

notes digest

NJSBA Supports Measures That Protect Children and Staff

On Aug. 23, Gov. Phil Murphy signed Executive Order No. 253, requiring all preschool to grade 12 school personnel to be fully vaccinated against COVID by Oct. 18 or be subject to testing at a minimum of one to two times per week.

This requirement will strengthen protections against the spread of the corona virus, including the highly transmissible Delta variant, to children in school settings, many

of whom are under 12 years old and not yet eligible for vaccination, the governor said.

“NJSBA supports measures that help ensure the health and safety of children and staff. We believe our top priority this school year is safely returning students and staff to in-person learning,” said NJSBA Executive Director Dr. Lawrence S. Feinsod. “Under this Executive Order, teachers and school staff have an option to be tested regularly for COVID if they cannot

be vaccinated or choose not to be.”

In his remarks, Gov. Murphy referenced options for districts, including funding sources and a free New Jersey Department of Health testing program that will soon be implemented for interested districts. NJSBA looks forward to hearing more about these plans.

On Aug. 6, the governor issued an executive order requiring all students, teachers, staff and visitors to wear face masks in school buildings. A story covering that order appeared in the Aug. 10 issue of *School Board Notes*.

Executive Order 253 clarifies that people seeking a medical exemption from mask wearing will be required to produce written documentation from a medical professional to

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Virtual Workshop 2021: Sessions Highlight Equity



NJSBA's Virtual Workshop will feature more than 140 sessions, including a variety of sessions on equity.

The event, co-sponsored by the New Jersey School Boards Association, the New Jersey Association of School Administrators, and the New Jersey Association of School Business Officials, will take place from Oct. 26 to Oct. 28.

Workshop 2021 offers an exceptional return on investment for local school districts. The group registration fee gives 25 members of the district team access to more than 140 training and informational sessions at a per-person cost of \$36.

Here are some highlights of sessions focused on equity. The full agenda is coming soon.

- **What's in Your Students' Backpacks? Information, Privilege and Equity** The recognition of disparities in our students' level of access to both information resources and information-rich experiences is a social justice issue and a call to action. Presenters will address how we could build awareness, address information inequities in our schools and develop strategies to close gaps.
- **Gender Identity: Pronouns — the Biggest Little Words** This session will explain gender development scientifically and psychologi-

cally. Information will cover gender literacy and gender vocabulary, including cisgender, transgender, nonbinary, gender expression, gender identity and more. Additionally, learn best practices for supporting transgender and nonbinary students in educational settings.

• Social-Emotional Equity in the Classroom

When a child has an academic problem, we do everything possible to help. When a child has a behavioral issue, we are more inclined to label. Learn how to break this cycle.

About NJSBA's Virtual Workshop 2021 NJSBA's Virtual Workshop 2021 will offer multiple tracks of live training sessions over three full days. It will also feature compelling keynote speakers, an interactive exhibit floor, and exciting special events.

Registration To make training accessible to more district members, NJSBA is offering a special group rate of \$900 for up to 25 team members. The individual member rate is \$450 per person. School business administrators must handle registration for their districts. Review the registration instructions before starting.

To learn more and to register, visit workshop.njsba.org.

Educators, Health Officials Support Order to Wear Masks

It's official: Mask up to start the new school year.

After weeks of increasing virus case counts, Gov. Phil Murphy issued an executive order on Aug. 6 requiring all students, teachers, staff and visitors to wear face masks in school buildings.

“This guidance is in line with the recommendations of the CDC and the American Academy of Pediatrics,” said NJSBA Executive Director Dr. Lawrence S. Feinsod. “Against the backdrop of the rapid spread of the Delta variant, masks will play an important role in making possible what should be our top priority: safely returning children and staff to the classroom.”

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Governor Signs Anti-Hazing Measure and Gerrymandering Bill

On Aug. 24, the governor approved legislation designed to combat hazing among New Jersey's middle school, high school and college students.

The bill, S-84/A-3149, was inspired by an incident where a student from New Jersey named Timothy J. Piazza fell down a flight of stairs after participating in drinking games as part of the pledging process for a Penn State University fraternity. Not only were he and other pledges encouraged to drink heavily throughout the night, but the fraternity members did not seek medical treatment for Piazza until the next morning. He tragically died at the hospital.

Under the new law, each district board of education with a high school or middle school and must adopt a written policy against hazing. The board shall ensure that students are informed of the anti-hazing policy, including the rules, penalties, and program of enforcement under the policy. The policy shall also be publicly posted on the district's website.

Boards of education covered by the law shall provide a program for the enforcement of the required policy against hazing and adopt appropriate penalties for violation of the policy, which may include:

1. the withholding of diplomas or transcripts pending compliance with the rules;
2. the rescission of permission for the organization or group, whose student members are being penalized under the anti-hazing policy, to operate on school property or to otherwise operate under the sanction or recognition of the school district; and
3. the imposition of probation, suspension, dismissal, or expulsion.

The law also expands the activities that encompass criminal hazing, and upgrades the penalties for engaging in these activities.

The new law, which takes effect on March 1, 2022, also applies to nonpublic schools and to the state's private and public colleges and universities.

Prison-Based Gerrymandering Bill Approved

On Aug. 20, the governor signed A-698/S-3964. This measure requires incarcerated people from New Jersey to be counted at their residential address, rather than the address of the correctional facility in which they are housed.

The new law would affect municipal, county, and congressional redistricting, and the apportionment of regional school district board of education members. The bill builds upon legislation enacted in January 2020, which requires incarcerated people to be counted at their home address for legislative redistricting. The adjusted federal census data as reported by the New Jersey Secretary of State would be the basis for the apportionment of members of the board of education of regional school districts.

Protect Children and Staff

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support that exemption. Self-attestations and parental attestations are not sufficient.

"Scientific data shows that vaccination and testing requirements, coupled with strong masking policies, are the best tools for keeping our schools and communities safe for in-person activities," Murphy said in a press release. "We will continue to work collaboratively with school officials, teachers unions, and public-sector union partners over the next several weeks as this new requirement goes into effect."

The executive order requiring vaccinations covers:

- All people employed in a preschool to grade

12 setting, both full- and part-time, including, but not limited to, administrators, teachers, educational support professionals, and people providing food, custodial, and administrative support services;

- Substitute teachers, whether employed directly by a preschool to grade 12 setting or otherwise contracted; and,
- Contractors, providers, and any others performing work in preschool to grade 12 settings whose job duties require them to make regular visits to such covered settings, including volunteers.

The order does not cover people who visit schools only to provide one-time or limited-duration repairs, services, or construction, the governor's office said. 🍏

National School Bus Driver Shortage Affecting Schools

Students are getting ready to go back to school, but who will drive them there?

Transportation officials say they are having a hard time finding enough school bus drivers to staff the regularly scheduled routes.

"The driver shortage has been an ongoing issue for many providers even pre-pandemic, and the pandemic ultimately exacerbated the problem," said Ronald J. Rick Jr., Student Transportation of America New Jersey operations vice president and Rick Bus Co. President. "We are tackling the ongoing driver shortage from every possible angle, but this is not a problem unique to our organization, it is a problem facing all companies in the student transportation industry," according to a story published by NJ.com.

Searching for Alternatives For example, in southern New Jersey, no companies bid on school bus contracts this fall in Deptford or Burlington Townships, sending officials scrambling for alternatives, NJ.com reported on Aug. 20.

In Burlington, the district's old contractor dropped out and no others companies bid to provide the services. Those contracts were bid again, but officials warned parents in a letter that they may have to make other contingency plans to get their kids to school in September.

Burlington and Deptford are not alone. The shortage of people with commercial drivers licenses, required to drive any large vehicle from a delivery van to a bus to a tanker truck, has left school districts and school bus companies struggling to find properly licensed drivers.

Camden City schools have also announced a two-tiered school opening and dismissal time change, citing transportation needs as one of three reasons for the change, in a June letter from Superintendent Katrina T. McCombs, NJ.com reported.

"A lot (of bus contractors) are dropping out because they don't have the drivers," Barbara Sargeant, School Transportation Supervisors of New Jersey president. "It's country-wide." 🍏

Masks

continued

Health experts supported the governor's order. In recent weeks, both the Centers for Disease Control and Prevention and the American Academy of Pediatrics issued guidance calling for students to wear masks due to the increasing prevalence of the Delta COVID-19 variant, the ineligibility of those under 12 for vaccination, and a rise in pediatric COVID-19 cases.

Executive Order 251, requiring masks with exceptions for students with physical or emotional health concerns, went into effect on Aug. 9.

"We understand that students learn best in a classroom setting and remain committed to having our schools open for full-time, in-person instruction this fall," Murphy said. "While this announcement gives us no pleasure, I know that by taking this precaution we can keep our schools open while also keeping our children safe. We will continue to closely monitor the science and data and will lift this mandate when we can do so safely. I urge those who are eligible for vaccination but have yet to be vaccinated to act and help move our state in the right direction."

Dr. Jeanne Craft, president of the New Jersey Chapter of the American Academy of Pediatrics, spoke at the governor's Aug. 6 press conference in support of the mask mandate. "Here in New Jersey we have seen a concerning rise in viral spread," said Craft. "A hopeful spring has become a worrisome summer. The conditions have changed, the risk is higher, especially for children. We need to move forward with an abundance of caution. We have come so far, but we need to continue to rely on scientific evidence and expert advice to keep children, teachers, school staff and communities as safe as possible."

While masks will be broadly required in school buildings for the coming school year, exceptions will remain unchanged from the 2020-2021 school year, and include:

- When doing so would inhibit the individual's health, such as when the individual is exposed to extreme heat indoors;
- When the individual has trouble breathing, is unconscious, incapacitated, or otherwise unable to remove a face covering without assistance;

Guidelines for Educating Students During Quarantine

In an Aug. 11 broadcast memo to school administrators, the New Jersey Department of Education (NJDOE) said it understands that there will be instances where individual students, groups of students, or entire classes will meet the New Jersey Department of Health's (NJDOH) COVID-19 exclusion criteria and must be quarantined from school due to the pandemic.

While state law permits virtual or remote instruction to satisfy the 180-day teaching requirement, the law does not explicitly address situations when individual students, groups of students, or entire classes are excluded from school while the rest of the district or school remains open for in-person instruction.

The NJDOE issued the following guidance to address the situation:

"Where an individual student, group of students, or entire class(es) are excluded from school due to meeting the NJDOH's COVID-19 exclusion criteria, LEAs are strongly encouraged to immediately provide virtual or remote instruction to those students in a manner commensurate with in-person instruction. Over the last seventeen months, LEAs have employed immense creativity and innovation in delivering high-quality education to students in their homes. It is the Department's expectation that LEAs will continue to employ such strategies to ensure that students are able to continue their educational progress even when excluded from school due to COVID-19," the NJDOE broadcast memo said.

Districts must continue to account for attendance of quarantined students in accordance with their local attendance policies, the memo said.

- When a student's documented medical condition or disability, as reflected in an Individualized Education Program (IEP) or Educational Plan, precludes use of a face covering;
- When a child is under two (2) years of age;
- When a student is engaged in an activity that cannot be performed while wearing a mask, such as eating and drinking or playing an instrument that would be obstructed by the face covering;
- When a student is engaged in high-intensity aerobic or anerobic activity;
- When a student is participating in high-intensity physical activities during a physical education class in a well-ventilated location and able to maintain a physical distance of six feet from all other individuals; or
- When wearing a face covering creates an unsafe condition in which to operate equipment or execute a task.

"Throughout the pandemic, our goal has always been the safe return to in-person learning, where children thrive academically and socially," said Dr. Angelica Allen-McMillan, acting commissioner of education. "Today's announcement achieves that goal – while also following the direction from our state's and nation's health specialists to ensure the safety of educators and students along with their families." 🍏

NJSBA's STEAM Tank and Bimonthly Challenges

NJSBA's popular STEAM Tank Challenge encourages K-12 students to think like entrepreneurs while creating solutions to today's problems.

Additional bimonthly challenges are coming soon to increase awareness regarding emerging STEAM-related jobs, while helping students develop career readiness skills through enriching activities in the wake of the pandemic.

Federal ESSER funds may support public school districts in this initiative to accelerate STEAM learning.

Please complete a five-minute survey at www.njsba.org/STEAMTankSurvey and share examples of challenges that your community faces as a result of the COVID-19 pandemic.

Examples may include equity, learning acceleration, health and wellness, food and energy security, or measures that you would like your students to explore while tackling local, state, regional or global issues.

By taking part in this survey, you will help students participating in upcoming contests develop innovative solutions to the challenges districts are facing.

The survey completion deadline is Friday, Sept. 3. 🍏

Final Part of \$2.8 Billion in Pandemic Relief Released to N.J.

On Aug. 12, the U.S. Department of Education (USDOE) approved the release of the final \$923.5 million New Jersey is scheduled to receive under the federal American Rescue Plan (ARP) to help schools cope with the pandemic.

The release of the funds had been expected. About \$1.8 billion in ARP funds had been released on March 24. The USDOE released the following summary of the New Jersey plan:

New Jersey ARP ESSER State Plan Summary

- Total ARP ESSER allocation for New Jersey: \$2,766,529,533.
- ARP ESSER funding released to New Jersey on March 24, 2021: \$1,843,058,469.
- ARP ESSER funding released to New Jersey on August 12, 2021: \$923,471,064.
- 2020-2021 Preliminary Statewide Enrollment: 1,373,960.

Top Priorities within New Jersey's Plan

- Addressing the impact of reduced access to in-person learning including unfinished learning.
- Meeting the social, emotional, and mental health needs of students and staff.

Highlights of New Jersey's Plan

- **Returning to In-Person Learning in 2021** New Jersey school districts must plan to provide full-day, full-time in-person instruction and operations for the 2021-2022 school year. The New Jersey Department of Education (NJDOE) worked closely with the New Jersey Department of Health in its development of COVID-19 public health recommendations for local health departments for K-12 schools. That support has helped Local Education Agencies (LEAs) implement mitigation policies such as proper distancing, face mask requirements, and hand-washing etiquette.
- **Supporting Students Most Impacted by the Pandemic** The NJDOE will provide guidance and technical assistance on the use of ARP ESSER funds that highlights how allowable activities may be used to advance educational equity. As part of their ARP ESSER Use of Funds application, LEAs will be required to provide information

on their plans to use ARP ESSER funds to implement an equitable and inclusive return to in-person instruction.

- **Addressing the Academic Impact of Lost Instructional Time** New Jersey plans to establish an "Acceleration Coach and Educator Support" formula grant for districts. New Jersey will use a weighted enrollment allocation formula that assigns additional weight to lower grade bands, Limited English Proficient Students, and students eligible for free or reduced-price lunch. Districts will use the grant funds to implement professional learning for staff to help better understand needs of their students with regards to learning acceleration and interventions. Funds will also be used in developing positive school climate, implementing social and emotional learning supports, supporting culturally responsive teaching practices, increasing digital and data literacy, engaging educators and parents in the community to personalize students' learning, identifying disproportionate impacts of COVID-19, and other services to support educators meeting needs of their students.

- **Investing in Summer Learning and Expanded Afterschool Programs** The state plans to develop a Summer Enrichment Activities formula grant for districts to support summer learning academies and tutoring, professional learning for educators, and education and training programs for parents and caregivers. Districts must target funds to content areas most impacted by COVID-19 at that district, such as STEM, younger grade levels, or performing arts. Additionally, the state plans to establish a Comprehensive Beyond the School Day Activities formula grant which will support implementation of research-based programs such as tutoring and broader learning supports to families and educators.

- **Staffing to Support Students' Needs** The NJDOE will use a portion of its ARP ESSER state set-aside to establish a grant to LEAs to support the hiring of staff, including counselors, to address students' and educators' mental health and social emotional needs.

New Jersey LEAs will be required to submit plans on how they will use the money by November 2021. 🍷

NJSBA Member Input Sought for New Strategic Plan

The New Jersey School Boards Association is developing a new Strategic Plan to guide our organization through 2024.

Membership Survey As part of the process, NJSBA has issued a membership survey by email. Please take a few moments to share your opinions and insights concerning NJSBA's challenges and strengths and the needs of local boards of education. The feedback provided by board members will be integral to the planning process.

Establish Strategic Plan Goals In addition, NJSBA has scheduled two forums — on Saturday, Oct. 2 and Saturday Oct. 16 — to establish the Strategic Plan goals and objectives. NJSBA is currently planning to hold the forums in person at the Association's Trenton headquar-

ters. However, if COVID conditions warrant, the forums will be held virtually.

"NJSBA's Strategic Plan will help provide vision and guidance for the Association over the next three years," said Dr. Lawrence S. Feinsod, NJSBA executive director. "We urge local board members to provide the input necessary for us to develop the plan by completing the survey, and, if possible, taking part in the Strategic Planning Forums."

Participate Members who would like to be considered for participation in the forums should complete a form online at www.njsba.org/StrategicPlanForum by Friday, Sept. 3. For information, contact Janet Bamford, NJSBA's chief public affairs officer and Strategic Plan coordinator, at jbamford@njsba.org. 🍷

Assessments, Homeless Students Discussed at State Board Meeting

At its August meeting, the New Jersey State Board of Education heard updates and took action on the following items:

- Dynamic Learning Maps and ACCESS for ELLs** The State Board discussed a resolution on cut scores for the Dynamic Learning Maps. The DLM is used as the state's alternate assessment aligned with alternate academic achievement standards (AA-AAAS) for students with the most significant intellectual disabilities, as required by the Every Student Succeeds Act (ESSA) and *N.J.A.C. 6A:8-4*. The DLM suite of assessments took the place of the Alternate Proficiency Assessment (APA) in New Jersey. The DLM English Language Arts (ELA) and math assessments were implemented in the 2014-2015 school year and cut scores for those assessments were adopted by the State Board in January 2016. The DLM science assessment was implemented in the 2017-2018 school year, but cut scores were not adopted by the board at that time. The State Board also discussed cut off scores for the ACCESS assessments test of English language proficiency in four domains: speaking, listening, writing and reading.
- Praxis Mathematics, Middle School Mathematics, Middle School Science, and New Qualifying Scores for edTPA** The State Board discussed a resolution concerning qualifying scores for the Praxis and the edTPA. Regardless of pathway to obtain certification, teacher candidates are required to demonstrate content knowledge, basic skills and pedagogical skills through various assessments: The Praxis measures knowledge while the edTPA measures pedagogical skills.
- Homeless Students** Amendments to the regulations concerning homeless students were discussed. These regulations ensure that homeless children, students placed in state facilities, and children in resource family care (formerly known as foster

Five Districts, Two Charter Schools Receive Lighthouse Awards

The New Jersey Department of Education (NJDOE) on Aug. 3 announced that five school districts and two charter schools have received Lighthouse Awards for substantial improvement in advancing educational equity.

The Lighthouse Award recipients were announced at the NJDOE's Virtual Statewide Equity Conference. The following schools were honored, listed by the equity area where they showed improvement:

Increasing Equity in Postsecondary Enrollment	
Burlington County	Burlington City School District
Hudson County	Weehawken School District
Increasing Diversity in the Teacher Workforce	
Hudson County	Learning Community Charter School
Somerset County	Watchung Hills Regional High School District
Increasing Equity in Course Enrollment	
Union County	The Barack Obama Green Charter High School
Burlington County	Burlington County Vocational School District
Increasing Equity in Disciplinary Outcomes	
Hudson County	Hoboken School District

The NJDOE launched the Lighthouse Award initiative in 2017 to recognize the advances made by New Jersey school districts and charter schools.

During the award term from August 2021 to August 2023, officials from Lighthouse districts will have the opportunity to participate in professional learning and networking opportunities, and they will lead professional learning events for educators throughout the state while providing insight to the NJDOE through policy discussions.

"I would like to congratulate the educational communities of the seven Lighthouse awardees," said Kathy Goldenberg, president of the New Jersey State Board of Education. "I commend these school districts and charter schools for their commitment to student achievement and equitable outcomes. This recognition will allow educators from across New Jersey to learn and benefit from the practices of these seven school districts and charter schools during their 2021-2023 award term."

care) are provided a thorough and efficient education. These regulations also establish uniform statewide policies to ensure school enrollment of homeless children and youth. These regulations also establish policies to ensure the educational stability of children in resource family care.

- Charter Schools** The State Board adopted, without changes, the regulations concerning charter schools. The acting commissioner has said she recognizes the need to re-adopt this important chapter of code while balancing the need to allow more time for stakeholder engagement for any future amendments. The demands of the COVID-19 pandemic have prevented the NJDOE from engaging in the meaning-

ful, robust public discussion that this chapter merits in this rulemaking cycle. The NJDOE invites stakeholders and the public to provide input regarding the existing rules at *N.J.A.C. 6A:11* and possible amendments for the next rulemaking by email at chapter11@doe.nj.gov.

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. Follow links on that page to view archived editions.



FROM THE COURTS

Commissioner Upholds Discretion of BOEs to Dismiss Non-Tenured Employees

In a July 12 final decision, the New Jersey Acting Commissioner of Education affirmed that boards of education in this state have virtually unfettered discretion when seeking to dismiss non-tenured employees.

In this decision, a non-tenured supervisor of elementary mathematics was appointed to that position in August 2016 and remained through the end of the 2019-2020 school year. However, in April of that year, he received an administrative notice of non-renewal. The supervisor then requested and received a statement of reasons for his non-renewal from the superintendent. The superintendent's letter said the termination was based on "the fact that the district's Mathematics scores had not shown significant improvement on standardized (testing)." The supervisor then requested and received a "Donaldson" hearing from the board of education, following which the board declined to overturn the superintendent's non-renewal.

On appeal to the acting commissioner, the supervisor argued that the board's decision was arbitrary, capricious, and unreasonable because he was never advised that his supervisors were dissatisfied with his performance relative to the elementary students' test scores; he also said that the test scores in the higher grades remained unimproved as well. The supervisor also objected based on the fact that he was not fully evaluated during the 2019-2020 school year prior to the closing of the schools in March 2020.

The administrative law judge who issued the initial decision relied on well-established precedent, *Dore v Bedminster Bd. of Educ.*, quoting, "absent constitutional constraints or legislation affecting the tenure rights of teaching staff members, local boards of education have an almost complete right to terminate the services of a (teaching staff member) who

has no tenure and is regarded as undesirable by the local board." The judge concluded that a non-tenured teacher challenging his termination on the grounds that the reasons given by the board are not supported by the facts is only entitled to litigate his termination where the facts constitute a violation of constitutional or legislatively conferred rights. Since the supervisor made no such allegation, the administrative law judge dismissed his petition.

In her final decision, the acting commissioner adopted the initial decision, reiterating the holding in *Dore*. The acting commissioner emphasized that even if the board did commit the procedural violations alleged in the petition, the supervisor was not entitled to reinstatement or an award of back pay. The acting commissioner noted that the supervisor's petition also sought to place the burden on the board to justify the non-renewal when precedent clearly requires the non-renewed employee to demonstrate that the board has violated his or her constitutional or statutory rights. Accordingly, the acting commissioner affirmed the initial decision and dismissed the complaint.

To access the decision for more information, please go to www.njsba.org/dismissal, or call the NJSBA Legal, Labor, and Policy Department at (609) 278-5254. Board members may also wish to consult with the board attorney, in accordance with district policy.

Parents Claim School District Bullied a Student Accused of HIB

In a matter before the New Jersey Superior Court Law Division in Bergen County, parents brought several charges against the school district staff, administration, and the board of education after a claim of harassment, bullying and intimidation (HIB) was made against their child.

In 2019, after an incident in which the district's anti-bullying coordinator and assistant principal investigated a matter involving

three students and a cell phone, it was found that the student at issue had participated in an act of HIB and was given three days of detention. The matter moved through the district's internal appeal processes and ultimately was heard by the board of education. The board rescinded the HIB finding. The student enrolled in a different school of his choosing for the 2019-2020 school year.

Nearly two years later, the parents of this student brought seven civil charges against the board of education and individual staff and administration. The essence of the charges alleged that the district's HIB process itself resulted in the student being bullied by staff.

Among the charges filed, was a claim of "bullying" against the defendants under New Jersey's HIB Law. The plaintiff parents sought monetary damages and alleged that defendants' acts or omissions resulted in the student being bullied or harassed.

In a summary judgment, the judge dismissed this charge, saying that New Jersey does not recognize an independent tort claim for bullying, and even if it did, the plaintiffs have not pled a "cognizable claim. The New Jersey Anti-Bullying Bill of Rights does not create or alter any tort liability."

The judge clearly discerned that claims of HIB are properly brought before the New Jersey Commissioner of Education and not through the courts. The judge stated that it was improper for the parents to attempt to sidestep proper procedures by failing to file an appeal to the commissioner.

The judge added that the parents had failed to provide any facts to suggest that the student had been bullied by staff throughout the process. Rather, the district had followed its HIB processes and reached a conclusion based on the results of a thorough investigation.

Find more information about this case at www.njsba.org/HIBDecision. Questions about this case should be discussed with your board attorney or NJSBA's Department of Legal, Labor Relations, and Policy at (609) 278-5254.

Safe Schools Program Stresses Importance of Air Filtration

The New Jersey Safe Schools Program (NJSS) wants to remind school stakeholders of the critical importance of adequate enhanced ventilation and filtration in all of our schools.

In general, NJSS recommends that you do not buy expensive air cleaning equipment and

UV light add-on devices to unit ventilators and mechanical HVAC systems. Instead, NJSS recommends that you focus on the maintenance of existing mechanical HVAC; on the use of the most efficient HVAC filter (highest MERV rating possible), ideally MERV 13 or

higher and HEPA filtration units if there is no HVAC.

For more safety tips, contact the Rutgers New Jersey Safe Schools Program. Email cscbre@sph.rutgers.edu to sign up for a monthly e-newsletter. 

Arts Ed NJ Lists Key Principles for School Administrators to Consider

As part of its resource guide released in early August, Arts Ed NJ listed eight key principles that it said school administrators should consider in the fall. The key principles are as follows:

Sequential Arts Education Must Return for All Students in All Instructional Models.

As defined by the New Jersey Student Learning Standards in the Visual and Performing Arts and reaffirmed with the June 2020 adoption of these standards by the New Jersey State Board of Education and outlined in the Learning Acceleration Guide, sequential arts learning aligned to standards must be maintained regardless of the instructional delivery models (in-person, hybrid, or in the event health consideration require, remote).

Proper Staffing and Support Must Be Provided to Allow Continuity of Instruction Based on Health and Safety Requirements.

Arts education programs will require the proper staffing and support to ensure continuity of instruction. This includes maintaining certified arts educators to provide sequential instruction, materials and supplies to allow for the instruction based on health and safety requirements, recommendations, and best practices.

Arts Educators and Administrators Must be Included in the District Planning.

Arts educators and arts administrators have been closely reviewing and staying up to date on all of the latest research, strategies, and best practices both nationally and internationally. The collective knowledge will be a critical asset to school administrations and board members as they prepare to open schools this September.

Schools Must Prioritize the Making and Creating of the Arts Together.

While there are many aspects of arts education that have been successful in remote environments there is one very critical aspect that was not: creating dance, music, theater or visual art together. This is what students identified as missing the most when they were suddenly out of their schools. As districts return, when the students are in school, the emphasis should be placed on creating artistic works together.

Social and Emotional Learning Needs of Students, Faculty, and Staff Must be Addressed in All Aspects of Instruction.

As outlined in the Learning Acceleration Guide, conditions for learning must address “social and emotional and environmental factors that can impact educators’ capacity to teach and students’ capacity to learn.” Arts

New Jersey’s cultural organizations play a critical role in the education of our students.

education plays a critical role in supporting the social and emotional needs of students. Schools should be intentional so that educators are prepared to successfully embed transformative social and emotional learning into culturally responsive instructional practices in the arts.

Schools Must Address Learning Delay and Disruption in Arts Education.

The New Jersey Department of Education’s Learning Acceleration Guide specifically identifies the need to address learning needs in all NJ Student Learning Standards content areas, including the visual and performing arts.

Resources, including those available from the state and federal government (Elementary and Secondary School Emergency Relief Fund), should be provided to address the impact of the COVID-19 pandemic on the visual and performing arts.

Professional Development Must be Provided.

To be most effective in the new environments when our schools reopen, our educators must be afforded every opportunity, and necessary resources, to engage in professional development in relevant areas to engage in meaningful instruction.

New Jersey Cultural Community Resources Should be Used for Instructional Support.

New Jersey’s cultural organizations play a critical role in the education of our students. From assembly programs, field trips, artist residencies, and collaborative projects these organizations provide extended educational experiences in the arts, as well as other core content areas. As our schools reopen, they should look for appropriate opportunities for cultural organizations to continue to contribute to the educational landscape.

The full resource guide can be found at www.njsba.org/ArtsGuide.

William Spencer Honored for 30 Years of Service

At the Warren County Special Services Board of Education Meeting on July 27, NJSBA and the Warren County School Boards Association recognized William Spencer for his 30 years of service on the school board. Spencer was a key figure in the founding of the school district.



Pictured left to right: Timothy Fredricks, superintendent; Joseph Delesky, board president; William Spencer; George Babula, president, Warren County School Boards Association; Ray Pinney, NJSBA director of member engagement; Dr. Rosalie Lamonte, Warren County executive county superintendent.



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BRIEFLY NOTED

NJSBA Bids Farewell to Three Retiring Longtime Staffers



Three veteran staff members at NJSBA will be retiring in the weeks ahead.

Pictured above, left to right: **Kim Blum**, director of human resources, has been with NJSBA for 23 years; **Cyndy Jahn**, general counsel, has served the Association for 29 years; and **Jane Kershner**, director of field services, has been with NJSBA for 25 years.

“All three of these staffers have been an integral part of the growth and development of NJSBA over the past few decades, and the Association has benefited from their expertise, their work ethic and their commitment,” said Dr. Lawrence S. Feinsod, NJSBA executive director.

“We thank them for their service and wish them health and happiness in the years ahead!”

Replacing Blum as head of human services will be Maja Klynski, who comes to NJSBA after serving as a human resources professional for 19 years at Educational Testing Service (ETS). The position of NJSBA general counsel will be filled by Carl Tanksley, the current NJSBA director of legal, labor relations and policy services. Kathleen Helewa, the NJSBA’s field service representative serving Passaic, Warren and Sussex counties, will be the manager of the field service team.