

# notes DIGEST

## Federal Government Continues to Require Spring Tests

The New Jersey Department of Education (NJDOE) on March 17 directed school districts to prepare to administer statewide student tests this spring while New Jersey continues to seek permission from the federal government to cancel the tests – as it did last year.

That is the complicated guidance districts have received as they try to make plans for the rest of the school year. NJSBA Executive Director Dr. Lawrence S. Feinsod said that it is unfortunate that schools are unable to devote their full resources to fighting the pandemic, and instead, must expend time and energy on planning for tests that may, or may not, be administered.

“We continue to advocate, with the other major educational organizations in the state, for the federal government to grant a waiver

from the requirement to administer the assessments this year,” said Feinsod. “We understand the value of student achievement data, but districts need all the resources they can muster to address the difficult challenges presented by pandemic.”

So far, the Biden administration continues to require the tests. On March 17, U.S. Education Secretary Miguel Cardona told reporters he didn’t plan to change the Education Department decision on standardized testing, which was announced in February before he was confirmed by the Senate.

“The guidance that we provided at the agency last month is the guidance that we’re going with moving forward on assessments to see where students are after this pandemic,” *continued on page 3*

### NJSBA Budget: No Dues Increase for 12th Consecutive Year

On Friday, March 19, the NJSBA Board of Directors unanimously approved the proposed Association budget for the year beginning July 1, 2021.

The budget will increase by 1.9%, and for the 12th consecutive year, there will be no dues increase for New Jersey’s school districts. NJSBA’s non-dues revenue represents a growing percentage of the total budget.

“We are pleased to maintain our record of fiscal prudence and not raise dues once again,” said Dr. Lawrence S. Feinsod, NJSBA executive director. “Districts have indicated their appreciation of this, particularly during a time when boards are facing unexpected expenses.”

## Another Day, Another Number One Ranking for N.J. in Education

U.S. News & World Report announced on March 9 that New Jersey’s education system is the best in the nation.

According to the U.S. News & World Report “Best States” rankings, New Jersey has the country’s top education system and is number one in pre-school enrollment.

The high rankings follow Education Week’s recognition on Sept. 3 that, for the second year in a row, New Jersey’s public schools were the best in America.

“New Jersey’s board members, staff, students and families can take great pride in this prestigious ranking,” said Dr. Lawrence S. Feinsod, NJSBA executive director. “Hard work pays off! Congratulations to everyone who works with New Jersey’s 1.4 million public school children.” 



### A Letter about Workshop 2021

Dear NJSBA Member,

After much analysis and deliberation, the New Jersey School Boards Association has made the difficult decision not to hold an in-person Workshop 2021. Instead, NJSBA will hold a virtual Workshop on Oct. 26-28, 2021.

This decision was based on data from our member survey, financial projections, and feedback from potential sponsors and exhibitors. If an in-person Workshop were to be held, the Workshop team has projected there would be a financial loss in excess of \$100,000.

Among the contributing factors:

- Holding an in-person Workshop would be substantially more expensive. Among the additional costs: personal protective equipment for attendees, sponsors and exhibitors, and the expenses involved in additional cleaning and disinfection protocols.
- There is uncertainty concerning capacity limits in indoor venues in the fall. If NJSBA is forced to limit the number of participants at Workshop, it will affect the per-person costs.
- It is unclear how many of our members would feel comfortable attending an in-person Workshop. In a recent survey of our membership, a majority of respondents expressed reservations about attending an in-person conference.
- In addition, our sponsors and exhibitors are wary about committing to a conference with such uncertainty over attendance.

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## Regionalization, Special Education Measures Continue to Advance

In March, Assembly and Senate committees met remotely and considered education-related proposals. The following provides a rundown of some of the measures receiving approval that would impact New Jersey public school districts.

### Senate Budget and Appropriations Committee (Monday, March 22)

The committee approved the following bills, both of which were scheduled for votes by the full Senate on March 25. From there, they will head to the Assembly.

#### Special Ed Services for 21+ Students

**S-3434** This bill would extend the age eligibility for special education and related services by requiring boards of education to provide the services included in a student's individualized education program (IEP) for those who reach the age of 21 during the 2020-2021 school year, the 2021-2022 school year, and the 2022-2023 school year.

During committee deliberations, while supporting its intent, NJSBA raised several concerns about the bill. However, those concerns have now been mitigated because the initiative will be funded through federal funds provided from the recent stimulus packages. Furthermore, any remaining expenses of local districts will be paid for by the state through **the Property Tax Relief Fund**.

#### School District Regionalization

**S-3488** establishes criteria for state-funded regionalization studies, increases flexibility on regionalization cost apportionment, bars any regionalization that would encourage segregation, and provides financial incentives for districts losing state aid because of declining enrollment. The districts would be encouraged to regionalize because the schedule for their Adjustment Aid cuts would be extended. **S-3488** establishes an eight-year phase-out of Adjustment Aid cuts — stretched out from the current four years — for districts participating in a LEAP (Local Efficiency Achievement Program), a regionalization study that continues if the districts involved elect to implement a regionalization plan. Through 2028-2029, newly established K-12 regional districts would receive the greater of the state aid to which the newly established district would be entitled, or the sum of the aid of the consolidated districts, including the eight-year Adjustment Aid phase-out. Most importantly, **S-3488** ensures that the final decision to move forward with any regionalization plan remains subject to voter approval — a key priority of the NJSBA.

NJSBA supports the bill because it represents a voluntary, incentive-based opportunity for districts to explore regionalization and determine if it would be beneficial to their students and their communities.

### Assembly Education Committee (Wednesday, March 17)

**Assessment Waiver A-5374** directs the New Jersey Department of Education (NJDOE) to formally request a waiver of student academic assessment requirements from the federal government for the 2020-2021 school year. Currently, the assessments have been delayed until April. The NJDOE is already actively pursuing a waiver from the administration of assessments this spring. NJSBA supports the bill as well as the department's waiver request.

#### Student Journalists' Rights

**A-169/S-108** concerns the speech rights of student journalists at public schools and public institutions of higher education. This bill requires school districts to adopt a policy giving student journalists greater rights over the news, opinion, feature, and advertising content of school-sponsored media. NJSBA expressed concerns about the bill because it was not needed and current law and policy provide sufficient guidance. The bill gives greater rights to a certain set of students based on the extra-curricular activity that they are involved in, when no other students get to enjoy these rights. The legislation also goes against long-standing U.S. Supreme Court precedent and does not provide enough liability protections for the board and its employees. The bill may be posted for an Assembly floor vote. If approved, it will return to the Senate, which passed a previous version of the bill.

#### Civics Instruction

**A-3394/S-854** Under the bill, known as "Laura Wooten's Law," beginning in the 2022-2023 school year, each board of education is required to provide a course of study about the values and principles underlying the American system of constitutional democracy, the function and limitations of government, and the role of a citizen in a democratic society. The course is to be taken by all pupils in an appropriate middle school grade. The course of study must include a minimum of two quarters of instruction, or the equivalent. The measure has already passed the full Senate and now heads to the Assembly Appropriations Committee.

#### Community Schools Pilot Program

**A-1055** establishes a five-year Community Schools Pilot Program. The program would be managed by an in-state nonprofit organization selected by NJDOE. That organization would provide group training sessions and information about community schools available to any district interested in establishing a community school. Additionally, the organization would be responsible for selecting up to 50 schools, including charter schools, that would receive direct assistance from a site coordinator assigned to the school.

NJDOE will select two outside entities to supervise the managing organization: a financial firm that will annually audit the program and an independent

entity to conduct an evaluation of the pilot program.

This program is anticipated to cost \$26 million over the five-year period. Funding would be provided both through monies appropriated by the Legislature as well as private contributions. NJSBA supports this bill.

#### Easing Substitute Teacher Requirements

**S-2832/A-5295** allows college students who have accumulated at least 30 college credits (sophomores and beyond) and are at least 20 years old to serve as substitute teachers up until June 30, 2023. The current standard is 60 credits (juniors and beyond). Under the bill, NJDOE would provide a final report by no later than June 30, 2024 as to whether the 30-credit standard should be allowed to continue. Additionally, the bill increases the coverage provided by substitute teachers by extending the amount of time those individuals may teach in the same classroom during public health emergencies.

NJSBA was able to have language inserted clarifying school districts may establish additional criteria for substitute teachers within their district. NJSBA supports the bill.

## Assembly Community Development and Affairs Committee

### Marijuana Offenses & Parental Notification

**A-5472** requires law enforcement to provide written notice to the parent or guardian of a minor purchasing or possessing alcoholic or cannabis. Recently enacted legislation legalizing cannabis had laid out a written warning system for minors found in possession of cannabis. However, parents or guardians were not to be notified until the second and subsequent violations. This bill addresses parental notification for first offenses. NJSBA supports this bill. **A-5472** and its Senate counterpart, **S-3565**, were both scheduled for floor votes on Thursday, March 25.

## Assembly Appropriations Committee

### Pilot Program for SEL in Early Elementary Years

**S-2486/A-4264** establishes a five-year Clayton Model Pilot Program in the Department of Education to provide a social emotional learning program to elementary school students attending selected public schools. The pilot program would be based on the Clayton Model, which is a responsive, trauma-informed intervention program for student development that was created by the Clayton School District in Gloucester County. Under the bill, the New Jersey Commissioner of Education would select three counties to participate in the pilot program: one county to represent the northern area; one county to represent the central area; and Gloucester County to represent the southern area of the state.

READ MORE: *School Board Notes* issue numbers 36, 34 and 33.

Cardona said.

The federal Education Department guidance released last month said the agency wouldn't excuse states from a federal require-

While the NJDOE is pursuing all flexibilities possible via the waiver process, school communities must prepare for all contingencies.

ment to conduct annual assessments, declining to issue the same blanket waivers as the Trump administration did last spring at the start of the pandemic.

Instead, department officials said they planned to give states "significant flexibility" in how they conduct the tests this year, though it has not yet defined what that leeway will entail.

The February guidance said that schools will have the option to administer shorter tests, conduct them virtually or delay the assessments until later into the summer or fall.

Also on March 17, the NJDOE told districts to administer the tests while it works to achieve a better outcome.

"While the NJDOE is pursuing all flexibilities possible via the waiver process, school communities must prepare for all contingencies," the NJDOE said in a broadcast memo, which said the state formally applied for a waiver from the tests on March 19.

"Under federal law, the USED (U.S. Education Department) has 120 days from submission to respond to NJDOE's waiver request. If the waiver is denied or is still pending as of the scheduled dates for administration, spring assessment administration will move forward as required by federal law. For this reason, the NJDOE will resume a significantly amended statewide assessment administration this spring. In these difficult circumstances and while the NJDOE continues to advocate for federal flexibilities on behalf of New Jersey schools, the NJDOE encourages local education agencies (LEAs) to make their best efforts to plan for and administer statewide assessments this spring." 🍎

## New CDC Guidance: Students Safe Three Feet Apart, Especially in Elementary Schools

The Centers for Disease Control and Prevention on March 19 updated its K-12 school guidance to reflect the latest science on physical distance between students in classrooms.

The CDC now recommends that, with universal masking, students should maintain a distance of at least three feet in classroom settings. CDC has updated its operational strategy to say:

- In elementary schools, CDC recommends all students remain at least three feet apart in classrooms where mask use is universal — regardless of whether community transmission is low, moderate, substantial, or high.
- In middle and high schools, CDC also recommends students should be at least three feet apart in classrooms where mask use is

universal and in communities where transmission is low, moderate, or substantial.

- Middle school students and high school students should be at least six feet apart in communities where transmission is high, if cohorting is not possible. Cohorting is when groups of students are kept together with the same peers and staff throughout the school day to reduce the risk for spread throughout the school. This recommendation is made because COVID-19 transmission dynamics are different in older students — that is, they are more likely to be exposed to COVID and spread it than younger children. 🍎

READ MORE: [Online School Board Notes Issue No. 36.](#)

## Governor Signs NJSBA-Backed Budget Flexibility Measure

On Monday, March 15, Gov. Murphy approved legislation, S-2691/A-4310, that authorizes school districts to maintain a surplus at 4% for the 2020-2021 and 2021-2022 school years. Under existing law, a school district, other than a county vocational school district, may only maintain a surplus of 2%. In addition, under the new measure, the use or transfer of those funds between line items and program categories will not require the approval of the New Jersey Commissioner of Education.

NJSBA supported the bill throughout the legislative process. The bill is part of the Association's advocacy agenda, which was published in *Choosing the Best 'Road Back' for Our Children*, the second in a series of four special reports on education during the pandemic.

Upon the governor's approval of the bill, Assemblymen Daniel Benson and Eric Houghtaling, sponsors of the measure, released the following statement:

"The coronavirus pandemic has created unprecedented complexities and constraints on schools' financial resources. As we look towards recovery from the pandemic, schools are set to

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Workshop  
continued

Nonetheless, we remain committed to meeting the professional development needs of school leaders.

### A Virtual Conference with New Features

Last year, NJSBA held a highly successful virtual conference, which attracted approximately 6,000 participants, provided 100 training sessions and featured 140 exhibitors.

This year, the Association is planning a conference that provides the training, resources and networking features from last year and adds additional opportunities for engagement and interaction. Registration for virtual Workshop 2021 will open on May 17.

NJSBA is grateful for your commitment to the success of Workshop, and we look forward to your participation in our exciting virtual conference. Support for New Jersey's local boards of education, educational leaders, and public school students remains our top priority.

We wish you continued health and safety.

Sincerely,

Mike R. McClure  
President

Dr. Lawrence S. Feinsod  
Executive Director

# Through a Year of Loss and Pain, Education Carried On

One year ago, on March 16, Gov. Phil Murphy issued a historic order that would reshape education in New Jersey. To reduce the rate of community transmission of COVID-19, Murphy ordered all schools to close by Wednesday, March 18.

With that, New Jersey's students, school board members, teachers, administrators, staff, and families were plunged into uncharted territory. Drawing on a reserve of persistence, courage and ingenuity, educators continued to provide instruction outside of the familiar structures of classrooms and schools.

Teachers and students had to quickly become familiar with using videoconferencing programs, and they transitioned to conducting the school day remotely. Educators tried to infuse normalcy into the day by conducting the Pledge of Allegiance and morning announcements online, scheduling exercise breaks, and commemorating occasions like graduation with virtual ceremonies.

Other educators and students, who were without proper technology and access, struggled to continue instruction with paper packets of information, as districts and the state worked to shrink the digital divide. Meanwhile, schools continued to provide meals to students who qualified for free- and reduced-price lunches, packing meals to go, and delivering them to students' homes, or arranging for families to pick up meals at schools.

"We all applaud our state's local boards and the entire public school community for their flexibility and dedication in continuing to educate our students during this pandemic year," said Dr. Lawrence S. Feinsod, NJSBA executive director.

NJSBA's Pandemic Outreach The New Jersey School Boards Association also went remote on March 16, and shifted into action to continue to provide resources and train-



ing to its members. "I also want to commend NJSBA's staff for their efforts in continuously providing up-to-the-minute information and resources for our members throughout the past 12 months," said Feinsod.

Without the ability to hold its scheduled roster of in-person training sessions and meetings, the Association began to hold original online programs, which are broadcast live and then archived on the NJSBA website. On a weekly basis, NJSBA has presented at least five original online training and informational programs, including webinars, Facebook Live events, online professional development, pod-

## Selected Milestones in a Year That Was Like No Other

For an entire year, the coronavirus has dominated the news and created a once-in-a-lifetime crisis for educators in New Jersey. On this anniversary of the governor's order to close New Jersey's schools, the New Jersey School Boards Association selected key dates and events that confronted superintendents, educators and school board members as they worked together to save lives while continuing to educate 1.4 million school-children.

### MARCH

**March 4:** James Cai, a 32-year-old physician's assistant from Fort Lee, is diagnosed as New Jersey's first coronavirus case. He recovers, with lung damage, after 19 days in the hospital.

**March 10:** John Brennan, a 69-year-old horse trainer from Little Ferry, is the first New Jersey resident to die of COVID-19.

**March 16:** On Tuesday, March 16, Gov. Murphy orders schools to close on March 18. Many educators thought the closure would last a few weeks; Murphy later orders schools to stay shuttered through June.

**March 18:** NJSBA opens the COVID-19 Resource Center, providing critical news, links to websites and information for districts struggling to cope with the pandemic.

**March 24:** Murphy announces that federally-required student assessments, normally administered in the spring, will be canceled.

**March 30:** Cliffside Park educator Ben Luderer, 30, a baseball coach, dies – one of the first educators in the nation claimed by COVID.

### APRIL

**April 1:** The state budget, which normally expires on June 30, is extended to Sept. 30 to give lawmakers time to assess and respond to the crisis.

**April 1:** The State Board of Education waives its prohibition of the delivery of special education services remotely, allowing more than 200,000 special needs students to receive internet-based instruction.

**April 23:** The U.S. Department of Education announces \$13.2 billion will be made available to help the nation's schools deal with the pandemic.

### MAY

**May 4:** Gov. Murphy announces schools will stay closed through June.

**May 11:** New Jersey Education Commissioner Lamont Repollet accepts a position as president of Kean University. He agrees to stay on to help guide the public schools' response to the crisis.

**May 12:** NJSBA announces that its in-person Workshop 2020, traditionally held in Atlantic City, will be replaced by a Virtual Workshop, offering more than a hundred programs to help districts respond to the pandemic.

**May 20:** NJSBA releases "Searching for a New Normal in New Jersey's Public Schools," the first of four special reports the NJSBA will release between May 2020 and January 2021. The reports offer information and strategies, while raising questions that must be answered before schools can reopen safely.

**May 26:** Gov. Murphy says outdoor, socially-distanced graduation ceremonies may take place after July 6.

### JUNE

**June 2:** To help meet the challenge of online learning, the NJSBA announces the Sustainable Jersey Digital Schools Program.

**June 8:** Outgoing NJDOE Commissioner Repollet



casts and videos.

County meetings continued throughout the summer, and School Board Notes continued to publish weekly through the summer to update members on the frequent changes in guidance from the state and the federal Centers for Disease Control and Prevention (CDC). A new webpage was begun, focusing on pandemic-related issues, guidance and resources. In the fall, that website was redesigned to focus on the challenges of the 2020-2021 school year.

The Association's signature direct services continued uninterrupted as well. Field Service

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**From left to right: Pledge of Allegiance in Warren Township:** Preschool student Addie DePersis follows along as Scott Cook, principal of Mt. Horeb Elementary School leads students in the Pledge of Allegiance during his virtual Morning News meeting.

**Union City's COVID-19 Nurses Team:** School nurses in several New Jersey districts volunteered in their communities, including the Union City school nurses here, who volunteered with first responders. Left to right: Zulma Solis, of the Union Hill Middle School; Adis Oliva Torres from Thomas A. Edison Elementary School; and Joel Roca Ortiz, from the Academy for Career and Community Empowerment.

**Lawrence Township Packing Lunches by the Thousands:** Districts throughout New Jersey continued to provide meals for students and families. In Lawrence Township (Mercer), the district prepared and delivered more than 2,500 lunches a week for about 503 students.

**Middle Township's Prom King and Queen:** Middle Township High School in Cape May County held a "front porch prom," and students dressed up, and danced to music chosen by them and broadcast on a local radio station. Teachers, administrators and prom organizers drove to homes and crowned the prom king and queens, and delivered prom favors and prizes that had been donated.

announces that 89,000 students lack internet access. More detailed studies later reveal that more than 230,000 students were unable to participate in online classes due to a lack of devices or internet access.

**June 16:** The leading education groups in the state, including the NJSBA, call for clear guidance on how to safely reopen schools.

**June 23:** Student athletes are given hope that they will have a fall sports season as summer practice guidelines are announced by the New Jersey Student Interscholastic Athletic Association (NJSIAA).

**June 26:** The state releases guidance on reopening schools, requiring some level of in-person instruction. Three weeks later, the requirement for in-person instruction will be waived.

## JULY

**July 8:** NJSBA county association leaders meet virtually with Kevin Dehmer, the new NJDOE interim commissioner.

**July 10:** NJSIAA announces a one-month delay in interscholastic athletic competition.

**July 20:** Gov. Murphy declares that all-virtual instruction will be an option for all students in the fall. Districts that cannot safely offer in-person instruction will not be required to do so.

## AUGUST

**Aug. 12:** The New Jersey Supreme Court voted unanimously to allow the state to borrow up to \$9.9 billion to meet pandemic-related expenses.

**Aug. 25:** Gov. Murphy proposes a nine-month state budget, calling for \$7.3 billion for schools.

## SEPTEMBER

**Near Labor Day:** Schools throughout the state successfully reopen, choosing the combination of virtual, hybrid and in-person learning selected by local school boards, guided by superintendents and general health protocols established by the state.

**Sept. 29:** The governor signs the state budget, with no further cuts in education aid.

## OCTOBER

**Oct. 20:** Angelica Allen-McMillan, Ed.D., is named the new acting commissioner of education.

**Oct. 20 – Oct. 22:** NJSBA stages its first-ever Virtual Workshop, attracting more than 6,000 participants. Many of the sessions offer information on how to effectively cope with the crisis.

## NOVEMBER

**Nov. 17:** NJSBA advocates for NJQSAC regulatory relief, which was later adopted by the Legislature and signed by the governor.

**Nov. 21:** 234 participate in the NJSBA's Virtual Delegate Assembly.

## DECEMBER

**Dec. 1:** Murphy postpones indoor youth sports, including ice hockey, until January.

**Dec. 23:** The governor signs the NJQSAC regulatory relief bill into law.

## JANUARY 2021

**Jan. 11, 2021:** Gov. Murphy allows 12th-grade students to receive their diploma without taking a graduation exam, as long as they have met other requirements.

## FEBRUARY

**Feb. 17:** NJSBA announces the return of Virtual STEAM Tank as 350 student teams sign up for regional competitions.

**Feb. 23:** A \$578 million increase in formula education aid is proposed in the governor's \$44.8 billion state spending proposal.

## MARCH

**March 2:** NJSBA applauds the governor's decision to make vaccines available for educators and staff.

**March 9:** U.S. News & World Report declares New Jersey's schools are the best in the nation.

**March 10:** The governor announces that every student in New Jersey now has access to the internet and can participate in online instruction.



## FROM THE COURTS

### Appellate Division Rules on Second-Grade Student's Transgender Case

This past November, the Appellate Division of the Superior Court, the state's second highest judicial tribunal, determined that parents appealing a board's initial ruling under the Anti-Bullying Bill of Rights Act, *N.J.S.A. 18A:37-13 et seq.*, are not entitled to the full panoply of rights granted to students facing long-term suspensions or expulsion. In this matter, a second-grade student was alleged to have bullied a classmate while that classmate was in the process of gender transition. The allegation arose from the student's inappropriate questioning of the transitioning student. The antagonist intimidated and teased despite being told not to question the clothing the transitioning student chose to wear. The board, relying on this allegedly repeated conduct, determined the antagonist violated the district's Harassment, Intimidation and Bullying (HIB) policy.

The parents filed an appeal before the New Jersey Commissioner of Education seeking to overturn the board's determination and to

expunge their child's disciplinary record of the HIB violation. That appeal was assigned to an administrative law judge who, after a five-day hearing, issued a 38-page initial decision, finding that the district's investigation was riddled with mistakes and was deficient with respect to an incident that occurred in the cafeteria. The judge also made a detailed credibility finding and ultimately held that the board was arbitrary, capricious, and unreasonable. Upon review of the initial decision, the commissioner rejected the initial decision, determined that the antagonist did commit an act of HIB, and concluded that the board's decision was not arbitrary, capricious, or unreasonable.

In appealing to the Appellate Division, the parents of the antagonist argued that the HIB statutes and supporting regulations did not afford a proper measure of due process to their child. They asserted that the consequences of an HIB violation were comparable to a long-term suspension and that students accused of HIB should

be afforded comparable rights. Specifically, the parents argued that students facing a long-term suspension should be provided a pre-hearing notice, the specific testimony to be offered against the student, the charges, and the right to cross-examine witnesses.

However, the court declined to order such a process for HIB hearings. The court noted that due process is a flexible concept that depends on the liberty interest at stake. The court disagreed with the parents that the interests at stake in long-term suspensions are comparable to those in an HIB hearing in large part because HIB determinations are confidential and not readily accessible by the public. Additionally, the court noted the lack of evidence that the board's HIB finding would jeopardize the student's chances at college admission. It should be noted however, that the court remanded the matter to the commissioner on other grounds.

For more information about this case go to [www.njsba.org/TransgenderCase](http://www.njsba.org/TransgenderCase). You may wish to consult with your board attorney, or consult an NJSBA staff attorney at (609) 278-5254.

### NJSBA-Backed Budget

continued

experience unpredictable changes. Whether school districts are conducting in-person, hybrid or virtual instruction, the ability to use money where it's needed most is essential. From covering the costs of PPE, enhanced sanitization, buses to accommodate social distancing, laptops and everything in between, we cannot anticipate every need. By providing this financial flexibility to districts, along with other tools, we make our schools more resilient and stronger in their educational mission."

Joining Assemblymen Benson and Houghtaling as prime sponsors of the bill were Assemblyman Ronald Dancer, Senator Linda Greenstein, Senator Nellie Pou, and Senator Shirley Turner. The NJSBA thanks each of the sponsors, Assembly Speaker Coughlin, Senate President Sweeney and Gov. Murphy for advancing and approving the legislation. 🍏

#### Get the Full Story Online

The print edition of *School Board Notes Digest* is published monthly, and it includes condensed versions of articles that have appeared in the weekly online version of the newsletter. The current issue is available at [www.njsba.org/sbn](http://www.njsba.org/sbn). Follow links on that page to view archived editions.

### Year of Loss and Pain

continued

Representatives conducted training sessions to boards virtually, and the Legal, Labor Relations and Policy department responded to daily requests for information on school law, negotiations, and policy.

NJSBA also undertook the research and writing of a series of special reports on education during the pandemic. The reports included:

- **Searching for a 'New Normal' in New Jersey's Public Schools: How the Coronavirus Is Changing Education in the Garden State** (May 20, 2020) addresses the safe reopening of schools, students' mental health, academic and extracurricular programs, budgetary issues, and preparations for the future.
- **Choosing the Best 'Road Back' for Our Children** (August 31, 2020) provides an advocacy agenda for public education during the pandemic, including state and federal funding, assistance in securing personal protective equipment and technology, financial flexibility, and critical changes in law and regulation.
- **Reopening Schools: Online Learning and the Digital Divide** (October 23, 2020) looks

at the challenges facing school districts in delivering instruction remotely to all students during the pandemic and beyond.

- **Eye on the Future as Districts Monitor Student Mental Health** (January 27, 2021) shows how mental health programs are helping students withstand the pandemic.

All four reports can be accessed at [www.njsba.org/news-information/research/projects/](http://www.njsba.org/news-information/research/projects/).

As of March 12, more than 2.8 million doses of the vaccine have been administered in New Jersey, with about a million people fully vaccinated. While the state is working towards "herd immunity," there will still be the need to continue safety precautions such as masks and social distancing. But as more schools are opening for expanded in-person learning, there is a palpable sense that life will become more normal in the not-too-distant future.

The NJSBA, like the school boards it serves, is looking forward to eventually resuming some level of in-person sessions and meetings. It is clear that the Association will continue to include virtual programming as a permanent part of its operations. However it is accomplished, the mission of NJSBA remains constant: to promote the achievement of all students through effective governance. 🍏

# NJSBA Welcomes \$578 Million in Proposed New Formula Aid

In virtual testimony this month before state Senate and Assembly budget committees, the New Jersey School Boards Association (NJSBA) said it appreciated the addition of \$578 million in education formula aid, which will benefit the majority of the state's school districts.

If approved by the Legislature, the governor's proposed new \$44.8 billion state budget would also include the following allocations supported by the NJSBA:

- An expansion of state investment in pre-K education by \$50 million, including \$26 million for new programs.
- An increase of Extraordinary Special Education Aid by \$25 million, and
- \$50 million in Stabilization Aid.

"We strongly support and appreciate the increase in education formula aid," said Dr. Lawrence S. Feinsod, NJSBA's executive director. "The new investment in Extraordinary Special Education Aid would provide relief for more than 500 school districts. And the proposed Stabilization Aid will help districts meet the challenges of the pandemic while they are adjusting to new funding levels required by the state's funding formula."

The governor presented his budget to the Legislature on Feb. 23.

In its testimony, the NJSBA noted that about two-thirds of the districts throughout New Jersey have been chronically underfunded since the state funding formula's inception. In recent years, the state has made great strides toward getting these districts to full funding under the formula. However, last year these districts saw their increases retracted by the state, due to the pandemic, and they ultimately received flat funding.

**Budget Proposal Demonstrates Commitment to Education** The NJSBA told the budget committees that it is pleased that the governor's proposed budget "not only restores those cuts but adds significantly to that amount. This increased funding demonstrates the state's commitment to the importance of investing in our students and providing districts with the resources they need."

At the same time, approximately one-third of the state's school districts continue to experience state aid reductions. These reductions are compounded by restraints on the ability to replace these funds due to the 2% property tax cap and, more recently, unforeseen costs associated with COVID.

NJSBA applauded the creation of Stabilization Aid last year to help these districts, and the Association was disappointed when this aid ultimately did not make it in to the final budget agreement. Stabilization Aid has returned in this budget proposal. In its testimony, the NJSBA emphasized how critical this aid could be in helping districts adjust to new state funding levels.

**Extraordinary Special Education Costs Rose \$52 Million** In its virtual testimony before the state Senate and Assembly budget committees, the NJSBA was also appreciative of the proposal to increase Extraordinary Special Education funding by \$25 million. If adopted, this would represent a 55% increase in funding in four years. The state has been making a concerted effort to get this line item to full funding, and the NJSBA supports that. However, it should also be noted these costs continue to

rise as well. From fiscal year 2019 to fiscal year 2021, Extraordinary Special Education Aid was increased in the budget by \$80 million. Over the same time span, the costs incurred by districts for these expenses increased by a little over \$52 million. In its testimony, the NJSBA encouraged the Legislature to increase this line item by \$55 million, as it did two years prior, to make more progress toward full funding of this critical program.

Additionally, the NJSBA told the legislative committees that it supports the governor's proposed \$50 million increase for preschool investment; including \$26 million for new programs. This expansion will bring preschool to 30 new districts. NJSBA also supports the \$75 million earmarked for the N.J. Schools Development Authority to support capital maintenance and emergent needs in school districts.

In closing its testimony, the NJSBA noted that many districts are not realizing the savings promised with the enactment of the 2020 teachers' health care reform law, commonly referred to as "Chapter 44." The NJSBA asked that, in the absence of more permanent legislative relief, the budget include some sort of aid for these districts to offset any financial losses they have experienced due to implementation of this new system.

Budget testimony was presented by NJSBA Legislative Advocate Christopher Jones. 🍏

## State to Spend \$1.2 Billion to Help Districts Address Pandemic

The Murphy administration announced plans on Feb. 19 to spend \$1.2 billion in federal COVID relief funds to address the academic and mental health impacts of the pandemic on New Jersey students and educators.

As part of an initiative the governor is calling "The Road Forward," the funds were made available to districts, including grants dedicated specifically to research-based instructional and mental health interventions.

**Making Federal Funding Available to Districts** On March 15, the New Jersey Department of Education (NJDOE) released applications for \$1.2 billion in federal ESSER II funds (Federal Coronavirus Response and Relief Supplemental Appropriations Act, 2021, Elementary and

Secondary School Emergency Relief Fund).

For additional information, including district allocations, please see the NJDOE's Feb. 19, 2021 broadcast memo at [www.njsba.org/Feb19NJDOEMemo](http://www.njsba.org/Feb19NJDOEMemo).

To assist districts in leveraging these federal funds effectively, the NJDOE has posted to its website a clearinghouse of successful practices that New Jersey school districts have identified as notable achievements in mitigating the challenges posed by COVID-19. These district-reported successes are categorized by county, district size, and topic area to facilitate meaningful collaboration and learning opportunities between similarly-situated districts. 🍏



## NEW JERSEY SCHOOL BOARDS ASSOCIATION

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### Registration Open for First NJSBA Spring Education Symposium

Registration is open for NJSBA's first Spring Education Symposium, which will take place virtually on May 12 and 13, 2021. The Spring Education Symposium will feature more than 40 online sessions.

"Despite challenges created by the pandemic, NJSBA continues to provide indispensable training and information for New Jersey's school leaders," said Dr. Lawrence S. Feinsod, NJSBA's executive director. "The Spring Education Symposium is a valuable opportunity to explore what has worked and what has not in terms of remote learning, facilities management, and school board administration. By sharing ideas, we can chart a successful course for the future."

#### About NJSBA Spring Education Symposium

The Symposium consists of timely sessions for school board members, superintendents, business administrators, IT directors, facilities managers, curriculum directors, and charter school trustees.

The user-friendly, Web-based technology for the event lets participants watch livestream sessions securely without having to download a separate program. You can chat with other attendees, interact during sessions, and access program information.

**Connecting Matters More Than Ever** The timing for the event is ideal, as many schools are still coping with stress from the pandemic and are eager to discover solutions on moving forward. The event will also allow school leaders to talk

about how to manage existing and future government pandemic funding.

**Benefits of a Virtual Event** Hosting the event virtually offers many advantages. Attendees can connect with others without having to take additional precautions such as social distancing and masking.

Additionally, participants will be able to access all of the presentations for 30 days after the event. NJSBA made presentations available to Workshop 2020 participants after that event, which are still online. The on-demand format was well-received, which is why it's being used again.

**Topics Covered** The event will feature more than 40 sessions running concurrently over eight tracks. Conference topics include virtual learning; learning loss mitigation/educational practices; school facilities; cyber/school security; SEL/mental health; special education; school finance; school law.

**Register Today** NJSBA's Spring Education Symposium is only \$50 per team member. Ask your school business administrator to register your team online as soon as possible at [www.njsba.org/SymposiumRegistration](http://www.njsba.org/SymposiumRegistration).