

# NJSBA

# Delegate Assembly Handbook

May 14, 2022 • Conference Center at Mercer



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

The Conference Center at Mercer  
1200 Old Trenton Road  
West Windsor, New Jersey

May 14, 2022

### Agenda

8:00- 10:00 a.m.	REGISTRATION/ FULL BUFFET BREAKFAST	
9:00 a.m.	CALL TO ORDER Presiding: Irene LeFebvre	
	PLEDGE OF ALLEGIANCE	Delegates
	RECOGNITION OF COMMITTEE CHAIRS	Irene LeFebvre
	REPORT OF THE PRESIDENT	Irene LeFebvre
	REPORT OF THE EXECUTIVE DIRECTOR	Dr. Lawrence S. Feinsod
	ADOPTION OF THE RULES FOR THE CONDUCT OF THE DELEGATE ASSEMBLY	Irene LeFebvre Parliamentarian

-over-

MINUTES OF THE MEETING OF  
November 20, 2021

Irene LeFebvre

REPORT OF THE V. P. FOR  
LEGISLATION/RESOLUTIONS

Karen Cortellino

Resolutions Subcommittee Report

SUNSET REVIEW

Karen Cortellino

BYLAWS AMENDMENT NO. 1

Karen Cortellino

RECOGNITION OF DR. LAWRENCE S. FEINSOD

Irene LeFebvre

ANNOUNCEMENT OF THE NEW  
NJSBA EXECUTIVE DIRECTOR - TENTATIVE

Irene LeFebvre

ADJOURNMENT

Irene LeFebvre

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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 14, 2022.

\_\_\_\_\_  
SIGNATURE

\_\_\_\_\_  
ADDRESS

\_\_\_\_\_  
CITY/STATE/ZIP





**NEW JERSEY SCHOOL BOARDS ASSOCIATION  
ANNUAL DELEGATE ASSEMBLY  
May 14, 2022**

**Summary of Delegate Action**  
Enclosed for your convenience to  
report to your board of education.

**ACTION TAKEN**

PERIODIC REVIEW OF POSITIONS AND POLICIES ON  
EDUCATION  
REVIEW OF SECTION 5000  
PUPILS  
POLICIES RECOMMENDED FOR REAFFIRMATION  
WITHOUT CHANGES

FILE CODE	TITLE
5020	Role of Parents/Guardians
5111	Admission
5113	Absences and Excuses
5117	School Attendance Areas
5118	Non-residents
5119	Transfers
5125	Pupil Records
5126	Awards for Achievement
5131	Conduct/Discipline
5131.3	Pupil Vehicles
5131.5	Vandalism/Violence
5131.6	Drugs, Alcohol, Tobacco (Substance Abuse)
5131.7	Weapons and Dangerous Instruments

5141	Health
5141.2	Illness
5141.21	Administering Medication
5141.3	Health Examinations and Immunizations
5141.4	Child Abuse and Neglect
5142	Pupil Safety
5143	Insurance
5145.4	Equal Educational Opportunity
5145.6	Pupil Grievance Procedures
5145.12	Search and Seizure
5200	Nonpublic School Pupils

PROPOSED BYLAWS AMENDMENT NO. 1

The NJSBA Board of Directors recommends the amendment to *Bylaws* Art. VII, Sec. 2 set forth herein D. be submitted for consideration at the May 14, 2022 Delegate Assembly.

- D. In addition to having served one full term as a board member prior to his/her election to office, candidates will have qualified for and received the Certificated Board Member (CBM) qualification as set forth in *NJSBA's Governance and Operations Manual (GO) GO/6603.1 and 6603.1R.*

**NEW JERSEY SCHOOL BOARDS ASSOCIATION**  
**BOARD OF DIRECTORS 2021-2022**  
(As of 4/11/22)

**OFFICERS/EXECUTIVE COMMITTEE**

<i>President</i>	Irene M. LeFebvre Boonton Town 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>	Michael R. McClure Maple Shade Board of Education
<b>EX OFFICIO</b>	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  
Michael Jacobs, Ridgefield Board of Education (Alt.)

**BURLINGTON**

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

**CAMDEN**

Vacancy  
Joseph Miller, Audubon Board of Education (Alt.)

**CAPE MAY**

Jacqueline McAlister, Ocean City Board of Education  
Thomas Belasco, West Cape May Board of Education

**CUMBERLAND**

Vacancy  
Vacancy (Alt.)



**ESSEX**

Shane Berger, Bloomfield Board of Education  
Vacancy (Alt.)

**GLOUCESTER**

Natalie Baker, Swedesboro Woolwich Board of Education  
Michele Giaquinto, Clearview Regional Board of Education (Alt.)

**HUDSON**

Jonathan Castaneda, West New York Board of Education  
Haissam Jaafar, North Bergen Board of Education (Alt.)

**HUNTERDON**

Laurie Markowski, Flemington-Raritan Regional Board of Education  
Robert Imhoff, High Bridge Board of Education (Alt.)

**MERCER**

Dana Krug, West Windsor-Plainsboro Board of Education  
Addie Lane, Trenton Board of Education (Alt.)

**MIDDLESEX**

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

**MONMOUTH**

Al Miller, Howell Township Board of Education  
Vacancy (Alt.)

**MORRIS**

Paul Breda, Wharton Borough Board of Education  
Diane Morris, Mine Hill Board of Education (Alt.)

**OCEAN**

Richard Casey, Ocean Gate Board of Education  
Stephanie Wohlrab, Brick Township 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  
Ronald Hoffman, Hardyston Township Board of Education (Alt.)

**UNION**

J. Brendan Galligan, Westfield Board of Education  
 Vacancy (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**

Rita Martin, Winslow Township Board of Education (Camden)  
 Marsha Hershman, Lindenwold Board of Education (Camden) (Alt.)

Rosa E. Moreno-Ortego, Elizabeth Board of Education, (Union)  
 Cynthia Atkins, Roselle Board of Education (Union) (Alt.)

Diane Johnson, Pennsauken Board of Education (Camden)  
 Chanta Jackson, Neptune Township Board of Education (Monmouth) (Alt.)

**VOCATIONAL BOARDS**

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

**NSBA REPRESENTATIVE (Non-Voting)**

Vacancy  
*(Exclusive to NSBA Officer or NSBA BOD member)*

4/11/22







## PROCEDURAL SUGGESTIONS FOR DELEGATES

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

### **Making Motions**

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

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

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

I move Resolution No. \_\_\_\_ as originally submitted.

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

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

### **Making Amendments**

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

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

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

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

### **Postponing or Referring a Motion**

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

### **Close Votes**

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

## RULES FOR THE CONDUCT OF THE DELEGATE ASSEMBLY MEETING

1. **Credentials:** (a) The credential cards of all voting delegates shall be kept visibly displayed during the meeting. Voting shall be by electronic device. (b) The delegate to the Delegate Assembly must be either the delegate of record or alternate of record, or show proof of designated representation by the local board. A signed statement by the school business administrator on school district letterhead must be provided to show proof of designated representation by the local board. The delegate must show proof of identity at time of registration. (c) The registration desk shall close during the voting process in any contested election and no credentials shall be issued during such period. (d) An official count of all registered delegates shall be prepared and submitted to the President for announcement at the meeting just prior to the distribution of ballots in a contested election.
2. **Parliamentary Procedure:** (a) *Robert's Rules of Order Newly Revised, current edition*, shall govern the proceedings unless otherwise inconsistent with these rules. (b) There shall be an official parliamentarian to whom questions may be directed only through the Chair.
3. **Seating:** (a) All voting delegates, officers, members of the Board of Directors, county school board association representatives and staff shall be seated in front sections for easy access to the microphones for speaking privileges. (b) All others shall be seated in the rear of the meeting room.
4. **Recognition by Chair:** (a) An eligible speaker shall use a microphone and gain recognition of the Chair before speaking. (b) He/she shall give his/her full name and local board or official capacity. (c) Speakers shall state, at the outset, if they are speaking for or against a motion.
5. **Written Amendments:** (a) All motions to amend a resolution or committee report shall be submitted by the maker in writing to the Chair before or at the time the motion is made. The Chair has discretion to require any other motion to be submitted in writing. A majority vote is needed to pass the motion.
6. **Time Limitations on Speakers:**
  - (a) The first presentation of a delegate moving a question shall be limited to three minutes. Subsequent presentations shall be limited to two minutes each. No authorized speaker shall speak a second time on the same question until all persons seeking the floor shall have had an opportunity to speak once.\*
  - (b) The first presentation of a delegate moving an amendment to a question shall be limited to two minutes. Subsequent presentations shall be limited to one minute each. No authorized speaker shall speak a second time on the same amendment until all persons seeking the floor shall have had an opportunity to speak once.
  - (c) Discussion on a committee report shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of not more than five minutes, with a separate motion being required for each such extension.\*

## **Rules For The Conduct Of The Delegate Assembly Meeting (continued)**

- (d) Discussion on a proposed amendment to the *Bylaws* shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of five minutes, with a separate motion being required for each such extension.\*
  - (e) Discussion on a resolution shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of not more than five minutes, with a separate motion being required for each such extension.\*
  - (f) If a motion to amend the main motion is made, time will be suspended on the main resolution or committee report and five minutes will be allowed for discussion of the proposed amendment with the provision for extension as noted above (d). At the conclusion of a vote on the proposed amendment, time will be resumed on the main resolution or committee report.\*
- \* Time clocks will be stopped when questions on parliamentary procedure are discussed and while proposed amendments are being prepared for presentation.
- 7. **Straw Poll:** There shall be no straw poll vote while the meeting is in session.
  - 8. **A Motion to Call the Question:** (a) May not be made by a delegate at the conclusion of his/her remarks; (b) Will be deemed out of order if there are delegates waiting to speak **and** if discussion on the matter has not exceeded five minutes. A two-thirds vote of the delegates present and voting is needed to pass the motion.
  - 9. **Motion to Reconsider:** Notwithstanding any provisions to the contrary in *Robert's Rules of Order Newly Revised, current edition*, once a resolution or *Bylaws* amendment has been voted upon, the delegates may not reconsider the vote on that resolution or *Bylaws* amendment.
  - 10. **Breach of Order:** In debate a member's remarks must be germane to the question before the assembly—that is, his statements must have bearing on whether the pending motion should be adopted. If a member commits only a slight breach of order—such as addressing another member instead of the chair in debate, or in a single instance, failing to confine his remarks to the merits of the pending question—the chair will advise the member to avoid it. The member can then continue speaking if he commits no further breaches. If the offense is more serious as when a member persists in speaking on completely irrelevant matters in debate, the chair will warn the member; but with or without such a warning the president or any delegate can "call the member to order." If the chair does this, he says, 'The member is out of order and will be seated.' Another member wishing to call a member to order shall rise and say, without waiting to be recognized, 'Mr. [Chair], I call the member to order,' and then resumes his seat. If the chair finds this point of order well taken, he declares the offender out of order and directs him to be seated.
  - 11. **Suspension of Rules:** These rules may be overridden by a two-thirds vote of the delegates present and voting.

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





# New Jersey School Boards Association

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## Minutes

### NJSBA Semiannual Delegate Assembly

November 20, 2021

The Semiannual Delegate Assembly of the New Jersey School Boards Association (NJSBA) was held virtually on Nov. 20, 2021. President Irene LeFebvre 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 121 delegates present, representing 21 counties.

President LeFebvre called the meeting to order at 9:33 a.m. She reminded everyone in attendance that only certified delegates have the right to speak and vote on pending matters. She indicated that participants would see the presenters on their computer screen but will not be seen and participants will not see each other. Voting tallies and policy amendment language will be visible.

President LeFebvre also reminded the delegates that members of the staff, NJSBA Board of Director members who are not serving as delegates, past presidents of the Association, and county school board presidents or their designees are afforded speaking privileges but do not have voting privileges.

President LeFebvre announced that adequate notice of the meeting had been provided to three major newspapers and filed with the New Jersey Secretary of State. She reported that the Delegate Assembly Handbook and other materials related to the Nov. 20, 2021, agenda were mailed on Nov. 8, 2021, to delegates who requested a paper copy of the Handbook by October 21. An electronic copy was also posted on the NJSBA website and DA Swoogo meeting platform.

President LeFebvre led the delegates in the Pledge of Allegiance.

President LeFebvre acknowledged the following officers for their contributions to the Association.

*President* - Irene LeFebvre, Boonton Town (Morris)

*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, J.D., Montville Township (Morris)

*Immediate Past President* - Michael R. McClure, Maple Shade (Burlington)

Ms. LeFebvre 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* - Lisa Marshall, Warren Hills Regional (Warren)  
*Urban Boards Committee* - Marsha Hershman, Lindenwold (Camden)  
*School Finance* - Catherine Kazan, Wayne (Passaic)

#### *NJSIAA Representatives*

James Gaffney, Oakland (Bergen)  
 Howard Krieger, Upper Freehold Regional (Monmouth)  
 Steve Shohfi, Lavallett (Ocean)  
 Daniel Sinclair, Lakeland Regional (Passaic)  
 J. Brendan Galligan, Westfield (Union)

#### *NJSIG Board of Trustees*

Richard Casey, Ocean Gate (Ocean)  
 Irene LeFebvre, Boonton Town (Morris)  
 Josephine Sharp, Wildwood City (Cape May)

**Report of the President** - President LeFebvre began her remarks by acknowledging the Association for rising to the challenge of the global health crisis by conducting a very successful Virtual Workshop for two years in a row. Virtual Workshop once again met its programming, attendance, and financial goals. In particular, she mentioned the student performances, keynote speakers and the wildly successful Wind Down sessions, a new addition this year.

She congratulated New Jersey school districts for meeting the challenge of re-opening their schools and the Association for being with them every step of the way by developing guidelines for them on the reopening of schools, publishing multiple reports on continuing to provide an excellent education to children during the pandemic, assessing the impact the pandemic has had on our local school communities and assisting districts develop effective programs to overcome learning gaps. NJSBA has been the conduit of information for school board members, who for the most part, do not have direct ties to the state Department of Education, Department of Health, or the Governor's office.

President LeFebvre also acknowledged the work of board members and staff in developing the NJSBA strategic plan for 2022-2024, mentioning in particular the education of new board members and extending NJSBA efforts to provide information and training across the state.

She expressed her pride in the Association's ability to go from a completely in-person organization for training and meetings to one that delivers top-notch hybrid and virtual content. President LeFebvre closed with encouraging boards to take advantage of the information and training that NJSBA provides.

**Report of the Executive Director** - Dr. Lawrence Feinsod provided a summary of NJSBA achievements since the last Delegate Assembly in May and a report on the vision for the continued success and growth of the Association.

### **National School Boards Association**

Dr. Feinsod began by briefly addressing the situation regarding the National School Boards Association and turbulent board of education meetings.

In September, the NSBA’s interim executive director and president sent a letter to the Biden administration urging the federal government to respond to harassment and threats to board members and others in the education community. The letter has been interpreted, in some cases, as an attack on parents and citizens voicing concerns at board of education meetings. State associations—including NJSBA—have been dealing with the aftermath of that letter for the past seven weeks. It has been responding to inquiries from both board members and others in the public who are concerned about this matter.

On Nov. 6, an email went out to all Association members to clarify its views on the issue. In it NJSBA noted that the NSBA letter was sent without the input or approval of NJSBA, that it did not endorse this letter and that it does not reflect the beliefs and policies of the Association. Also noted was NJSBA’s strong support of parents and citizens to voice their opinions at board meetings in a civil manner, which is a fundamental principle of our democracy; that NJSBA believes the parent-school district partnership is critically important; and that parents are the ultimate advocates for their children’s education. NJSBA strongly expressed its disapproval of NSBA’s statement, and at this time, is working from within the organization to ensure that this type of situation never happens again.

Following this issue, the National School Boards Association announced the appointment of a new executive director, replacing the interim leader. The new executive director previously headed the Kansas Association of School Boards, and prior to that, was a superintendent. NJSBA is hopeful that going forward productive changes will occur at NSBA.

The NSBA letter comes at a most inconvenient time during which board meetings have become polarized over political issues and have been difficult and contentious. In recent weeks and months, NJSBA has provided resources to boards, in the form of information on “calming the crowd” and on the topic of educational equity. Several county meetings this fall will include presentations and discussions on districts dealing with the community and managing a board meeting in turbulent times.

Dr. Feinsod continued with a report on some of the recent accomplishments of the Association.

### **Workshop 2021**

Virtual Workshop 2021 was a resounding success, reaching its attendance and financial goals. It got extremely positive feedback from board members and others in the education community. There were more than 5,200 registrants, and when speakers, sponsors, exhibitors, the Wind Down guests and the parents who attended virtually for the STEAM Tank event are added, the conference touched several hundred more.

The new addition to this year’s Workshop, the evening Wind Down sessions, where board members could meet in small groups virtually and talk about issues with each other and NJSBA staff, received such glowing feedback that there are plans to institute regular virtual sessions like this for members throughout the year.

By popular demand, the time that Workshop sessions will be available online has been extended to Dec. 28. Registrants can watch—or re-watch—any sessions, simply by logging back into the Workshop website.

### **Online University Hub**

This week, NJSBA formally introduced its Online University Hub, a virtual professional development academy for educators. In partnership with the New Jersey Association of School Administrators, the Online University Hub offers engaging and interactive e-learning courses to all K-12 public school district stakeholders. It will deliver a subscription-based, remote learning center with more than 100 courses across 30-plus learning paths that support timely topics in education. Micro-credentialing, or mini qualifications that certify workplace experience, skills, and subject area proficiency, also will be offered.

SHI, a Somerset, New Jersey-based company that serves districts and businesses with integrated IT services, and Eduscape of Montvale, New Jersey, a nationally recognized leader in K-12 professional development and innovation, are the private industry partners that will facilitate the program. The NJSBA Online University, where our members can complete their mandated training courses, will still be offered.

### **Partnerships to Advance Public Education**

NJSBA has built and strengthened many important partnerships and relationships within the education community, in government and higher education, and in the business and non-profit sectors. These relationships have helped NJSBA provide new services, engage with members and students, promote the interests of local school boards, and more.

Our partners in the New Jersey Public School Labor Management Collaborative include Rutgers School of Management and Labor Relations, as well as the major education groups in the state. This initiative supports the research that student achievement is positively impacted in schools where management and labor collaborate effectively.

NJSBA continues its partnership with the U.S. Army on the immensely popular STEAM Tank, the competition that empowers students to invent real-world solutions using critical thinking skills and ingenuity.

NJSBA' College of New Jersey and the New Jersey Department of Education resulted in the introduction of the Sustainable Jersey Digital Schools Program, which supports schools in meeting the challenges of digital learning. In September, the first class of schools to achieve "Digital Schools Star Recognition" were named; 37 schools from nine districts demonstrated digital learning strategies to earn their awards.

### **Resources for Boards and School Districts**

Since the beginning of the pandemic, NJSBA has undertaken a series of research reports to provide information, best practices and recommendations for school districts that have been dealing with the unprecedented challenges of COVID-19. These reports have been used by members of the education community to assist in revamping and changing education during the pandemic, and to help drive changes to law and regulation in the state, providing valuable flexibility to boards of education. In September, a fifth report on education during the pandemic was released entitled, "Rebuilding Opportunities for Students." The report looks at the challenges facing school districts and students in dealing with pandemic-related gaps in academic and social-emotional learning, and provides information on effective practices, and other topics.



In addition to the pandemic related reports, a new edition NJSBA's anthology of articles on the basics of school board services title, *Fundamentals of School Board Membership*, has been issued.

### **Member Training and Engagement**

One of NJSBA's goals is to continually encourage greater participation in professional development, thereby increasing the number of well-trained board members. There has been an increase in new certifications this fall through the NJSBA Board Member Academy, and the county school boards associations are in the process of awarding the certifications. This fall, nearly 60 additional board members earned certifications from NJSBA's Board Member Academy.

This fall the county school boards association introduced their new hybrid meetings. Each meeting includes both an in-person and virtual component. This format has been welcomed by our members.

### **NJSBA 2022-2024 Strategic Plan**

On Dec. 19, 2021, the NJSBA Board of Directors voted to approve "Framework for the Future," the new NJSBA Strategic Plan that will provide direction and guidance for the Association for the next three years. The plan sets goals and objectives in five areas: Impacting Opportunities for Student Growth; Services for Tomorrow's World; Professional Learning for Effective Governance; Partnering in Public Education Advocacy; Future Innovations and Advancements in Technology.

**Rules for Conduct of the Delegate Assembly** - President LeFebvre 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. She then reviewed the rules for making a motion and/or amendment.

President LeFebvre introduced parliamentarian Michelle Bobrow, who was prepared to address any questions on the rules. President LeFebvre 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 121 delegates from 21 counties which represented a quorum.

*Adoption of the rules for the conduct of the DA was moved by Frank Casper, Clifton Board of Education (Passaic) and duly seconded by Elisa Cho, Fort Lee (Bergen).*

*With no further discussion, the motion to adopt the rules for the conduct of the December 20, 2021, Delegate Assembly was **APPROVED**.*

**Minutes of the May 15, 2021, Delegate Assembly** - Hearing no corrections, additions, or deletions to the minutes of the November 21, 2021, Delegate Assembly, *President LeFebvre declared the minutes approved as submitted.*

**Committee Reports** - President LeFebvre 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 May 7, 2021. The Association received no Emergency Resolutions.

Dr. Cortellino presented the report of the Resolutions Subcommittee. The Association did not receive any resolutions prior to the official cutoff date on September 16 for the November 30, 2021, Semiannual Delegate Assembly.

A preview of today's agenda was published in *School Board Notes* and placed on the NJSBA Web site.

Participants were advised that if they wished to speak at any time, they should type that into the chat room, to all participants, and include name, district and if a 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.

### **Sunset Review of Sections 3000 (Business and Non-instructional Operations) and 4000 (Instructional and Support Personnel)**

In accordance with Art. V Sec. 3b of the NJSBA Bylaws and GO/8700, which direct the review of Association positions and policies on education not less than every five years and according to certain standards/criteria, staff have reviewed all policies classified as part of the 3000 and 4000 sections of the NJSBA Manual of Positions and Policies on Education. Staff have identified those policies which require reaffirmation (List 1) which begins on page 63 of your handbook and those which begins on page 141 of your handbook.

The criteria against which the policies were reviewed and reformatted are included in the report. As set forth in the Bylaws and policy, the Delegate Assembly, receives and acts upon recommendations from the Resolutions Subcommittee. Those recommendations follow. If a delegate seeks to substantively revise a policy that revision must be presented at the May Delegate Assembly by way of a board-adopted resolution, in order to provide the opportunity for staff review, analysis and recommendation.

### **Policies Recommended for Reaffirmation**

One policy requires an amendment based upon one or more of the criteria/standards established as requirements for recommending any changes to existing policies on education. (List 2)

Vice President Cortellino asked that the members to consider all the policies in the 3000 and 4000 Sections, LIST 1, as a group.

*A motion was made by Anne Erickson, Little Egg Harbor Township (Atlantic) to approve the reaffirmation of List 1 to the 3000 and 4000 sections of the NJSBA Manual of Positions and Policies on Education. Motion was duly seconded and passed by a vote of 109-0.*

Vice President Cortellino asked for a motion to approve the proposed policy change to the 4112.1 Section of the NJSBA Manual of Positions and Policies on Education.

*A motion was made by Michael Mankowski, Keansburg Board of Education (Monmouth) to approve the proposed policy change to the 4112.1 Section of the NJSBA Manual of Positions and Policies on Education. Motion was duly seconded and passed by a vote of 105-0.*

**Adjournment**

President LeFebvre 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 10:35 a.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Carl Tanksley, Esq.", with a stylized flourish at the end.

Carl Tanksley, Esq.  
General Counsel

November 20, 2021 Delegate Assembly

<b>Last Name</b>	<b>First Name</b>	<b>District</b>	<b>County</b>
Futty	Sabrina	Buena Regional Bd of Ed	Atlantic
Erickson	Anne	Egg Harbor Twp Bd of Ed	Atlantic
Mimler	Katherine	Estell Manor Bd of Ed	Atlantic
Erickson	Anne	Greater Egg Harbor Reg Bd of Ed	Atlantic
Hassa	Amy	Hamilton Twp Bd of Ed	Atlantic
Goldsmith	Henry	Weymouth Twp Bd of Ed	Atlantic
Van Buren	Kathryn	Bogota Bd of Ed	Bergen
Pollack	Jeffrey	Dumont Bd of Ed	Bergen
Feinstein	William	Englewood City Bd of Ed	Bergen
Cho	Elisa	Fort Lee Bd of Ed	Bergen
Rodino	Michael	Haworth Bd of Ed	Bergen
Nye	Mary Ellen	Ho-Ho-Kus Bd of Ed	Bergen
Albanese	Mary	Leonia Bd of Ed	Bergen
Shanley	Danielle	New Milford Bd of Ed	Bergen
Gaffney	James	Oakland Bd of Ed	Bergen
Walsh	John	Oradell Bd of Ed	Bergen
Kaufman	Scott	Ramsey Bd of Ed	Bergen
Jacobs	Michael	Ridgefield Bd of Ed	Bergen
Lembo	Michael	Ridgewood Bd of Ed	Bergen
Sim	Gyuchang	River Edge Bd of Ed	Bergen
Holz	Christina	Rochelle Park Bd of Ed	Bergen
Jones	Diane	Rutherford Bd of Ed	Bergen
Rappoport	Sarah	Teaneck Bd of Ed	Bergen
Newman	Paula	Tenafly Bd of Ed	Bergen
Riggi	Velina	Burlington Twp Bd of Ed	Burlington
DiGiacomo	Len	Eastampton Twp Bd of Ed	Burlington
Leahan	Kevin	Lumberton Bd of Ed	Burlington
Wiest	Ellen	Maple Shade Bd of Ed	Burlington
Knox	Wanda	Pemberton Twp Bd of Ed	Burlington
Hicks	Jeffrey	Southampton Twp Bd of Ed	Burlington
Corey	Gail	Tabernacle Bd of Ed	Burlington
Davis	Ammie	Audubon Bd of Ed	Camden
Reese	Ellen	Gloucester Twp Bd of Ed	Camden
Forrest	Sabrina	Lawnside Bd of Ed	Camden
Hershman	Marsha	Lindenwold Bd of Ed	Camden
Gallagher	Leslie	Pine Hill Bd of Ed	Camden
Chiddenton	Terri	Waterford Twp Bd of Ed	Camden
Martin	Rita	Winslow Bd of Ed	Camden
Barbieri	Michele	Upper Township Bd of Ed	Cape May
Hands	Ruth	Cumberland Co Voc Bd of Ed	Cumberland
Salinas	Jessica	Bloomfield Bd of Ed	Essex
Chirls	Pamela	Livingston Bd of Ed	Essex
Garcia	Josephine	Newark Bd of Ed	Essex

Andrade	Maria	Roseville Community Charter	Essex
Siders	Erin	So Orange Maplewood Bd of Ed	Essex
Freschi	Lisa	Verona Bd of Ed	Essex
Skelton	Jann	West Essex Reg Bd of Ed	Essex
Russell	John	Logan Twp Bd of Ed	Gloucester
Uyehara	Robert	Pitman Bd of Ed	Gloucester
Ulmer	Peggy	Woodbury Bd of Ed	Gloucester
Richardson	Lorenzo	Jersey City Bd of Ed	Hudson
Zapata	George	Kearny Bd of Ed	Hudson
Gove	Karyn	High Bridge Bd of Ed	Hunterdon
Martin	Elizabeth	Hunterdon Co Voc Bd of Ed	Hunterdon
Hintz	Tara	No Hunterdon Voorhees Bd of Ed	Hunterdon
Linthorst	Deborah	Hopewell Valley Reg Bd of Ed	Mercer
Morgan Santo	Stacy	Mercer Co Special Services Bd of Ed	Mercer
Weakliem	Jeannie	Trenton Bd of Ed	Mercer
Krug	Dana	West Windsor-Plainsboro BOE	Mercer
Krieger	Mark	Highland Park Bd of Ed	Middlesex
Lane	Kimberly	Piscataway Twp Bd of Ed	Middlesex
Rodgers	Lisa	South Brunswick Bd of Ed	Middlesex
Cook	Carritta	Asbury Park Bd of Ed	Monmouth
Eittreim	Elisabeth	Atlantic Highlands Bd of Ed	Monmouth
Franks	Elizabeth	Bradley Beach Bd of Ed	Monmouth
Castner	Marian	Colts Neck Twp Bd of Ed	Monmouth
Melnyk	Regina	Highlands Borough Bd of Ed	Monmouth
Mark	Bonjavanni	Howell Twp Bd of Ed	Monmouth
Mankowski	Michael	Keansburg Bd of Ed	Monmouth
Urgo	Ryan	Manalapan Englishtown Bd of Ed	Monmouth
Wisdom	Sharon	Monmouth Reg Bd of ed	Monmouth
Boyce	Sarah	Union Beach Bd of Ed	Monmouth
Darling	Jennifer	Boonton Town Bd of Ed	Morris
Eaton	Charles	Boonton Twp Bd of Ed	Morris
Cali	Yvonne	Florham Park Bd of Ed	Morris
Bruno	Richard	Harding Twp Bd of Ed	Morris
Stewart	Michael	Jefferson Twp Bd of Ed	Morris
Hughes	Peter	Kinnelon Bd of Ed	Morris
Bartnick	Kathleen	Mine Hill Twp Bd of Ed	Morris
Bertram	Michael	Morris Hills Reg Bd of Ed	Morris
Gayles	Antoine	Mount Olive Bd of Ed	Morris
Cogan	Allison	Parsippany Troy Hills Bd of Ed	Morris
Dempsey	Megan	Pequannock Twp Bd of Ed	Morris
Mezik	Lisa	Rockaway Twp Bd of Ed	Morris
Masi	Dan	Roxbury Twp Bd of Ed	Morris
DeCicco	Jessica	Washington Twp Bd of Ed	Morris
Pakala	Victoria	Brick Twp Bd of Ed	Ocean
Rivera	Tara	Jackson Twp Bd of Ed	Ocean
Discenza	Regina	Lacey Twp Bd of Ed	Ocean
Casey	Richard	Ocean Gate Bd of Ed	Ocean

McDowell	Evelyn	Ocean Township Bd of Ed	Ocean
Polozzo	Anna	Toms River Reg Bd of Ed	Ocean
Caraballo	Charles	Bloomington Bd of Ed	Passaic
Kasper	Frank	Clifton Bd of Ed	Passaic
Díaz	Anyelis	Haledon Bd of Ed	Passaic
Fischer	Jeffrey	Manchester Reg Bd of Ed	Passaic
DeNova	Lucia	North Haledon Bd of Ed	Passaic
Cruz	Bobby	Pompton Lakes Bd of Ed	Passaic
Hardman	Denzil	Pittsgrove Twp Bd of Ed	Salem
Walker	Barry	Bridgewater-Raritan Reg BOE	Somerset
LaCorte	Nancy	Franklin Twp Bd of Ed	Somerset
Trujillo	Jean	Hillsborough Twp Bd of Ed	Somerset
Bilik	Marie	Sussex County ESC	Sussex
Hoffman	Ronald	Hardyston Twp Bd of Ed	Sussex
Scharfstein	Mattia	Stanhope Bd of Ed	Sussex
Wexler	Diane	Sussex County Vo Tech	Sussex
Carlson	Robert	Wallkill Valley Reg Bd of Ed	Sussex
Guerrero	Christine	Clark Twp Bd of Ed	Union
Jacobs	Jerry	Elizabeth Bd of Ed	Union
Viteka	Frederick	Kenilworth Bd of Ed	Union
Boroff	Amy	Scotch Plains-Fanwood Bd of Ed	Union
DiGilio	Rudolph	Franklin Twp Bd of Ed	Warren
Nodes	Scott	Greenwich Twp Bd of Ed	Warren
Babula	George	Harmony Bd of Ed	Warren
Smith	Tammy	Knowlton Twp Bd of Ed	Warren
Thomas	Pamela	Lopatcong Bd of Ed	Warren
Momary	James	Mansfield Township Bd of Ed	Warren
Person	Rosemarie	Phillipsburg Bd of Ed	Warren
Marshall	Lisa	Warren Hills Reg Bd of Ed	Warren
Knittel	Jennifer	Washington Twp Bd of Ed	Warren



# New Jersey School Boards Association

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

## MEMORANDUM

**To: NJSBA DELEGATES AND ALTERNATES**  
**From: TAMMEISHA D. SMITH, VICE PRESIDENT FOR FINANCE**  
**Date: MAY 14, 2022**  
**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 February 28, 2022 have been distributed to you. Included are the 2021-2022 year-to-date revenues and expenses and a balance sheet and statement of cash flows.

The audit for fiscal year 2021-2022 will be completed in August and will be included in the annual report distributed at the November 2022 Board of Directors meeting.

NEW JERSEY SCHOOL BOARDS ASSOCIATION  
 STATEMENT of REVENUES and EXPENSES  
 For the Eight Months Ending Monday, February 28, 2022

	Month ended February		Year-To-Date Ended February		FULL-YEAR	
	BUDGET	ACTUAL	BUDGET	ACTUAL	BUDGET	2020-2021
MEMBERSHIP DUES	\$592,666	\$592,675	\$4,741,335	\$4,741,394	\$59	\$7,112,000
MEMBERSHIP PROGRAMS	0	2,948	270,908	311,972	41,064	270,908
<b>TOTAL MEMBERSHIPS</b>	<b>592,666</b>	<b>595,623</b>	<b>5,012,243</b>	<b>5,053,366</b>	<b>41,123</b>	<b>7,382,908</b>
MEMBERSHIP EXPENSES:						
COMMITTEES	5,914	4,384	49,790	10,490	39,300	78,569
CONFERENCES- DUES BASED, NET	2,692	100	23,099	2,067	21,032	35,425
MEMBERSHIP SERVICES & PROGRAMS	16,467	24,920	281,736	171,119	110,617	347,605
PUBLICATIONS INCLUDED WITH MEMBERSHIPS, NET	12,185	(5,280)	36,448	22,323	14,125	54,650
TRAVEL & LIAISON	10,988	3,787	87,904	22,710	65,194	131,879
<b>TOTAL MEMBERSHIP EXPENSES</b>	<b>48,246</b>	<b>27,911</b>	<b>478,977</b>	<b>228,708</b>	<b>250,269</b>	<b>648,128</b>
OVERHEAD:						
SALARIES	446,756	436,535	3,664,437	3,661,681	2,756	5,630,163
PERSONNEL ADMINISTRATION & TRAINING	178,099	187,189	1,537,936	1,493,943	43,993	2,289,183
HEADQUARTERS HOUSING	31,825	24,900	269,600	209,106	60,494	396,900
INSURANCE	8,467	8,589	67,736	65,990	1,746	101,608
OFFICE EXPENSE	34,971	21,001	264,768	182,839	81,929	404,658
<b>TOTAL OVERHEAD EXPENSES</b>	<b>700,118</b>	<b>678,215</b>	<b>5,804,477</b>	<b>5,613,559</b>	<b>190,918</b>	<b>8,822,512</b>
<b>NET MEMBERSHIPS</b>	<b>(155,698)</b>	<b>(110,503)</b>	<b>45,195</b>	<b>(788,902)</b>	<b>482,309</b>	<b>(2,087,732)</b>
WORKSHOP REVENUE	0	(1,905)	1,000,000	756,899	(243,111)	1,000,000
WORKSHOP EXPENSES	0	302	200,000	109,910	90,090	200,000
<b>NET WORKSHOP</b>	<b>0</b>	<b>(2,207)</b>	<b>800,000</b>	<b>646,979</b>	<b>(153,021)</b>	<b>800,000</b>
FEE BASED SERVICE REVENUE	69,713	70,938	480,202	457,005	(23,197)	759,050
FEE BASED SERVICE EXPENSES	30,105	23,447	238,176	69,910	168,266	358,600
<b>NET FEE BASED SERVICES</b>	<b>39,608</b>	<b>47,491</b>	<b>242,026</b>	<b>387,095</b>	<b>145,069</b>	<b>400,450</b>
CONFERENCE REVENUE	10,250	(808)	68,175	92,593	24,418	204,467
CONFERENCE EXPENSES	2,167	93	16,358	93	16,265	39,667
<b>NET CONFERENCES</b>	<b>8,083</b>	<b>(901)</b>	<b>51,817</b>	<b>92,500</b>	<b>40,683</b>	<b>164,800</b>
<b>NET PUBLICATIONS</b>	<b>2,702</b>	<b>1,103</b>	<b>(1,599)</b>	<b>18,897</b>	<b>(2,719)</b>	<b>32,425</b>
<b>NET (STREAM &amp; SUSTAINABILITY</b>	<b>5,317</b>	<b>11,085</b>	<b>5,768</b>	<b>22,538</b>	<b>69,930</b>	<b>43,800</b>
<b>NET MISC. REVENUE INCLUDING INVESTMENT INCOME</b>	<b>24,688</b>	<b>9,119</b>	<b>(15,569)</b>	<b>85,526</b>	<b>(111,978)</b>	<b>296,257</b>
<b>FREE BALANCE SURPLUS</b>						<b>350,000</b>
<b>NET REVENUE OVER EXPENSES</b>	<b>(75,300)</b>	<b>(44,813)</b>	<b>30,487</b>	<b>534,563</b>	<b>470,273</b>	<b>0</b>
						<b>1,771,538</b>



NEW JERSEY SCHOOL BOARDS ASSOCIATION  
BALANCE SHEET  
For the Eight Months Ending Monday, February 28, 2022

	2022	2021	Prior year <u>YTD June30</u>
<b>Assets and Deferred Outflow of Resources</b>			
Current Assets:			
Cash and short-term investments	\$8,642,132	\$8,358,611	\$5,495,909
Accounts Receivable	81,282	329,538	202,319
Allowance For Doubtful Accounts	(15,000)	(15,000)	(15,000)
Prepaid Expenses	204,054	294,251	266,443
Deferred Compensation			
<b>Total Current Assets</b>	<b>8,912,468</b>	<b>8,967,400</b>	<b>5,949,671</b>
Fixed Assets:			
Land- HQ	1,686,534	1,686,534	1,686,534
Land	139,040	139,040	139,040
Building and Building Improvements	10,636,633	10,636,633	10,636,633
Furniture and Fixtures	1,004,074	1,005,635	1,004,074
Computer Hardware and Software	1,075,779	975,525	1,001,090
Telephone System	47,026	38,907	47,026
Automobiles	50,764	50,764	50,764
<b>Total Fixed Assets</b>	<b>14,639,850</b>	<b>14,533,039</b>	<b>14,565,161</b>
Less Accumulated Depreciation and Amortization	(7,196,434)	(6,690,100)	(7,196,434)
<b>Total Fixed Assets - Net</b>	<b>7,443,416</b>	<b>7,842,939</b>	<b>7,368,727</b>
Deferred Outflow of resources:			
Deferred Outflow of Resources - Pension Related	1,965,243	2,494,658	1,965,243
Deferred Outflow of Resources - OPEB Related	474,813	1,098	474,813
<b>Total Deferred Outflow of Resources</b>	<b>2,440,056</b>	<b>2,495,756</b>	<b>2,440,056</b>
<b>Total Assets and Deferred Outflow of Resources</b>	<b>18,795,939</b>	<b>19,306,094</b>	<b>15,758,454</b>

NEW JERSEY SCHOOL BOARDS ASSOCIATION  
BALANCE SHEET

For the Eight Months Ending Monday, February 28, 2022

	2022	2021	Prior year YTD June30
<b>Liabilities, Deferred Inflow of Resources and Fund Balance</b>			
<b>Current Liabilities:</b>			
Accounts Payable & Accrued Liability	791,767	1,070,017	365,709
Prepaid Revenue	2,512,077	2,787,569	374,533
Accrued Vacation	594,872	512,947	655,552
<b>Total Current Liabilities</b>	<b>3,898,717</b>	<b>4,370,533</b>	<b>1,395,794</b>
<b>Net Long-Term Liabilities:</b>			
Net Pension Liability	11,785,521	12,397,525	11,785,521
Net OPEB Liability	1,894,624	1,332,392	1,894,624
<b>Total Net Long-Term Liabilities</b>	<b>13,680,145</b>	<b>13,729,917</b>	<b>13,680,145</b>
<b>Deferred Inflow of resources :</b>			
Pension Related	5,692,258	5,537,238	5,692,258
OPEB Related	11,818,850	13,797,427	11,818,850
<b>Total Deferred Inflow of Resources</b>	<b>17,511,108</b>	<b>19,334,665</b>	<b>17,511,108</b>
<b>Fund Balances:</b>			
Operating Fund Net Investment in facilities	7,443,416	7,842,939	7,368,727
Operating Fund Surplus Beginning Balance	4,256,977	4,331,366	2,585,438
Operating Fund Surplus Fiscal Year 2020-2021	534,563	471,112	1,771,538
Operating Fund Surplus Ending Balance	4,791,540	4,802,477	4,356,977
Unrestricted Fund - Net Pension Liability	(15,512,537)	(15,774,738)	(15,512,537)
Unrestricted Fund - OPEB Liability	(13,238,661)	(15,128,721)	(13,238,661)
Capital Fund - AMS	0	0	0
Capital Fund - Strategic Plan	222,211	56,459	149,902
Capital Fund - Building		72,563	46,998
Capital Fund - IT Replacement			
<b>Total Fund Balances</b>	<b>(16,294,031)</b>	<b>(18,129,020)</b>	<b>(16,828,594)</b>
<b>Total Liabilities, Deferred Inflow of Resources and Fund Balances</b>	<b>18,795,939</b>	<b>19,306,094</b>	<b>15,758,454</b>



## **REPORT OF THE LEGISLATIVE COMMITTEE**

**By**

**Dr. Karen Cortellino, M.D.**

**Vice President for Legislation/Resolutions**

**Prepared for the May 14, 2022 Delegate Assembly**

As Vice President of Legislation/Resolutions, I would like to report the Legislative Committee's activities since the November 20 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** (as of April 8, 2022)

<u>LD #</u>	<u>County</u>		
5-alt	Camden, Gloucester	18-alt	Middlesex
6-alt	Burlington, Camden	22-alt	Middlesex, Somerset, Union
9-alt	Atlantic, Burlington, Ocean	29-mem	Essex
11-mem	Monmouth	30-mem	Monmouth, Ocean
13-mem	Monmouth	31-alt	Hudson
14-alt	Mercer, Middlesex	33-alt	Hudson
17-mem	Middlesex, Somerset	36-alt	Bergen, Passaic

Since the last report, the Committee met on December 11, 2021 and February 26, 2022 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 11, 2021**

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 by President Irene LeFebvre, followed by a quorum count and new committee member introductions.

Legislative Updates: The Governmental Relations department provided an overview of significant legislative activity since the last committee meeting in September. Mr. Jonathan Pushman directed members to refer to the “Governmental Relations Update” handout that was attached to the agenda. This document includes a summary of any new education-related enactments, conditional vetoes and various bills that the Legislature recently advanced. Mr. Pushman mentioned that the Legislature has been very active, following a busy campaign season. They are in the midst of the “lame duck” session, which is the period of time between the November elections and when the new Legislature takes office in mid-January. This is traditionally one of the busiest and most unpredictable portions of the legislative session.

Mr. Christopher Jones provided a rundown of the November 2021 election results, in which all 120 seats in the Legislature were on the ballot. He also summarized provisions of the

infrastructure bill recently adopted by Congress and signed into law by President Biden. That measure provides funding for school construction and electric school buses. A separate “human infrastructure” proposal, known as the “Build Back Better” plan, is still pending. Among other items, that measure provides funding for states to help implement universal pre-K programs.

Mr. Jones also informed the committee of a recent decision of the US Department of Education stating that New Jersey is out of compliance with the “Maintenance of Equity” (MOEq) requirements of the federal American Rescue Plan due to the reductions in state aid experienced by various “high need/high poverty” districts and charter schools across the state. As a condition of receiving Elementary and Secondary School Emergency Relief (ESSER) funds under the ARP, every state must ensure that its highest poverty local educational agencies receive at least the same amount of funding in FY 2022 and 2023 as provided in FY 2019. This requirement conflicts with the provisions of the 2018 school funding law commonly referred to as “S-2” in which districts deemed overfunded, including some of those covered by the ARP’s MOEq requirement, are experiencing reductions in state aid. The Education Law Center estimates that approximately \$173 million in funding cuts may need to be restored as a result of this development; however, that figure is not official. The NJSBA is closely monitoring the NJDOE, Governor and Legislature responses. Additional background can be found in the follow up materials below.

Mr. John Burns provided detailed summaries and answered questions on the following bills, which were outlined in the handout:

- **S-3434** (*P.L.2020, c.109*): Requires boards of education to provide special education and related services to certain students exceeding age of eligibility for special education and related services.
  - Implementation Memo/Reimbursement Process:  
<https://www.nj.gov/education/broadcasts/2021/dec/1/ImplementingPL2021c109-ProvidingAdditionalorCompensatorySpecialEducationandRelatedServices.pdf>
- **S-3488**: Modifies certain procedures pertaining to school district regionalization; establishes a grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization.
  - NJSBA requested a conditional veto of the bill to address provisions regarding the voting rights of districts that do not vote to expand the purposes of a limited purpose regional district. The Legislature is expected to concur with the governor’s conditional veto recommendations and the bill will likely become law before the end of the current session.
- **S-108**: Concerns speech rights of student journalists at public schools and public institutions of higher education.
  - NJSBA requested a conditional veto of the bill to ensure that students have the right to speak freely, while preserving the ability of administrators to maintain the safe and orderly operation of the school district. The Legislature is expected to concur with the governor’s conditional veto recommendations and the bill will likely become law before the end of the current session.

- **S-4245**: Extends period of time for filing special education due process petitions related to COVID-19 school closures and periods of virtual, remote, hybrid, or in-person instruction.
  - This new bill appears likely to move during the final month of the current legislative session.
- **S-2160**: Creates special education unit within the Office of Administrative Law; requires annual report.
- **A-4856**: Requires Internet websites and web services of school districts, charter schools, and renaissance schools to be accessible to persons with disabilities.
  - The NJSBA has secured a commitment from the bill sponsor that the bill will be amended to include an appropriation that will help offset districts' costs in implementing the measure, should it become law. It is expected to progress during "lame duck".

Mr. Pushman discussed the following items:

- **School Security Drills**
  - **S-3726/A-5727**: Ensures student well-being during school security drills. The bill is intended to mitigate or prevent any trauma a student might experience due to a drill. As originally introduced, the NJSBA supported its overall intent, but expressed concern that certain provisions might reduce the efficacy of security drills. Such provisions included a requirement that all staff and parents be notified in advance of a drill, as well as a prohibition on the presence of emergency personnel during drills. The NJSBA worked with the sponsor and other education organizations to successfully obtain amendments that alleviated those concerns. NJSBA now supports the bill, as amended.
- **Mental Health Screenings**
  - **P.L.2021, c.237**: Establishes Mental Health Screening in Schools Grant Program in DOE; appropriates \$1 million. The law is intended to help to identify students who are at risk of depression and goes into effect at the beginning of the 2022-2023 school year.
- **Learning Loss Reports**
  - **A-5126/S-3214**: Requires Commissioner of Education to prepare learning loss report and report on public school operations during COVID-19 public health emergency.
- **Higher Ed Partnerships for Mental Health Services**
  - **A-4433**: Creates grant program to encourage school districts to partner with institutions of higher education in training school-based mental health services providers. The bill was conditionally vetoed and now includes an appropriation to fund the program.

- **Staffing Shortages / Streamline Certification**
  - **P.L.2021, 224**: Directs DOE to establish five-year pilot program for issuance of limited certificate of eligibility with advanced standing and limited certificate of eligibility for certain teacher candidates.
  - **P.L.2021, c.239**: Directs DOE to develop outreach program to encourage young women and minorities to pursue post-secondary degrees and careers in STEM.
  - **S-969**: Establishes loan redemption program for teachers in certain fields to redeem loan amounts received under New Jersey College Loans to Assist State Students Loan Program through employment in certain low performing schools. The bill defines “high-need field” as a subject area or field of expertise in which there is a shortage of qualified teachers as determined by the Department of Education. The bill was conditionally vetoed to insert a \$1 million appropriation.
  - **S-4073**: Provides supplemental appropriations of \$20 million for loan redemption program and tuition reimbursement program for certain teachers of science, technology, engineering, and mathematics.
  - **S-4074/A-6000**: Allows alternative evaluation in place of basic skills testing requirements for certain teacher certification.
  - **A-4595/S-2829**: Establishes "Male Teachers of Color Mentorship Pilot Program;" appropriates \$50,000.

#### Additional Follow-Up Items

The following issues were also discussed during the meeting and the committee was provided with various links that provide additional background information:

#### **Maintenance of Equity Provisions of the American Rescue Plan**

- [https://edlawcenter.org/assets/files/pdfs/NJ\\_MOEquity%20Response.pdf](https://edlawcenter.org/assets/files/pdfs/NJ_MOEquity%20Response.pdf)
- <https://edlawcenter.org/assets/pdf/MOEq%20Estimates%20FY22%202.pdf>

#### **NJDOE Resources to support implementation of N.J.S.A. 18A:35-4.35-36: Instruction on the Contributions of Disabled and LGBT Individuals**

- <https://www.nj.gov/education/standards/dei/>

#### **New Law: Out-of-State Reciprocity for Teachers**

- **S-2831** (*P.L.2021, c.57*): Requires DOE to establish Alternate Route Interstate Reciprocity Pilot Program. The pilot program will run for five years.

#### Advocacy Agenda 2022-2023

Mr. Pushman explained the process for approving the “Advocacy Agenda and Action Plan” for 2022-2023. NJSBA bylaws direct the committee to develop and approve a legislative agenda and advocacy plan every two years. Once approved by the committee, it is submitted to the Board of Directors for final approval. Mr. Pushman walked through each section of the draft agenda and

answered questions from committee members. Following a lengthy discussion, the committee approved the agenda. The agenda goes to the NJSBA Board of Directors for final approval.

Committee Sharing:

- Dr. Cortellino informed the committee that there is an update to the schedule of meeting dates for the Legislative Committee. Due to a conflict with the Association’s New Board Member Orientation weekend, the meeting originally scheduled for Saturday March 5, 2022 has been moved to Saturday, February 26.
- A member asked if the Mental Health Report will be revised; Mr. Pushman stated he has heard discussion of the report being revisited through a more holistic approach regarding all NJSBA task force reports.
- A member mentioned a discussion she had with her Superintendent regarding the Mask Mandate setting to expire in a few weeks. They sense the Covid-19 numbers are climbing, and their concern is it will be sent back to local control. Her Superintendent asked that it be shared with the committee that it would be beneficial if they had a more guidance driven metric system, and this will aid in determining decisions in wearing or not wearing masks at different grade levels. They asked if members would be willing to go before their respective legislators on this proposal. Mr. Pushman mentioned the Executive Order is valid until January 11, and the Association is highly focused on this issue.
- A member, who works directly with Speaker Coughlin, mentioned a bill they are collaborating on to help address the teacher shortage issue. This would allow teachers that have retired to return to work for up to two years, either in a classroom setting or summer enrichment program, without reenrolling in the pension system.
- A member who was attending his last Committee meeting mentioned that a key central issue for his district is being chronically underfunded, going back to before SFRA. While they advocated to be fully funded, which “S-2” helped support, his district never advocated for a specific mechanism that did so at the expense of other districts. They only asked they receive what they were entitled to under the formula. S-2 has been a lifeline for their district to get them to where they need to be for per pupil spending and to start to level off and keep some sort of normalcy in their property tax rate. Going forward, he hopes that as they satisfy the maintenance of equity requirement, that it doesn’t come at the expense of the gains they made under S-2. Mr. Pushman thanked the member for his contributions over the years.

**February 26, 2022**

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, and informed the committee of the guest speaker, Senator Vin Gopal, who would be speaking later. Opening comments were provided from President Irene LeFebvre and Dr. Larry Feinsod, followed by a quorum count and new board member introductions.



Legislative Updates: Mr. Pushman and Mr. Burns led a presentation and discussed several new laws affecting school districts that were signed into law since the last committee meeting. Committee members also referred to a Governmental Relations Update that was provided in advance, along with agenda and other meeting materials. New laws that were discussed during the presentation included:

- A-5576/S-3685: Permits teacher and professional staff member who provides special services retired from TPAF to return to employment for up to two years without reenrollment in TPAF if employment commences during 2021-2022 and 2022-2023 school years. (*P.L.2021, c.408*)
- S-4074/A-6000: Allows alternative evaluation in place of basic skills testing requirements for certain teacher certification. (*P.L.2021, c.420*)
- S-3726/A-5727: Ensures student well-being during school security drills. (*P.L.2021, c.365*)
- S-3094/A-4856: Requires Internet websites and web services of school districts, charter schools, and renaissance schools to be accessible to persons with disabilities. (*P.L.2021, c.461*)
- S-1219/A-3392: Requires student representative be appointed to each board of education of school district that includes high school. (*P.L.2021, c.446*)
- S-4021/A-6100: Requires school districts to provide instruction on history and contributions of Asian Americans and Pacific Islanders as part of implementation of New Jersey Student Learning Standards in Social Studies. (*P.L.2021, c.416*)
- S-3488/A-5537: Modifies certain procedures pertaining to school district regionalization; establishes grant program for cost reimbursement of conducting regionalization feasibility studies; and provides financial incentives for regionalization. (*P.L.2021, c.402*)
- A-4433/S-2715: Creates a grant program to encourage school districts to partner with institutions of higher education to train school-based mental health services providers; expand the pipeline of high-quality, trained providers; and address the shortages of mental health professionals in schools. (*P.L.2021, c.322*)
- A-4435/S-2717: Requires the New Jersey Department of Children and Families to give priority to certain school districts when awarding contracts under the School-Linked Services Program. (*P.L.2021, c.323*)
- A-4434/S-2716: Establishes Student Wellness Grant Program in DOE. (*P.L.2021, c.456*)
- A-4838/S-2811: Requires school report card to include information concerning number of mental health professionals and school safety specialists employed by each school district. (*P.L.2021, c.339*)
- S-1790/A-1662 (informally known as “Mallory’s Law”): Revises provisions required in school district’s anti-bullying policy; provides for civil liability of parent of minor adjudicated delinquent for cyber-harassment or harassment; and increases certain fines against parents. (*P.L.2021, c.338*)
- S-108/A-169: Concerns speech rights of student journalists at public schools and public institutions of higher education. (*P.L.2021, c.309*)

The presentation also discussed a recently signed law delaying the Governor’s budget address by two weeks, which will cause a delay in the NJ Department of Education’s notification to school districts of their expected state aid figures for FY2023. However, a revised budget calendar (see below) recently issued by the NJDOE will give districts additional time to develop and submit their budgets for county office approval.

Revised Budget Calendar Memo:

<https://www.nj.gov/education/broadcasts/2022/feb/18/Special%20Broadcast%20202.18.22.pdf>

The Governmental Relations staff members also described several pieces of legislation that have already progressed, or are expected to move, in the current legislative session that began in mid-January:

- S-354: Establishes School Funding Formula Evaluation Task Force.
- A-1281: Extends period of time for filing special education due process petitions related to COVID-19 school closures and periods of virtual, remote, hybrid, or in-person instruction.
- S-464: Revises conditions for use of virtual or remote instruction to meet minimum 180-day school year requirement.
- S-904: Eliminates requirement for State residency of public school employees for period of three years.
- A-677/S-896: Prohibits State Board of Education from requiring completion of performance-based assessment as condition of eligibility for certificate of eligibility with advanced standing.

#### NJSBA Spring Symposium

Mr. Pushman brought to the committee’s attention a flyer from the meeting materials promoting the NJSBA Spring Symposium. The virtual two-day event, slated for Tuesday, April 26 and Wednesday, April 27, will feature more than 40 training sessions. One of the sessions will be led by Mr. Pushman on the first day of the conference and will feature a panel of advocates from various education and business groups. More info can be found on the NJSBA website:

<https://www.njsba.org/second-annual-njsba-spring-symposium/>

#### Guest Speaker, Senator Vin Gopal (LD11)

Dr. Feinsod welcomed and provided an introduction of the meeting’s guest speaker, Senator Vin Gopal. Senator Gopal was recently appointed chair of the Senate Education Committee. After making his opening remarks, Senator Gopal answered questions posed by Mr. Pushman and several committee members. A myriad of issues were covered during the discussion, including:

- The bill (S-354), sponsored by Sen. Gopal, to establish a task force to review the school funding formula and topics it would examine (e.g., extraordinary special education aid, PILOTs, transportation costs, impact of “S-2”);
- The need for more mental health resources for schools in the next state budget;
- School infrastructure (American Rescue Plan funds; the future of the Schools Development Authority);
- The potential for changes to the state’s standardized testing system in the 2022-2023 school year;



- The Senator’s plan to continue promoting school district regionalization, shared services and cooperative purchasing arrangements, and his hope that more districts will take advantage of grant funding for feasibility studies;
- Teacher shortages and possible ways to address the problem (e.g., tax credits, tuition assistance, one-time stipends, elimination of edTPA); and
- His plan to review the charter school law later this year

The Senator provided his email address, and invited the members to contact him with any questions or helpful information they wish to share with him: [vin@vingopal.com](mailto:vin@vingopal.com). The Committee thanked the Senator for his time. The members were very appreciative that the Senator spent his Saturday morning with them, and for the valuable insights he provided.

Committee Sharing:

- A member asked on additional clarification on shared services versus district-wide regionalization. Mr. Pushman stated the law passed during the lame duck session focuses on school district regionalization, and this will provide financial incentives to districts to explore that option. There is legislation pending on shared services, and Senator Gopal is very engaged on this topic.
- A member mentioned he guides teacher candidates through the edTPA program at Kean University, and he is encountering challenges to students not being able to pass the Praxis I. Some students are choosing teaching as a second career, and therefore have studied Math while they were in high school many years ago. Governmental Relations staff members referred to the following pilot program, which will help address these barriers:

**Limited CE/CEAS Pilot Program Implementation**

- Five-Year Limited CE/CEAS Teacher Pilot Presentation  
<https://www.nj.gov/education/sboe/meetings/agenda/2022/January/public/4b%20Five-Year%20Limited%20CE%20CEAS%20Teacher%20Pilot%20Presentation.pdf>
- A member asked for updates on the Security Drills, and the Governmental Relations staff provided additional information, as well as the link below:  
**New Legislation Impacting School Security Drills**  
NJDOE Broadcast Memo (2/23/22)  
<https://www.nj.gov/education/broadcasts/2022/feb/23/NewLegislationImpactingSchoolSecurityDrills.pdf>

The Governmental Relations staff reminded committee members if they would like to view the full text of any news laws or pending legislation discussed at the meeting, to please visit the NJ Legislature’s website: <https://www.njleg.state.nj.us/>

**Staff**

Jonathan Pushman, Director, Governmental Relations  
Carl Tanksley, Esq., General Counsel  
Raymond Pinney, Director, County Activities and Member Engagement

John Burns, Esq., Senior Legislative Counsel  
Anette Airey, Coordinator



# New Jersey School Boards Association

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

## LEGISLATIVE COMMITTEE ROSTER

5/14/22\*

<b>State District</b>	<b>Name</b>	<b>Title</b>	<b>Board of Education</b>
1	Michele Barbieri	Member	Upper Township (Cape May)
	Josephine Sharpe	Alternate	Wildwood City (Cape May)
2	Patrick Ireland	Member	Egg Harbor Township (Atlantic)
	Dr. Anne Erickson	Alternate	Hamilton Township (Atlantic)
3	Carolyn Kegler	Member	Logan Township (Gloucester)
	Cheryl Potter	Alternate	Elk Township (Gloucester)
4	John Shaw	Member	Winslow (Camden)
	Linda Gilch	Alternate	Gloucester Township (Camden)
	Maryjo Dintino	Resource	Gloucester Township (Camden)
5	Karen Vick	Member	Mantua Township (Gloucester)
	<b>Vacancy</b>	<b>Alternate</b>	
6	Joyce Miller	Member	Gibbsboro (Camden)
	<b>Vacancy</b>	<b>Alternate</b>	
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)
	<b>Vacancy</b>	<b>Alternate</b>	
10	Steve Shohfi	Member	Lavallette (Ocean)
	Anna Polozzo	Alternate	Toms River Reg. (Ocean)
11	<b>Vacancy</b>	<b>Member</b>	
	Dr. Paul Christopher	Alternate	West Long Branch (Monmouth)
12	Angela Reading	Member	Northern Burlington Reg. (Burlington)
	Tara Rivera	Alternate	Jackson (Ocean)



13	<b>Vacancy</b> Matthew Kitchen	<b>Member</b> Alternate	Keansburg (Monmouth)
14	Elliott Stroul <b>Vacancy</b>	<b>Member</b> <b>Alternate</b>	Jamesburg (Middlesex)
15	Jo Ann Groeger Deborah Linthorst	<b>Member</b> Alternate	Lawrence Township (Mercer) Hopewell Township (Mercer)
16	Barry Nathanson Jean Trujillo	<b>Member</b> Alternate	South Brunswick (Middlesex) Hillsborough (Somerset)
17	<b>Vacancy</b> Dr. Tom Connors	<b>Member</b> Alternate	Piscataway (Middlesex)
18	Deborah Boyle <b>Vacancy</b>	<b>Member</b> <b>Alternate</b>	South Plainfield (Middlesex)
19	Daniel Harris Lynn Kasics	<b>Member</b> Alternate	Woodbridge (Middlesex) South Amboy (Middlesex)
20	Jerry Jacobs Dr. Courtney Washington	<b>Member</b> Alternate	Elizabeth (Union) Roselle (Union)
21	William Hulse Robin McKeon	<b>Member</b> Alternate	Cranford (Union) Bernards Township (Somerset)
22	Sharon Schueler <b>Vacancy</b>	<b>Member</b> <b>Alternate</b>	Middlesex Borough (Middlesex)
23	Teresa Kane Lisa Marshall	<b>Member</b> Alternate	Milford (Hunterdon) Warren Hills (Warren)
24	Robert Carlson Raymond Morris	<b>Member</b> Alternate	Wallkill Valley Regional (Sussex) Newton (Sussex)
25	Dino Cappello Michael Bertram	<b>Member</b> Alternate	Denville (Morris) Morris Hills Regional (Morris)
26	Alison Cogan Nancy Helbourg	<b>Member</b> Alternate	Parsippany Troy (Morris) Rockaway Township (Morris)
27	Pamela Chirls Jennifer Tunnicliffe Erin Siders	<b>Member</b> Alternate Resource	Livingston (Essex) West Orange (Essex) South Orange-Maplewood (Essex)
28	Jill Fischman Dawn Haynes	<b>Member</b> Alternate	Bloomfield (Essex) Newark (Essex)
29	<b>Vacancy</b> Hasani Council	<b>Member</b> Alternate	Newark (Essex)

30	<b>Vacancy</b> Mary Rose Malley	<b>Member</b> Alternate	Howell Township (Monmouth)
31	Lorenzo Richardson <b>Vacancy</b>	Member <b>Alternate</b>	Jersey City (Hudson)
32	Christina Stefani-Rackow Adam Parkinson	Member Alternate	Edgewater (Bergen) West New York (Hudson)
33	Melanie Tekirian <b>Vacancy</b>	Member <b>Alternate</b>	Hoboken (Hudson)
34	Judith Bassford Derrick Henry Cameron B. Jones, Sr.	Member Alternate Resource	Clifton (Passaic) Orange (Essex) East Orange (Essex)
35	Lucia DeNova Anyelis Diaz	Member Alternate	North Haledon (Passaic) Haledon (Passaic)
36	William Barnaskas <b>Vacancy</b>	Member <b>Alternate</b>	Bergen County Spc Svcs (Bergen)
37	Paula Colbath Denise Villani	Member Alternate	Fort Lee (Bergen) Cresskill (Bergen)
38	John Walsh Caleb Herbst	Member Alternate	Oradell (Bergen) River Edge (Bergen)
39	Charles Caraballo Jeffrey Pollack	Member Alternate	Bloomingtondale (Passaic) Dumont (Bergen)
40	Catherine Kazan Mary Ellen Nye	Member Alternate	Wayne (Passaic) Ho-Ho-Kus (Bergen)

**\* Note: Roster is current as of April 8, 2022. It may not include any changes or new appointments approved by the Board of Directors at its May 13, 2022 meeting.**







## REPORT OF THE SCHOOL FINANCE COMMITTEE Prepared for the Annual Delegate Assembly May 14, 2022

### **CHARGE:**

The School Finance Committee is a 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 20, 2021 Delegate Assembly, the School Finance Committee has met virtually once on March 16, 2022.

#### **March 16 Meeting**

##### **Opening Remarks**

Dr. Tom Connors, Chair, 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. Jonathan Pushman delivered a presentation to the Committee members, which provided an overview of Governor Murphy's state budget proposal for fiscal year 2023. The governor delivered his annual budget address to the Legislature on Tuesday, March 8, 2022.

Key highlights of Mr. Pushman's presentation included:

- Total proposed FY2023 budget is \$48.9 Billion, which would be the largest in state history;
- The budget would provide \$19.2 billion in funding for pre-K through 12<sup>th</sup> grade education, an increase of \$550 million over the previous year. This amount includes "Direct State Payments for Education" that the state makes on behalf of school districts (e.g., post-retirement medical benefits, pension costs, etc.) and constitutes nearly 40% of the overall state budget. Total proposed direct aid to schools equals \$11.643 billion, which is an increase of \$662.9 million, or 6%;
- Formula Aid would equal \$9.27 billion, an increase of \$648.8 million, or 7%. Since 2018, the state has increased K-12 formula aid by almost \$1.2 billion. This formula aid will continue the funding schedule under the school funding reform law commonly referred to as "S-2". Full funding per "S-2" will be contingent on sufficient revenues being available. The schedule had been stalled due to the economic uncertainty brought about by COVID-19 in the spring of 2020, with the state then pausing any increases in overall state aid to school districts. The state is now back on track to fully fund the school funding formula by FY2025.
- \$400 million for Extraordinary Special Education Aid, which is the same as the current fiscal year;
- \$20 million for Stabilization Aid to assist districts in implementing plans to transition to their new funding levels under "S-2";

- \$80 million for the Schools Development Authority (SDA) and the New Jersey Department of Education (DOE) to award to districts for capital maintenance and emergent needs, which includes \$50 million for SDA districts, \$25 million for non-SDA districts, and \$5 million for charter schools;
- \$350 million to SDA to reduce planned debt issuance, which will go towards current projects identified in the SDA strategic plan; and
- Preschool Education Aid would be increased by \$68 million, with \$40M for new programs, bringing the total amount for this aid category to nearly \$1 billion.

Several new programs are being proposed in the governor’s budget:

- \$2 million for a new Reading Acceleration and Professional Integrated Development (“RAPID”) grant program within the DOE, which is intended to assess learning loss statewide so the Department of Education can develop long-term recommendations;
- \$5 million towards new climate change education standards, which New Jersey is the first state to incorporate into their curriculum;
- \$1.1 million for the Teacher Loan Redemption Program and the STEM Loan Redemption Program; and
- \$5 million for Regional School District Consolidation Feasibility Studies (*P.L.2021, c.402*), while also maintaining \$10 million for “Shared Service and School District Consolidation Study Implementation Grants” (“LEAP”), the same amount as Fiscal Year 2022.

Mr. Pushman noted that the Department received over \$276 million in a state set-aside funding through the American Rescue Plan Elementary and Secondary School Emergency Relief (ESSER) Fund. This funding was largely allocated to districts for programs to accelerate learning, provide mental health supports, and provide professional learning opportunities for educators to better meet the needs of their students. School districts in New Jersey received over \$2 billion in direct allocations from the federal government. The Governor indicated in his budget proposal that he plans to work with the Legislature to develop and implement student mental health and success initiatives with the proceeds of the American Rescue Plan State Fiscal Recovery Fund (ARP SFRF).

Dr. Connors reminded the committee of its charge, as noted above, and most importantly, that the committee is tasked with monitoring the school funding law in New Jersey and its impact on all types of school districts in the state. Dr. Connors stated he is happy to see movement on S-354/A-357, legislation sponsored by Senator Gopal to establish a School Funding Formula Evaluation Task Force. Mr. Pushman provided an overview of the proposed task force. The task force would study, evaluate and, if needed, suggest changes to the School Funding Reform Act of 2008. The task force would assess items such as: the various weights applied to students with difference characteristics, such as “at risk” students or those with limited English proficiency; geographic cost adjustments; the provision of special education aid; and the impact of “S-2” on school district finances. S-354 passed the full Senate and both bills are pending in Assembly Education Committee.

The work of the task force could enable the Committee to once again continue to studying the components of the local fair share (LFS) calculation and possible identify solutions that would resolve the problem faced by school districts in meeting their LFS.

At a prior Committee meeting, a member inquired on the status of a claim brought by the Education Law Center (ELC). The ELC has argued that state is in violation of the “Maintenance of Equity” requirements included in the federal American Rescue Plan. Under that provision, the state must

maintain certain funding levels to schools deemed “highest need/highest poverty” as a condition of receiving federal aid under the ARP. Consequently, it has been argued that the aid cuts in the FY2022 budget, due to continued implementation of “S-2”, conflict with this ARP provision. No final decision has been reached on this matter.

Regarding the pending school desegregation lawsuit, Mr. Pushman stated that oral arguments were held by the Superior Court in early March, and the Association is awaiting a ruling. He cannot predict what the ruling will be or when it will be issued. The state is defending its position and arguing for the case to be dismissed. If the court rules against the state, then they may need to begin developing a remedy to address segregation in the state’s public schools.

**Next Steps**

Dr. Connors suggested that Committee members have an opportunity to view the state aid review video, presented by Governmental Relations staff in May 2020. Dr. Connors said this was very well received by those who viewed it, and would be beneficial for the committee to watch again.

Dr. Connors recommended the Committee members obtain a copy of "Other People's Children - The Battle for Justice and Equality in New Jersey's Schools", a book by Deborah Yaffe. He said this book helps enhance understanding of the *Abbott* decisions, as well as providing clarification and understanding on the history of school funding in New Jersey.

**School Finance Committee 2021-2022**

Dr. Tom Connors, <i>Chair</i>	Piscataway	Middlesex
George Babula	Harmony	Warren
Judith Bassford	Clifton	Passaic
Deborah Boyle	South Plainfield	Middlesex
Paula Colbath	Fort Lee	Bergen
Daniel Harris	Woodbridge Township	Middlesex
Catherine Kazan	Wayne	Passaic
Angela Reading	Northern Burlington	Burlington
Jean Trujillo	Regional Hillsborough	Somerset
Irene LeFebvre	NJSBA President	Ex Officio
Tammeisha Smith	NJSBA Vice President for Finance	Ex Officio
<b><u>Resource</u></b>		
Matthew Kitchen	Keansburg	Monmouth
Cheryl Potter	Elk Township	Gloucester

**Staff**

Lawrence S. Feinsod, Ed.D.	Executive Director
Jonathan Pushman	Director, Governmental Relations
Anette Airey	Coordinator







## REPORT OF THE SPECIAL EDUCATION COMMITTEE

**Lisa J. Marshall, Chair**

**Prepared for the Annual Delegate Assembly**

**May 14, 2022**

As Chair of the Special Education Committee, I would like to report on the Special Education Committee's activities since the November 2021 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 December 1, 2021 and February 22, 2022. The agendas of those meetings included the topics and presentations outlined below.

**Kim Murray, Acting Director, Office of Special Education, NJDOE**—The committee met with Kim Murray, Acting Director of the Office of Special Education Programs in the NJDOE. Director Murray reviewed with the committee various aspects of special education including: OSEP exists to serve the 220,000 students with disabilities; that OSEP oversees dispute resolution, the development of policy and regulation; monitors and oversees the implementation of special education in local districts; and also provides support to local districts. Over the last year, the OSEP was involved with handling the impact of COVID-19 on special education programs in such areas as virtual learning, transportation, mask usage, program placement and mental health. Director Murray also reviewed the impact of P.L. 2021. c. 109, the law that permitted those special education students who would be “aging out” during the 2021, 2022 or 2023 school years to seek an additional year of services in their districts. Director Murray also spoke about shortages of special education personnel in local districts.

**Special Education Legislative Update**—Staff informed the Special Education Committee of various legislative initiatives concerning special education. These included:

- *Certification pilot program*— P.L. 2021, c. 224 which created a five-year pilot program that permits the NJDOE to create a more flexible teacher certificate program in order to increase the supply of teachers in districts that participate in the pilot program.  
[https://www.njleg.state.nj.us/Bills/2020/PL21/224\\_.PDF](https://www.njleg.state.nj.us/Bills/2020/PL21/224_.PDF)
- *Extending due process statute of limitations*-- P.L.2022, c.2 extended the period of time for filing special education due process petitions related to COVID-19 school closures and periods of virtual, remote, hybrid, or in-person instruction. This law allows a parent, guardian, or local educational agency to file a request for a due process hearing at any

time prior to Sept. 1, 2023, regarding the identification, evaluation, educational placement, or the provision of a free and appropriate public education of a child with a disability during a COVID-19 school closure or a period of instruction occurring between March 18, 2020, and Sept.1, 2021.

[https://www.njleg.state.nj.us/Bills/2022/S1000/905\\_I1.PDF](https://www.njleg.state.nj.us/Bills/2022/S1000/905_I1.PDF)

- *Special Education Unit in OAL*-- P.L.2021, c.390 establishes a unit within the Office of Administrative Law (OAL) dedicated to special education cases. The special education unit would consist of administrative law judges having expertise in special education law. The purpose of the unit is to handle special education cases more efficient for parents, students and districts alike

[https://www.njleg.state.nj.us/Bills/2020/S2500/2160\\_R2.PDF](https://www.njleg.state.nj.us/Bills/2020/S2500/2160_R2.PDF)

- *Employment of Retired Special Education personnel*—P.L. 2021, c. 408 permits a teacher or professional staff member who provides special services who retired from the TPAF to return to work full time with a board of education in a position of critical need, as determined by the State Commissioner of Education, without being reenrolled in the TPAF if reemployment commences during the remainder of the 2021-2022 school year and the entirety of the 2022-2023 school year. A school district of a board of education in a position of critical need, as determined by the Commissioner of Education, seeking to reemploy a former member must demonstrate to the board of education the need for reemploying such members prior to reemployment by the board of education.

[https://www.njleg.state.nj.us/Bills/2020/S4000/3685\\_R2.PDF](https://www.njleg.state.nj.us/Bills/2020/S4000/3685_R2.PDF)

**SPECIAL EDUCATION COMMITTEE MEMBERS 2022-2023**

**Member Name**

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

**District Name**

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

**Staff**

John J. Burns, Esq.  
 Jonathan Pushman

Senior Legislative Counsel  
 Director, Governmental Relations





# 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 14, 2022**

The Resolutions Subcommittee met Wednesday, April 6, 2022 via virtual Webex, to review the resolutions that will come before the Annual Delegate Assembly on May 14, 2022.

The Association received one resolution prior to the official cutoff date of March 10 for the May 14 Annual Delegate Assembly. The resolution was submitted by the Highland Park Board of Education and proposed policy language calling upon the NJSBA to support the immediate elimination of edTPA as an assessment requirement for teacher certification. The resolution was withdrawn following consultation with NJSBA staff. The NJSBA already has existing policy addressing the issues expressed in the resolution and is pursuing advocacy efforts in support of existing policy.







## RESOLUTIONS SUBCOMMITTEE OF THE LEGISLATIVE COMMITTEE

### JANUARY--DECEMBER 2022

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

**REGION A - MEMBERS**

District 1	<b>Michele Barbieri,</b>	Upper Twp. BOE (Cape May)
District 6	<b>Joyce Miller,</b>	Gibbsboro BOE (Camden)
District 7	<b>Lester Holley,</b>	Edgewater Park BOE (Burlington)
District 10	<b>Steve Shohfi,</b>	Lavalette BOE (Ocean)

**REGION B – MEMBERS**

District 14	<b>Elliott Stroul,</b>	Jamesburg BOE (Middlesex)
District 15	<b>Jo Ann Groeger,</b>	Lawrence Twp. BOE (Mercer)
District 16	<b>Jean Trujillo,</b>	Hillsborough BOE (Somerset)
District 17	<b>Anthony Brooks,</b>	North Brunswick BOE (Middlesex)

**REGION C – MEMBERS**

District 22	<b>Sharon Schueler,</b>	Middlesex Borough BOE (Middlesex)
District 24	<b>Robert Carlson,</b>	Wallkill Valley Regional BOE (Sussex)
District 26	<b>Nancy Helbourg,</b>	Rockaway Township BOE (Morris)
District 28	<b>Jill Fischman,</b>	Bloomfield BOE (Essex)

**REGION D – MEMBERS**

District 31	<b>Lorenzo Richardson,</b>	Jersey City BOE (Hudson)
District 34	<b>Judith A. Bassford,</b>	Clifton BOE (Passaic)
District 37	<b>Paula Colbath,</b>	Fort Lee BOE (Bergen)
District 40	<b>Catherine Kazan,</b>	Wayne Twp. BOE (Bergen)

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**REGION A – ALTERNATES**

District 3	<b>Carolyn Kegler,</b>	Logan Twp. BOE (Gloucester)
District 4	<b>John Shaw,</b>	Winslow Twp. BOE (Camden)
District 8	<b>Janet DiFolco,</b>	Mount Holly BOE (Burlington)
District 9	<b>Kim Hanadel,</b>	Pinelands Reg. BOE (Ocean)

**REGION B – ALTERNATES**

District 13	<b>Matthew Kitchen,</b>	Keansburg BOE (Monmouth)
District 17	<b>Tom Connors,</b>	Piscataway BOE (Middlesex)
District 19	<b>Daniel Harris,</b>	Woodbridge Twp. BOE (Middlesex)
District 20	<b>Jerry Jacobs,</b>	Elizabeth BOE (Union)

**REGION C – ALTERNATES**

District 21	<b>William Hulse,</b>	Cranford BOE (Union)
District 23	<b>Lisa Marshall,</b>	Warren Hills BOE (Warren)
District 25	<b>Michael Bertram,</b>	Morris Hills Regional BOE (Morris)
District 27	<b>Pamela Chirls,</b>	Livingston BOE (Essex)

**REGION D – ALTERNATES**

District 32	<b>Cristina Stefani-Rackow,</b>	Edgewater BOE (Bergen)
District 38	<b>John Walsh,</b>	Oradell BOE (Bergen)
District 39	<b>Charles Caraballo,</b>	Bloomington BOE (Passaic)
District 40	<b>Mary Ellen Nye</b>	Ho-Ho-Kus BOE (Bergen)

**EX-OFFICIO:** **Irene LeFebvre,** NJSBA President, Boonton BOE (Morris)

**STAFF:** Jonathan Pushman, Director, GR **E-mail:** [jpushman@njsba.org](mailto:jpushman@njsba.org)  
Cindy Harrison, Executive Assistant to General Counsel **E-mail:** [charrison@njsba.org](mailto:charrison@njsba.org)

New Jersey School Boards Association  
413 West State Street  
Trenton, New Jersey 08618

**Phone:** (609) 695-7600 **Fax:** (609) 695-0413 **800 #:** 1-888-88NJSBA

G:DA\May 14, 2022\Resolutions Subcommittee\CommitteeRoster



**REPORT OF THE RESOLUTIONS SUBCOMMITTEE  
ON  
The Periodic Review of Positions and Policies on Education  
and review of  
Section 5000 (Pupils)**

**By  
Karen Cortellino, Chairperson  
To the Annual Delegate Assembly  
May 14, 2022**

**Review of Section 5000 (Pupils):** 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 5000 section of the NJSBA Manual of Positions and Policies on Education. Staff have identified those policies which require reaffirmation and those which require change including wording, amendment or deletion.

**Policies Recommended for Reaffirmation:** Twenty four (24) 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 approval of the reaffirmation of the twenty four (24) policies included in List 1.

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

- A. Is the policy still relevant to today's education system and operation?
- B. Does the policy provide a basic philosophy or overarching belief on an issue to guide the actions of the Association?
- C. Does the policy address only a portion of a complex issue and not provide the comprehensive guidance necessary for thorough Association action?
- D. Has the action requested in policy been wholly or partially accomplished through legislative or State Board Action?
- E. Will a change to the policy affect any other policy area?
- F. Is the intent of this policy more appropriately addressed in another policy area?







# New Jersey School Boards Association

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## PERIODIC REVIEW OF POSITIONS AND POLICIES ON EDUCATION

### REVIEW OF SECTION 5000

#### PUPILS

#### POLICIES RECOMMENDED FOR REAFFIRMATION WITHOUT CHANGES

FILE CODE	TITLE
5020	Role of Parents/Guardians
5111	Admission
5113	Absences and Excuses
5117	School Attendance Areas
5118	Non-residents
5119	Transfers
5125	Pupil Records
5126	Awards for Achievement
5131	Conduct/Discipline
5131.3	Pupil Vehicles
5131.5	Vandalism/Violence
5131.6	Drugs, Alcohol, Tobacco (Substance Abuse)
5131.7	Weapons and Dangerous Instruments

PERIODIC REVIEW OF POSITIONS AND POLICIES ON EDUCATION

Review of section 5000

Pupils

Policies recommended for reaffirmation without changes (continued)

5141	Health
5141.2	Illness
5141.21	Administering Medication
5141.3	Health Examinations and Immunizations
5141.4	Child Abuse and Neglect
5142	Pupil Safety
5143	Insurance
5145.4	Equal Educational Opportunity
5145.6	Pupil Grievance Procedures
5145.12	Search and Seizure
5200	Nonpublic School Pupils



Parent Participation

- A. **The NJSBA believes** that children learn more when their parents are involved in their education. Local boards of education and school staff should value parental participation and encourage the active participation of parents in the schools and the decision making process of the school district.
- B. **The NJSBA believes** that partnerships with parents should be forged through a policy of inclusion that establishes two-way communication between the school district and the family and provides training to teach parents about how the school system works, how to effectively communicate about their children and school issues, how to develop a home environment conducive to study, and how to help with homework.
- C. **The NJSBA believes** that parent participation can be enhanced by: including parent involvement as a criterion in the evaluation of the superintendent and building principals; making agendas and minutes of board meetings widely available; establishing a home-school liaison position to facilitate parent involvement and training programs for parents and staff; scheduling of parent involvement activities at the convenience of parents; and ensuring adequate funding in the district's budget to support parent involvement and training activities. *[Authority: DA 6/90-CR (Parental Involvement), DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

Parenting Skills

**The NJSBA believes** that where it is deemed appropriate, school boards should encourage parents in their local community to take advantage of various state and federal funding opportunities and programs, whether public or private, that provide training in parenting skills for parents. *[Authority: DA 5/00-14, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]*

<b>Cross References:</b>	1200	Participation by the public
	5131.5	Vandalism/violence
	5145.6	Pupil grievance procedure
	6171.4	Special education
	6178	Early childhood education/preschool

Early Entrance to Kindergarten/First Grade

**The NJSBA believes** that districts should permit early admission to kindergarten for qualified pupils and opposes any State requirement that local boards of education test preschool children for early admission to kindergarten or first grade. *[Authority: DA 12/83-1, DA 6/79-13, DA 6/93-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross References:** 6147 Standards of proficiency  
6178 Early childhood education/preschool

Key Words: preschool, kindergarten

# POSITIONS AND POLICIES ON EDUCATION

Absences and Excuses

FILE CODE

5113

## Attendance Policies

The NJSBA believes that local districts should adopt attendance policies and regulations with clear incentives and sanctions to reduce the amount of time lost through student absenteeism, tardiness and class cutting. [Authority: DA 12/83-1, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]

**Cross References:** 5114 Suspension and expulsion  
5131 Conduct/discipline

Key Words: attendance, absences

## POSITIONS AND POLICIES ON EDUCATION

### School Attendance Areas

FILE CODE

5117

#### School Choice

- A. **The NJSBA believes** in local determination of school choice within the public schools. Options could include choice among schools in the district (intradistrict choice), including charter or magnet schools, or could extend to schools in other districts (interdistrict choice) when the school board has established a mutually agreeable contract with other school districts.
- B. **The NJSBA believes** that State oversight of school choice should include ensuring compliance with State law in such matters as racial balance. *[Authority: BD 2/89, DA 12/94-9, DA 5/97-SR]*
- C. **The NJSBA believes** that like charter school trustees, charter school founder(s) should be held to the standards of the School Ethics Act (N.J.S.A. 18A:12-21 et seq.). *[Authority: DA 5/12-CR (Charter Schools)]*
- D. **The NJSBA believes** a method of sharing information and data among charter schools and sending districts to ensure both best practices and student achievement should be established. *[Authority: DA 5/12-CR (Charter Schools)]*
- E. **The NJSBA believes** that choice and charter schools should be held to the same accountability standards as traditional public schools and that an analysis of the results found in the school report card for both choice and charter schools should be made and compared with the local school district. *[Authority: DA 5/12-CR (Charter Schools)]*
- F. **The NJSBA believes** that the State should permit local districts to accept tuition students while simultaneously participating in the Interdistrict Public School Choice program, where all locally-designated choice seats have already been filled through a neutral selection process. *[Authority: DA 5/16-4(a) and (b), DA 5/17-SR, DA 5/22-SR]*

#### Charter School Application Process

- A. **The NJSBA believes** that prior to the formal charter school application being submitted to the state, or an application to expand an existing charter school, the local board of education, following a public hearing, should approve or disapprove of the proposed charter school or expansion. A denial of a charter school or application for expansion of an existing charter school by the board of education may be appealed to the New Jersey Department of Education. In the absence of a process for board of education approval, NJSBA believes local voters or the board of school estimate should have approval rights, prior to the establishment of a charter school or the expansion of an existing charter school, as well as additional steps to incorporate local voter and elected school board opinion into chartering decisions. Expansion of an existing charter school includes increasing the districts or region from which the existing charter enrolls students, adding to the programs offered, and/or increasing the grades open for enrollment. *[Authority: DA 5/11-ER(A), DA 5/12-CR (Charter Schools), DA 11/17 Resolutions Subcommittee Report]*
- B. **The NJSBA believes** that there should be no consideration of cyber-charter school applications until such time as the legislature and the New Jersey Department of Education promulgate guidelines for their establishment, administration and funding. *[Authority: DA 5/12-CR (Charter Schools), DA 5/17-SR, DA 5/22-SR]*

Funding of Charter Schools

- A. **The NJSBA believes** that, upon a roll call majority vote of its full membership, the board of education of a public school district should have the authority to establish and operate charter schools.
- B. **The NJSBA believes** that an entity other than a local board of education should be able to establish and/or operate charter schools only if there is no requirement placed on public school districts to provide financial or other support to the charter schools or their students, and no funds for charter schools or their students shall come from or be funneled through a public school district's budget. *[Authority: DA 5/98-3, 4 and 5, DA 5/02-SR, DA 5/07-SR]*
- C. **The NJSBA believes** that public funds should not be used to fund non-public schools, and opposes the use of public funds for vouchers or tuition tax credits for attendance at private or religious schools.
- D. **The NJSBA believes** that school districts that elect to offer intradistrict or interdistrict school choice programs should suffer no loss in monies and in the rate and method of calculation in governmental educational aid, as a result of their decision to offer choice programs. *[Authority: DA 5/02-1, DA 5/02-SR, DA 5/07-SR]*
- E. **The NJSBA believes** that for purposes of calculating a district's spending on a per-pupil (adequacy) basis the students for whom the sending district provides a transfer payment to a charter school shall be counted as part of the district's enrollment for adequacy spending calculations. NJSBA believes that this will assure that the sending district's per pupil adequacy amount reflects the true budget of the sending district. *[Authority: DA 5/12-CR (Charter Schools)]*
- F. **The NJSBA believes** that a financial impact report should be part of the charter school application process, projecting the economic impact and tax consequences to the district and community over a five year period. This report should take into consideration the cumulative impact of any charter schools already operating within the district. *[Authority: DA 5/12-CR (Charter Schools)]*
- G. **The NJSBA believes** that charter school applications should be prioritized so that districts with failing schools are given first preference. Ultimately statewide criteria should be devised establishing districts' performance as the primary consideration for charter school(s) approval. *[Authority: DA 5/12-CR (Charter Schools)]*
- H. **The NJSBA believes** that the charter school approval process should be consistent with the local district's budget process. An approved charter school should be required to notify the local school board and should document a committed student count to the district no later than January 1<sup>st</sup> of the year it is scheduled to open. *[Authority: DA 5/12-CR (Charter Schools)]*
- I. **The NJSBA believes** that any changes to charter school funding made by the State should be fully funded by the State directly to the charter. *[Authority: DA 11/15-1, DA 5/17-SR, DA 5/22-SR]*

Charter Schools Leaves

- A. **The NJSBA believes** that employees seeking to leave a local school district to work in a charter school should be required to file their formal leave with the local district in a reasonable and appropriate time frame which does not interfere with, or complicate, districts' ability to comply with statutory or regulatory deadlines for the issuance of reemployment contracts to their nontenured employees.
- B. **The NJSBA believes** that local school district employees taking a leave of absence to work in a charter school should be required to wait until the beginning of the next school year, or at any other time that is acceptable to the local district, to return to employment with the local board of education. Employees seeking to return to their local districts should be required to notify their local districts of their intent to return in a reasonable and appropriate time frame which does not interfere with, or complicate, districts'

ability to comply with statutory or regulatory deadlines for the issuance of reemployment contracts to their nontenured employees.

- C. **The NJSBA believes** that employees failing to provide notice of their intent to return in the third year of their leave should be deemed to have resigned from their local district. [*Authority: DA 5/01-8, DA 5/02-SR, DA 5/07-SR, DA 5/17-SR, DA 5/22-SR*]

<b>Cross References:</b>	3220	State funds
	4150	Leaves
	5020	Role of parents/guardians
	5145.4	Equal Educational Opportunity
	6142.12	Career education

Key Words: choice, charter, leaves, charter funding, charter applications

## POSITIONS AND POLICIES ON EDUCATION

### Nonresidents

FILE CODE

5118

#### Children in State Facilities

- A. The NJSBA believes that school districts can face significant and disproportionate budgetary impacts caused by the educational costs of students being placed by the state in facilities for which school districts are legally responsible. The state should assume the full costs of educating those pupils placed by the state in state facilities, institutions, or residential settings. *[Authority: DA 11/00-11]*
- B. The NJSBA believes that districts should not be required to make tuition payments for days in which a resident pupil does not actually reside in a state facility, or in any manner be overcharged for those pupils. *[Authority: DA 5/00-3]*
- C. The NJSBA believes that boards of education should be informed by the state facility of the placement of a child and billed for tuition charges incurred in the current school year by the last day of the current budget year. *[Authority: DA 5/00-3]*
- D. The NJSBA believes that unreimbursed education and transportation costs for students placed in facilities by the Division of Child Protection and Permanency (DCP&P) should be paid for by the state. *[Authority: DA 6/86-7, DA 6/88-12, DA 11/97-SR, DA 11/01-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

#### Validating Affidavit Pupils

- A. The NJSBA believes in an expedited hearing process to determine a student's entitlement to a free education where such entitlement is a matter of dispute. *[Authority: DA 5/65-13, DA 12/92-3, DA 11/97-SR]*
- B. The NJSBA believes, if the Commissioner fails to render a decision in a timely fashion, the state should reimburse the cost of tuition to the district and assume the rights of the district against the parents/guardians for tuition reimbursement. *[Authority: DA 5/65-13, DA 12/92-3, DA 11/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

#### Admission of Nonresident Students

**The NJSBA believes** that, upon objection by the district of residence, a neighboring district may only admit a non-resident student with the approval of the executive county superintendent in which the student resides. *[Authority: DA 1/80-6, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

#### Homeless Students

**The NJSBA believes** that, for the good of the educational continuity of the homeless student involved, DOE and DHS should minimize the frequent displacements of these students during any school year. *[Authority: DA 12/92-2, DA 11/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

#### Proof of Residency

**The NJSBA believes** that students who reside within the boundaries of a school district are entitled to receive a free, thorough and efficient public education. Each school district should be entitled to confirm the residency status of each student using any appropriate and legal method while maintaining respect for each resident's right to privacy. *[Authority: DA 5/09-1, DA 5/17-SR, DA 5/22-SR]*



**Nonresidents** (continued)

5118

**Cross References:**   3240   Tuition income  
                          5111   Admission  
                          5117   School attendance areas  
                          6171.4 Special education

Key Words: facilities, affidavit, nonresident, homeless

## POSITIONS AND POLICIES ON EDUCATION

### Transfers

FILE CODE

5119

#### Student Mobility

- A. **The NJSBA believes** that student mobility affects the educational achievement of students and has a financial impact on school districts striving to provide a thorough and efficient education for mobile students.
- B. **The NJSBA believes** that the State Board of Education and the New Jersey Legislature should provide leadership in the development of programs to assist mobile students and to provide the necessary funding to school districts.
- C. **The NJSBA believes** that the state Department of Education should develop a comprehensive strategy to address the issue of high student mobility rates. This effort should include, but not be limited to, the creation of a centralized database of mobile students, collection of data on the financial impact to school districts with high student mobility rates and creation of reporting categories for state tests that reflect mobility of students. Emphasis should be placed on identification of the causes of student mobility and the development of programs designed to overcome the unique problems of the mobile student. The state and federal government should provide adequate funding to assist districts in meeting the resource needs of mobile students. [*Authority: DA 11/00 CR (School Finance), DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR*]

**Cross References:** 1430 State and national units  
3220 State funds  
6147 Standards of proficiency  
6164.1 Intervention and referral services for general education pupils

Key Words: transfers, mobility

## POSITIONS AND POLICIES ON EDUCATION

### Pupil Records

FILE CODE

5125

#### Grade Transcripts

**The NJSBA believes** that school districts should provide a transcript for all students graduating or terminating their education. The State Board of Education should establish minimum content requirements for these transcripts but should not mandate a uniform transcript. *[Authority: DA 5/75 - CR Curriculum, DA 10/78-CR Graduation Requirements, DA 6/93-SR, DA 5/97-SR, 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

#### Board Access to Pupil Records

**The NJSBA believes** that boards of education should have access to pupil records when related to the transaction of official board business at meetings of the board. *[Authority: BD 1/81, DA 6/93-SR, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross Reference:** 6146 Graduation requirements

Key Words: records, transcripts

**POSITIONS AND POLICIES ON EDUCATION**

Awards for Achievement

██████████  
**FILE CODE**  
██████████

5126

Recognition of Student Performance

**The NJSBA believes** that student progress, as well as absolute levels of achievement, should be acknowledged and rewarded. Students should be recognized for high performance in a broad range of activities, including academics, attendance, athletics, citizenship, etc. *[Authority: DA 12/82-CR Urban Education, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross Reference:** 6147 Standards of proficiency

Key Words: achievement, awards

## POSITIONS AND POLICIES ON EDUCATION

Conduct/Discipline

FILE CODE

5131

### Codes of Conduct/Discipline Policies

- A. The NJSBA believes that discipline problems in the classroom detract from learning and should be minimized. District Codes of Conduct should therefore set standards for acceptable student behavior.
- B. The NJSBA believes that local discipline policies and codes of conduct should be firm, fair and consistently enforced. They should provide notice of specific disciplinary outcomes for designated unacceptable behavior. *[Authority: DA 12/83-1, DA 12/94-ER-B, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Discipline of Violent/Disruptive Students

- A. **The NJSBA believes** that the creation of alternative classrooms, programs, and schools may meet the needs of continually disruptive or violent students and that the state should fund such programs. *[Authority: DA 12/83-1, 5/97-SR, DA 5/02-SR]*
- B. **The NJSBA believes** that when students are violent and disruptive, they should be immediately removed to an alternative educational placement until they cease to be a danger to other students and staff. NJSBA supports a modified level of due process for such alternative placements, and encourages the involvement of the students' parents. *[Authority: DA 12/94-ER-B, DA 5/97-SR]*
- C. **The NJSBA believes** that the creation of a safe and drug-free school environment may require the suspension or expulsion of certain pupils for cause. Expulsion proceedings should be reserved for only those cases in which an alternative education program is not possible. *[Authority: DA 5/69-16, DA 5/97-SR, DA 5/02-SR]*
- D. **The NJSBA believes** that a student's right to be educated in the district should not be terminated without due process, but the expulsion hearing process should not be unduly burdensome for school districts. *[Authority: DA 12/94-ER-B, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Disclosure of Juvenile Court Action

**The NJSBA believes** that when a juvenile of any age is adjudicated delinquent of an offense that would be a serious crime if committed by an adult, the juvenile court should inform the administration of the public school that a juvenile offender attends. The court should provide the school with the juvenile delinquent's name, offense, and disposition of his/her case. *[Authority: DA 6/81-21, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR]*

### Disciplinary Procedures Involving Special Education Students

- A. **The NJSBA believes** that modified disciplinary procedures should be permitted for special education students. *[Authority: DA 6/82-8, DA 11/97-CR (Special Education)]*
- B. **The NJSBA believes** that the waiting period within which parents must respond to a notice of re-evaluation generated by a discipline action should be no longer than 72 hours. A short response time in such cases is warranted so that the re-evaluation by the Child Study Team can begin quickly. *[Authority: 6/92-5, DA 11/97-CR (Special Education), DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/22-SR]*

Grounds for Suspension/Expulsion

**The NJSBA believes** that the creation of a safe and drug-free school environment may require the suspension or expulsion of certain pupils for cause and supports the grounds for suspension of students enumerated in N.J.S.A. 18A:37-2, 2.1, 2.2 and 18A:37-8. [*Authority: DA 5/69-16, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR*]

- Cross References:**
- 5131.5 Vandalism/violence
  - 5145.12 Search and seizure
  - 6146.2 Promotion/retention
  - 6171.4 Special education
  - 6172 Alternative education

Key Words: conduct, discipline, violence, special education

## POSITIONS AND POLICIES ON EDUCATION

Pupil Vehicles

FILE CODE

5131.3

### Driver Education

- A. **The NJSBA believes** in the voluntary inclusion of both classroom and behind-the-wheel driver education courses in the secondary school curriculum and supports subsidization by the state of the full cost of such driver education programs whenever offered in the public high schools of this state. *[Authority: DA 12/64-5, DA 6/93-SR, DA 5/97-SR]*
- B. **The NJSBA believes** that, as part of a district's regular curriculum, local boards of education should be permitted to contract with qualified private driver education companies for behind-the-wheel instruction. *[Authority: DA 12/82-2, 6/93-SR, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Special Learner's Permit

**The NJSBA believes** the restrictions on the hours during which a permit holder may drive should be reduced. Allowing beginning drivers to practice driving during reasonable timeframes provides a more realistic learning experience. *[Authority: BD 5/92, DA 5/97-SR, BD 3/01, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross References:** 3220 State funds  
6140 Curriculum adoption

Key Words: driver education, permit



## POSITIONS AND POLICIES ON EDUCATION

### Vandalism/Violence

FILE CODE

5131.5

#### Vandalism

- A. **The NJSBA believes** that boards of education should adopt vandalism and school security policies. These policies and procedures could include, but not be limited to: seeking the cooperation of law enforcement agencies, the courts, and other related agencies in the development of approaches for reducing and preventing vandalism; instituting loss prevention programs; implementing school security plans; maintaining a uniform system of recording vandalism costs; supporting training of school security personnel; seeking restitution of damages as per N.J.S.A. 18A:37-3; and adopting a long-range approach to vandalism prevention.
- B. **The NJSBA believes** that boards of education should be allowed to offer rewards for the apprehension and conviction of vandals. *[Authority: DA 5/76-CR Vandalism, DA 6/93-SR]*
- C. **The NJSBA believes** that parents of all juveniles, including non-public school students, public school students enrolled in other districts and non-students, should be held liable for all acts of vandalism committed by their children. *[Authority: DA 12/81-3 DA 6/93-SR]*
- D. **The NJSBA believes** that juveniles who are responsible for severe or repeated acts of vandalism or arson should be tried as adult offenders. *[Authority: DA 6/79-22, DA 6/93-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

#### School Violence

- A. **The NJSBA believes** that boards of education have a responsibility to ensure that schools are safe havens for learning by taking actions to diminish the potential for violence and bullying in their schools.
- B. **The NJSBA believes** that boards of education should regularly review their policies regarding school violence to ensure that they address methods/strategies for dealing with incidents of violence; require record-keeping of acts of violence in order to make judgments as to the future handling and prevention of violence; specify methods of reporting acts of violence; and provide for the training of staff to handle and prevent of acts of violence in their schools and on their athletic fields.
- C. **The NJSBA believes** that the State Board of Education, the New Jersey State Department of Education, the State legislature, and other agencies should assign a high priority to the issue of school violence, harassment, intimidation and bullying through providing means for local school districts to:
- promote a district-wide attitude of sensitivity in dealing with others;
  - investigate school violence, harassment, intimidation and bullying and promulgate methods of preventing and combating them, including policies and other strategies for prevention during a pending criminal or school investigation of a student;
  - train staff to respond quickly and appropriately to incidents of violence, harassment, intimidation and bullying;
  - provide means for increasing supervision in activities outside the classroom;
  - include topics in the curriculum that address the causes and prevention of violence, harassment, intimidation and bullying; and encourage students, teachers, and others who may be victims of violence, harassment, intimidation and bullying to report such actions to school officials. *[Authority: DA 10/78-CR Violence; DA 6/93-SR; DA 11/99-ER(A); DA 5/10-2]*

- D. **The NJSBA believes** that boards of education should have immediate psychological counseling available for school-age victims and witnesses of assault.
- E. **The NJSBA believes** that boards of education should adopt a crisis management plan for each school that specifies procedures to be followed in the event of a school shooting or other violent incident.
- F. **The NJSBA believes** that the state should fund violence prevention programs that foster partnerships among local institutions, organizations, and individuals most closely involved with young.
- G. **The NJSBA believes** that the state and federal governments should provide funding for local law enforcement activities directed toward youth in schools and in communities.
- H. **The NJSBA believes** that boards of education should work for the establishment of a police liaison program in each school to foster stronger relationships among police, students and staff.
- I. **The NJSBA believes** in the establishment of a coordinating council with representation from the Juvenile Justice Commission, Administrative Office of the Courts, Department of Human Services, Department of Law and Public Safety, Department of Education and other appropriate public members to assess the most successful programs for youth and act as the catalyst to replicate these model programs.  
*[Authority: DA 11/99-ER(A)]*
- J. **The NJSBA believes** that additional state and federal funding for grants should be made to organizations that operate the most successful youth violence prevention, non-violence promotion, rehabilitation and restorative justice programs identified by the coordinating council.
- K. **The NJSBA believes** that it should maintain close liaison with organizations such as the New Jersey State Interscholastic Athletic Association, the State Board of Education, the Department of Education, and similar agencies to examine issues related to the causes, prevention, and resolution of issues of violence and vandalism, and to implement appropriate plans of action.
- L. **The NJSBA believes** that the State Board of Education or another appropriate agency should establish and maintain a clearinghouse of information for local districts on the prevention and handling of acts of violence.
- M. **The NJSBA believes** that, in addition to the State Board of Education, the Association should undertake investigations of vandalism and violence issues on its own, when deemed appropriate by the Board of Directors. *[Authority: DA 10/78-CR Violence; DA 6/93-SR; DA 11/99-ER(A), DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

#### Firearms Laws

- A. **The NJSBA believes** in the vigorous support and the rigid enforcement of federal and state laws pertaining to the sale, possession and/or use of firearms and ammunition.
- B. **The NJSBA further believes** that the federal and state government should be encouraged to enact additional statutes and regulations as determined necessary by the Association to enhance and ensure the safety of all stakeholders in the school environment. *[Authority: DA 5/13-1, DA 5/17-SR]*

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

*[Authority: DA 5/18-1(BD), DA 5/22-SR]*

- Cross References:**
- 1600.1 School/business partnerships
  - 3530 Insurance management
  - 4112.2 Certification
  - 5020 Role of parents/guardians
  - 5131 Conduct/discipline
  - 5131.7 Weapons and dangerous instruments
  - 5145.4 Equal Educational Opportunity
  - 6141 Curriculum design/development
  - 6141.1 Experimental/innovative programs

Key Words: vandalism, violence

## POSITIONS AND POLICIES ON EDUCATION

Drugs, Alcohol, Tobacco (Substance Abuse)

FILE CODE

5131.6

### Alcohol/Substance Abuse Education Programs

**The NJSBA believes** that effective alcohol /substance abuse education programs are an important component of health education, but the state should not mandate minimum time requirements of instruction in alcohol and substance abuse education. [DA 12/82-14, DA 12/93-2, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]

### Consumption of Alcoholic Beverages

- A. **The NJSBA believes** that the legal drinking age should be 21. [Authority: DA 1/79-6, 5/97-SR]
- B. **The NJSBA believes** that the unauthorized possession or use of alcoholic beverages on school premises should be deemed under the law to be a disorderly persons' offense. [Authority: DA 5/74-21, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]

### Governor's Council on Alcoholism and Drug Abuse

**The NJSBA believes** that the Governor's Council on Alcoholism and Drug Abuse can be helpful in achieving our common goal of preventing drug and alcohol abuse in New Jersey and in our public schools. [BD 5/87, DA/5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]

### Mandatory Penalty for Sale or Distribution of Controlled Dangerous Substances to Minors

**The NJSBA believes** that there should be a mandatory penalty for any person or persons 18 years of age or older who is convicted of an offense involving the sale or distribution of controlled dangerous substances to any minor. [Authority: DA 12/86-3, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]

### Location of Drug Treatment Centers

**The NJSBA believes** that the State should ensure that drug treatment centers are not located in the proximity of any public school. [Authority: BD 10/80, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]

**Cross References:** 3220 State funding  
3515 Smoking prohibition  
4119.23 Smoking, drinking and use of drugs on school premises  
5145.12 Search and Seizure

Key Words: alcohol, drugs, tobacco

**POSITIONS AND POLICIES ON EDUCATION**  
Weapons and Dangerous Instruments

██████████  
**FILE CODE**  
██████████  
5131.7

Possession of Weapons

- A. **The NJSBA believes** that the unauthorized possession of any weapon in any part of the buildings or on the grounds of any school in the State of New Jersey should be a crime of the third degree. *[Authority: DA 6/90-4, 5/97-SR]*
- B. **The NJSBA believes** that there should be gun-free zones within 1000 feet of any and all school buildings in the State of New Jersey and possession and/or sale of guns within that zone would be a crime of the third degree. *[Authority: DA 11/99-ER(A)]*
- C. **The NJSBA believes** that, where firearms laws permit the possession of a firearm on school grounds, such possession should only occur after approval by the board of education. *[Authority: DA 6/90-4, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross References:** 5114      Suspension and expulsion  
                         5131      Conduct/discipline  
                         5131.5    Vandalism/violence  
                         5145.12   Search and seizure

Key Words: weapons, guns, firearms

## POSITIONS AND POLICIES ON EDUCATION

Health

FILE CODE

5141

### Student Health and Safety

- A. **The NJSBA believes** that local boards of education should provide conditions and establish policies that will ensure the health and safety of students.
- B. **The NJSBA believes** that the state or federal governments must provide funding for mandated programs. Further, such funding should not be furnished by the Department of Education, when it would result in the diversion of school aid from educational purposes. Funding for health and safety programs should be received from the State department that has responsibility for the health and safety of the general population of the state. *[Authority: BD 4/94; DA 5/97-SR]*
- C. **The NJSBA believes** that local boards' duty of care for student health and safety should be limited to a reasonable time before and after the school day and off-campus, school-sponsored activities. *[Authority: BD 9/06, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Beliefs Concerning Nutrition

- A. **The NJSBA believes** that there is a strong correlation between early nutritional patterns and physical and mental development, and that good nutrition is a function of both the home and the school environment. The State Department of Education and local districts are encouraged to recognize a joint responsibility to continually provide nutrition education to every child, and to cooperate in identifying student needs and setting priorities in this area.
- B. **The NJSBA believes** that schools have the obligation not only to teach, but also to reinforce and exemplify principles of good nutrition. Districts should initiate or strengthen efforts to educate students, parents and citizens concerning good nutrition practices, and should consider the relationship between poor nutrition and the achievement or behavior of individual students.
- C. **The NJSBA believes** local districts should consider establishing policy on nutrition in food service programs, nutrition education and maintenance of a positive nutrition environment.
- D. **The NJSBA believes** local child study teams should consider the nutritional condition of every child studied, including basic nutritional practices, hypersensitivity, allergies and low blood sugar. *[Authority: DA 6/85-CR (Nutrition); DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### School-Based Youth Services Program

**The NJSBA believes** in cooperative efforts that make school-based youth services programs possible. Such programs, including that operated by the State Department of Human Services, encourage schools and community-based employment, health and human services organizations to work together to establish comprehensive "one-stop shopping" service programs for adolescents. *[Authority: BD 6/87; DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Health** (continued)

5141

<b>Cross References:</b>	1600	Relations between other entities and the district
	3516	Safety
	3542	Food service
	3542.31	Free or reduced-price lunches/milk
	4147	Employee safety
	5141.2	Illness
	5142	Pupil safety

Key Words: health, safety, nutrition

**POSITIONS AND POLICIES ON EDUCATION**

Illness

**FILE CODE**

5141.2

Lyme Disease

**The NJSBA believes** that efforts to educate students, school staff and the general public about the prevention, recognition and treatment of Lyme Disease should be encouraged and appropriately funded. *[Authority: DA 6/89-2, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross Reference:** 5141 Health

Key Words: lyme disease, illness



## POSITIONS AND POLICIES ON EDUCATION

### Health Examinations and Immunizations

FILE CODE

5141.3

#### Mantoux Skin Testing

- A. **The NJSBA believes** that the New Jersey State Department of Health should continue to monitor the incidence of tuberculosis in the state and recommend to the state board of education appropriate regulations for school-based testing for students, employees, contractors, school volunteers and others in contact with the students.
- B. **The NJSBA believes** that state regulations should require newly enrolled prekindergarten or kindergarten students (whichever is the first point of entry into the school system) to provide evidence of Mantoux skin testing within six months of school registration or be tested if they have moved to the community from a foreign country or another state. *[Authority: DA 11/98-CR (Mantoux Testing), DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

Key Words: mantoux, testing, examinations

## POSITIONS AND POLICIES ON EDUCATION

### Child Abuse and Neglect

FILE CODE

5141.4

#### Child Abuse and Neglect

**The NJSBA believes** that a child's physical and mental well-being is a prerequisite for academic achievement. Abuse and neglect are direct threats to this well-being. *[Authority: DA 5/96-CR (DYFS Study Committee), 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

#### DCP&P Investigations and Reports

- A. **The NJSBA believes** that suspected child abuse or neglect should be reported immediately. School districts should cooperate with the New Jersey Division of Child Protection and Permanency in all such cases of suspected abuse or neglect, whether institutional or noninstitutional. *[Authority: DA 5/96-CR (DYFS Study Committee), 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR]*
- B. **The NJSBA believes** that DCP&P should keep local districts, executive county superintendents, county prosecutors and the State Board of Examiners informed throughout the DCP&P investigation of district employees until its conclusion. *[Authority: DA 5/96-CR (DYFS Study Committee), 5/97-SR]*
- C. **The NJSBA believes** that the State Board of Examiners and executive county superintendents should be entitled to the receipt of DCP&P reports. School officials should be permitted to use these reports during disciplinary, administrative or judicial proceedings to determine terms of employment or continued employment, and when conducting background checks or employment-related screening of an individual employed by, or seeking employment with, a school district. *[Authority: DA 5/96-CR (DYFS Study Committee), 5/97-SR]*
- D. **The NJSBA believes** that, to protect the physical and mental well-being of every student, school district employees with provisional certificates, who are the subject of a DCP&P investigation, should not be granted permanent certificates while a DCP&P investigation is pending or if DCP&P reaches a substantiated finding after an investigation. Similarly, if DCP&P reaches a substantiated finding after investigating a permanent certificate holder, the State Board of Examiners should have the authority to revoke or suspend the permanent certificate. *[Authority: DA 5/96-CR (DYFS Study Committee), 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

Key Words: child abuse, neglect, DCP&P

## POSITIONS AND POLICIES ON EDUCATION

### Administering Medication

FILE CODE

5141.21

#### Administration of Medication

- A. **The NJSBA believes** that, upon the written permission of a student's physician and parent/guardian, local boards of education should have the prerogative to allow students to self-medicate in life threatening situations. A signed statement from the parent/guardian should be included, releasing the school district from any and all liability and holding the school district harmless for the self-administration of medication. Similarly, a responsible non-staff member should be able to administer medication to a student, provided that the same conditions are satisfied. *[Authority: DA 12/91-7, DA 5/97-SR]*
- B. **The NJSBA believes** properly certified school personnel, other than the school nurse, as well as other persons, should be permitted to administer physician-prescribed medication to students on class trips and/or any other school-sponsored activity, including transportation to or from an activity, in life threatening situations with the written permission of the physician and parent/guardian who will include a signed statement from the parent/guardian releasing the school district from any and all liability and holding the school district harmless for the administration of medication. *[Authority: DA 6/93-7, DA 5/97-SR]*
- C. **The NJSBA believes** that persons, authorized by the parent/guardian and the board of education to administer physician-prescribed medication to students, should be provided with immunity from lawsuits, provided the skill and care given is that ordinarily required and exercised by other such teaching staff members, nurses, educational personnel, medical inspectors, physicians or other officers, agents, or any employees of the board of education or emergency room personnel. *[Authority: DA 6/93-7, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross References:** 5141 Health  
5142 Pupil safety

**Key Words:** medication, immunity, liability

## POSITIONS AND POLICIES ON EDUCATION

Pupil Safety

FILE CODE

5142

### New Jersey Council for Young Children

**The NJSBA believes** it should be represented on the New Jersey Council for Young Children to help maintain support for the development of high quality child care services in the state. *[Authority: DA 12/84-3, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Public School Facilities for Child Care Activities

- A. **The NJSBA believes** that the federal and state governments should encourage the use of public school facilities for the provision of before/after school child care and authorize local boards of education to provide such services either directly or in cooperation with other community groups or agencies.
- B. **The NJSBA believes** the federal and state governments should continue to provide financial support and technical assistance for the development of high quality childcare services. *[Authority: DA 12/84-3, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Staff Safety Training

- A. **The NJSBA believes** that school nurses should receive annual certification in CPR.
- B. **The NJSBA believes** teaching staff members should be required to complete a course in emergency procedures and first aid prior to certification. *[Authority: DA 12/91-9, DA 5/76-1, DA 12/82-20, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Designated School Crossings

**The NJSBA believes** it is critical to ensure the safety of children while walking to and from school. School crossing areas should be designated with appropriate school crossing signs and reduced speed limits should be enforced in these areas. *[Authority: DA 5/63-4, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Hazardous Walking Conditions--Crossing Guard Stations

**The NJSBA believes** that a local police chief or other law enforcement officer should annually review all existing and proposed crossing guard stations. Input from boards of education and the community-at-large should be gathered on traffic hazards and other dangers that exist along school routes. The municipal governing body should make recommendations regarding the placement of the crossing guard stations. *[Authority: DA 6/87-6, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

### Child Access to Pornography

**The NJSBA believes** there should be effective legal and/or regulatory mechanisms to prevent child access through electronic means to obscene or pornographic material. *[Authority: BD 3/86, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

<b>Cross References:</b>	1600	Relations between other entities and the district
	3516	Safety
	3541.33	Transportation safety
	5141	Health
	5141.21	Administering medication
	6178	Early childhood education/preschool

Key Words: child care, safety, pornography

**POSITIONS AND POLICIES ON EDUCATION**

Insurance

**FILE CODE**

5143

Student Accident Insurance

The NJSBA believes that it is important that insurance companies be able to write student accident insurance with an excess payment clause (coordination of benefits). [Authority: DA 5/71-4, DA 12/71-21, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]

Key Words: accidents, insurance

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, but not limited to those that are actual or perceived as being lesbian, gay, bisexual, transgender, questioning, or other sexual orientation, gender identity or expression.  
*[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; DA 5/21-1, DA 5/22-SR]*

Principles Concerning Racial Imbalance

- A. **The NJSBA believes** maintenance of racially imbalanced schools is in contravention of the law and public policy of the State of New Jersey.
- B. **The NJSBA believes** state and local officials have an affirmative obligation to eliminate or prevent racial imbalance, consistent with sound educational considerations.
- C. **The NJSBA believes** that, in order to avoid racial imbalance, each school district should strive to attain minority representation in each school approximating the district's overall minority representation. Exact apportionment is not required, however, and the ultimate goal is a reasonable plan achieving the greatest degree of racial balance possible, consistent with sound educational values and procedures.
- D. **The NJSBA believes** that any final determination of racial imbalance should take into account the totality of circumstances in the district -- statistical imbalances as well as safety, geography, time, convenience, cost and other practicalities. Where the enrollment in a school or district is small, no plan should be developed which would depend entirely on the movement of very few students.
- E. **The NJSBA believes** that, where it has been determined that a significant degree of racial imbalance exists, a local district should be given an opportunity to submit a remedial plan of its own. Remedial plans to eliminate racial imbalance should include appropriate community, staff and student involvement. Department officials should offer prompt technical assistance to the local board and administration in developing such plans.
- F. **The NJSBA believes** that, if the board's own remedial plan is deemed inadequate, a plenary hearing should be held at which the local board would have an opportunity to show cause why punitive or corrective action should not be taken. *[Authority: DA 6/78-2, DA 6/82-CR Racial Imbalance (Deleted as 0100 - Urban School Districts - 6/93-SR), DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

State Responsibilities Concerning Racial Imbalance/Desegregation



**Equal Educational Opportunity (continued)**

5145.4

- A. **The NJSBA believes** the State should continue its commitment to desegregated schools by providing funds to assist local districts with desegregation efforts, evaluating the educational impact of desegregation programs, designing strategies towards preventing resegregation and providing assistance with in-service training of teachers and curriculum improvement regarding knowledge of and sensitivity toward other cultures.
  
- B. **The NJSBA believes** the State Board of Education should formalize its policies and procedures on racial imbalance by adopting regulations in accordance with the Administrative Procedure Act and regularly report to local districts the desegregation status of all districts.
  
- C. **The NJSBA believes** the State should consider voluntary inter-district remedies for those districts which cannot provide a desegregated environment because the student body represents primarily one racial or ethnic group. *[Authority: DA 6/82-CR Racial Imbalance, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross Reference:**    2224            Equal Employment Opportunity/Nondiscrimination  
                          4119.24        Staff/pupil relations  
                          5117            School Attendance Areas

Key Words: equal opportunity, discrimination, desegregation

**POSITIONS AND POLICIES ON EDUCATION**

Pupil Grievance Procedures

**FILE CODE**

5145.6

Pupil Grievance Procedures

The NJSBA believes that clear grievance policies and procedures protect the rights of pupils and encourage parent/citizen involvement. *[DA 12/82-CR Urban Education, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross References:** 1200 Participation by the public  
5020 Role of parents/guardians

Key Words: pupils, grievance

## POSITIONS AND POLICIES ON EDUCATION

### Search and Seizure

FILE CODE

5145.12

#### Search and Seizure

The NJSBA believes that public school students have the constitutional right to be free from unreasonable searches and seizures by any person acting in an official capacity on behalf of a local school district. A search of a student by a school official should only be conducted when the official has a reasonable suspicion that a school rule or a law is being violated or when the district has demonstrated a special need for conducting random drug-testing of students. *[Authority: BD 9/82, DA 5/97-SR, DA 11/97 ER-A, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

**Cross References:** 5114 Suspension and expulsion  
5131 Conduct/discipline  
5131.5 Vandalism/violence  
5131.6 Drugs, alcohol, tobacco (substance abuse)  
5131.7 Weapons and dangerous instruments

Key Words: search and seizure, drug-testing

State Aid to Nonpublic Schools

- A. **The NJSBA believes** that public funds should not be used for nonpublic schools. *[Authority: DA 12/67-3, DA 12/69-2, DA 5/75-10, DA 12/81-11, DA 12/94-9, DA 11/01-SR, DA 5/97-SR]*
- B. **The NJSBA believes** that there should be a moratorium placed on public funding to nonpublic school children and that statutes mandating aid to nonpublic pupils, including textbook aid, transportation and technology aid and auxiliary services, should be repealed. *[Authority: DA 12/91-CR (QEA), DA 5/97-SR, DA 5/05-2]*
- C. **The NJSBA believes** that until the public funding of nonpublic schools is abolished state aid to nonpublic schools, including textbook, transportation and technology aid, should be directly administered by the Department of Education without involvement by local school districts. *[Authority: DA 5/05-2]*
- D. **The NJSBA believes** that so long as districts are required to administer the flow of public funds to nonpublic schools, districts should be reimbursed for all cost incurred by public schools in connection with the administration of that aid. *[Authority: DA 12/67-3; DA 12/69-2; DA 12/74-1, 2; DA 5/75-10; DA 6/81-8; DA 12/81-11; DA 12/92-CR (Transportation); DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

Transportation of Nonpublic Students

- A. **The NJSBA believes** that local school districts should not be responsible for the transportation of students to nonpublic schools.
- B. **The NJSBA believes** that so long as districts are required by statute to provide transportation for children attending nonpublic schools, the nonpublic schools should be required to coordinate their transportation needs with the responsible public school districts. *[Authority: DA 12/67-3, DA 12/69-2, DA 6/81-8, DA 12/81-12, DA 12/87-3, DA 12/92-CR (Transportation), DA 5/97-SR]*
- C. **The NJSBA believes** that school districts should be reimbursed for the actual cost of private school aid in lieu of transportation paid to parents. The maximum transportation reimbursement to parents for pupils attending private schools should be limited to the amount authorized for one student, for any two or more students from the same household attending the same private school on common schedules. *[Authority: DA 6/78-17, DA 12/81-12, DA 12/91-4, DA 12/92-CR (Transportation), DA 5/97-SR]*
- D. **The NJSBA believes** that a constituent elementary school district with transportation of its own within a regional high school district without transportation of its own should be allowed to transport nonpublic school students provided all affected parties agree to the arrangement. *[Authority: DA 12/94-16, DA 5/97-SR, DA 5/02-SR, DA 5/07-SR, DA 5/12-SR, DA 5/17-SR, DA 5/22-SR]*

<b>Cross References:</b>	3220	State funds
	3230	Federal funds
	3541	Transportation
	3541.1	Transportation routes and services
	5117	School attendance areas

Key Words: nonpublic, transportation, aid



PROPOSED BYLAWS AMENDMENT NO. 1

NEW JERSEY SCHOOL BOARDS ASSOCIATION

1-888-886-5722

413 West State Street  
Trenton, N.J. 08618

ANNUAL DELEGATE ASSEMBLY  
May 14, 2022

WHEREAS, The 2021-2023 NJSBA Nominating Committee was appointed pursuant to NJSBA *Bylaws* Art. X Sec 3 to prepare a report, pursuant to NJSBA *Bylaws*, Article 5, Section 5a, recommending to the Delegate Assembly a slate of candidates to be considered for NJSBA office; and

WHEREAS, During its deliberations the committee determined to recommend to the Delegate Assembly an amendment to NJSBA *Bylaws*, Art. VII, Section 2, Qualifications and Terms of Officers, to provide that in addition to having served one full term as a board member prior to his/her election to office, candidates will have qualified for and received the Certificated Board Member (CBM) qualification as set forth in NJSBA's Governance and Operations Manual (GO); now therefore, be it

1 RESOLVED, That the NJSBA Board of Directors recommends the amendment to *Bylaws* Art. VII,  
2 Sec. 2 set forth herein D. be submitted for consideration at the May 14, 2022  
3 Delegate Assembly.

4 D. In addition to having served one full term as a board member prior to his/her  
5 election to office, candidates will have qualified for and received the Certified  
6 Board Member (CBM) qualification as set forth in NJSBA's Governance and  
7 Operations Manual (GO) GO/6603.1 and 6603.1R.

BYLAWS

OFFICERS: QUALIFICATIONS AND ELECTION

Qualifications and Terms of Officers

- A. The president and the three vice presidents shall be elected from among the members of the district boards of education in good standing, which boards must be in good standing at the time an individual is nominated for an officer position and at the time he or she takes office. Those officers elected for full two-year terms at a regular election shall hold office until the conclusion of the second annual meeting of the Association succeeding the date of their election, and until their respective successors are elected and shall have qualified.

In the event that an officer's district board of education fails to pay its dues by September 30, the officer's term shall immediately cease and his or her successor shall be selected in accordance with the procedures described in Article VII, Section 7. The Board of Directors, by a two-thirds vote of the members present and voting, may extend this period to the October Board of Directors meeting.

- B. If any of the foregoing officers shall cease to be a member of a district board of education, his or her term as an officer shall immediately cease and his or her successor shall be selected in accordance with the procedures described in Article VII, Section 7. In the event the president ceases to be a member of his/her district board of education 60 days or less prior to the second annual meeting of the Association succeeding the date of his/her election, subject however to subsection c of this section, he/she shall remain in office until his/her successor is elected.

- C. In the event an officer assumes an elected office as a member of a municipal or county governing body that would, by operation of law, cause his local board membership to immediately cease (i.e., mayor, town council, county freeholder), his/her term as an officer shall immediately cease upon being sworn in to said elected office. In the event that an officer should be removed, by law, from membership on the local board of education for reasons other than assumption of elected office, his/her term as an officer shall immediately cease upon said removal. In the event that an officer shall accept a position in which there may be an ongoing direct conflict of interest, his or her term as an officer shall immediately cease upon a determination by the Board of Directors that said appointed position constitutes an ongoing direct conflict of interest, which cannot be cured by abstention. A successor shall be elected or appointed according to the procedures outlined in Article VII, Section 7.

- D. In addition to having served one full term as a board member prior to his/her election to office, candidates will have qualified for and received the Certified Board Member (CBM) qualification as set forth in NJSBA's Governance and Operations Manual: Board Member Academy (GO/6603.1 and 6603.1R).

- [D.] E. The executive director shall be selected by the Board of Directors and need not qualify as a member of a district board of education. The immediate past president need not qualify as a member of a district board of education, but shall be subject to subsection c of this section.



**N E W J E R S E Y S C H O O L B O A R D S A S S O C I A T I O N**

**GOVERNANCE & OPERATIONS**

**FILE CODE: GO/9302**

**BYLAWS**

**OFFICERS: QUALIFICATIONS AND ELECTION**

Article VII, Section 2

Authority: DA 6/95-BA 1

Revised: DA 11/10-BA 1

**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 14, 2022.



**New Jersey School Boards Association**

413 West State Street • Trenton, New Jersey 08618-5697

Telephone: 1-888-88NJSBA or 609-695-7600 • Fax: 609-695-0413 • Website: [www.njsba.org](http://www.njsba.org)

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