in NJSBA strategic planning.
- Participated in more than a dozen NJSBA committees and training events, including serving as a new board member orientation group leader; serving, since 2008, on the County Association Leadership (CAL) committee; and making Workshop presentations on effective board governance.

Education

- Post Graduate Training: Maryland General Hospital, Baltimore, Maryland.
- Medical School: Universidad Autonoma de Guadalajara, Guadalajara, Mexico.
- Undergraduate College: Queens College of the City University of New York, New York.

Employment/Community Service

- Chair, 2018 and 2019 Boy Scouts of America Montville Good Scout Award.
- Board of Trustees Towaco Civic Association.
- Towaco Civic Association named Montville Township Chamber of Commerce 2020 Organization of the Year.
- Charter member Towaco Civic Association.
- Member, One Montville Response Team.
- Executive Board Member, Boy Scouts of America, Patriots Path Council.
- Member, Greater Montville Relay for Life.



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

by

**Karen Cortellino
Vice President for Legislation/Resolutions**

**Prepared for the Annual Delegate Assembly
May 15, 2021**

The Resolutions Subcommittee met Saturday, March 27, 2021 via virtual Webex, to review the resolutions that will come before the Annual Delegate Assembly on May 15, 2021.

The Association received one resolution from a local board of education for submission to the agenda for the Annual Delegate Assembly by the official cutoff date on March 11. 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 is the resolution admitted to the Delegate Assembly agenda by the subcommittee.

Enclosures



RESOLUTIONS SUBCOMMITTEE OF THE LEGISLATIVE COMMITTEE

JANUARY--DECEMBER 2021

CHAIR **Karen Cortellino**, NJSBA VP for Legislation/Resolutions

REGION A - MEMBERS

| | | |
|-------------|--------------------------|---------------------------------|
| District 2 | Peter Castellano, | Egg Harbor Twp. BOE (Atlantic) |
| District 6 | Joyce Miller, | Gibbsboro BOE (Camden) |
| District 7 | Lester Holley, | Edgewater Park BOE (Burlington) |
| District 10 | Steve Shohfi, | Lavalette BOE (Ocean) |

REGION B – MEMBERS

| | | |
|-------------|------------------------|---------------------------------|
| District 11 | Bob English, | Eatontown BOE (Monmouth) |
| District 13 | Melissa Mohr, | Henry Hudson BOE (Monmouth) |
| District 15 | Jo Ann Groeger, | Lawrence Twp. BOE (Mercer) |
| District 17 | Anthony Brooks, | North Brunswick BOE (Middlesex) |

REGION C – MEMBERS

| | | |
|-------------|-------------------------|---------------------------------------|
| District 22 | Deborah Bridges, | Rahway BOE (Union) |
| District 24 | Robert Carlson, | Wallkill Valley Regional BOE (Sussex) |
| District 26 | Nancy Helbourg, | Rockaway Township (Morris) |
| District 30 | Albert Miller, | Howell BOE (Monmouth) |

REGION D – MEMBERS

| | | |
|-------------|----------------------------|--|
| District 34 | Judith A. Bassford, | Clifton BOE (Passaic) |
| District 34 | Jessica De Koninck, | Montclair BOE (Essex) |
| District 35 | John Vander Molen, | Passaic Co-Manchester Reg. BOE (Passaic) |
| District 40 | Catherine Kazan, | Wayne Twp. BOE (Bergen) |

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REGION A – ALTERNATES

| | | |
|-------------|--------------------------|-----------------------------|
| District 1 | Michele Barbieri, | Upper Twp. BOE (Cape May) |
| District 3 | Carolyn Kegler, | Logan Twp. BOE (Gloucester) |
| District 4 | John Shaw, | Winslow Twp. BOE (Camden) |
| District 19 | Kim Hanadel, | Pinelands Reg. BOE (Ocean) |

REGION B – ALTERNATES

| | | |
|-------------|-------------------------|---------------------------------|
| District 13 | Matthew Kitchen, | Keansburg BOE (Monmouth) |
| District 14 | Elliott Stroul, | Jamesburg BOE (Middlesex) |
| District 16 | Jean Trujillo, | Hillsborough BOE (Somerset) |
| District 19 | Daniel Harris, | Woodbridge Twp. BOE (Middlesex) |

REGION C – ALTERNATES

| | | |
|-------------|-------------------------|------------------------------------|
| District 22 | Sharon Schueler, | Middlesex Borough BOE (Middlesex) |
| District 24 | Bethany Summers, | North Warren BOE (Warren) |
| District 25 | Michael Bertram, | Morris Hills Regional BOE (Morris) |
| District 28 | Jill Fischman, | Bloomfield BOE (Essex) |

REGION D – ALTERNATES

| | | |
|-------------|------------------------|-------------------------|
| District 36 | Michael Jacobs, | Ridgefield BOE (Bergen) |
| District 37 | Paula Colbath, | Fort Lee BOE (Bergen) |
| District 38 | John Walsh, | Oradell BOE (Bergen) |
| District 40 | May Ellen Nye | Ho-Ho-Kus BOE (Bergen) |

EX-OFFICIO: **Michael McClure,** NJSBA President, Maple Shade BOE (Burlington)

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

New Jersey School Boards Association
413 West State Street
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RESOLUTION NO. 1

SYNOPSIS

Resolution No. 1 from the South Orange Maplewood Board of Education (Essex County) proposes **revised** policy language to express the belief that it is important to cultivate inclusive, affirming and welcoming school communities that contribute to the overall safety, pedagogy and school climate; and to support and work with board members and school districts to create greater awareness, to ensure continued safety, support, student engagement and implementation of best practices and policies of all students, including those who are perceived as being lesbian, gay, bisexual, transgender, or questioning, or who are LGBTQ+.

BACKGROUND

The South Orange Maplewood Board of Education states that it is committed to equity, diversity, and inclusiveness, providing safe and welcoming spaces for all students, regardless of race, ethnicity, national origin, language, disability status, gender expression or identity, and sexual orientation. Further, the board is in support of and is committed to ensuring welcoming, inclusive, and safer schools for all students and families, and has adopted policies to support lesbian, gay, bisexual, transgender (LGBTQ+) students and their families.

The board asserts that findings of the 2019 National School Climate Survey of the Gay, Lesbian & Straight Education Network (GLSEN) demonstrate that New Jersey schools were not safe for most LGBT secondary school students. In addition, many LGBT students in New Jersey did not have access to important school resources, such as an LGBT-inclusive curriculum, and are not protected by supportive and inclusive school policies.

Further, the board notes that New Jersey has enacted numerous laws to require education that is culturally responsive and equitable, and to teach respect, diversity, anti-bias, anti-bullying and prejudice. These laws also highlight the contributions of persons in history including the LGBTQ+ community, and ensure our schools provide safe climates for all students, regardless of gender identity, expression, and sexual orientation. The board provides as examples the law requiring the history of disabled and LGBT persons to be included in middle and high school curriculum (N.J.S.A. 18A:35-4.35); Holocaust/Genocide Education (N.J.S.A. 18A:35-28); and African American History (N.J.S.A. 18A:35-1), as well as the New Jersey Law Against Discrimination (N.J.S.A.10:5-12).

RELEVANT NJSBA POLICY

File Code 5131.5 Vandalism/Violence (in part):

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.

File Code 5145.4 Equal Educational Opportunity (in part):

Student/Student Relations Discrimination and Intimidation

- A. **The NJSBA believes** that students have the right to be educated in an environment free of discrimination and intimidation that promotes mutual respect and acceptance among the students regardless of age, gender, race, ethnicity, religious belief, physical ability and perceived difference. Students should be expected to treat each other with respect and should not be subjected to or subject other students to demeaning remarks, whether discriminatory and/or intimidating statements and/or actions.
- B. **The NJSBA believes** that students' acts of discrimination and/or intimidation should not be tolerated. Proven acts of discriminatory practices should result in disciplinary action.
[Authority: BD 10/19/90, DA 11/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]

DISCUSSION

NJSBA has long-standing policies recognizing and affirming the sentiment expressed by the South Orange Maplewood board. Most basically, File Code 5131.5 provides 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 the schools.

Further, File Code 5145.4 states the belief that students have the right to be educated in an environment free of discrimination and intimidation that promotes mutual respect and acceptance among the students regardless of any perceived difference. Students should be expected to treat each other with respect and should not be subjected to or subject other students to demeaning remarks, whether discriminatory and/or intimidating statements or actions.

NJSBA supports and takes action in furtherance of these policies as appropriate. Perhaps most notably, the Association has produced and publicized model local board policies in the Critical Policy Reference Manual to assist local boards in adopting belief statements, and taking actions, to ensure a safe and welcoming student environment.

For example, the model Harassment, Intimidation and Bullying policy (FC 5131.1) stresses actions for a board to take to create safe and civil conditions that are necessary for students to learn and achieve high academic standards. The Equal Educational Opportunity model policy (FC 5145.4) provides for equal and bias-free access to all school facilities and programs, ensuring that all protected classes are protected. The policy reflects the classes covered by the New Jersey Law Against Discrimination, including affectional or sexual orientation, and gender identity and expression. Further, the Association's model curriculum policy contains the recent requirement to include instruction on the political, economic, and social contributions of persons with disabilities and lesbian, gay, bisexual, and transgender people, in an appropriate place in the curriculum.

The most recent addition to NJSBA model, local board policy specifically addresses Gender Identity and Expression (FC 5145.7). This policy states the belief that school culture that supports student achievement, respects the values of all students, and fosters understanding of gender identity and expression within the school community is a safe learning environment. Successfully fostering this understanding requires cooperation and good communication between the parents/guardians, school administration, school staff and school community.

While the basic sentiments of acceptance and inclusiveness are presently expressed in NJSBA's general belief statements, and model local board policies, it would be appropriate to further expand the content of the Association's Manual of Positions and Policies on Education to cover the specific philosophies addressed in the South Orange Maplewood resolution. Further, in accord with the current New Jersey Law Against Discrimination, the protected classes now listed in existing Association policy should be expanded to include gender identity and expression, and affectional or sexual orientation. These additions would serve the purpose of enhancing efforts by NJSBA, local boards, and districts to create a positive, supportive school climate and mutual respect for all students.

STATEMENT OF REASONS

1. Current NJSBA policy recognizes the necessity of creating an inclusive and supportive school climate for all students, regardless of any perceived differences.
2. These beliefs are reflected by NJSBA actions where appropriate, including the creation of model local board policies on these issues, and supporting legislative and governmental actions in this regard.
3. Adding more specific content to NJSBA's belief statements regarding gender identity or expression and affectional or sexual orientation would further support efforts to create a positive school climate and acceptance for all students, leading to a more safe and secure student environment to enhance student achievement.

RECOMMENDATION

The Resolutions Subcommittee recommends approval of this resolution with the following substitute resolved language which would create **revised** policy language at File Code: 5145.4, to be included in NJSBA's *Manual of Positions and Policies on Education*:

Student/Student Relations Discrimination and Intimidation

- A. **The NJSBA believes** that students have the right to be educated in an environment free of discrimination and intimidation that promotes mutual respect and acceptance among the students regardless of age, gender, race, ethnicity, religious belief, physical ability, gender identity or expression, affectional or sexual orientation and perceived difference. Students should be expected to treat each other with respect and should not be subjected to or subject other students to demeaning remarks, whether discriminatory and/or intimidating statements and/or actions.

- 16
- 17 B. **The NJSBA believes** that students' acts of discrimination and/or intimidation should not be
- 18 tolerated. Proven acts of discriminatory practices should result in disciplinary action.
- 19
- 20 C. **The NJSBA believes that local school boards and districts should make all necessary**
- 21 **and appropriate efforts to raise awareness, employ best practices, and create an**
- 22 **inclusive, safe and positive school climate for all students, including those that are**
- 23 **actual or perceived as being lesbian, gay, bisexual, transgender, questioning, or other**
- 24 **sexual orientation, gender identity or expression.**

NEW JERSEY SCHOOL BOARDS ASSOCIATION

**413 West State Street
Trenton, NJ 08618**

1-888-886-5722

**ANNUAL DELEGATE ASSEMBLY
May 15, 2021**

**The following resolution was received from the
South Orange Maplewood Board of Education (Essex):**

- WHEREAS, The South Orange Maplewood School District is committed to equity, diversity and inclusiveness, providing safe and welcoming spaces for all students, regardless of race, ethnicity, national origin, language, disability status, gender expression or identity, and sexual orientation; and
- WHEREAS, The South Orange Maplewood Board of Education is in support of and is committed to ensuring welcoming inclusive safer schools for all students and families and has adopted policies to support lesbian, gay, bisexual, transgender (LGBTQ+) students and families; and
- WHEREAS, Findings from the GLSEN 2019 National School Climate Survey demonstrate that New Jersey schools were not safe for most LGBTQ secondary school students. In addition, many LGBTQ students in New Jersey did not have access to important school resources, such as an LGBTQ-inclusive curriculum, and are not protected by supportive and inclusive school policies; and
- WHEREAS, The STATE of New Jersey has enacted and required numerous laws to require education that is culturally responsive and equitable, and to teach respect, diversity, antibias, bullying and prejudice; and to highlight the contributions of persons in history including the LGBTQ+ community, and to ensure our schools provide safe climates for all students, regardless of gender identity, expression, and sexual orientation, and in the following laws; History of disabled and LGBT persons included in middle and high school curriculum (C. 18A:35-4.35), The New Jersey Law Against Discrimination ("NJLAD"), N.J.S.A. 10:5-12(11)(f), Holocaust/Genocide Education (N.J.S.A. 18A:35-28), and African American History (Rev Stat § 52:16A-87-89); 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 South Orange Maplewood Board of Education proposes 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 it is important to cultivate inclusive affirming welcoming school communities that contribute to the overall safety, pedagogy and school climate; and to support and work with Board Members and school districts to create a greater awareness, to ensure continued safety, support, student engagement and implementation of best practices and policies of all students including those who are perceived as being lesbian, gay, bisexual, transgender, or questioning or who are LGBTQ+, and, be it further

RESOLVED, That the following resolution be considered by the next NJSBA Delegate Assembly to be held in May 2021.

Adopted at a regular meeting of the
South Orange Maplewood Board of
Education on February 22, 2021

Paul Roth
Board Secretary



REPORT OF THE SPECIAL EDUCATION COMMITTEE

Irene LeFebvre, Chair

Prepared for the Annual Delegate Assembly

May 15, 2021

As Chair of the Special Education Committee, I would like to report on the Special Education Committee's activities since the November 2020 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 recommend positions on special education issues for consideration by the Board of Directors.

MEETINGS:

The Special Education Committee met on August 12, 26, November 4, 10, 2020, January 27, 2021, February 4, 10, 17, 25, March 3 and 10, 2021. The agendas of those meetings included the topics and presentations outlined below.

COVID-19 from the Parents Perspective—The Committee met with Peg Kinsell, Institutional Policy Director, Special Education Parent Advocacy Network on the impact that the pandemic has had on parents and students. Ms. Kinsell said that the parents that her organization works with had found that the pandemic exacerbated difficulties concerning language barriers and parent communication in general. Other difficulties included parents and students adapting to remote instruction, especially where students' disabilities made it difficult to sit in front of a computer for any length of time.

COVID-19 and Approved Private Schools for Students with Disabilities—The Committee met with Gerard Thiers, Executive Director, ASAH (Association of Schools and Agencies for the Handicapped), the association that represents approved private schools for students with disabilities, and also with Ken Alter, Director of Deron Schools in Union and Montclair concerning the impact of the pandemic on these private schools and the students sent to them by districts. Most of the private schools planned to be fully open as of September 2020 with safeguards for staff and students. Their goal was to provide all of the services for which they were contracted.

Training for Parent Advocates—The Committee heard from Peg Kinsell, Institutional Policy Director, and Carolyn Hayer, both from the SPAN Parent Advocacy Network regarding the training that they provide for those who wish to become parent advocates. As referenced later in this report, this training is comprehensive and strives to provide advocates with the knowledge and skills to assist parents and students in special education matters.

The NJSBA Special Education Committee thanks all of the speakers who came to its meetings to share their knowledge and expertise. Their participation is invaluable to the work of the Committee.

Report of the Special Education Committee
Prepared for the Annual Delegate Assembly – May 15, 2021
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Bills—The Committee discussed the following legislative bills:

A-4357--Permits special education students and bilingual education students to repeat prior year grade level during 2020-2021 school year upon parental request.

https://www.njleg.state.nj.us/2020/Bills/A4500/4357_11.PDF

S-3434 --Requires boards of education to provide special education and related services to certain students exceeding age of eligibility for special education and related services.

https://www.njleg.state.nj.us/2020/Bills/S3500/3434_11.PDF

SPECIAL EDUCATION COMMITTEE MEMBERS 2020-21

Member Name

Irene LeFebvre, *Chair*
Cherie L. Adams
Rita Barone
Sheli Dansky
Lisa Marshall
Holly Morell
Cathy A. Moncrief
Sharon Schueler
Eleanore Shaffer
James Gaffney, *Resource Person*

District Name

Boonton Town Bd. of Ed
Belmar Bd. of Ed
Watchung Hills Regional Bd.
River Edge Bd. of Ed
Warren Hills Regional Bd. of Ed
Fort Lee Bd. of Ed.
Lindenwold Bd. of Ed
Middlesex Borough Bd. of Ed.
Hampton Twp. Bd. of Ed
Oakland Bd. of Ed.

Staff

John J. Burns, Esq.
Jonathan Pushman

Counsel
Director, Governmental Relations

PARENT ADVOCATE REPORT AND RECOMMENDATION

SYNOPSIS

Pursuant to Article V, Sec. 2 of the *NJSBA Bylaws*, the NJSBA Special Education Committee submits the following report and recommendation for action by the Delegate Assembly seeking adoption of new policy language requiring training for parent advocates. The report and recommendation were approved unanimously by the Committee at its March 10, 2021 meeting.

BACKGROUND

Opinion 56 of the Committee on the Unauthorized Practice of Law

The committee's inquiry into the role of parent advocates in special education matters began when the Committee on the Unauthorized Practice of Law (CUPL) issued Opinion 56 on September 30, 2020. The CUPL is a committee of the New Jersey Supreme Court that "reviews grievances regarding unauthorized practice of law and also issues advisory opinions" concerning what is, and is not, the practice of law. (Note that *N.J. Court Rules* 1:21-1(f) allows non-attorney advocates to represent parents or children in contested special education matters in the Office of Administrative Law and expected to comply with certain rules of proceedings *N.J.A.C.* 1:1-5.5(g)). Opinion 56 was addressing their role in other proceedings.)

In Opinion 56, the CUPL said:

[N]on-lawyers with knowledge or training with respect to children with disabilities and their educational needs may charge fees for consulting activities but may not charge fees for representing the parents or children in formal mediation or administrative proceedings. They may, however, charge fees for advising parents regarding educational problems, evaluating such problems, the proper educational placement for children with disabilities, producing technical reports, and serving as an expert witness. Lawyers may work with such non-lawyer educational consultants but may not "partner" with the consultant or share legal fees with the consultant; the lawyer must be hired by the parents separately from the consultant. (Opinion 56, p.10 <https://njcourts.gov/notices/2020/n201016a.pdf>)

However, on October 14, 2020, the CUPL issued a stay of its opinion pending stakeholder input into six questions:

1. Whether non-lawyer advocates should be permitted to represent, and speak on behalf of, parents or children with disabilities in meetings with the school district concerning the individualized education program (IEP), without the presence and/or participation of the parents or children?
2. Whether non-lawyer advocates should be permitted to represent, and speak on behalf of,

Report of the Special Education Committee
Prepared for the Annual Delegate Assembly – May 15, 2021
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parents or children with disabilities in mediation proceedings concerning the IEP?

3. What safeguards should be required when non-lawyer advocates represent, and speak on behalf of, parents or children with disabilities in meetings concerning the IEP or in mediation proceedings?
4. What criteria must the non-lawyer advocate meet to be permitted to engage in activities that are considered, in Opinion 56, to be the practice of law?
5. Is it in the public interest to permit non-lawyer advocates to engage in these activities that are considered, in Opinion 56, to be the practice of law? If so, why?
6. How can the public be protected from non-lawyer advocates who do not have adequate knowledge or training with respect to children with disabilities and their educational needs?

The NJSBA Special Education Committee worked with Association staff to answer four of the questions asked. The special education committee's responses centered around the need to have special education resources used as efficiently as possible with as many of those funds flowing into the classroom, rather than into the courtroom. This was one of the themes in NJSBA's report, *Special Education: A Service, Not a Place*, issued in 2014. Additionally, the NJSBA relied on its comments to the NJDOE's *Proposed Special Education Due Process Prehearing Guidelines*, issued in January 2020 in which it applauded the joint decision of the Office of Administrative Law and the NJDOE to provide training for Administrative Law Judges in special education. Specifically, the ALJ's will be receiving training in special education law and procedures, legal writing and settlement procedures. In its November 13, 2020 comments to the CUPL, the NJSBA stressed that such efforts will lead to more effective and efficient proceedings. This will reduce litigation costs for districts and allow more time for school personnel to focus on student achievement. Similarly, non-lawyer advocates should also be trained. Mandatory training for advocates will ensure that parents and students are receiving effective assistance while establishing minimum standards for bringing disputes to the local district or the OAL. Through effective training, the time spent litigating disputes can be reduced because all non-lawyer advocates will have a standard knowledge base, permitting disputes to be resolved with greater efficiency. This will permit more time and resources to be focused on effective programming and services to support the special education student. (See Attachment 1)

Though NJSBA was able to adequately respond to the questions of the CUPL, the NJSBA Special Education Committee believes that the Association's advocacy efforts would be enhanced by having a specific policy addressing the need for mandatory training of non-lawyer parent advocates.

RELEVANT NJSBA POLICY

The NJSBA has no policy specifically on point concerning parent advocates. Policies related to the issue are included below for informational purposes:

File Code 6171.4 Teacher Certification and Professional Development

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Prepared for the Annual Delegate Assembly – May 15, 2021
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A. The NJSBA believes that, prior to certification, all teachers should complete an appropriate educational program on understanding the nature and needs of students eligible for special education and related services.

B. The NJSBA believes the State should require that teacher preparation programs have, as part of their curriculum, content in adapting curriculum, instruction, and assessment to meet the needs of all learners in the inclusive classroom. Pre-service teachers should have ample opportunity to learn and apply the instructional methods associated with multiple intelligences, multi-sensory instruction, differentiated instruction, intensive instruction, Universal Design for Learning, curriculum-based assessment, and assistive technology. Pre-service teachers should be equipped to establish learning environments that maximize attention and learning through the careful application of positive behavior supports and effective communication. Further, teacher preparation programs for pre-service teachers earning the Prekindergarten through 3rd grade or the elementary education (K-6) certifications should include content in teaching students with reading disabilities. [Authority: DA 5/14 (Special Education Task Force)]

C. The NJSBA believes that all currently certified teachers should be required, as part of their continuing professional development, to participate in in-service programs related to special education students and programs. [Authority: DA 12/75-CR (Special Education), DA 11/97-4, DA 11/97-CR (Special Education), DA 11/02-SR, DA 11/07-SR, DA 11/12-SR, DA 11/17-SR]

File Code 9200 Inservice Training

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]

DISCUSSION

The IDEA

The purpose of the federal Individuals with Disabilities Education Act (IDEA) is to ensure that all children with disabilities ages 3 through 21 have available to them a Free Appropriate Public Education (FAPE) that provides special education and related services designed to meet their unique needs and prepare them for further education, employment, and independent living. To protect the rights of children with disabilities and parents of such children, the law seeks to ensure that educators and parents have the necessary tools to improve educational results for children with disabilities by supporting system improvement activities; coordinated research and personnel preparation. Finally, the law seeks to assess, and ensure the effectiveness of, efforts to educate children with disabilities.

What's an IEP?

The purpose of the Individualized Education Plan (IEP) is to ensure that the student receives FAPE in the least restrictive environment. The IEP is a written plan that describes in detail the individual student's special education program. The IEP should describe how the student currently performs and the student's specific instructional needs. The IEP must include detailed and measurable annual goals and short term objectives or benchmarks. The IEP must be designed to confer a meaningful benefit to the student. To the maximum extent appropriate, children with disabilities are educated with children who are not disabled. Special classes, separate schooling, or other removal of children with disabilities from the regular educational environment occurs only when the nature and severity of the disability is such that education in regular classes with the use of supplementary aids and services cannot be achieved satisfactorily.

How disputes occur

Because of the highly regulated and highly specialized nature of special education, disputes can occur between parents and the district at any time in the process. For example, there may be disputes about eligibility and the need for an IEP, what the goals and objectives should be, whether the programs and services offered meet the needs of the student as described in the IEP. There may also be disputes about the placement of the child in a particular learning environment or other disputes related to the student and their educational program.

The need to resolve disputes as early as possible

Whenever there is a dispute between parents and school districts, it is in the student's best interest, as well as the parent and the district, to resolve the dispute as expeditiously as possible. If a change needs to be made to the placement or services that a student is receiving, it is in everyone's interest to ensure that the student is in an environment that promotes the student's achievement. To that end, there is a dispute resolution process available for parents and districts to utilize. Each state sets up their own process for dispute resolution.

What is the dispute resolution process?

New Jersey has a process of dispute resolution that seeks to help parents and districts to resolve disputes early on, without the need for extended litigation. Mediation is an available option involving the use of a third party to help the parties resolve the dispute. The NJDOE will assign a state mediator to assist the parties. If the mediation is successful, the dispute is over, and whatever adjustments that are agreed upon are implemented. If the mediation is not successful, then either party can file a due process petition to be heard at the Office of Administrative Law (OAL). A due process petition is the first step in the formal hearing process. The petition is filed with the Office of Administrative Law who assigns it to an administrative law judge to fact-find and to render a final decision on the dispute. Either the parent or the district can appeal the decision to federal district court. When a due process petition is filed, it is the district that has the burden to prove that its placement decision is the correct one, regardless of whether or not it is the district that actually files the complaint. In addition, if the district loses in the dispute, the district must pay the parent's attorney's fees.

Role of the parent advocate

The IDEA provides that any party to the administrative due process hearing has “the right to be accompanied and advised by counsel and by individuals with special knowledge or training with respect to the problems of children with disabilities.” 20 U.S.C. § 1415(h)(1). According to the rules of the Office of Administrative Law, a non-lawyer may appear in a contested case before that Office “to represent parents or children in special education proceedings, provided the non-attorney has knowledge or training with respect to handicapped pupils and their educational needs so as to enable the non-attorney to facilitate the presentation of the claims or defenses of the parent or child.” Specifically, a parent or child “may be represented by individuals with special knowledge or training with respect to handicapped pupils and their educational needs.” *N.J.A.C.* 1:6A-5.1(a). The non-lawyer who seeks to represent parents or children with disabilities in special education proceedings must follow the procedures requiring an application for permission to appear. *N.J.A.C.* 1:6A-5.1(b); *N.J.A.C.* 1:1-5.4(a)(7). The non-lawyer must submit a written Notice of Appearance/Application. *N.J.A.C.* 1:1-5.4(b)(4). The Notice must include an “explanation certifying how he or she has knowledge or training with respect to handicapped pupils and their educational needs so as to facilitate the presentation of the claims or defenses of the parent or child. The applicant shall describe his or her relevant education, work experience or other qualifications.” *N.J.A.C.* 1:1-5.4(b)(4)(iv). The difficulty is that this is the first time in the entire IEP process that there is any mention of any qualifications for the parent advocate. In addition, the process utilized at the OAL results in practice in the approval of advocates with very limited experience in applying the IDEA legal standards or presenting cases. To assure the integrity and effectiveness of the dispute resolution process, the state must ensure that parents have access to a trained advocate from the outset of the representation at the first initial meeting of the IEP team and through mediation, not just in representation before the OAL. A trained advocate will have knowledge of the applicable laws and processes to advise and aid parents in their advocacy for their student. The advocate will be able to clearly communicate realistic expectations of what the IEP process can, and cannot, provide for the child.

In the current IEP process, the parent advocate is the only person communicating with the parents who is not required to have any formal training at the outset. Everyone else—school personnel, lawyers, and administrative law judges--must all have formal training concerning their roles before engaging with parents. Training of parent advocates is in the best interest of students, parents, school districts and the public-at-large.

SPAN as example of effective training

The Special Education Parents Advocacy Network (SPAN) offers training to become a parent advocate. This training encompasses a minimum of thirty hours initial training with an additional twenty-five hours available. This training gives the participants an understanding of the special education laws and processes as well as the role of a non-attorney advocate in dispute resolution processes, among other subjects. Furthermore, SPAN requires that their

trained advocates receive ongoing continuing education to stay up to date with current developments in special education. The NJSBA Special Education Committee believes that this is a prime example of the kind of training that protects the interests of all involved. (See Attachments 2 and 3)

STATEMENT OF REASONS

1. Article V, Sec. 2 of the *NJSBA Bylaws* permits the Special Education Committee to submit to the Resolution Subcommittee a resolution to be forwarded to the delegates provided that it is germane to the committee's charge and adopted by a majority vote of such committee at any meeting.
2. Non-lawyer parent advocates provide a valuable service by helping parents to navigate the special education laws and procedures as they seek to secure the appropriate services for their students.
3. Requiring training for non-lawyer parent advocates protects parents and students by creating realistic expectations that are student-focused.
4. Having trained non-lawyer parent advocates assists districts because disputes can be resolved more efficiently allowing limited special education funding to be spent on educational programming to promote student achievement rather than legal disputes.

RECOMMENDATION

The NJSBA Special Education committee recommends approval of the following policy language which would create new policy to be included in NJSBA's *Manual of Positions and Policies on Education*:

The NJSBA believes that trained non-lawyer parent advocates provide a valuable service to parents and students. Mandatory training of non-lawyer parent advocates is essential to protect the interests of parents, students and districts. Training for parent advocates should result in an understanding of the appropriate role of a parent advocate as well as the requirements of federal and state special education laws and regulations, IEP development, and conflict resolution. Training should be ongoing. The state should provide funding for such training.

REPORT OF THE RESOLUTIONS SUBCOMMITTEE
ON
The Periodic Review of Positions and Policies on Education
and review of
Sections 1000 (Community Relations) and 2000 (Administration)
in Accordance with GO/8700
By
Karen Cortellino, Chairperson
To the Annual Delegate Assembly
May 15, 2021

Review of Sections 1000 (Community Relations) and 2000 (Administration): 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 1000 and 2000 sections of the NJSBA Manual of Positions and Policies on Education. Staff has identified those policies which require reaffirmation and those which require change including wording, amendment or deletion.

Policies Recommended for Reaffirmation: Fifteen (15) 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 fifteen (15) policies included in List 1.

Policies in Need of Change: Two (2) policies (File Codes 1600, 2224) were in need of amendment due to outdated terminology or statutory provisions. These policies comprise List 2. Copies of the policies follow List 2 in format indicating the original policies, 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 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 two (2) policies included in List 2.

PERIODIC REVIEW OF POSITIONS AND POLICIES ON EDUCATION
 REVIEW OF SECTIONS 1000 AND 2000
 COMMUNITY RELATIONS/ADMINISTRATION
 POLICIES RECOMMENDED FOR REAFFIRMATION WITHOUT CHANGES

| FILE CODE | TITLE |
|-----------|---|
| 1000/1010 | Concepts and Roles in Community Relations; Goals and Objectives |
| 1100 | Communicating with the Public |
| 1120 | Board of Education Meetings |
| 1200 | Participation by the Public |
| 1314 | Fundraising by Outside Organizations |
| 1400 | Relations Between Other Governmental Agencies and the District |
| 1410 | Local Units |
| 1420 | County and Intermediate Units |
| 1430 | State and National Units |
| 1500 | Relations Between Area, County, State, Regional and National Associations and NJSBA |
| 1600.1 | School/Business Partnerships |
| 2000 | Concepts and Roles in Administration |
| 2130 | Administrative Staff |
| 2240 | Research, Evaluation and Planning |
| 2255 | Action Planning for New Jersey Quality Single Accountability Continuum (NJQSAC)/T&E Certification |

POSITIONS AND POLICIES ON EDUCATION

Concepts and Roles in Community Relations;
Goals and Objectives

FILE CODE

1000/1010

Community Schools

The NJSBA believes there should be collaborative partnerships between home, community, social service agencies and the schools to provide quality educational opportunities for all children. The NJSBA supports efforts to provide financial and technical assistance to districts to develop community schools. Examples of partnerships may include, but are not limited to, child care programs, prenatal care and counseling for teenage parents, and recreational and educational programs in the evenings and weekends. *[Authority: DA-12/82 CR-Urban Education, DA-6/95-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Cross References: 1100 Communicating with the public
1120 Board of education meetings
1200 Participation by the public
6200 Adult/community education

Key Words: community, partnership

POSITIONS AND POLICIES ON EDUCATION

Communicating with the Public

FILE CODE

1100

Communicating Information on Schools

The NJSBA believes open, accurate communication among the State Department of Education, State Board of Education, local boards of education and the public is a cornerstone of a quality school system. It is the responsibility of local boards of education to keep the local community informed of the status of the school district on a continuing basis. To support these efforts, the State Department of Education should maintain an efficient system of data collection and accurate reporting. *[Authority: DA-6/85-14, DA-6/86-17, DA-6/95-SR, DA-5/01-SR, DA-5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Cross References: 1000/1010 Concepts and roles in community relations; goals and objectives
1120 Board of education meetings

Key Words: communication, community, information

POSITIONS AND POLICIES ON EDUCATION

Board of Education Meetings

FILE CODE

1120

Public Participation at Board Meetings

- A. **The NJSBA believes** that board of education meetings are a primary means of sharing information about the school with the community and that boards of education should invite public comments and input, within reasonable parameters.
- B. **The NJSBA believes** that local boards of education should schedule a period during every regular public board meeting for meaningful citizen participation. *[Authority: DA 6/81-25, BD 4/93, DA 6/95-SR, DA 5/01-SR, 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Cross References: 1000/1010 Concepts and roles in community relations; goals and objectives
1100 Communicating with the public
1200 Parent/citizen involvement

Key Words: board meetings, public comment, public participation

POSITIONS AND POLICIES ON EDUCATION

Participation by the Public

FILE CODE

1200

Parent and/or Guardian/Citizen Involvement in Education

The NJSBA believes that local boards of education should promote parent and/or guardian/citizen involvement in education. Schools should be made accessible to parents and members of the community; opportunities for communication among staff, parents and/or guardians, and the general public should be encouraged; school-related policies and procedures, data and other information should be provided; parents and/or guardians and citizens should be involved in the development of policies and programs; and parents and/or guardians and citizens should be provided meaningful participation, within reasonable parameters, at all regular public board meetings. *[Authority: DA 6/81-25, DA 12/82-CR Urban Education, DA 6/95-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Cross References:

| | |
|-----------|---|
| 1000/1010 | Concepts and roles in community relations; goals and objectives |
| 1100 | Communicating information on schools |
| 1120 | Board of education meetings |
| 5020 | Role of parents/guardians |
| 5145.6 | Pupil grievance procedure |

Key Words: parent involvement, citizen involvement, board meetings

POSITIONS AND POLICIES ON EDUCATION

Fundraising by Outside Organizations

FILE CODE

1314

Sales and Use Tax Exemptions

The NJSBA believes that boards of education, public schools and school-affiliated groups such as PTAs, PTOs, booster clubs, and other parent and teacher organizations serve a valuable purpose to the school community including fundraising activities that benefit school districts, schools and individual student organizations. These entities should be exempt from the payment of New Jersey sales and use tax on purchases, and from the collection of New Jersey sales and use tax on goods and food sold through the schools by the school district, school or school-affiliated group. *[Authority: DA 11/00-10, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

| | | |
|--------------------------|------|-----------------------|
| Cross References: | 3210 | Local Funds |
| | 3220 | State Funds |
| | 3320 | Purchasing Procedures |

Key Words: PTA, PTO, Booster clubs, fundraising, tax,

POSITIONS AND POLICIES ON EDUCATION
Relations Between Other Governmental Agencies
and the District

FILE CODE

1400

Relations Between Districts and Governmental Entities

The NJSBA believes that communities' and local boards' educational concerns are best served when governmental agencies, including the State Department of Education, adopt and enforce procedures that assure compliance with statutory and regulatory provisions, including timelines, and the release of prompt and accurate information to local school districts and the public at large [Authority: BD 3/99, DA 1/79-21, DA 6/85-14, DA 6/93-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

NJSBA Monitoring of Labor Law Decisions

- A. **The NJSBA believes** labor law, including legal and administrative decisions, has significant impact on school boards' ability to manage their districts effectively and efficiently.
- B. **The NJSBA believes** the interests of local boards are best served by continuing to monitor, analyze and communicate rules and regulations, PERC and the courts' labor decisions as they affect the public in general and boards of education.
- C. **The NJSBA believes** that, when appropriate, it will act vigorously to prevent or modify labor-related decisions issued by PERC or the courts of New Jersey which are inimical to the public welfare and to boards of education. [Authority: DA 12/76-2, DA 10/78-CR PERC, DA 6/93-SR, DA 5/70-CR PERC, DA 12/71-CR PERC (Deleted as 4135.12 – All-Neutral PERC-DA 6/93-SR, DA 6/95-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

Cross References: 1430 State and national units
4135.3 Negotiations/consultation
9300 Governance

Key Words: PERC, labor law, regulatory provisions, information

POSITIONS AND POLICIES ON EDUCATION

Local Units

FILE CODE

1410

District Cooperation With Local Government Units

- A. The NJSBA believes that school districts' sharing of services and cooperation with municipal and county governments can benefit all parties and should be encouraged and facilitated, including but not limited to, joint purchasing, joint insurance funds, and insurance pools.
- B. The NJSBA believes that the State departments and agencies should encourage sharing of services by providing technical assistance, and the paying of financial incentives directly to the participating school districts, and municipal and county governments. *[Authority: DA 12/91-CR QEA, DA11/95 CR Shared Services, DA 5/01-SR, DA 11/02-4 DA 5/06-SR, DA- 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Key Words: shared services, joint purchasing, insurance

POSITIONS AND POLICIES ON EDUCATION

County and Intermediate Units

FILE CODE

1420

Cooperative Arrangements

The NJSBA believes that the current variety of cooperative and regional service delivery arrangements support local boards of education in their mission to provide a thorough and efficient education to their students. These cooperative arrangements do not diminish the local board responsibility to provide for the needs and rights of students and parents. *[Authority: DA 12/85-CR ESC Study, DA 11/95-CR Shared Services, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Intermediate Units

- A. **The NJSBA believes** that each school district should have access to an intermediate unit (educational services commission or jointure commission) that provides coordination of services to all districts in an area without regard to county boundaries. The State Department of Education should ensure that all services offered by intermediate units are efficient, cost effective and provide the broadest range of services possible to districts within their area. *[Authority: DA 11/95-CR Shared Services]*
- B. **The NJSBA believes** there should be reasonable and practical requirements for the governance of intermediate units that fairly and equitably represent the interests and participation of all its members. The State Board of Education should establish intermediate units as Limited Purpose Local Education Agencies (LPLEAs) that are responsible to the State Department of Education and Executive County Superintendent of Schools to the same extent as all public school districts. *[Authority: DA 11/95-CR Shared Services, DA 12/85-CR ESC Study, DA 6/88-CR Designation of Intermediate Units as LEA's, DA 10/79-CR Regionalization, DA 6/81-24, DA 6/83-A, DA 6/84-A, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR]*
- C. **The NJSBA believes** that the use of Intermediate units should be encouraged by the State and the Executive County Superintendent where the Intermediate unit can provide cost-effective, quality services that meet the needs of the student. *[Authority: DA 5/14 (Special Education Task Force)]*
- D. **The NJSBA believes** that local districts should look to the Intermediate units as a primary resource when seeking services for special needs students. *[Authority: DA 5/14 (Special Education Task Force), DA 5/16-SR, DA 5/21-SR]*

NJSBA Relations with County Offices

- A. **The NJSBA believes** that the county offices of the State Department of Education provide needed services and support to local districts and should be entirely funded by the state.
- B. **The NJSBA believes** that the county offices should expand their responsibilities to districts to include offering expertise and technical assistance in the areas of budget review (as related to the educational program), program review, special education, vocational education and adult, continuing community education. *[Authority: BD 11/74, DA 6/78-12, DA 6/93-SR, DA 11/95-CR Shared Services]*
- C. **The NJSBA believes** that the county offices should maintain a special education data bank that would provide information to local child study teams on available services in the county. *[Authority: DA 6/78-12, DA 6/93-SR, DA 11/95-CR Shared Services, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

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

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

POSITIONS AND POLICIES ON EDUCATION

State and National Units

FILE CODE

1430

Federal Role in Education

- A. **The NJSBA believes** that it is the responsibility of the federal government to identify national interests in education, including national standards, and to provide full funding of those identified interests and initiatives. The role of the federal government should be to provide leadership in issues of national consequence that states and localities alone are unlikely to be able to meet, such as, protection of constitutional and civil rights for students and school employees; collection, analysis and reporting of national education statistics, and provision of general information about education. *[Authority: DA 11/09-ER (A)]*
- B. **The NJSBA believes** that the federal government, in cooperation with the states and local communities, should help meet the needs of key groups of students such as the gifted and talented, the socioeconomically disadvantaged, minority and language minority students, immigrants, migrant children, and those with disabilities.
- C. **The NJSBA believes** the authority for the management of public schools must remain with local boards of education. Federal authority over school districts should not exceed the scope necessary to meet national goals, including national standards, and to fulfill the state constitutional mandate for a thorough and efficient system of free public education. Federal authorities must give local districts the flexibility necessary to achieve the objectives and goals of federal education programs while maintaining local control. *[Authority: DA 11/02-3, DA 11/09-ER (A)]*
- D. **The NJSBA believes** there should be federal funding for federally mandated programs and incentives to local districts to develop programs of national interest. *[Authority: DA 12/83-1, BD 4/93, DA 11/00-CR School Finance]*
- E. **The NJSBA believes** there should be federal and state financial incentives to encourage interagency cooperation to promote early intervention programs for at-risk children; including prenatal care for pregnant teens; substance abuse prevention; parent and staff training; preschool programs and child care services; and health screening for infants and preschoolers. *[Authority: DA 6/89-CR Early Childhood Education, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

State Role in Education

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

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

- F. **The NJSBA believes** that the Commissioner of Education should be appointed by the Governor upon the recommendation of the State Board of Education and with the advice and consent of the Senate and should serve at the pleasure of the Governor during the Governor's term of office. *[Authority: 6/79-6, BD 10/82, DA 6/93-SR, DA 6/96-SR]*
- G. **The NJSBA believes** that the term of office for State Board of Education members should be four years and appointments to the State Board of Education should be made using a set of selection criteria that includes demonstrated commitment to public education, a capacity to understand issues, and a willingness to devote the time necessary for active involvement. *[Authority: DA 12/80-4]*
- H. **The NJSBA believes** that it should work with the State Department of Education and other state associations to identify models of shared management services through the consolidation of administrative positions; and encourage districts to explore the sharing of management services by consolidating positions which could include but not be limited to the chief school administrator, business administrator, curriculum supervisors and special education supervisor. The State Department of Education should establish guidelines to ensure protection for participating districts and personnel. *[Authority: DA 11/95-CR Shared Services, DA 5/01-SR, DA 11/01-SR, DA 11/01-SR, DA 11/02-3, DA-5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

NJSBA Political Action Committee

The NJSBA believes that the establishment of an Association Political Action Committee would not be beneficial and that board of education members can better affect the political process by communicating with government decision makers through their state and county Associations and through their own individual efforts. *[Authority: DA 10/78-CR PAC Feasibility, DA 6/93-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Initiative and Referendum Legislation

The NJSBA believes that the representative democracy, which has served New Jersey and the United States so well for two hundred years is the best means of law making for the future. The Association opposes dilution of representative democracy by creation of an initiative and referendum system in the state. *[Authority: BD 3/86, DA 6/86-A, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

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

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

POSITIONS AND POLICIES ON EDUCATION

Relations Between Area, County, State, Regional,
and National Associations and NJSBA

FILE CODE

1500

Cooperative Relationships With Other Educational Organizations

- A. **The NJSBA believes** that it can best accomplish its advocacy for children by working in a cooperative relationship with county, state, regional and national organizations. A close working relationship should exist between the NJSBA and these organizations to preserve a federal income tax deduction for state and local taxes. *[Authority: BD 2/74, BD 11/75, BD 4/93-SR, DA 6/85B, DA 6/95-SR, DA 5/11-SR]*
- B. **The NJSBA believes** that state school boards associations and other organizations should work together to gain endorsement of a national children's and youth policy; and to establish a Federal Office on Services for Children and Youth to coordinate all national programs for children. *[Authority: DA 6/95B, DA 6/90-CR Early Childhood Education]*
- C. **The NJSBA believes** there should be expanded education opportunities for youth to support prepaid post-secondary tuition programs that would benefit parents and students in planning and funding college costs. *[Authority: DA 6/95 -CR Prepaid College Tuition, DA 5/01-SR, 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

National Education Reform

The NJSBA believes that it should continue to assume leadership at the national level in education reform efforts. *[Authority: BD 9/93, DA 5/01-SR, 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

NJSBA Relations with County School Boards Associations

The NJSBA believes that it is essential to maintain close communication and cooperation between county association leadership and NJSBA and among county associations. The NJSBA Field Service staff should provide appropriate services and support to the county school boards associations. *[Authority: DA 12/77-CR Governance, DA 6/93-SR, DA 11/95-CR Shared Services, DA 5/01-SR, 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Cross References: 1420 County and Intermediate units
 1430 State and national units

Key Words: cooperation, tax, tuition, county

POSITIONS AND POLICIES ON EDUCATION

School/Business Partnerships

FILE CODE

1600.1

Collaboration with Local Employers

The NJSBA believes there should be collaborative efforts with local employers and other responsible agencies to provide for the placement of high school graduates, including paid internships and after school/summer jobs. Work hours for students should be scheduled so as not to interfere with the student's ability to focus on academic studies. *[Authority: DA 12/82-CR Urban Education, DA 11/99-ER (A), DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Business Support of Education

The NJSBA believes there is a mutual benefit to schools and business partnerships to provide the best possible education to the maximum number of students. *[Authority: DA 6/86-15, DA 6/87-CR Business Support of Education, Amended 6/95-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Cross References:

| | |
|---------|---|
| 1430 | State and national units |
| 1600 | Relations between other entities and the district |
| 6142.12 | Career education |

Key Words: employers, internships, business partnerships

Responsibilities of the Board of Education

- A. **The NJSBA believes** that two of the most significant responsibilities of the board of education are the hiring of a chief school administrator and annually reviewing the performance of the chief school administrator in implementing the district's educational goals, vision and direction.
- B. **The NJSBA believes** the board of education should annually review the performance of the board secretary concerning the functions where he/she directly reports to the board. *[Authority: DA 11/03-ER(A), DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 12/16-SR, DA 5/21-SR]*

Leadership Effectiveness of Superintendents and Principals

The NJSBA believes that principals and superintendents must play a crucial leadership role in developing school and community support and school boards must provide them with professional development and other support required to carry out their leadership role effectively. *[Authority: DA 12/83-1, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 12/16-SR, DA 5/21-SR]*

The Position of Chief School Administrator

- A. **The NJSBA believes** that the chief school administrator is critical in implementing the educational goals, vision and direction of the school board and the community and as overseer of the instructional and non-instructional aspects of the district, and in support of this responsibility, the chief school administrator should have the authority to recommend for hire to the board of education all employees. *[Authority: DA 11/03-ER(A)]*
- B. **The NJSBA believes** that the employment and evaluation of the chief school administrator is the central role of the local board of education and that the relationship between the board of education and the chief school administrator must be marked by understanding of, and mutual respect for, their respective and distinct policy-setting and managerial responsibilities.
- C. **The NJSBA believes** that swift, accurate communication between board members and the superintendent is crucial. *[Authority: DA 5/76-CR Policy Advisory]*
- D. **The NJSBA believes** the chief school administrator should report to the board of education on a monthly basis all personnel decisions and include a report attesting to compliance with the district's policy on personnel decisions. *[Authority: DA 11/03-ER(A), DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 12/16-SR, DA 5/21-SR]*

Retention and Support of the Chief School Administrator

- A. **The NJSBA believes** that the terms and conditions of employment of the chief school administrator should be established by contract, and should provide for the following:
 - 1. Defined goals and objectives agreed to by the local school board and the chief school administrator, including goal and objectives to address student achievement in the school district, against which the chief school administrator will be evaluated annually;
 - 2. Additional criteria, including demonstration of leadership skills, upon which the chief school administrator's performance will be evaluated;
 - 3. Annual evaluation of the performance of the chief school administrator and agreement between the parties of the annual compensation paid to the chief school administrator, including salary and benefits. The annual compensation shall be established by the progress made toward the

4. achievement of the stated goals and objectives of the school district and any additional criteria agreed to by the parties; and
 5. A provision for termination of the contract by either party, including the term of notice to be provided by the party terminating the contract, reasons for termination of the contract, a statement of the chief school administrator's obligation to mitigate his/her damages and limits on the financial liability of the district. *[Authority: DA 11/03-ER (A), DA 5/01-SR, DA 5/06-SR, DA 5/11-SR]*
- B. **The NJSBA believes** New Jersey's current certification process for chief school administrators as applied to in-state candidates is generally appropriate and valid. The Association also believes that practicing out-of-state chief school administrators should become licensed in New Jersey if they hold a master's degree in any subject area; have at least five years of successful experience as a chief school administrator; receive training in New Jersey school finance and law. Additionally, the NJSBA believes that out-of-state chief school administrators should not be required to take the licensing test required for new, inexperienced administrators, nor should they have to undergo the required residency program. *[Authority: BD 9/99]*
- C. **The NJSBA believes** retired chief school administrators should be permitted to work on a consultant basis for one year – with no requirement to make new pension contributions and without the cessation of payments from the pension plan. *[Authority: BD 9/99]*
- D. **The NJSBA believes** in the establishment of executive skills training programs for school administrators at institutions of higher education or through professional development. *[Authority: BD 9/99]*
- E. **The NJSBA believes** that local school boards and the chief school administrator should (1) identify classroom educators who may have aptitude for administrative positions and (2) encourage these educators to consider taking this career path. *[Authority: BD 9/99]*
- F. **The NJSBA believes** that state support and adequate funding should be provided for pilot programs in New Jersey districts which address the organizational and managerial factors associated with effective schools, including models of shared leadership to allow staff to take on new roles in administration, enhance recruitment opportunities and promote creative strategies to share leadership. *[Authority: BD 9/99, DA 11/03-ER(A)]*
- G. **The NJSBA believes** that the board that learns of a vacancy in the position of the chief school administrator should have the authority to hire the new chief school administrator. *[Authority: BD 11/03-ER(A)]*
- H. **The NJSBA believes** that reducing the time within which a board must give notice of non-renewal of the CSA contract is in the best interest of districts. *[Authority: DA 11/03-3, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 12/16-SR, DA 5/21-SR]*

Chief School Administrator Salary Caps

The NJSBA believes that hiring the chief school administrator is one of the most critical board responsibilities and that the authority to select the most appropriate and suitable candidate should continue to rest with the local board of education. *[Authority: DA 5/13-2, DA 12/16-SR, DA 5/21-SR]*

Cross References: 2130 Administrative staff
4111 Recruitment, selection, hiring

Key Words: chief school administrator, superintendent, principal

POSITIONS AND POLICIES ON EDUCATION

Administrative Staff

FILE CODE

2130

Authority of Building-Level Administrators

The NJSBA believes that local boards of education should review the amount of autonomy and discretion provided for building-level administrators to determine whether they have the authority needed to lead the school. [Authority: DA 12/82-CR Urban Education, DA 11/95-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

Preparation and Certification of Administrators

The NJSBA believes that certification requirements for school administrators and graduate programs in administration should include: increased training in personnel management, communications and supervision; recognition of the different skills required by building and district administrators, and provision for a field practicum prior to certification. [Authority: DA 12/82-CR Urban Education, DA 11/95-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

Cross References: 2000 Concepts and roles in administration
4112.2 Certification

Key Words: administrators, training

POSITIONS AND POLICIES ON EDUCATION

Research, Evaluation and Planning

FILE CODE

2240

Effective Schools Research

The NJSBA believes that in order to promote greater student achievement, local boards of education should adopt policies, programs, and practices that would address the critical organizational, managerial and school climate factors identified in effective schools research. [Authority: DA 12/82-CR Urban Education, BD 11/84-CR Extended School Year, DA 11/95-SR, DA 11/96-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

Student Surveys

The NJSBA believes that local board policies on surveys of student behavior and attitude should ensure that the board of education maintains oversight of this research and is the final authority on methodology used in those surveys. [DA 11/96-SR, BD 9/00, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

Key Words: research, surveys

POSITIONS AND POLICIES ON EDUCATION

Action Planning for New Jersey Quality Single
Accountability Continuum (NJQSAC)/T&E Certification

FILE CODE

2255

State and Local Responsibility for NJQSAC /T&E Planning and Implementation

- A. **The NJSBA believes** that the Legislature intended the State to determine the broad goals of education (i.e., goals that are commonly considered essential for all students to achieve in order for them to function politically, socially and economically in a democratic society) and to monitor and evaluate local districts to determine whether they are making sufficient progress toward achieving those goals.
- B. **The NJSBA believes** that the Legislature intended to require local districts to set their own specific goals, consistent with the State goals and with maximum public participation, and to be accountable for achieving those goals.
- C. **The NJSBA believes** that only if local district progress in achieving those goals is insufficient should the State become involved in how districts educate their children, direct corrective action or utilize enforcement provisions of applicable law. [Authority: DA 10/78-CR (High School Graduation Requirements); 12/91-CR (QEA); DA 6/93; DA 5/97-CR (School Finance); DA 5/00-1]
- D. **The NJSBA believes** that, if local district progress in achieving those goals is insufficient, State monitoring should be implemented by a clear guide which is completed sufficiently prior to enforcement to allow effective district planning, which is promulgated with full public review and State Board of Education approval and which includes, but is not limited to:
1. an understandable description and an itemized and reasonable timetable for State Department of Education responsibilities; and
 2. substantially detailed requirements made of local districts within the parameters of applicable statute and code which do not create an undue burden on local districts in terms of, at a minimum, additional, unnecessary paperwork. [Authority: DA 6/77-Policy Recs. 1 and 2; DA 1/79-15; 6/83; DA 6/93; DA 6/93-SR; DA 5/97-CR (School Finance)]
- E. **The NJSBA believes** that it is the responsibility of the State to see that the resources necessary to achieve goals are available and used efficiently. [Authority: DA 10/78-CR (High School Graduation Requirements); 12/91-CR (QEA); DA 6/93; DA 5/97-CR (School Finance); DA 5/00-1, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

Equivalency and Waiver Code

The NJSBA believes that the State Board of Education should provide the Commissioner of Education with the regulatory flexibility to assist boards of education in providing an effective and efficient educational program through an equivalency and waiver process [Authority: DA 11/99-1, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

State Monitoring of School Districts

The NJSBA believes the state should regularly monitor school districts' progress towards achieving their established goals, objectives and standards. This assessment should include a comprehensive school visitation and evaluation. [Authority: DA 6/77-Policy Rec. 3; DA 6/93-SR; DA 11/97-SR, DA 5/01-SR, DA 11/01-SR, DA 11/02-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]

Cross References:

| | |
|--------|-----------------------------------|
| 1430 | State and national units |
| 2240 | Research, evaluation and planning |
| 6146 | Graduation requirements |
| 6147 | Standards of proficiency |
| 6171.4 | Special education |

Key Words: T & E, monitoring, equivalency and waiver, New Jersey Quality Single Accountability Continuum (NJQSAC)

PERIODIC REVIEW OF POSITIONS AND POLICIES ON EDUCATION
 REVIEW OF SECTIONS 1000 AND 2000
 COMMUNITY RELATIONS/ADMINISTRATION
 POLICIES RECOMMENDED FOR REAFFIRMATION WITH CHANGES

| FILE CODE | TITLE | SUBHEADING(S) RECOMMENDED FOR CHANGE |
|----------------------|--|--|
| 1600 | Relations Between Other Entities And the District | Development of Child Care Programs and Services |
| 2224 | Equal Employment Opportunity/Nondiscrimination | Equal Employment Opportunity/Nondiscrimination |

POSITIONS AND POLICIES ON EDUCATION

Relations Between Other Entities And the District

FILE CODE

1600

Development of Child Care Programs and Services

The NJSBA believes local boards should form partnerships with municipal government, community-based groups and agencies, and parents in order to provide for periodic assessment of the community's child care needs. Where appropriate, collaborative planning and delivery of comprehensive child care services should be made available. State and federal incentives should be made available to school districts that develop child care programs that target high need populations such as infants of adolescent parents and {handicapped} disabled youngsters. Technical assistance should be made available through the collaborative efforts of the department of education and the department of human services to enable school districts to develop needed child care services. *[Authority: DA 6/89-CR Early Childhood Education, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Informal Agreements

The NJSBA believes that voluntary, informal agreements to share programs and services to enhance educational opportunity between entities is in the best interest of the students, the school and the community. *[Authority: DA 10/79-CR Regionalization, DA 6/93-SR, DA 11/95-CR Shared Services, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Public and Higher Education Cooperation

The NJSBA believes that public education will benefit from cooperative programs with institutions of higher education, for example, in the areas of advanced courses for students and professional development. *[Authority: DA 12/91-CR QEA, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Reduction of Greenhouse Gas Emissions

The NJSBA believes that the state, business and public entities, including schools, should support efforts to protect the resources and systems that support us today so that they will be available to future generations. All reasonable efforts to implement voluntary programs and initiatives to accomplish the reduction of greenhouse gas emissions should be supported. *[Authority: DA 11/01-1 DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

| | | |
|--------------------------|--------|--|
| Cross References: | 1410 | Local units |
| | 1420 | County and intermediate units |
| | 1430 | State and national units |
| | 1500 | Relations between area, county, state, regional and national associations and the district |
| | 3530 | Insurance management |
| | 3541 | Transportation |
| | 4131 | Staff Development |
| | 4131.1 | Inservice Education/Visitations/Conferences |
| | 5141.4 | Child abuse and neglect |
| | 5200 | Nonpublic school pupils |
| | 6000 | Concepts and roles in instruction |
| | 6141.1 | Experimental/innovative programs |
| | 6171.2 | Gifted and Talented |
| | 6171.4 | Special education |
| | 6178 | Early childhood education/preschool |

Key Words: partnerships, child care, shared services, higher education, green house gas

Rationale: Revisions reflect current terminology.

POSITIONS AND POLICIES ON EDUCATION
Equal Employment Opportunity/Nondiscrimination

FILE CODE

2224

Equal Employment Opportunity/Nondiscrimination

- A. **The NJSBA believes** that equal employment opportunities in the New Jersey school systems should be available to persons without regard to race, creed, color, national origin, ancestry, age, marital status, civil union status, domestic partnership status, affectional or sexual orientation, genetic information, pregnancy or breast feeding, sex, gender identity or expression, disability, or atypical hereditary cellular or blood trait of any individual or because of the liability for service in the Armed Forces of the United States or the nationality of any individual, or because of the refusal to submit to a genetic test or make available the results of a genetic test to an employer.
- B. **The NJSBA believes that** this sentiment should be reflected in its practices, workshops, seminars, conferences, and publications. *[Authority: DA 12/82-CR (Urban Education); DA 11/95-SR, DA 5/01-SR, DA 5/06-SR, DA 5/11-SR, DA 5/16-SR, DA 5/21-SR]*

Cross References: 2000 Concepts and roles in administration
5145.4 Equal educational opportunity

Key Words: equal employment opportunity, nondiscrimination

Rationale: Revisions reflect the current Law Against Discrimination statute.

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 Annual Meeting on May 15, 2021.



New Jersey School Boards Association

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