MEETING INFORMATION

Meeting Name	Resolutions Subcommittee Meeting
Purpose	Review and recommend resolutions for Delegate Assembly consideration
Delegate Assembly Date	Saturday, November 21, 2026
RSC Meeting Date	Tuesday, October 27, 2026
Meeting Time	7:00 p.m. EST
Location / Platform	Zoom [virtual]

CHAIR INFORMATION

Chair Name	Charles Caraballo, Vice-President, Legislation/Resolutions
Title	Chair, Resolutions Subcommittee
Script Prepared For	Charles Caraballo
Prepared By	General Counsel's Office
Date Prepared	October 21, 2026

RESOLUTION OVERVIEW

Total Resolutions Received	7
Resolutions Eligible for Review	5
Resolutions Rejected	2

RESOLUTION TRACKER

Resolution #	District	Proposal	Recommendation
1	Hillsborough Township	Executive Complaints	Opposition
2	Bridgewater-Raritan Regional	Statewide Assessment Windows	Opposition
3	Springfield Township	Pathogen Screening	Approve substitute language
4	Cliffside Park	Special Education Reserve Accounts	Approve substitute language
5	Washington Township (Morris)	Statewide Assessment Variances	Approve substitute language

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NEW JERSEY SCHOOL BOARDS ASSOCIATION

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

ANNUAL DELEGATE ASSEMBLY
Saturday, November 21, 2026

The following resolution was received from the
Hillsborough Township Board of Education (Somerset):

WHEREAS, The New Jersey School Boards Association (NJSBA) is a state-created federation of local boards of education, funded primarily through mandated taxpayer-funded school district dues, and is responsible for training local school board members, giving it a heightened obligation to model the highest standards of transparency, accountability, and ethical governance; and

WHEREAS, In quasi-public organizations governed by unpaid, elected volunteers but managed by paid professional staff, a structural accountability gap exists when executive leadership controls the organization's day-to-day operations, staff, information flow, and legal counsel; and

WHEREAS, Current NJSBA Bylaws lack an automatic, independent mechanism to investigate complaints against executive staff and Executive Committee members, forcing the Board of Directors to rely on internal reviews conducted by staff who report directly to the individuals under investigation, or to rely on the executive leadership to investigate themselves; and; and

WHEREAS, Unpaid, volunteer school board delegates lack automatic statutory indemnification for Association-level service, and because they have no independent access to NJSBA legal representation, they face a severe power asymmetry that chills board oversight when delegates are met with Association funded legal threats; and

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

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

RESOLVED, That the Hillsborough Township Board of Education proposes the following **new belief and policy language** for adoption by the Delegate Assembly and inclusion in the NJSBA Manual of Positions and Policies on Education:

The NJSBA believes that independent oversight of its executive leadership is essential to maintaining public trust and fiscal integrity. Any allegations of ethical misconduct, financial conflicts, or statutory violations against the Executive Director, General Counsel or Executive Committee members must be automatically referred to an independent, disinterested, third-party investigator retained directly by the Board of Directors, completely bypassing executive staff.

The NJSBA believes that volunteer board members and delegates who raise governance concerns in good faith must be explicitly protected from retaliation, legal threats, and personal financial exposure. The Board of Directors must have the authority and budget to retain independent, outside legal counsel to address executive misconduct without requiring executive-level approval; and, be it further

RESOLVED, That the Hillsborough Township Board of Education proposes the following amendments to the NJSBA Bylaws for adoption by the Delegate Assembly:

AMEND Article X, Section 8 (Ethics Committee) to insert a new subsection:

(g) In the event that any complaint of misconduct, ethical violation, or conflict of interest is filed against the Executive Director, General Counsel or Executive Committee members, the Ethics Committee shall immediately retain an independent, disinterested, third-party investigator to conduct a fact-finding review. The investigator shall report their findings directly to the Board of Directors, and no NJSBA staff, including the Executive Director and General Counsel, shall participate in, influence, or supervise the investigation. Volunteer board members and delegates who submit or support such complaints in good faith shall be protected from any form of retaliation, including Association-funded legal threats or adverse committee actions.

RESOLVED, That this resolution be placed on the agenda for consideration at the November 21, 2026, Delegate Assembly.

Adopted at a regular meeting of the
Hillsborough Township Board of Education
on August 24, 2026



Gerald M. Eckert
School Business Administrator/Board Secretary

RESOLUTION NO. 01

SYNOPSIS

Resolution No. R01 from the Hillsborough Township Board of Education (Somerset County) proposes **new** language to Article X (Committees), Section 8 (Ethics Committee) of the *NJSBA Bylaws*.

BACKGROUND

The Hillsborough Township Board of Education submitted a resolution seeking to add a new subsection (g) to Article X, Section 8 of the *NJSBA Bylaws*. The proposed new subsection (g) would state, in summary, that if a complaint of misconduct, ethical violation, or conflict of interest is filed against the Executive Director, General Counsel, or any member(s) of the Executive Committee, the Ethics Committee would be required to retain an independent, disinterested, third-party investigator to conduct a fact-finding review, who shall then report their findings directly to the Board of Directors. The proposed new subsection would make clear that no member of the NJSBA's staff, including the Executive Director and the General Counsel, would be permitted to participate in, influence, or otherwise supervise the fact-finding review. Finally, the proposed new subsection would protect any board member or delegate who submitted or supported such a complaint in good faith from any kind of retaliation or reprisal, including NJSBA-funded legal threats or adverse committee actions.

RELEVANT NJSBA BYLAWS

The most relevant *NJSBA Bylaw* to the Hillsborough Township Board of Education's resolution is Article X, Section 8, which provides:

> **Article X: Committees**
> …
> SECTION 8: ETHICS COMMITTEE
>
> a. There shall be a standing committee of the Association called the Ethics Committee. The immediate past president shall serve as chair. Four additional members shall be appointed by the president and shall consist of one vice president; one member of the Audit Committee, excluding the vice president for finance; and two county association presidents who are not members of the Executive Committee.
>
> b. Committee members shall be appointed for a one-year term and shall hold office until their respective successors have been appointed.
>
> c. Vacancies among the members of the committee shall be filled for the unexpired term in the same manner by which the original appointment was made.
>
> d. The duties of the Ethics Committee shall include:

(1) Establishing a code of conduct for officers and members of the Board of Directors. The Ethics Committee shall submit the code of conduct to the Board of Directors for approval and may periodically recommend that the Board of Directors adopt proposed amendments to the code of conduct.

(2) Reviewing any complaints of misconduct brought against officers or members of the Board of Directors by a member of a local board of education. The Ethics Committee shall have the authority to determine whether any complaint warrants further investigation; and, thereafter to undertake such an investigation. Where violations of the code of conduct are found, the Ethics Committee may recommend to the Board of Directors disciplinary measures up to and including removal from office.

(3) At the request of the Board of Directors, the Ethics Committee shall investigate any charge of misconduct or conflict of interest on the part of an officer or a member of the Board of Directors and, if requested, the Ethics Committee shall submit its conclusions and nonbinding recommendations to the Board of Directors.

e. If any member of the Ethics Committee is the subject of a complaint, he/she shall be replaced by a county association president who is not a member of the Executive Committee for that investigation only.

f. Any recommendation for disciplinary action shall be brought to the Board of Directors for approval. If approved, the Board of Directors shall carry out the disciplinary action.

Other related provisions of the *NJSBA Bylaws* include, but are not limited to: Article III (Membership), Section 1 (Regular Members); Article VI (Board of Directors), Section 1 (Regular Members); Article VI, Section 2 (Qualifications); Article VII (Officers: Qualifications and Election), Section 1 (Officers); Article VIII (Duties and Authority of Executive Committee), Section 1 (Executive Committee); and Article XI (County School Boards Associations), Section 1 (County School Boards Association). These provisions from the *NJSBA Bylaws* state, in pertinent part:

Article III: Membership

Section 1: REGULAR MEMBERS

The regular members of the Association shall consist of all of the district boards of education in the state of New Jersey in good standing.
…

Article VI: Board of Directors

Section 1: REGULAR MEMBERS

There shall be a Board of Directors consisting of the officers of the Association, and 26 members as follows: …
…

Section 2: QUALIFICATIONS
…
c. …. The Board of Directors may request that the Ethics Committee review and issue nonbinding recommendations concerning potential conflicts of interest or allegations of misconduct on the part of Board of Directors members and officers.

Article VII: Officers: Qualifications and Election

Section 1: OFFICERS

The officers of the Association shall be a president, vice president for finance, vice president for legislation/resolutions, vice president for county activities, and the immediate past president.

Article VIII: Duties and Authority of Executive Committee

Section 1: EXECUTIVE COMMITTEE

The officers of the Association shall constitute the Executive Committee. The executive director shall be a member ex officio and without vote.

Article XI: County School Boards Associations

Section 1: COUNTY SCHOOL BOARDS ASSOCIATION
…
f. …. The Board of Directors may request that the NJSBA Ethics Committee review and issue nonbinding recommendations concerning potential conflicts of interest or allegations of misconduct on the part of an officer of a county school board association.

DISCUSSION

Before addressing the resolution submitted by the Hillsborough Township Board of Education, the organizational structure of the NJSBA requires discussion. The NJSBA is a body corporate and politic, established pursuant to *N.J.S.A.* 18A:6-45 *et seq.*, and its "regular members" include all of the district boards of education in the State of New Jersey. *See* Article III, Section 1 of the *NJSBA Bylaws*. The NJSBA has five *officers*: the president; vice president for finance; vice president for legislation/resolutions; vice president for county activities; and the immediate past

president. *See* Article VII, Section 1 of the *NJSBA Bylaws*. The NJSBA's officers are "elected from among the members of the district boards of education in good standing," and are not selected or chosen by the Executive Director, the General Counsel, or any other NJSBA employee. *See* Article VII, Section 2. Together, the NJSBA officers constitute the Executive Committee. *See* Article VIII, Section 1. The Executive Director is also an *ex officio* member of the Executive Committee, but does not have voting power. *See* Article VIII, Section 1 of the *NJSBA Bylaws*.

The Board of Directors consists of the *officers* of the NJSBA, plus an additional 26 members. *See* Article VI, Section 1 of the *NJSBA Bylaws*. The officers and members of the Board of Directors are board of education members who are elected or appointed to their positions from amongst the NJSBA's membership, and are not selected or chosen by the Executive Director, the General Counsel, or any other NJSBA employee. *See* Article VII, Section 1 of the *NJSBA Bylaws*; Article VI, Section 1 of the *NJSBA Bylaws*.

The Ethics Committee, which is one of several standing committees, is comprised of the immediate past president (the chair), and four additional members appointed by the president. These four members shall consist of one vice president; one member of the Audit Committee, excluding the vice president for finance; and two county association presidents who are not members of the Executive Committee. *See* Article X, Section 8 of the *NJSBA Bylaws*. Of note, neither the Executive Director nor the General Counsel are members of the Ethics Committee, nor are the members of the Ethics Committee selected or chosen by the Executive Director, the General Counsel, or any other NJSBA employee.

Unlike officers and members of the Board of Directors, the Executive Director and the General Counsel, like all other NJSBA staff members, are employed by, and employees of, the NJSBA, and thereby, are subject to the policies of the NJSBA. Although the Executive Director is appointed by the Board of Directors, their job performance is evaluated by the members of the Executive Committee. *See* GO/File Code 9258; GO/File Code 4115. Among other things, the Executive Director is responsible for "the hiring, evaluation, discipline and discharge" of all personnel, which necessarily includes the General Counsel and all other NJSBA staff members. *See* GO/File Code 9358.

Even though the General Counsel is hired by the Executive Director, and unlike all other NJSBA employees, the General Counsel represents the organization (NJSBA) as distinct from its directors, officers, employees, members, shareholders or other constituents. *See New Jersey Rules of Professional Conduct*, Rule 1.13(a). In this way, the General Counsel has a duty to the NJSBA that supersedes that owed to the above entities, including the Executive Director. In this regard, the *New Jersey Rules of Professional Conduct* require a lawyer who knows that a person has engaged in action that may be imputed to the organization and is likely to result in substantial injury to the organization, to take reasonable steps to serve the best interests of the organization above all else. The unique oversight delegated to the General Counsel protects the NJSBA against the misconduct of all leadership, and failure to comply with the *Rules of Professional Conduct* could result in discipline, up to and including loss of their professional license.

The resolution submitted by the Hillsborough Township Board of Education seeks to add a new subsection (g) to the "Ethics Committee" section of Article X, to address "any complaint of misconduct, ethical violation[s], or conflict[s] of interest" concerning the Executive Director, General Counsel, or Executive Committee members.

A. The Executive Director and the General Counsel

The *NJSBA Bylaws* permit the Board of Directors to unilaterally "request that the Ethics Committee review and issue nonbinding recommendations concerning potential conflicts of interest or allegations of misconduct on the part of Board of Directors members and officers," or on the part of an officer of a county school board association. *See* Article VI, Section 2 of the *NJSBA Bylaws*; and Article XI, Section 1 of the *NJSBA Bylaws*. However, there is no provision in the *NJSBA Bylaws* which permit the Board of Directors to make such a request of the Ethics Committee when the subject of a potential conflict of interest or of purported misconduct is the Executive Director and/or the General Counsel.

Pursuant to Article X, Section 8 of the *NJSBA Bylaws*, the duties of the Ethics Committee include "(1) [e]stablishing a code of conduct for *officers* and *members of the Board of Directors* …"; "(2) [r]eviewing any complaints of misconduct brought against *officers* or *members of the Board of Directors* by a member of a local board of education …"; and "(3) [a]t the request of the Board of Directors, the Ethics Committee shall investigate any charge of misconduct or conflict of interest on the part of *an officer or a member of the Board of Directors* … ."

The foregoing language makes clear the following: the Ethics Committee establishes a code of conduct for *officers* and *members of the Board of Directors*, but not for the Executive Director or the General Counsel; complaints of misconduct or conflicts of interest can be filed by a board member, or by the Board of Directors, against an *officer* or a *member of the Board of Directors*, but not against the Executive Director or the General Counsel; and the Board of Directors can request that the Ethics Committee investigate a charge of misconduct or conflict of interest concerning an *officer* or a *member of the Board of Directors*, but not with regard to the Executive Director or the General Counsel.

In addition, the breadth of the Ethics Committee's jurisdiction is not so expansive as to include the review of "any" complaint of misconduct, ethical violation, or conflict of interest, but rather to a determination as to whether there has been "a violation of one of the NJSBA Codes of Conduct." *See* GO/File Code 8463. Codes of Conduct are enumerated in GO/File Code 8250 (for officers), GO/File CODE 8250.1 (for candidates for NJSBA office), and GO/File Code 8318 (for members of the Board of Directors). Notably, there is no code of conduct for the Executive Director, the General Counsel, or for any other NJSBA employee. Instead, and as further detailed below, the conduct of the Executive Director, the General Counsel, and NJSBA staff is governed by other provisions in the Governance and Operations Manual, namely those in Series GO/4000 Personnel.

To the extent that there may be a concern of impropriety regarding the Executive Director, such concerns would be referred to the entity responsible for evaluating their performance, namely the Executive Committee. In the event there is a concern about the General Counsel, those

complaints would be properly submitted to, and addressed by, the Executive Director. In reviewing concerns about both the Executive Director and the General Counsel, the policies and regulations detailed in the Governance and Operations manual, and specifically those related to conflicts of interest, would apply and guide the determination as to whether there is a violation. *See* GO/File Code 4118.13; GO/File Code 4118.13R; GO/File Code 4118.22; GO/File Code 4118.22R.

In addition to being subject to the policies and regulations set forth in the Governance and Operations Manual, the Executive Director and the General Counsel are regarded as "school officials" within the meaning of the School Ethics Act. *See N.J.S.A.* 18A:12-23. Therefore, if any person believes that the Executive Director or the General Counsel may have engaged in conduct in their capacities as NJSBA employees that is violative of a subsection(s) of *N.J.S.A.* 18A:12-24 (Conflicts of Interest), they can file an ethics complaint with the School Ethics Commission. If a violation is found, penalties could result in removal from office.

In short, the Ethics Committee does not have the authority, regardless of the genesis for such a complaint, to investigate or otherwise render a determination as to whether the Executive Director or the General Counsel may have engaged in misconduct, committed an ethical violation, or have a conflict of interest in a certain matter(s). Although there are other avenues for addressing and resolving such issues, namely as delineated in the NJSBA's Governance and Operations manual and/or through the School Ethics Commission, the Ethics Committee is not the appropriate body to render such determinations. Because the resolution submitted by the Hillsborough Township Board of Education impermissibly broadens the scope of the Ethics Committee's duties and responsibilities to include the consideration of concerns of misconduct and conflicts of interest involving the Executive Director and the General Counsel, and to include the review of "any" complaint of misconduct, ethical violation, or conflict of interest and not just to potential Code of Conduct violations, it should not be adopted.

B. Executive Committee Members

On the other hand, the Ethics Committee is specifically charged with reviewing and investigating charges for misconduct or conflicts of interest involving the NJSBA's officers, who comprise the entirety of the Executive Committee, save for the Executive Director who is a non-voting *ex officio* member. If the new proposed subsection of Article X, Section 8 is adopted, it would strip the Ethics Committee of its powers as set forth in the *NJSBA Bylaws* and in the related policy and regulation, and deprive the affected officers of the due process rights to which they would be entitled under the existing structure.

Presently, once a complaint is filed, the Ethics Committee initially determines whether the complaint has merit. In order to determine whether a complaint has merit, the Ethics Committee may conduct an investigation, hold a hearing, and compel the attendance of witnesses and the production of documents. If the Ethics Committee determines that a complaint has merit, the matter then proceeds to a hearing. If the Ethics Committee determines that a complaint does not have merit, it is dismissed and no further action is taken. If a hearing is held, each party can make an opening statement; the subject of the complaint can be represented by counsel; the parties can respond to questions from the Ethics Committee; the subject of the complaint can

present witnesses and documents in support of their position; and they can also submit post-hearing submissions. Following a hearing, the Ethics Committee must then determine by majority vote of the full membership whether a violation occurred. If a violation is found, the Ethics Committee shall recommend to the Board of Directors the appropriate sanction. If no violation is found, the Ethics Committee shall dismiss the matter. The Board of Directors is then required to act upon the Ethics Committee's recommendation regarding the sanction but, before doing so, all parties are provided an opportunity to address the Board of Directors. *See* GO/File Code 8463; GO/File Code 8463R. In this structure, the Board of Directors does not render any factual determinations, and its review is strictly limited to whether the sanction recommended by the Ethics Committee, following its holistic review, is reasonable under the circumstances.

If the new subsection proposed by the Hillsborough Township Board of Education is accepted, then: the Ethics Committee would be deprived of the opportunity to make a preliminary determination as to whether a complaint has merit or should be dismissed without further action; the Ethics Committee would be required, in all instances, to retain an "independent, disinterested, third-party investigator to conduct a fact-finding review" even when the retention of such an "investigator," the necessary credentials and qualifications for which are unclear, was not essential and/or the allegations did not necessitate it; the results from the fact-finding review, which would be one-sided (*ex-parte*) and not consider any information or evidence from the person who is the target of the review, and would be shared directly with the Board of Directors, thereby depriving the Ethics Committee of the opportunity to review the factual findings, determine whether a violation occurred, and to recommend an appropriate sanction to the Board of Directors; the subject of the complaint would be denied the opportunity to have a hearing before the Ethics Committee, to present evidence and witnesses, to be represented by counsel, to submit documentation for consideration, to respond to questions from the Ethics Committee, to submit a post-hearing submission, and to have the Ethics Committee render a written determination as to whether the conduct was unethical or constituted a conflict; the subject of the complaint would be deprived of the opportunity to present their position or a statement before the Board of Directors if a violation is substantiated; and the Board of Directors would render factual determinations, determine whether a violation occurred, and determine an appropriate penalty based on incomplete information. Stated differently, the resolution submitted by the Hillsborough Township Board of Education convolutes the responsibilities of the Ethics Committee and the Board of Directors when, in practice, there are sufficient safeguards and processes in place to ensure a transparent and confidential process. The role of the Board of Directors in matters concerning ethical violations or inappropriate conduct of officers and members of the Board of Directors is to act on recommended penalties, and not to displace or otherwise supplant the Ethics Committee.

It is also worth noting that if a complaint of misconduct, ethical violation, or conflict of interest is filed against the Executive Director or any member(s) of the Executive Committee, and the General Counsel is not permitted to participate in, influence, or otherwise supervise the "fact-finding review" proposed by the Hillsborough Township Board of Education, the General Counsel would be divested of their legal, professional, and ethical duty to provide legal counsel to the NJSBA, and to represent the NJSBA's best interests in all matters (absent their own conflict of interest). In addition, a wholesale prohibition precluding the General Counsel from being involved in such matters could subject the General Counsel to potential discipline from the

New Jersey Supreme Court (Disciplinary Review Board), including the loss of their professional license, for failing to adequately represent their client, NJSBA. On top of all this, the automatic exclusion of the General Counsel based on nothing more than a perceived and presumptive conflict of interest would deprive the Board of Directors, the Executive Committee, and the Executive Director of their right to receive counsel from the very person whose job it is to provide it. The role of the General Counsel is to protect the best interests of the NJSBA, even if that means taking a position that is antagonistic to or contrary to that of their supervisor or an NJSBA officer. There are also legal protections available to the General Counsel which would not impede or thwart reporting of an issue or concern about the Executive Director or an officer. As such, their automatic exclusion from all matters involving the Executive Director or a member(s) of the Executive Committee is detrimental to all involved.

Because the resolution submitted by Hillsborough Township Board of Education needlessly strips the Ethics Committee of its duties, responsibilities, and power, and unnecessarily infringes on the due process rights afforded to those officers against whom complaints may be filed, it should not be adopted.

STATEMENT OF REASONS

1. The NJSBA's Ethics Committee establishes a code of conduct for officers and members of the Board of Directors, but not for the Executive Director or the General Counsel; complaints of misconduct or conflicts of interest can be filed by a board member or the Board of Directors against an officer or a member of the Board of Directors, but not against the Executive Director or the General Counsel; and the Board of Directors can request that the Ethics Committee investigate a charge of misconduct or conflict of interest concerning an officer or a member of the Board of Directors, but not with regard to the Executive Director or the General Counsel.

2. To the extent that there may be a concern of impropriety regarding the Executive Director, such concerns would be referred to the entity responsible for evaluating their performance, namely the Executive Committee. In the event there is a concern about the General Counsel, those complaints would be properly submitted to, and reviewed by, the Executive Director.

3. There are sufficient safeguards and processes in place to ensure a transparent and confidential process when concerns or complaints regarding unethical conduct or conflicts of interest concerning the Executive Director or the General Counsel are asserted.

4. If adopted, the resolution would impermissibly broaden the scope of the Ethics Committee's duties and responsibilities to include the consideration of concerns of misconduct and conflicts of interest involving the Executive Director and the General Counsel, and to include the review of "any" complaint of misconduct, a conflict of interest, or wrongdoing and not just to a potential Code of Conduct violation.

5. If adopted, the resolution submitted by the Hillsborough Townships Board of Education would needlessly strip the Ethics Committee of its duties, responsibilities, and power, and unnecessarily infringe on the due process rights afforded to those officers against whom complaints may be filed.

RECOMMENDATION

NJSBA staff recommend that the proposed resolution submitted by the Hillsborough Township Board of Education seeking to add a new subsection (g) to Article X, Section 8 should not be adopted.

STATEWIDE ASSESSMENT WINDOWS **RESOLUTION NO. 2**

NEW JERSEY SCHOOL BOARDS ASSOCIATION

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

ANNUAL DELEGATE ASSEMBLY
Saturday, November 21, 2026

The following resolution was received from the
Bridgewater-Raritan Regional Board of Education (Somerset):

WHEREAS, Advanced Placement examinations are given nationally on fixed dates, while state assessments may be scheduled during the weeks leading up to those examinations; and

WHEREAS, In districts that use rotating or drop schedules, state testing can cause students enrolled in Advanced Placement courses to miss multiple instructional periods at a time when classes are completing coursework and preparing for AP examinations; and

WHEREAS, Changes to school schedules during state testing can also affect students who are not participating in the state assessment; and

WHEREAS, The Bridgewater-Raritan Regional Board of Education believes that statewide assessment scheduling should minimize disruption to instruction before nationally scheduled Advanced Placement examinations; and

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

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

RESOLVED, That the Bridgewater-Raritan Regional Board of Education proposes the following additional policy language for adoption by the Delegate Assembly and inclusion in NJSBA's Manual of Positions and Policies on Education, File Code 6147, Standards of Proficiency:

The NJSBA believes that statewide assessment windows should be established in a manner that allows local school districts to minimize disruption to Advanced Placement instruction in the weeks immediately preceding and during nationally scheduled Advanced Placement examinations; now, be it further

RESOLVED, That this resolution be placed on the agenda for consideration at the November 21, 2026, Delegate Assembly.

Adopted at a board meeting of the
Bridgewater-Raritan Regional Board of Education
On August 25, 2026

Kevin Lomski
School Business Administrator/Board Secretary

RESOLUTION NO. 02

SYNOPSIS

Resolution No. 2 from the Bridgewater-Raritan Board of Education (Somerset) proposes additional language for addition to the *Manual of Positions and Policies on Education* ("P&P") File Code No. 6147 - *Standards of Proficiency policy* requiring that the statewide assessment windows be established in a manner that allows local school districts to minimize disruption to advanced placement instruction in the weeks immediately preceding and during the nationally scheduled advanced placement examinations.

BACKGROUND

The Board of Education has timely filed a resolution seeking to add to existing NJSBA policy a requirement that statewide assessment windows be established in a way that allows local districts to minimize disruption to advanced placement instruction in the weeks surrounding the national advanced placement testing calendar. As written, policy 6147 does not specifically provide for such consideration. The resolution does not seek to mandate a schedule, only that the state provide districts with the ability to do so.

The sponsoring Board has asserted that in districts that use rotating or drop schedules, state testing can cause students enrolled in advanced placement courses to miss multiple instructional periods at a time when classes are completing coursework and preparing for AP examinations and that changes to school schedules during state testing can also affect students who are not participating in the state assessment. Rotating blocks means that an individual class will not meet one or more times per week. This includes regular education and advanced placement classes. During statewide assessments, classes are cancelled more frequently. According to the Board, this has a greater impact on students preparing for advanced placement tests.

RELEVANT NJSBA BYLAW

NJSBA Position and Policies on Education # 6147, *Standards of Proficiency* is implicated by this Resolution. In relevant part it provides

Statewide Testing Program

C. The NJSBA believes that assessments should:

1. Be an accurate, valid, and reliable measure of whether or not the student has mastered the New Jersey Student Learning Standards;

2. Measure skills appropriate for graduation (i.e., those skills commonly considered essential for functioning as an adult in American society),

3. Should provide the district, the schools and the teaching staff with information that can be used to identify the need for remedial intervention as well as identify the opportunity for advanced or accelerated work,

4. Be designed to ensure that all students have the opportunity, assistance and incentives to meet the state's academic standards. [Authority: DA 10/78-CR (Graduation Requirements), DA 12/83-1, DA 5/00-1, BD 3/90 DA 11/97-SR, DA 5/00-1, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR, DA 11/17-SR, DA 11/22-SR]

Monitoring of Test Administration Procedures

The NJSBA believes it is important to:

1. Monitor the implementation of all statewide tests to assure that the impact on school districts is a positive one on both curriculum and educational gains of students.
2. Ensure effective implementation of assessments that are both statistically valid and reliable in accordance with testing procedures that are proven and established.
3. Ensure timely release of useful assessment information so that there can be meaningful remediation for students and appropriate professional development for the instructional strategies.
4. Require the provision of appropriate remedial re-evaluations for students failing to meet the standards.
5. Limit testing so as not to provide undue hardship to students or their instructional program.

[Authority: DA 12/85-1, DA 12/89-CR (HSPT/Differentiated Diplomas), DA 5/00-1, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR, DA 11/17-SR, DA 11/22-SR]

N.J.S.A. 18A:7C-6, *et. seq*. mandates that the State test students in various grades, including 11th and 12th to determine proficiency and graduation readiness. The process for doing so is set forth in N.J.A.C. 6A:8-4.1. The Department of Education's obligation to determine the testing schedule is set forth in N.J.A.C. 6A:8-4.1(c). More specifically, *N.J.S.A.* 18A:7C-6.6 requires boards of education to notify the parents or guardians of students enrolled in the district of "information on any State assessment or commercially-developed standardized assessment that will be administered to the student in that school year." This notice includes the date or range of potential dates for the administration of the assessment and must be provided by October 1. *N.J.S.A*. 18A:7C-6.6(2)(a)(2).

A review of the N.J. Department of Education website reveals that the tests are scheduled in advance of the start of the school year. Similarly, the AP Exam schedule is announced each year, in advance of the start of the school year. Most recently

	Advanced Placement Test Date	NJSLA Spring Test Date
2027	May 3-7; May 10-14 Late: May 17-21	April 19-May 21
2026	May 4-8; May 11-15 Late: May 18-21	April 27-May 29
2025	May 5-9; May 12-16 Late: May 19-23	April 28-May 23 Make up: May 27-30
2024	May 6-10; May 13-19 Late: May 22-24	April 29-May 24 Make up: May 28-31

DISCUSSION

As asserted in the proposed resolution, the scheduling conflicts created by the State Assessment Schedule are particularly prevalent in districts that utilize rotating or drop schedules (i.e., schedules in which classes do not meet every day. Typically, in those schedules, each class period is longer and, to equalize total instructional time, a class or two is 'dropped' each day). This loss of instructional time interferes with AP students need to prepare for the advanced placement tests. Combined with lost instructional time during testing periods, all students may suffer academic consequences.

P&P No. 6147 - *Standards of Proficiency* already acknowledges the obligation to limit testing so as not to create undue hardship to students or their instructional program and requires testing to be monitored to ensure that both curriculum and educational gains of students are positive. Moreover, the existing statutory and regulatory scheme appears to provide notice of testing periods before the start of the new school year in September. The advanced placement testing schedule is also released prior to the start of the school year, and the tests appear to be scheduled during roughly the same two-week period each year.

STATEMENT OF REASONS

Although the scheduling of both the Statewide Assessments and the advanced placement tests may place an extra burden on students, particularly those that must prepare for advanced placement tests, current language in NJSBA policy and in the statutes, in addition to what appears to be relatively consistent annual scheduling by both groups appear to provide local boards of education sufficient time to modify their instructional day in a manner which avoids the difficulties the proposed addition seeks to address.

P&P #6147, like all policies establishes the overarching values of the Association and is not addressing each specific issue that arises. These broad belief statements allow the Association to take further action to address the issue. CORE Policy Manual File Code 5120, *Assessment of Individual Needs* is helpful as it requires districts to consider the individual needs of G&T students. Similarly, P&P 6171.2, *Gifted and Talented*, Services and Programs provides

A. The NJSBA believes in providing educational opportunities that address the needs of gifted and talented students on both a state and local level. [Authority: DA 12/83-1, DA 6/85-9, DA 1/80-4, DA 11/97-SR]

The Association is also open to working with districts to sponsor legislation or to submit comments on proposed regulations to address specific district needs, but adopting a revised policy does not advance the ball towards a goal that has already been set.

RECOMMENDATION

It is recommended that the Resolutions Subcommittee oppose this resolution as it is a reaffirmation of beliefs already established in P&P 6147.

PARASITIC WELLNESS **RESOLUTION NO. 3**

NEW JERSEY SCHOOL BOARDS ASSOCIATION

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

ANNUAL DELEGATE ASSEMBLY
Saturday, November 21, 2026

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

WHEREAS, The cornerstone of public education policy is the maintenance of an environment that optimizes the physical health, neurological readiness, and cognitive stamina of all pupils; and

WHEREAS, Parasitic infections can profoundly affect the physical, mental, and emotional health and well-being of a student, which may jeopardize or hinder social development and academic success; and

WHEREAS, The Springfield Township Board of Education recognizes that common internal parasitic infestations-such as roundworms, tapeworms, hookworms, whipworms, pinworms, ascaris, and flukes-may produce medically recognized symptoms including, but not limited to: malnutrition, diarrhea, fatigue, nausea, aches, fever, chills, skin rash, depression, anxiety, panic attacks, mood disorders, insomnia, teeth grinding, joint pain, acne, brain fog, headaches, and allergies; and

WHEREAS, Modern microbiological and clinical research confirms that intestinal parasites and gastrointestinal pathogens trigger widespread systemic manifestations that extend far beyond localized digestive issues, affecting the immune, endocrine, and central nervous systems; and

WHEREAS, Underlying parasitic infections are clinically documented to cause profound nutrient malabsorption, chronic systemic inflammation, and the elevated production of immunoglobulin E (lgE), creating complex physiological symptoms that are routinely misdiagnosed or dismissed as idiopathic in origin; and

WHEREAS, These stealth infections frequently manifest as neurological and cognitive impediments, including persistent brain fog, chronic cognitive fatigue, impaired concentration, and memory deficits, directly undermining a student's ability to engage with curriculum and maintain standard academic benchmarks; and

WHEREAS, Parasitic activity is heavily linked to severe sleep disturbances, including unexplained insomnia, nocturnal restlessness, night terrors, and sleep-disrupting bruxism (teeth

grinding), which severely deplete a child's neurological recovery, leading to daytime lethargy, behavioral irritability, and chronic school absenteeism; and

WHEREAS, The immunological stress caused by intestinal parasites routinely expresses itself dermatologically through mysterious skin rashes, chronic hives (urticaria), eczema flaring, and intense pruritus (itching) that fails to respond to standard topical treatments, causing severe physical discomfort, distraction, and social anxiety for affected pupils; and

WHEREAS, Because these diverse symptoms closely mimic primary psychiatric disorders, separate autoimmune conditions, primary dermatological diseases, or idiopathic sleep disorders, students are frequently subjected to a cascade of misdiagnoses; and

WHEREAS, This clinical blind spot results in students being prescribed heavy, systemic pharmaceutical interventions-including long-term corticosteroids for skin issues, sedative-hypnotics for sleep disruptions, or powerful psychiatric drugs carrying strict FDA black-box warnings for mental health misdiagnoses-when the root cause is a highly treatable, underlying biological infection; and

WHEREAS, Students regularly live amongst and interact with a diverse population of humans and animals (wild, farmed, and domestic) that may be exposed to environmental parasitic sources; and

WHEREAS, Within a public school setting where students interact closely, protecting both individual pupils and the broader community by reducing the risk and spread of parasitic outbreaks contracted through contaminated water, foods, humans, animals, objects, and shared environments is critical to student safety, well-being, and community health; and

WHEREAS, Fecal sample analysis remains the established clinical standard for detecting parasitic infestations. The collection of stool waste that has naturally exited the body is an entirely non-invasive, zero-risk tracking mechanism that respects the bodily integrity of the child while offering high-sensitivity DNA or PCR-based diagnostic clarity into their pathogen and microbiome status; and

WHEREAS, State school boards associations are uniquely positioned to recommend progressive, preventative health advisory frameworks to state legislatures and local boards, building upon existing screenings for visual, auditory, and basic cardiovascular health; and

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

WHEREAS, Education-related policies resulting from prior Delegate Assembly and Board of Directors' actions are codified in the NJSBA Manual of Positions and Policies on Education, including File Code 5141.3 - Health Examinations and Immunizations; now, therefore, be it

RESOLVED, That the Springfield Township Board of Education proposes the following additional language for adoption by the Delegate Assembly and inclusion in the NJSBA Manual of Positions and Policies on Education File Code 5141.3 - Health Examinations and Immunizations:

The NJSBA believes that in consideration of the safety, health, and multi-systemic well-being of students and the community, the State Department of Education, in conjunction with the State Department of Health, should draft a voluntary, comprehensive health guideline focused on gastrointestinal and systemic pathogen screening for public school pupils.

The NJSBA further believes that local school districts should provide annual, informative resources to parents and guardians outlining the multi-systemic warnings of parasitic infections, specifically highlighting how chronic brain fog, persistent skin rashes, sleep failure, and mood alterations may stem from treatable gut pathobiomes.

The NJSBA also believes that any recommended screening framework must remain completely voluntary, strictly confidential, and managed entirely as a private medical matter between families and their independent physicians, utilizing existing pre-tax Health Savings Accounts (HSA), Flexible Spending Accounts (FSA), or state-sponsored financial assistance programs for low-income families, including NJ Family Care Program, to ensure zero administrative burden, zero biohazard handling liability, and zero financial cost is imposed upon local school systems or public taxpayers; and be it further

RESOLVED, That this resolution be placed on the agenda for consideration at the November 21, 2026, Delegate Assembly.

Adopted at a board meeting of the
Springfield Township Board of Education
On August 18, 2026



RESOLUTON NO. 03

SYNOPSIS

Resolution No. R03 from the Springfield Township Board of Education (Burlington) proposes to include **additional** policy language to recommend state-level health guidelines and district-level educational resources addressing student parasitic and gastrointestinal infections. Specifically, it urges the State Department of Education and State Department of Health to develop a voluntary, comprehensive health guideline for gastrointestinal and systemic pathogen screening, while calling on local school districts to provide parents with annual informational resources highlighting how symptoms like brain fog, sleep disruptions, skin rashes, and mood changes may stem from treatable parasitic infections. Additionally, the proposal emphasizes that any screening framework must remain entirely voluntary, confidential, and managed strictly between families and private physicians – leveraging existing pre-tax accounts or state programs like NJ FamilyCare – to ensure no financial, administrative, or liability burdens are placed on local school districts or taxpayers.

BACKGROUND

The Springfield Township Board of Education has presented a resolution designed to include additional language into NJSBA *Manual of Positions and Policies on Education,* File Code 5141.3 - Health Examinations and Immunizations. The proposed language seeks to request the State Department of Education, in conjunction with the State Department of Health, draft a voluntary, comprehensive health guideline focused on gastrointestinal and systemic pathogen screening for public school pupils. Additionally, it seeks to have local school districts provide annual, informative resources to parents and guardians outlining the multi-systemic warnings of parasitic infections, specifically highlighting how chronic brain fog, persistent skin rashes, sleep failure, and mood alterations may stem from treatable gut pathobiomes, which are a community of microbes in the digestive tract that has shifted from a healthy, symbiotic state into a state that is causing or capable of causing disease. Lastly, it recommends that the screening framework must remain completely voluntary, strictly confidential, and managed entirely as a private medical matter between families and their independent physicians, utilizing existing pre-tax Health Savings Accounts (HSA), Flexible Spending Accounts (FSA), or state-sponsored financial assistance programs for low-income families, including NJ Family Care Program, to ensure zero administrative burden, zero biohazard handling liability, and zero financial cost is imposed upon local school systems or public taxpayers.

Currently, no school district in the United States currently conducts voluntary or mandatory health screenings for gastrointestinal and systemic pathogens. Drafting a policy focused on screening public school students for gastrointestinal pathogens or internal parasites would run counter to modern public health strategies, clinical guidelines, and school health administration practices. Although the goal of reducing classroom transmissions or systemic infections is noble, the practical applications have limitations. The desire for early detection so schools can

catch asymptomatic carriers before outbreaks occur is not feasible since mass screenings would require blood and stool samples. The goal of preventing spread of or negative impact of infection causing a decrease in student absenteeism is a valid goal. However, some of the parasites can be present in students without showing symptoms or causing illness. Mass screening would result in over-testing and possible over treatment. The desire to identify specific infection hotspots or sources would not be achieved without resulting in increased costs in laboratory tests on either the district or families, which may result in inaccurate high false-positive cases.

RELEVANT NJSBA POLICIES

NJSBA's *Manual of Positions and Policies on Education* ("P&P") File Code No. 5141 – Health, provides:

> *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]*

The existing language states that local Boards of Education should provide conditions and establish policies that will ensure the health and safety of students. If a local school district is experiencing concerns with parasitic infections, this language enables them and encourages them to create an informational campaign specifically designed to better inform their school community of ongoing health concerns.

In NJSBA's Positions and Policies on Education 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]

This File Code addresses specifically Mantoux Testing. The monitoring and reporting of incidences of tuberculosis is similar to what a school district does for all communicable diseases or illness outbreaks. In part B of the File Code, the student is to either provide evidence of Mantoux testing within six months of school registration or…?. A Mantoux test is a simple two-step process that involves a small needle prick on the forearm inserting liquid under the upper skin layer. A reading of the injection site is conducted 48-72 hours later. The cost of the procedure can range from $0 to $80.

The testing for gastrointestinal parasites is more complicated and invasive depending on the test needing to be performed, which is determined based on the suspected type of gastrointestinal parasite. The cost of the testing can range from $0 to $250.

Current medical guidelines recommend testing only symptomatic children who are under the care of a physician and presenting with persistent diarrhea, severe abdominal pain, unexplained weight loss, or persistent failure to thrive, and the need for an invasive screening procedure that is potentially costly to families. Adopting the Springfield Township resolution would establish an unnecessary policy position that contradicts New Jersey state regulation (N.J.A.C. 6A:16-2.2), misrepresents the clinical and legal role of school nurses, and promotes screening frameworks for non-contagious conditions best handled by private physicians.

Families without health insurance may incur uninsured self-pay costs in the range of $100-$250 and families with health coverage would still be subjected to the physician visit co-pay ($10-$50). If a family is covered through Medicaid, the costs will be covered only when medically necessary. Furthermore, school districts already have training in place for students and staff to appropriately wash hands to minimize the spread of any communicable diseases that could be spread through contact with fecal matter.

DISCUSSION

Under N.J.A.C. 6A:16-2.2, the school nurse is the individual primarily responsible for conducting the required screenings for height, weight, blood pressure, visual acuity, auditory acuity, and Scoliosis. The school physician is responsible for higher-level clinical oversight and specific medical examinations, which include formal physical examinations. A screening looks for early signs of disease or health risks in people who feel healthy and have no symptoms whereas an examination is conducted when an individual has symptoms, an abnormal screening result, or a known health concern that requires a direct investigation or diagnosis. Individuals with a gastrointestinal parasite may likely be asymptomatic.

Conducting a screening for gastrointestinal parasites is different from the existing in-school health checks just identified. Because parasites reside in the digestive tract, screening often relies on analyzing stool samples or specialized tests rather than simple physical screening tests. A screening for gastrointestinal parasites would have to be accomplished through the distribution of home kits, through the performing of direct collections, or by students having the screening performed by a physician's office.

The screening guidelines for gastrointestinal parasites have not been created by the NJ Department of Health. The reason for this is due to existing regulation of gastrointestinal illnesses in schools being addressed through communicable disease response protocols. For example, students with active gastrointestinal symptoms such as diarrhea, and vomiting, or a confirmed reportable diagnosis are subject to exclusion periods until they are symptom-free or cleared by a physician. Outbreak reporting is also a requirement for schools where they need to report suspected outbreaks of gastrointestinal illness to their local health department. Current state regulations are focused on developmental screenings and symptom-based outbreak control rather than routine testing for bacteria, viruses, fungi, and parasites.

One reason for the lack of screening guidelines lies in the fact that without analyzing stool samples or performing tape tests, the symptoms of parasitic infections are similar to an extensive list of common illnesses including gastrointestinal illnesses (Irritable Bowel Syndrome, Inflammatory Bowel Disease, Celiac Disease, Gluten Sensitivity, small intestine bacteria growth due to disruption of gut motility, and food intolerances), sleep disorders, Attention Deficit Disorder (ADD/ADHD), migraines and tension headaches, dehydration, eczema, chronic hives, nasal congestion/colds/allergies. Therefore, a routine screening for gastrointestinal parasites would likely not identify an individual who is infected.

Neither the New Jersey Department of Health (NJDOH) nor the Centers for Disease Control and Prevention (CDC) track percentages of public-school students aged 5 to 18 years old diagnosed with gastrointestinal parasites because universal screening is not conducted in the United States. Furthermore, examples of any state or country conducting routine gastrointestinal parasitic screening could not be identified during research.

Since routine, broad screening is clinically inefficient and economically unsound, current medical guidelines recommend testing only symptomatic children who are under the care of a physician and presenting with persistent diarrhea, severe abdominal pain, unexplained weight loss, or persistent failure to thrive. The most effective school -level gastrointestinal parasite intervention would be a non-medial approach of reinforcing handwashing protocols with soap and water after bathroom use and before meals, which stops fecal-oral transmission at the source.

If the resolution is adopted and supporting legislation or regulations were to be adopted, additional professional development would be required to actually implement any statutory or regulatory requirements. For example, while standard school nurse training covers acute, communicable gastrointestinal infections, school nurses would require specialized professional development to recognize subtle, multi-systemic, and chronic parasitic issues. As part of the training school nurses receive, they have already been educated in basic microbiology and

parasitology where they learn to understand the lifecycles, modes of transmission (fecal-oral), and general pathophysiology of common human parasites. Additionally, school nurse training includes recognizing signs of infectious gastrointestinal illnesses. Moreover, school nurses enforce school exclusion criteria, notification of local health departments of reportable pathogen outbreaks, and educating students on hand hygiene. Additional specific training for school nurses to understand the potential of neurological, behavioral, and dermatological symptoms (such as connecting chronic brain fog, sleep disruptions, nocturnal teeth grinding, or therapy-resistant eczema) back to gastrointestinal parasites would be needed. Additionally, school nurses would need to be educated on functional and lab reports specific to stool samples and be trained to differentiate between traditional psychiatric or dermatological conditions versus symptoms triggered by gastrointestinal parasites. Lastly, school nurses would need to be trained in how to advise families on having discussions with their pediatricians specific to specialized gastrointestinal testing without the school nurse making formal medical diagnoses.

STATEMENT OF REASONS

School districts are already handling gastrointestinal pathogens using symptom-based exclusion protocols (exclude students exhibiting vomiting, diarrhea, and fever), outbreak-trigger testing. Based on the clinical standards, legal mandates, and operational guidelines outlined in school nursing protocols, there are several key reasons why NJSBA should not support adopting this resolution:

1. Exceeds School Nurse Scope of Practice and Operational Capabilities

- Public school nurses are Registered Nurses (RNs) trained in basic physical assessment, communicable disease management, and symptom-driven evaluation protocols. They do not formally diagnose medical conditions or perform in-school diagnostic testing due to a lack of clinical capability and laboratory facilities.
- The role of a school nurse when observing symptoms (such as abdominal discomfort, itching, or fatigue) is to evaluate the student and refer the family to their primary care physician or clinic for formal medical testing and diagnosis.
- The resolution advocates school guidelines and parental resource campaigns regarding complex, internal gastrointestinal and systemic parasitic screenings, which fall outside the scope of school health offices and standard pediatric school nursing.

2. Violates State Regulatory Framework (N.J.A.C. 6A:16-2.2)

- New Jersey Administrative Code (N.J.A.C. 6A:16-2.2) strictly regulates public school health policies and limits mandated school screenings to specific, conventional health assessments: auditory, scoliosis, height, weight, and blood pressure measurements.
- Standard physical examinations are generally required only upon a student's initial entry into a school district.

- New Jersey Department of Education guidelines require schools to manage communicable conditions through general health tracking and exclusion protocols rather than active, specialized parasite health examinations. Releasing state guidelines or district warning materials for parasitic illness conflicts with the restricted scope set by state administrative code.

3. Misaligns with Transmission Realities and Exclusion Standards

- Parasites cited in the resolution—such as tapeworms, hookworms, whipworms, and flukes—are not transmitted directly from person to person through casual day-to-day contact in a school environment.
- Because these parasites are not contagiously spread through typical school interactions, students do not require school exclusion or specialized screening frameworks for them.
- Schools already maintain effective communicable disease policies: students are only excluded if they meet general illness criteria (e.g., active vomiting, diarrhea, fever) or as directed by a local health department during a confirmed outbreak.

4. Medically Complex Diagnostics Cannot Be Standardized via School Policy

- Accurately identifying parasitic infections requires advanced diagnostic tools ordered by licensed medical providers including Complete Blood Counts (CBC), sputum analyses, blood serology, chest X-rays, CT scans, ultrasounds, and/or MRIs.
- While the Springfield Township resolution highlights stool waste/PCR testing as a primary screening mechanism, clinical protocols note that stool microscopy is not a helpful diagnostic tool for common childhood parasites like pinworms (which require night/morning visual inspections or tape tests by caregivers).
- Encouraging annual district warnings or specialized gastrointestinal screenings for vague symptoms (such as mood alterations, insomnia, or brain fog) risks misdirecting families away from standard pediatric care and over-labeling routine childhood ailments.

5. Relevant Statutes and Codes

- In 18A:40.1 to 18A:40-45, the statutes speak to physicians conducting screenings.
- 18A:40-4 Examination of pupils; health records states that if any deviations in health status are detected, the nurse practitioner/clinical nurse specialist shall refer the pupil to the collaborating physician. The frequency and procedure of and selection of pupils for examinations shall comply with the rules of the State Board.
- 6A:16-2.1(6) Administration of student medical examinations, pursuant to N.J.S.A. 18A:40-4, N.J.S.A. 18A:35-4.8, and N.J.A.C. 6A:16-2.2
    - 18A:40-4 stated above

- 18A:35-4.8 refers to no pupil whose parent or guardian objects to such pupil receiving medical treatment or medical examination or physical examination shall be compelled to receive such treatment or examination.

6A:16-2.2 refers to (a) immunization records, (c) tuberculosis tests on students using methods required by and when specifically directed to do so by the New Jersey Department of Health based upon the incidence of tuberculosis or reactor rates in specific communities or population groups pursuant to N.J.S.A. 18A:40-16. (d) Each school district shall immediately report by telephone to the health officer of the jurisdiction in which the school is located any communicable diseases identified as reportable pursuant to N.J.A.C. 8:57-1. (f) Each student medical examination shall be conducted at the medical home of the student. If a student does not have a medical home, the school district shall provide the examination at the school physician's office or other comparably equipped facility, pursuant to N.J.S.A. 18A:40-4.

RECOMMENDATION

It is recommended that the Resolution Subcommittee not adopt this resolution due to existing File Code 5141 and 5141.3 language that already provide conditions and establish policies that will ensure the health and safety of students. If a local school district is experiencing concerns with parasitic infections, this language enables them and encourages them to create an informational campaign to better inform their school community.

In New Jersey, the United States, and worldwide, there does not exist any recommendations nor current practices for school districts to be involved in gastrointestinal parasite screening.

NJSBA should maintain clear boundaries between public school operations and independent primary medical care.

NEW JERSEY SCHOOL BOARDS ASSOCIATION

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

ANNUAL DELEGATE ASSEMBLY
Saturday, November 21, 2026

The following resolution was received from the
Cliffside Park Board of Education (Bergen):

WHEREAS, A special education reserve account is imperative to our district's long-term financial planning because it provides a dedicated resource to manage the unpredictable and often significant costs associated with special education services. Establishing and maintaining this reserve helps protect the district from sudden budget pressures, reduces the need for disruptive cuts or tax increases, and allows us to sustain appropriate services for students. Over time, this prudent financial strategy strengthens the district's fiscal stability and ensures we are better prepared to meet both current and future special education obligations; and

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

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

WHEREAS, That the Cliffside Park Board of Education proposes the following new policy language for adoption by the Delegate Assembly and inclusion in NJSBA's Manual of Positions and Policies on Education:

The NJSBA believes local boards of education have the right to create a reserve account for Special Education resources. These accounts will give local boards of education an opportunity to fiscally plan for unexpected costs associated with special education.

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

Adopted at a regular board meeting of the
Cliffside Park Board of Education
On September 23, 2026
Lou Alfano
School Business Administrator/Business Secretary

RESOLUTION NO. 04

SYNOPSIS

Resolution No. 4 from the Cliffside Park Board of Education (Bergen County) proposes **new** language to NJSBA's *Manual of Positions and Policies on Education* (P&P) supporting the belief that local boards of education have the right to create a reserve account for special education resources. The resolution asserts that such accounts would give local boards of education an opportunity to fiscally plan for unexpected costs associated with special education, which would consequentially protect districts from sudden budget pressures, reduce the need for disruptive cuts or tax increases, and allow districts to sustain appropriate services for students.

While the unexpected costs associated with special education are of utmost concern, the NJSBA believes broader language accurately satisfies the intent of Cliffside Park and is also beneficial for capturing all categories of unanticipated costs that could hinder districts from providing a thorough and efficient education. In consultation with the Cliffside Park Board of Education, the NJSBA recommends approval of the following substitute language: *"The NJSBA believes local boards of education should be able to establish reserve accounts to provide funds associated with unanticipated mid-year costs."*

BACKGROUND

Mid-year cost increases are a variable that has plagued the New Jersey budget landscape for decades. Most recently, this issue has become more noteworthy, as costs in multiple expense categories have seen mid-year pressures that can affect the ability for schools to deliver a thorough and efficient education. Recently, there have been noteworthy cases from Bergen, Camden, Essex and Ocean counties highlighting mid-year financial crises and the actions districts have taken to manage these dire situations.

Healthcare

Healthcare costs have recently reached a crisis level of conversation in New Jersey. The School Employees' Health Benefits Plan is facing a 34.4% increase in annual premiums for calendar year 2027, and many districts with private coverage outside of the state plan are similarly facing double-digit percentage increases. Further complicating matters with health benefits is that premium increases occur on January 1, midway through a district's fiscal year. As such, when budgets are due in March, districts must estimate increases for the last six months of their budget year. This variable presents a real challenge for tight budgets and is an excellent example of why a reserve as suggested in this resolution would be appropriate in assisting districts.

Transportation

Transportation is another expense category that can have wide swings that are unknown during budget preparation, particularly for schools that contract their routes from private providers. While transportation routes are capped at CPI each year, rising fuel costs, capital costs for buses, and personnel costs associated with contracted routes force private vendors to rebid contracts. In recent years, these increases have been between 10-20% per year, signaling an unsustainable path. As these changes are largely unanticipated during budget submission, the substantial increases to transportation line items can severely hinder a budget.

Special Education

Special education costs are becoming an increasingly problematic expenses category in districts statewide, as additions to a district's enrollment mid-year could increase tuition, contracted services for speech/OT/PT, and transportation immediately. Out-of-district tuition averages more than $50,000 per student for most programs and can reach over $100,000 for privately placed students. Personal aide costs can also reach $50,000 to $75,000 per student. A transportation route for an unexpected child could also add tens of thousands of dollars to the budget. All in, the addition of one child in the middle of the budget year could result in an unanticipated expense of $100,000 to $200,000 to a district's budget.

Reserve History

The Legislature and the Department of Education have historically recognized the necessity for reserve accounts as demonstrated by existing law and policy. Boards of education are currently allowed to establish reserves for seven other specific purposes. *N.J.S.A.* 18A:7F-41 is the principal reserve statute for school districts and specifically addresses capital, maintenance, emergency, tuition, debt service and state military impact aid reserves. Unemployment compensation reserves are also authorized but arise under unemployment compensation law rather than the school funding law.

Further, within the language of *N.J.S.A.* 18A:7F-41.6(c)1 exists an established reserve for similar purposes as is summarized in the proposed resolution. Within the development of the Current Expense Emergency Reserve, the Legislature contemplated the purpose of this reserve as follows: "The funds in the reserve shall be used to finance unanticipated general fund current expense costs required for a thorough and efficient education…". While this particular reserve seeks to address unanticipated general fund costs, the bureaucratic burden involved in the withdrawal of funds and unknown nature of commissioner approval have diminished its practical efficacy. These barriers are detailed in the discussion section.

RELEVANT NJSBA POLICY

NJSBA's P&P File Code 6171.4 states:

> The NJSBA believes that New Jersey's system of financing public education should enable all local school districts to provide appropriate public educational opportunities for all of New Jersey's educationally disabled students without unduly burdening local taxpayers.

The same File Code also states:

> The NJSBA believes that the State should provide an emergency interest-free loan fund to which school districts may apply when unanticipated special education costs threaten a district's ability to provide a T&E education to all of its students.

Finally, File Code 7300 states:

> The NJSBA believes boards of education should be able to establish a bond bank or similar reserve, which would provide funds for school district construction and repairs.

DISCUSSION

The initial resolution proposed by Cliffside Park uses the following language: *"The NJSBA believes local boards of education have the right to create a reserve account for Special Education resources. These accounts will give local boards of education an opportunity to fiscally plan for unexpected costs associated with special education."* While unexpected costs associated with special education are of utmost concern, the NJSBA believes broader language accurately satisfies the intent of the board and is also beneficial for capturing all categories of unanticipated costs that could hinder districts from providing a thorough and efficient education. In consultation with the Cliffside Park Board of Education, the NJSBA recommends approval of the following substitute language: *"The NJSBA believes local boards of education should be able to establish reserve accounts to provide funds associated with unanticipated mid-year costs."*

As indicated above, statute already addresses the need for reserves in *N.J.S.A.* 18A:7F-41. More specifically, it also already allows a board to establish a Current Expense Emergency Reserve Account to finance the following:

- Unanticipated general fund current expense costs required for a thorough and efficient education;
- School security improvements and related facility improvements;
- Significant health benefit increases (with streamlined withdrawal procedures).

While this existing reserve authority may seem able to address the issues discussed in the background section of this document, there are some key nuances that prevent this particular reserve from being robust enough to meet the dynamic needs of school districts. The stated purpose of the reserve is to help districts respond to emergencies and unanticipated current expenses. However, only healthcare is named as a specific category with streamline approvals.

Categories such as transportation and unanticipated special education costs are not specifically identified and would most likely need commissioner approval for withdrawal. Lastly, this reserve is capped at the greater of 1% of the budget or $1,000,000. If districts are planning for double-digit increases to the top five expense lines in their budget, this constraint can prove detrimental to prudent planning.

In practice, many districts do not utilize this reserve for unanticipated costs due to uncertainty in which costs will be approved, the bureaucratic step of commissioner approval, and the 1% or $1,000,000 cap. Additionally, recent state legislative activity suggests policymakers believe existing reserve tools are inadequate for today's cost pressures, particularly health benefits, transportation, special education, and related services. (Assembly Bill 5208 of the 2026-2027 legislative session was approved by the Assembly Education Committee in September 2026; the bill would authorize a board of education to establish a cost stabilization reserve account to address unanticipated cost increases.) If the Current Expense Emergency Reserve Account were widely meeting districts' needs, there would be less reason to create a separate reserve specifically for mid-year cost spikes.

Currently, boards must handle unanticipated mid-year costs within the confines of their currently approved budgets; short of having a current expense emergency reserve, whose limitations have been discussed previously. Subsequently, boards are faced with using carryover annual surplus or transferring funds from unexpended accounts, which draws down on current year surplus. Pulling from surplus balances that could already be depleted from tight budgets can put boards in precarious year-end scenarios or cause immediate cuts in the current budget.

Further, while the development of these reserves provides another tool for boards to mitigate unanticipated costs, this tool does not assist districts that have very lean budgets and small surpluses to start. If there are no “excess funds” to build a reserve prior to entering a budget year, this tool has no power for that district. Unanticipated costs for such a district will still need to be handled within the current budget, potentially creating a difficult financial scenario.

While the approval of this resolution would not change statute and would not immediately permit districts to create flexible reserve accounts, it would add policy language to the NJSBA’s *Manual of Positions and Policies on Education* and would allow the NJSBA to explicitly advocate on behalf of boards of education for legislative solutions to create such flexibility.

STATEMENT OF REASONS

1. Mid-year cost increases (i.e. healthcare, special education, and transportation costs) continue to have a devastating effect on districts’ budgets. There is a demonstrated need for boards of education to have financial tools to combat these mid-year budget pressures and mitigate financial crisis.

2. Existing NJSBA policy broadly suggests that reserve accounts are beneficial for budget flexibility.

3. Existing statute (*N.J.S.A.* 18A:7F-41) recognizes the need for limited reserves for seven specific reasons, but this limited flexibility reduces this statute's practicality, and few districts take advantage of it.

4. Recent legislative activity suggests policymakers believe existing reserve tools are inadequate for today's cost pressures, particularly health benefits, transportation, special education, and related services.

5. While the unexpected costs associated with special education are of utmost concern, the NJSBA believes broader language accurately satisfies the intent of the board and is also beneficial for capturing all categories of unanticipated costs that could hinder districts from providing a thorough and efficient education.

RECOMMENDATION

The NJSBA recommends that the Resolutions Subcommittee approve this resolution, with substitute language, which would create additional policy language to be included in NJSBA's *Manual of Positions and Policies on Education* File Code 3100 – Budget Planning, Preparation and Adoption:

> **The NJSBA believes** local boards of education should be able to establish reserve accounts to provide funds associated with unanticipated mid-year costs.

NEW JERSEY SCHOOL BOARDS ASSOCIATION

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

ANNUAL DELEGATE ASSEMBLY
Saturday, November 21, 2026

The following resolution was received from the
Washington Township Board of Education (Morris):

WHEREAS, The Washington Township Board of Education (Morris County) is dedicated to supporting early childhood and middle school student growth and ensuring that student performance data accurately reflects academic mastery rather than technological proficiency; and

WHEREAS, The Washington Township Board of Education (Morris County) believes that public school assessment data must achieve the highest standard of validity, reliability, and objective measurement to effectively guide educational policy and resource allocation; and

WHEREAS, An assessment should gauge solely student knowledge, and the physical medium of a test should never serve as a barrier to demonstrating academic achievement; and

WHEREAS, The State of New Jersey relies heavily on digital interfaces and devices, such as Chromebooks, to administer high-stakes standardized assessments to students beginning as early as the third grade; and

WHEREAS, The use of digital testing platforms can introduce non-academic variables-such as device processing speed, typing mechanics, scrolling fatigue, varied device response times, hardware performance discrepancies, trackpad dexterity, keyboarding mechanics, digital eye strain, and screen glare-that may heavily influence student test results independent of a student's actual academic competency; and

WHEREAS, These non-academic variables can act as uncontrolled covariates that may compromise the fidelity of student performance scores and distort student achievement metrics used to evaluate district performance; and

WHEREAS, Local school districts are compelled to reallocate critical instructional hours away from foundational learning to explicitly train primary-grade students in device navigation and keyboarding skills in part to prepare students solely to navigate high-stakes testing interfaces; and

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

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

RESOLVED, That the Washington Township Board of Education proposes the following additional policy language for adoption by the Delegate Assembly and inclusion in NJSBA's Manual of Positions and Policies on Education, File Code 6147, Standards of Proficiency, Statewide Testing Program, Paragraph C:

The NJSBA believes that assessments should:

5. Isolate and measure academic achievement independently of the physical test medium, and that high-stakes data must remain uncompromised by platform-specific technical variables so as not to obfuscate the true level of student academic proficiency; and, therefore, be it further

RESOLVED, That the NJSBA shall actively advocate to the New Jersey Department of Education (NJDOE) to conduct a comprehensive review of statewide standardized testing data, analyzing whether statistically significant performance variances exist between digital assessments and paper-based diagnostics; and, therefore, be it further

RESOLVED, That this resolution be placed on the agenda for consideration at the November 21st, 2026, Delegate Assembly.

Adopted at a board meeting of the
Springfield Township Board of Education
On September 8, 2026

Katie DeRiso
Business Administrator/Board Secretary

RESOLUTION NO. 05

SYNOPSIS

Resolution No. R05 from the Washington Township Board of Education (Morris County) proposes that NJSBA advocate for the New Jersey Department of Education to conduct a comprehensive study of statewide standardized testing data to determine whether the mode of assessment delivery (paper or computer) impacts student performance. This resolution also calls for the addition of **new** language in NJSBA's *Manual of Positions and Policies on Education* ("P&P"), within File Code 6147 Standards of Proficiency, to "measure true academic achievement regardless of the testing platform so high-stakes data reflects student proficiency without distortion."

BACKGROUND

The Washington Township Board of Education (Morris County) is concerned that the overreliance on computers to administer standardized testing may be negatively impacting assessment accuracy and data integrity in state test results, particularly across early childhood and middle school grades.

Specifically, the Board believes that student performance data should accurately reflect academic mastery rather than technological proficiency. The Board also believes that public school assessment data must achieve the highest standard of validity, reliability, and objective measurement to effectively guide educational policy and resource allocation; and, that an assessment should gauge solely student knowledge, and that the physical medium of a test should never serve as a barrier to demonstrating academic achievement.

The Board asserts that digital testing platforms and devices can introduce non-academic variables—such as device processing speed, typing mechanics, scrolling fatigue, varied device response times, hardware performance discrepancies, trackpad dexterity, keyboarding mechanics, digital eye strain, and screen glare—and may heavily influence student test results independent of a student's actual competency.

Moreover, the Board expressed that school districts are compelled to reallocate critical instructional hours away from foundational learning to explicitly train students in device navigation and keyboarding skills to prepare students to navigate high-stakes testing interfaces.

RELEVANT NJSBA POLICY

File Code: 6147 Standards of Proficiency

Statewide Testing Program

A. **The NJSBA believes** that a uniform statewide test or an alternative method of measurement should be used as the basic method of assessing whether students have met State and Federal standards.

B. **The NJSBA believes** that early childhood programs and the assessment of these programs should be developmentally appropriate. [Authority: DA 6/89-CR (Early Childhood Education), BD 3/90, DA 11/97 SR DA 5/00-1]

C. **The NJSBA believes** that assessments should:

1. Be an accurate, valid, and reliable measure of whether or not the student has mastered the New Jersey Student Learning Standards.

2. Measure skills appropriate for graduation (i.e., those skills commonly considered essential for functioning as an adult in American society).

3. Should provide the district, the schools and the teaching staff with information that can be used to identify the need for remedial intervention as well as identify the opportunity for advanced or accelerated work.

4. Be designed to ensure that all students have the opportunity, assistance, and incentives to meet the state's academic standards. [Authority: DA 10/78-CR (Graduation Requirements), DA 12/83-1, DA 5/00-1, BD 3/90 DA 11/97-SR, DA 5/00-1, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR, DA 11/17-SR, DA 11/22-SR]

5. Limit testing so as not to provide undue hardship to students or their instructional program. [Authority: DA 12/85-1, DA 12/89-CR (HSPT/Differentiated Diplomas), DA 5/00-1, DA 11/02-SR, DA 11/07-SR, DA 11/12-SR, DA 11/17-SR, DA 11/22-SR]

D. **The NJSBA believes** that state required assessments should be limited to one assessment series and the NJGPA that measures student proficiency in the NJSLS and that any additional testing should be left to the discretion of the local district based on individual district assessment needs. [DA 05/23]

Monitoring of Test Administration Procedures

The NJSBA believes it is important to:

1. Monitor the implementation of all statewide tests to assure that the impact on school districts is a positive one on both curriculum and educational gains of students.
2. Ensure effective implementation of assessments that are both statistically valid and reliable in accordance with testing procedures that are proven and established.

3. Ensure timely release of useful assessment information so that there can be meaningful remediation for students and appropriate professional development for the instructional strategies.

4. Require the provision of appropriate remedial re-evaluations for students failing to meet the standards.

5. Limit testing so as not to provide undue hardship to students or their instructional program. [Authority: DA 12/85-1, DA 12/89-CR (HSPT/Differentiated Diplomas), DA 5/00-1, DA 11/02-

SR, DA 11/07-SR, DA 11/12-SR, DA 11/17-SR, DA 11/22-SR]

The NJSBA believes the state should provide alternative methods of achieving state and federal requirements for graduation, not based only on standardized tests, such as the Alternate High School Assessment or portfolio assessment.

The NJSBA believes that any state assessment system must take into consideration the impact it will have on students eligible for special education and related services, and the opportunity it affords those students to meet their full potential. Any State assessment system should reflect the following principles:

1. Special education students should be included.
2. A district's accountability for the proficiency of special education students should be based on incremental progress against standards that take into account the special challenges faced by these students.
3. Schools and districts should not be labeled in need of improvement based solely on the proficiency of special education students.
4. Remedial action that may be required of a school or district because special education students did not achieve proficiency goals, should be directed exclusively at those students. [Authority: DA 11/03-CR (Special Education), DA 11/02- SR, DA 11/07-SR, DA 11/12-SR]

The NJSBA believes that, when assessing students with disabilities, federal and state authorities should adopt a flexible approach that will yield useful data on student growth and the effectiveness of the student's educational program. IEP teams should determine whether a student with disabilities takes the general education assessment or some alternative assessment based on the student's developmental and pedagogical progress, not necessarily on the student's chronological grade level. [DA 5/17-CR (Special Education), DA 11/17-SR, DA 11/22-SR]

DISCUSSION

New Jersey's statewide standardized assessments (New Jersey Student Learning Assessment and New Jersey Graduation Proficiency Assessment) are administered on computers, with paper-based testing[1] typically reserved for students who have approved accommodations or specific accessibility needs[2]. In addition to students with disabilities, Multilingual Learners (which means a student whose primary language is not English) with an accommodation[3] (e.g., Translation of directions into native language) are also under federal and state requirements (i.e., IDEA and 504 regulations) to ensure that alternate assessments are both accurate and valid.

[1] Paper-Based Testing Attributes Guidelines
[2] NJDOE: Special Education Policy and Procedures
[3] Accommodations for State Assessments for certain students

History of State Transition to Online Test Delivery

New Jersey transitioned to statewide computer-based testing with the introduction of the Partnership for Assessment of Readiness for College and Careers (PARCC) in the 2014-15 school year. PARCC was a consortium that developed standardized K–12 assessments in English language arts and Mathematics based on Common Core State Standards. The first operational administration occurred in spring 2015. PARCC replaced the paper-based New Jersey Assessment of Skills and Knowledge (NJASK) and the High School Proficiency Assessment (HSPA). PARCC was designed as a computer-based testing program.

When the PARCC contract ended in June 2017, the Council of Chief State School Officers (CCSSO) contracted with New Meridan. Starting in August 2017, New Meridian oversaw item development, data review for field-test items, and test construction activities. New Meridian, in coordination with multiple states and vendors, developed an alternate form of the summative assessment to meet the demands for shorter testing times. For academic year 2018-2019 participating states and agencies included the Bureau of Indian Education, the District of Columbia, Illinois, New Jersey, and New Mexico.

Most testing in spring 2020 was cancelled due to the COVID-19 global pandemic. For academic year 2021-2022, participating states and agencies included Illinois, New Jersey, and Department of Defense Education Activity. Beginning with the 2022-2023 school year, New Meridian constructed the New Jersey Student Learning Assessment (NJSLA) forms for use with NJ students only (grades 3 through 8 and high school); in 2024-2025, again, only NJ students took these forms. These assessments are technology-enabled with technology-enhanced items as well as performance tasks.

U.S. Department of Education (USDOE) Peer Review Process

Under the Every Student Succeeds Act[4] (ESSA), each state must ensure assessments are valid, reliable, and fair, and that changes to a standardized assessment are supported by evidence and research. Updates and changes are peer reviewed by the USDOE before adoption, and includes a review of the assessment's design, alignment with standards, and the research evidence supporting its use. ESSA requires that the change be data-driven and supported by research to ensure it continues to measure student achievement accurately and equitably. This requirement includes reviewing the assessment's technical quality (validity, reliability, security); considering impact on student groups, including students with disabilities and Multilingual Learners; and documenting research or evidence that the new assessment meets the same or higher standards as the prior one.

In 2018, under Title I of the Elementary and Secondary Education Act of 1965 (ESEA)[5], as amended by the No Child Left Behind Act of 2001[6] (NCLB), an assessment peer review process was completed by the USDOE for NJ, which governed the State assessments through the 2016-2017 school year. External peer reviewers and USDOE staff evaluated NJDOE's submission and found, based on the evidence, that the computer-based assessments for reading/language arts and mathematics in grades 3-8 and high school (PARCC) and the alternate assessments based on alternate academic achievement standards (AA-AAAS) for reading/language arts and mathematics in grades 3-8 and high school (Dynamic Learning

[4] Every Student Succeeds Act (ESSA)
[5] Title I of the Elementary and Secondary Education Act of 1965
[6] The No Child Left Behind Act of 2001

Maps-Year-End Model (DLM-YE)) **met** all of the statutory and regulatory requirements of section 1111(b)(1) and (3) of the ESEA, as amended by NCLB. This peer review was conducted under the statute's requirements. Specifically, each State annually administers high-quality assessments that meet nationally recognized professional and technical standards. The USDOE peer review of State assessment systems is designed to provide feedback to States to support the development and administration of high-quality assessments.

Under this peer review, the USDOE reviewed NJ's evidence and peer review recommendations. According to peer reviewers "the State has documented adequate overall validity evidence for its assessments, and the State's validity evidence includes evidence that the State's assessments measure the knowledge and skills specified in the State's academic content standards." (U.S. Department of Education, 2018). Through this peer review in 2018, NJ computer-based assessments have been found to meet ESEA's requirements for test validity and reliability (New Jersey Peer Review Status May 2018). Additionally, a more recent NJDOE research study from 2025 provides evidence regarding the NJ Student Learning Assessments.

Research Studies and Available Results[7]

The question of whether digital delivery of statewide assessments can introduce sources of variance unrelated to the intended academic construct has been studied in psychometrics (Bennett, 2003; Bennett et al., 2008; International Test Commission, 2005; Leeson, 2006). Researchers acknowledge that digital assessment delivery *can* introduce sources of variance unrelated to the intended academic construct when computer skills or interface demands affect performance (Panzarella et al., 2025; Scrimgeour et al., 2022). One study (Lynch, 2022) summarizes mode effect (paper versus computer) studies over the last 30 years in education and expresses that changing from paper-based to computer-based administration "has the potential to introduce construct-irrelevant variance" and that validity evidence is needed whenever scores are interpreted equivalently across modes. (A classic example of construct-irrelevant variance is *if* a reading assessment is intended to measure reading comprehension, but a student's score is affected by keyboarding speed, mouse or touchscreen proficiency, ability to navigate digital interfaces, and familiarity with computer-based testing, *then* part of the score reflects digital literacy or technology skills rather than reading comprehension itself.)

The Washington Township Board is concerned that digital test delivery negatively impacts student test results and proposes that the NJDOE conduct a comprehensive review of the state's standardized test data. However, the Every Student Succeeds Act (ESSA) already has states conducting research on test design changes or updates in order to document and assess its impact. For example, the NJDOE included results from two comparability studies in its 2025 Technical Report (NJSLA-ELA & NJSLA-Math Technical Report 2025), which consisted of a Mode (paper-based or computer-based) and Device (tablet or non-tablet) analysis. The study examined student performance on 12 assessments, split evenly between mathematics and ELA. The results of the Mode Comparability analysis were found to be consistent with prior research, i.e., item means suggested test items were of similar difficulty on paper and online modes, and test reliability displayed comparable values between the two modes. Only two items were flagged for mode effects, both of which were on the mathematics assessment (i.e., students

[7] Last Accessed Date October 9, 2026

taking the math test on a computer were more likely to get those questions right than equally capable students taking the same questions on paper). Conversely, for ELA, most of the items that showed a strong difference favored students who took the test on paper. Overall, researchers found some small differences between paper and online test scores, but the differences were so small that they were within the normal margin of measurement error and therefore not considered meaningful (NJDOE Assessment Technical Reports).

Across the literature, results have not shown meaningful statistical differences in student performance between test modes (paper versus computer). Given the ubiquity of computers, research also suggests that mode effects should eventually taper off as students become increasingly skilled in completing online standardized state assessments. At the same time, the literature has evolved. Researchers point out that computer-based testing can actually **reduce** some forms of construct-irrelevant variance through standardized delivery, embedded accessibility tools, improved security, and greater control over testing conditions (Way & Robin, 2016; Wise, 2018). One study argues that computer-based testing may help control certain construct-irrelevant factors such as disengagement and test administration inconsistencies.

(Wise, 2019).

Available Resources and Practice Opportunities

The New Jersey Department of Education has a dedicated Assessment portal on its website:

- Test Blueprints of the state assessments are publicly available for review, including Score Interpretation Guides: New Jersey Graduation Proficiency Assessment-Adaptive; New Jersey Student Learning Assessments-Adaptive; New Jersey Student Learning Assessment-Science);
- For teachers, prior to assessment windows, Test Coordinator training is periodically provided to ensure staff and students are introduced to and have the opportunity to practice using the technology provided in the assessment as well as features of its delivery system e.g., computer processor speed, ability to scroll, time limits to submit responses, etc. (Educator Resources to Administer NJ Assessments);
- For students, Online Practice Tests are publicly available, which are designed to help familiarize students with the online testing environment, available tools, and the various types of test questions;
- Technical Reports are publicly available as of 2023 and cover different content areas across various assessments i.e., NJSLA for ELA, Mathematics, and Science and the NJGPA, including reliability and validity for NJ's Spring Summative Assessments.

In summary, computer delivery of assessments is a recognized *potential* source of construct-irrelevant variance, but whether it actually produces meaningful differences in student performance is a question that depends on the specific assessment, interface, population, and intended construct. Psychometric standards require evidence demonstrating that the digital mode does not distort score interpretations (Lane, 2023; Lynch, 2022; Standards for Educational and Psychological Testing, 2014). The State studies show to date that there are no statistically significant differences in assessment delivery modes (paper and computer).

The question of administering assessments via paper versus computer is a legitimate and important concern. The academic community has studied this issue, and state and federal governments are committed to providing evidence that score differences between modes are not statistically significant. Through its longstanding policy in File Code 6147, NJSBA has consistently advocated for standardized assessments that are accurate, valid, and a reliable measure of student performance.

Washington Township seeks a further NJDOE study of this issue and additional policy language in File Code 6147 Standards of Proficiency. Specifically, the Board seeks a study to "measure true academic achievement regardless of the testing platform so high-stakes data reflects student proficiency without distortion," to ensure that the mode of the assessment does not unduly influence standardized test results. Federal law requires that any time there is a substantive change to an assessment that the State engages in a peer review process to validate the new assessment, which can include studies of modes. New Jersey most recently engaged in this study in 2025, for which there were no significant statistical effects (Results of 2025 Mode & Device Comparability Studies (p.123)). Therefore, there is no need for NJSBA to advocate for NJDOE to do an additional study.

In addition, Washington Township seeks new policy language that standardized assessments "measure true academic achievement regardless of the testing platform so high-stakes data reflects student proficiency without distortion." In other words, Washington Township's policy goal mirrors that of NJSBA's File Code 6147, that standardized assessments be an "accurate, valid, and a reliable measure of student performance." Washington Township and NJSBA share the very same policy goals in File Code 6147 even though different terms are used. As such, Washington Township's important and legitimate concern is addressed by current NJSBA policy, and in practice by state and federal governments. Therefore, Washington Township presents a reaffirmation of existing NJSBA policy.

STATEMENT OF REASONS

1. The potential for student variance in state assessment scores based on the delivery mode (i.e., paper-based versus computer-based) is a legitimate concern for all stakeholders.

2. The federal Every Student Succeeds Act (ESSA) requires states to address potential impacts of updates and changes to state assessments through a peer review process conducted by the USDOE; this includes conducting research studies i.e., NJDOE conducted an examination of Test Mode Comparability (paper versus computer) in 2025.

3. The NJSBA has current policy in File Code 6147, Standards of Proficiency, which says, in part, that assessments should be an "accurate, valid, and reliable measure of student performance." This existing NJSBA belief encompasses Washington Township's proposal for an examination of statistical variability across test modes (paper versus computer).

RECOMMENDATION

NJSBA recommends that the Resolution Subcommittee remove the resolution from the Delegate Assembly pursuant to Art. 5, Sec. 5f, of the *NJSBA Bylaws as a reaffirmation of existing policy.*