ANNUAL DELEGATE ASSEMBLY

The Conference Center at Mercer

1200 Old Trenton Road, West Windsor, New Jersey 08550

Saturday, November 21, 2026

A G E N D A

8:00 a.m.	REGISTRATION & BREAKFAST	
9:00 a.m.	CALL TO ORDER Presiding: Michael Jacobs, President	
	PLEDGE OF ALLEGIANCE	Delegates
	RECOGNITION OF COMMITTEE CHAIRS	Michael Jacobs
	REPORT OF THE PRESIDENT	Michael Jacobs
	REPORT OF THE EXECUTIVE DIRECTOR	Timothy J. Purnell
	ADOPTION OF RULES FOR THE CONDUCT OF THE DELEGATE ASSEMBLY	Michael Jacobs Parliamentarian, David White
	REPORT OF THE VICE PRESIDENT FOR LEGISLATION/RESOLUTIONS	Charles Caraballo
	REPORT OF THE RESOLUTIONS SUBCOMMITTEE	Charles Caraballo
	ADJOURNMENT	Michael Jacobs

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Registration List
for the November 21, 2026 Annual Delegate Assembly

County	Account	First Name	Last Name
Atlantic	Absecon Bd of Ed	Christopher	Cottrell
Bergen	Teaneck Bd of Ed	Ana	Marte
Bergen	Pascack Valley Reg Bd of Ed	James	Stankus
Bergen	Saddle River Bd of Ed	Emily	Kaufman
Bergen	Ramsey Bd of Ed	Nicholas	Capuano
Bergen	Bergenfield Bd of Ed	Deborah	Podwin
Bergen	Oradell Bd of Ed	Mary Katherine	Norian
Bergen	Midland Park Bd of Ed	Patricia	Fantulin
Burlington	Burlington Township Bd of Ed	Velina Marie	Reksten Riggi
Burlington	Maple Shade Bd of Ed	Jason	Richek
Burlington	Delran Bd of Ed	Amy	Rafanello
Burlington	Rancocas Valley Reg Bd of Ed	Jesse	Adams
Burlington	Chesterfield Bd of Ed	Andrew	Rochester
Burlington	Bordentown Reg Bd of Ed	Laura	Papp
Burlington	Springfield Township Bd of Ed	Dawn	Jeronowitz
Burlington	Mount Laurel Township Bd of Ed	Melissa	Declementi
Burlington	Northern Burlington Co Reg BD OF ED	Joseph	Bucs
Burlington	Southampton Township Bd of Ed	Sharon	Roseboro
Burlington	Cinnaminson Bd of Ed	JOHN	MEEKER
Camden	Pennsauken Bd of Ed	Diane	Johnson
Camden	Eastern Camden Co Reg Bd of Ed	Gabrielle	Kuper
Camden	Winslow Township Bd of Ed	Rebecca	Nieves
Cumberland	Cumberland Co Voc Bd of Ed	Ruth	Hands
Essex	Livingston Bd of Ed	Fang	Gong
Essex	Irvington Bd of Ed	Syesha	Benbow
Gloucester	Monroe Township Bd of Ed - Gloucester	Jayme	Miller-Dobbins
Gloucester	Woodbury Bd of Ed	Joseph	Pegues
Hudson	Secaucus Bd of Ed	Gerald	Lyons
Hudson	Secaucus Bd of Ed	Gerald	Lyons
Hudson	Hoboken Bd of Ed	Antonio	Grana
Hunterdon	Milford Bd of Ed	Benjamin	Cramer
Hunterdon	Milford Bd of Ed	Laura	Hanson
Hunterdon	North Hunterdon-Voorhees Reg Bd of Ed	Stephen	Mathews
Mercer	MSU District	Lon	Freeman
Mercer	Lawrence Township Bd of Ed - Mercer	Jo Ann	Groeger
Mercer	West Windsor-Plainsboro Regional Bd of Ed	Dana	Krug

Mercer	East Windsor Regional Bd of Ed	Jeanne	Bourjolly
Middlesex	Middlesex Boro Bd of Ed	Sharon	Schueler
Middlesex	South Plainfield Bd of Ed	Sharon	Miller
Middlesex	Sayreville Bd of Ed	Eloy	Fernandez
Middlesex	South Plainfield Bd of Ed	William	Seesselberg
Middlesex	Jamesburg Bd of Ed	Anne	Luck-Deak
Middlesex	Dunellen Bd of Ed	Gregory	Mitchell
Monmouth	Marlboro Township Bd of Ed	Danielle	Bellomo
Monmouth	Middletown Township Bd of Ed	Jacqueline	Tobacco
Monmouth	Fair Haven Boro Bd of Ed	Peter	Crosta
Monmouth	Keyport Bd of Ed	Jennifer	Tevis
Monmouth	Middletown Township Bd of Ed	Mark	Soporowski
Monmouth	Middletown Township Bd of Ed	Deborah	Wright
Monmouth	Millstone Township Bd of Ed	Kathy	Winecoff
Morris	Parsippany Troy Hills Bd of Ed	Judy	Mayer
Morris	Mount Olive Bd of Ed	Louisa	Melendez-Canedo
Morris	Denville Bd of Ed	Won	Kim
Morris	Denville Bd of Ed	Andrea	Zeydelis
Ocean	Toms River Reg Bd of Ed	Katie	Coyne
Ocean	Ocean Gate Bd of Ed	Richard	Casey
Ocean	Point Pleasant Boro Bd of Ed	Michael	Sullivan
Ocean	Barnegat Bd of Ed	Sandra	Churney
Ocean	Barnegat Bd of Ed	Carol	Geene
Salem	Woodstown-Pilesgrove Reg Bd of Ed	Eileen	Miller
Somerset	Hillsborough Township Bd of Ed	Jean	Trujillo
Somerset	Manville Bd of Ed	Debra	Babich
Somerset	Somerset Co ESC	Sue	High
Somerset	Central Jersey College Prep Charter School	Dr. Tracy	Gill
Sussex	Kittatinny Reg Bd of Ed	Louis	Sylvester
Sussex	Hardyston Township Bd of Ed	Ronald	Hoffman
Sussex	Stanhope Bd of Ed	Avery	Badolato
Sussex	Frankford Township Bd of Ed	Kathleen	Adam
Union	Linden Bd of Ed	Malaysia	Thomas
Union	Scotch Plains-Fanwood Bd of Ed	Amy	Boroff
Union	New Providence Bd of Ed	Donna	Zane
Union	Roselle Park Bd of Ed	Brittany	Kirkland
Warren	Lopatcong Bd of Ed	Julia	Jones-Jasper
Warren	Lopatcong Bd of Ed	John	Severs
Warren	Lopatcong Bd of Ed	Pamela	Thomas

Warren	Phillipsburg Bd of Ed	Vickie	Mendes-Branch
Warren	Phillipsburg Bd of Ed	Rosemarie	Person
Warren	Warren Hills Reg Bd of Ed	Lisa	Marshall
Warren	Belvidere Bd of Ed	Virginia	Walton
Warren	Harmony Bd of Ed	Lindsay	Bezak

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

DELEGATE CERTIFICATION FORM

I, the undersigned, hereby certify that I am a regular voting member of the _____ Board of Education in the county of _____; that to the best of my knowledge, said Board of Education is a member in good standing of the New Jersey School Boards Association, and that I am duly appointed and authorized to act as the Delegate from said Board of Education at the Annual Delegate Assembly on May 16, 2026.

_____ _____

FULL NAME STREET ADDRESS

_____ _____

SIGNATURE CITY/STATE/ZIP

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

Item Considered	Notes – Action Taken
RESOLUTION NO. B01 Resolution No. B01 from the Hillsborough Township Board of Education (Somerset) proposes **new** language for addition to Article X (Committees), Section 8 (Ethics Committee) of the *NJSBA Bylaws*, and proposes **new** policy language for adoption by the Delegate Assembly, and for inclusion in the NJSBA's *Manual of Positions and Policies on Education* (P&P). RECOMMENDATION: The Resolutions Subcommittee recommends that the proposed resolution submitted by the Hillsborough Township Board of Education seeking to add a new subsection (g) to Article X, Section 8, and to add two new belief statements to an unspecified file code within the P&P, should not be adopted.	
RESOLUTION NO. R02 Resolution No. R02 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. RECOMMENDATION: The Resolutions Subcommittee, pursuant to Article V §5(f) of the *Bylaws* and by a two-thirds affirmative vote, removed the resolution from the agenda of the Delegate Assembly as a reaffirmation of existing policy. Pursuant to Art.	

V §6 of the NJSBA *Bylaws,* the district filed Notice of Motion to Override the Resolutions Subcommittee.	
RESOLUTION NO. R04 Resolution No. R04 from the Cliffside Park Board of Education (Bergen) 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. RECOMMENDATION: The Resolutions Subcommittee recommends approval of the proposed resolution, with substitute language.	

NJSBA BOARD OF DIRECTORS 2026-2027

OFFICERS/EXECUTIVE COMMITTEE

President	Michael A. Jacobs Ridgefield Board of Education, Bergen County
Vice President for County Activities	Barry Walker Bridgewater-Raritan Regional Board of Education, Somerset County
Vice President for Finance	Tom Connors, Ph.D., Piscataway Board of Education, Middlesex County
Vice President for Legislation/Resolutions	Charles Caraballo Bloomingdale Board of Education, Passaic County
Immediate Past President (IPP)	Karen Cortellino, M.D. Montville Township Board of Education, Morris County
EX OFFICIO	Timothy J. Purnell, Ed.D. Executive Director/CEO, New Jersey School Boards Association

BOARD OF DIRECTORS

ATLANTIC
Louis Della Barca, Egg Harbor Township Board of Education
Ronald Bailey, Atlantic City Board of Education *(Alt.)*

BERGEN
Michael Sprague, Norwood Board of Education
Richard Fallon, Wood-Ridge Board of Education *(Alt.)*

BURLINGTON
Michael McClure, Maple Shade Board of Education
Carlye Lamarca, Burlington Township Board of Education *(Alt.)*

CAMDEN
Karen Sorbello, Magnolia Board of Education
Vacancy *(Alt.)*

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

CUMBERLAND

Cedric Holmes, Vineland Board of Education
Erica Williams-Mosley, Bridgeton Board of Education *(Alt.)*

ESSEX
Kasey Dudley, Bloomfield Board of Education
Parul Aneja Khemka, Livingston Board of Education *(Alt.)*

GLOUCESTER
Vacancy
Crystal Greene, Clayton Board of Education *(Alt.)*

HUDSON
Lisa Burke, Bayonne Board of Education
Elizabeth A. Burke, Kearny Board of Education *(Alt.)*

HUNTERDON
Robert Imhoff, High Bridge Board of Education
Elizabeth Fiore, Readington Board of Education *(Alt.)*

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

MIDDLESEX
Liwu Hong, East Brunswick Board of Education
Diana Jaquez, New Brunswick Board of Education *(Alt.)*

MONMOUTH
Kathy Winecoff, Millstone Township Board of Education
Kenneth Cook, Keansburg Board of Education *(Alt.)*

MORRIS
Diane Morris, Mine Hill Township Board of Education
Irene LeFebvre, Boonton Town Board of Education *(Alt.)*

OCEAN
Victoria Pakala, Brick Township Board of Education
Dana Weber, Island Heights Board of Education *(Alt.)*

PASSAIC
Alan Paris, Clifton Board of Education

Maryann Capursi, Passaic City Board of Education *(Alt.)*

SALEM
Eileen Miller, Woodstown-Pilesgrove Regional Board of Education
John Ashcraft, Penns Grove-Carneys Point Board of Education *(Alt.)*

SOMERSET
Jean Trujillo, Hillsborough Township Board of Education
Jennifer Agugliaro, Watchung Board of Education *(Alt.)*

SUSSEX
Ronald Hoffman, Hardyston Township Board of Education
Kaitlin Gagnon, Sparta Township Board of Education *(Alt.)*

UNION
William Hulse, Cranford Board of Education
Jason Benedict, Scotch Plains-Fanwood Board of Education *(Alt.)*

WARREN
Jaclyn Rowbotham, Harmony Township Board of Education
Vickie Mendes-Branch, Phillipsburg Board of Education *(Alt.)*

COUNTY ASSOCIATION LEADERSHIP
Jennifer Knittel, Washington Township Board of Education, Warren County
Julie Kozempel, Washington Township Board of Education, Gloucester County *(Alt.)*

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

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

Diane Johnson, Pennsauken Board of Education, Camden County
Sheri Lowery, Pemberton Township Board of Education, Burlington County *(Alt.)*

VOCATIONAL BOARDS
Jon-Henry Barr, Union County Vocational Board of Education
Ruth Hands, Cumberland County Vocational Board of Education *(Alt.)*

PROCEDURAL SUGGESTIONS FOR DELEGATES

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

Making Motions

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

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

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

- I move Resolution No. ____ as originally submitted.

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

- I move Resolution No. ____ with the substitute resolved clause and recommended policy language for NJSBA's Manual of Positions and Policies on Education.

Making Amendments

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

An amendment form may be obtained at the Legal Table which is located at the front of the meeting room to your right. Delegates may consult with an NJSBA staff attorney should assistance be required in drafting an amendment.

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

- "I move to strike on page ____, line ____ the word(s) _____."

- “I move to strike on page ____, line ____ the word(s) _____ and insert the word(s) _____.”

- “I move to insert the word(s) _____between _____ and _____ on page _____, line _____.”

- “I move to add at the end of line ____ on page ____ the word(s) _____."

Postponing or Referring a Motion

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

Close Votes

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

Rules for the Conduct of the Delegate Assembly Meeting

1. **Credentials:** (a) The credential cards of all voting delegates shall be kept visibly displayed during the meeting. Voting shall be by electronic device. (b) The delegate to the Delegate Assembly must be either the delegate of record or alternate of record or show proof of designated representation by the local board. A signed statement by the school business administrator on school district letterhead must be provided to show proof of designated representation by the local board. The delegate must show proof of identity at time of registration. (c) The registration desk shall close during the voting process in any contested election and no credentials shall be issued during such period. (d) An official count of all registered delegates shall be prepared and submitted to the President for announcement at the meeting just prior to the distribution of ballots in a contested election.

2. **Parliamentary Procedure:** (a) Robert's Rules of Order Newly Revised, current edition, shall govern the proceedings unless otherwise inconsistent with these rules. (b) There shall be an official parliamentarian to whom questions may be directed only through the Chair.

3. **Seating:** (a) All voting delegates, officers, members of the Board of Directors, county school board association representatives and staff shall be seated in front sections for easy access to the microphones for speaking privileges. (b) All others shall be seated at the rear of the meeting room.

4. **Recognition by Chair:** (a) An eligible speaker shall use a microphone and gain recognition of the Chair before speaking. (b) They shall give their full name and local board or official capacity. (c) Speakers shall state, at the outset, if they are speaking for or against a motion.

5. **Written Amendments:** (a) All motions to amend a resolution or committee report shall be submitted by the maker in writing to the Chair before or at the time the motion is made. The Chair has discretion to require any other motion to be submitted in writing. A majority vote is needed to pass the motion.

6. **Time Limitations on Speakers:**

    a. The first presentation of a delegate moving a question shall be limited to three minutes. Subsequent presentations shall be limited to two minutes each. No authorized speaker shall speak a second time on the same question until all persons seeking the floor shall have had an opportunity to speak once.*

    b. The first presentation of a delegate moving an amendment to a question shall be limited to two minutes. Subsequent presentations shall be limited to one minute each. No authorized speaker shall speak a second time on the same amendment until all persons seeking the floor shall have had an opportunity to speak once.

    c. Discussion on a committee report shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of not more than five minutes,

with a separate motion being required for each such extension.*

d. Discussion on a proposed amendment to the Bylaws shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of five minutes, with a separate motion being required for each such extension.*

e. Discussion on a resolution shall be limited to 15 minutes with the provision that, if continuation is desired, a motion may be passed by a two-thirds vote of the delegates present and voting to extend discussion time for a period of not more than five minutes, with a separate motion being required for each such extension.*

f. If a motion to amend the main motion is made, time will be suspended on the main resolution or committee report and five minutes will be allowed for discussion of the proposed amendment with the provision for extension as noted above (d). At the conclusion of a vote on the proposed amendment, time will be resumed on the main resolution or committee report.*

* Time clocks will be stopped when questions on parliamentary procedure are discussed and while proposed amendments are being prepared for presentation.

7. **Straw Poll:** There shall be no straw poll vote while the meeting is in session.

8. **A Motion to Call the Question:** (a) May not be made by a delegate at the conclusion of their remarks; (b) Will be deemed out of order if there are delegates waiting to speak and if discussion on the matter has not exceeded five minutes. A two-thirds vote of the delegates present and voting is needed to pass the motion.

9. **Motion to Reconsider:** Notwithstanding any provisions to the contrary in Robert's Rules of Order Newly Revised, current edition, once a resolution or Bylaws amendment has been voted upon, the delegates may not reconsider the vote on that resolution or Bylaws amendment.

10. **Breach of Order:** In debate, a member's remarks must be germane to the question before the assembly – that is, their statements must have bearing on whether the pending motion should be adopted. If a member commits only a slight breach of order—such as addressing another member instead of the chair in debate, or in a single instance, failing to confine their remarks to the merits of the pending question, the chair will advise the member to avoid it. They may then continue speaking if no further breaches occur. If the offense is more serious—for example, when a member persists in speaking on completely irrelevant matters in debate—the chair will warn the member; however, with or without such a warning, the president or any delegate may "call the member to order." If the chair does this, they shall say, 'The member is out of order and will be seated.' Another member wishing to call a member to order shall rise and say, without waiting to be recognized, [Chair or Presiding Officer], I call the member to order,' and then resume their seat. If the chair finds the point of order well taken, they shall declare the offender out of order and direct them to be seated.

11. **Suspension of Rules:** These rules may be overridden by a two-third vote of the delegates present and voting.

NOTE: These "Rules of Conduct" shall expire upon adjournment of the November 21, 2026, Delegate Assembly.

NJSBA Annual Delegate Assembly Minutes
May 16, 2026

The Annual Delegate Assembly of the New Jersey School Boards Association (NJSBA) was held at the Conference Center at Mercer County Community College on May 16, 2026. President Michael Jacobs presided over the meeting. Dr. Timothy J. Purnell, Executive Director, provided a written report to the members. There were 107 delegates present, representing 16 counties.

President Jacobs called the meeting to order at 9:00 a.m. He reminded everyone in attendance that only certified delegates have the right to speak and vote on pending matters. He indicated that voting tallies and policy amendment language will be visible on the screen.

President Jacobs also reminded the delegates that members of the staff, NJSBA Board of Directors members who are not serving as delegates, past presidents of the Association, and county school board presidents or their designees are afforded speaking privileges but do not have voting privileges. Non-voting board of education members who do not have speaking privileges and guests are viewing this meeting through the NJSBA online conference platform.

President Jacobs announced that adequate notice of the meeting had been provided to three major newspapers and filed with the New Jersey Secretary of State and posting of the notice was in the first-floor lobby of NJSBA headquarters located at 413 West State Street in Trenton. The Association provided notices in the following ways: filing with the New Jersey Secretary of State, posting on the first floor lobby at NJSBA headquarters, and publication on the Association's website under legal notices.

President Jacobs led the delegates in the Pledge of Allegiance.

He acknowledged the following officers for their contributions to the Association.

- President

Michael Jacobs, Ridgefield Board of Education (Bergen)

- VP for County Activities

Barry Walker, Bridgewater-Raritan Regional (Somerset)

- VP for Finance

Dr. Tom Connors, Piscataway (Middlesex)

- VP for Legislation/Resolutions

Vacant

- Immediate Past President

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

President Jacobs also acknowledged the special contributions of those who have chaired the Association's standing and ad hoc committees:

Audit Committee

- Jon-Henry Barr, Union County Vocational Board of Education (Union)

Standards and Assessment Committee

- Eileen Miller, Woodstown-Pilesgrove Regional (Salem)

Special Education Committee

- Irene LeFebvre, Boonton Town (Morris)
- Lisa J. Marshall, Warren Hills Regional (Warren)

Urban Boards Committee

- Marsha Hershman, Lindenwold (Camden)

School Finance Committee

- April Miller, Pitman (Gloucester)

NJSIAA Representatives

- Tammy Wagner, Stafford Township (Ocean)
- Barry Fitzgerald, Lenape Regional (Burlington)
- Howard Krieger, Upper Freehold Regional (Monmouth)
- Steve Shohfi, Lavallette (Ocean)
- Dr. Timothy Purnell, NJSBA

NJSIG Board of Trustees

- Irene LeFebvre, Boonton Town (Morris)
- Richard Casey, Ocean Gate (Ocean)
- Alix Silva, Vineland (Cumberland)

Special Appointments

Special Education Transportation Task Force

- Lisa J. Marshall, Warren Hills Regional (Warren)

Chronic Absenteeism Task Force

- William Hulse, Cranford (Union)

President's Report

President Jacobs emphasized the Association's commitment to increasing member engagement through several key initiatives: creating task forces to improve the Delegate Assembly, Resolution, and Nominating Committee processes with greater transparency, confidentiality, and member experience in mind. The Association has also formally trained the Ethics Committee to uphold professionalism, accountability, and high ethical standards.

In partnership with organizations such as NJEA, NJASA, NJASBO, and NJP&S through the Leadership for Educational Excellence (LEE) Group, the Association is advocating for solutions to the rising cost of healthcare in public education.

Additional efforts include appointing new members to standing committees with a focus on geographic, ethnic, and gender diversity to better reflect the communities served. President Jacobs also announced the launch of the "Battle of the Counties" initiative for 2026–2027, aimed at promoting member participation, professional development, county pride, and friendly competition across New Jersey.

Overall, the Association will continue prioritizing transparency, member engagement, professional development, and strong advocacy for public education.

EXECUTIVE DIRECTOR/CEO REPORT

Dr. Timothy Purnell highlighted several recent accomplishments and initiatives undertaken by NJSBA. These included launching a mentoring program for new board members, developing a new request-for-proposals process, implementing ethics training, and expanding services such as crisis communication support and executive coaching.

Dr. Purnell also emphasized the organization's focus on three core pillars: content, connection, and advocacy. Under these priorities, he noted the addition of several podcasts, including "Monthly Grounds," the success of the third Women in Leadership event, improvements to mandatory training through Coach Carla, and the redesign of Daily Clips.

He further recognized the governmental relations team in building strong relationships with state legislators and highlighted the well-received Legislative Panel at Workshop 2025. Additionally, NJSBA successfully negotiated a new employee health insurance product that resulted in significant savings for both the Association and its employees.

Dr. Purnell also listed three goals for 2026-2027 which include a labor summit, advocacy best practices for county school boards associations and free resources specifically helpful to districts for re-financing.

In conclusion, he recognized the extraordinary efforts of the NJSBA Nominating Committee, particularly their work in conducting three special elections over the past year, and honored committee members with commemorative T-shirts.

Rules for Conduct of the Delegate Assembly – President Jacobs announced participants will be using an electronic voting card for the meeting today. When a call for a vote is announced, members wait for the overhead screen to indicate the polling is open. After the poll is open, members enter their vote. They are to firmly press the corresponding number on the device, then press GO at the lower left of the device. When the little red/green light flashes on their device, their vote has been entered. Once they vote, they cannot vote again. Once the polling is closed, the tally of the vote will be shown on the screen. The procedure for voting will remain the same whether it is for a resolution, amendment, or any other procedure.

President Jacobs pointed out that there are two stationary microphones stationed in the aisles and are numbered. If a member wishes to speak at any time, they are to walk to the nearest microphone and they will be recognized in the order they come to the microphone. Once a member is recognized, they must identify themselves by name, board, and state if they are the voting delegate and if they are speaking for or against the motion so that the official reporter can keep accurate minutes. To facilitate the smooth running of the meeting, the members must position themself at a microphone to make a motion. Seconders must also position themselves at a microphone to second a motion.

Three time clocks are going to be used to time the deliberations. One clock will time discussion on the main motion; another will time discussion on proposed amendments; and the third clock will time speakers.

Proposed amendments from the floor will be shown on the overhead screen. All deletions will be highlighted and [bracketed] and additional language will be underlined. It is required that amendments be submitted in writing when the motion is made. Amendments must be written before being presented at the microphone. After the amendment is proposed, the person making the motion will retain a copy and give the other copies to a staff member who will collect and deliver one copy to the amendment typist and the other to the parliamentarian.

President Jacobs introduced the Delegate Assembly's parliamentarian, David White, whose role is not to issue decisions or rulings but to advise the Association on parliamentary procedure and address any questions on the rules. Mr. White stated that the Rules and Procedures for the Delegate Assembly, which are included in the handbook and the 12th edition of Robert's Rules of Order, will be adhered to. All decisions, whether it is a majority vote or 2/3 vote are determined by those present and voting. Abstentions do not count as affirmative votes. Only the delegates can vote. A quorum constitutes 50 delegates from 11 counties. There were 107 delegates present, representing 16 counties. which represented a quorum. When the parliamentarian issues a decision, it will prevail, and the meeting continues.

ADOPTION OF RULES OF CONDUCT

Adoption of the rules for the conduct of the DA was moved by Antonio Grana, Hoboken (Hudson) and duly seconded by Velina Marie Reksten Riggi, Burlington Township (Burlington).

With no further discussion, the motion to adopt the rules for the conduct of the May 16, 2026, Delegate Assembly CARRIES.

Adoption of the Previous Meeting Minutes

There was one correction to the minutes of the November 22, 2025 meeting noted. A member was not listed in the minutes: Christine Guerriero, Garwood (Union).

Minutes to the November 22, 2025 meeting adopted as amended.

Committee Reports

The following reports were submitted in writing and included in the handbook: audit, legislative, school finance, and nominating committee reports. These reports do not require any action. They address timely issues pertinent to all boards and are provided for information purposes.

Report of the Resolutions Subcommittee

Dr. Tom Connors, interim vice president for legislation/resolutions, provided the Resolutions Subcommittee report.

The cutoff for emergency resolutions was May 6, 2026. The association received one emergency resolution; however, it was denied because it failed to meet the filing requirements of an emergency resolution as set forth in NJSBA policy and was therefore not forwarded to the Emergency Resolution Subcommittee.

On April 14, 2026, the Resolution Subcommittee convened a virtual meeting to review resolutions submitted for consideration for the May 16 delegates assembly meeting. The full report is available beginning on page 60 of the handbook.

The Association received seven resolutions prior to the March 5 deadline. Of the seven resolutions, one was not accepted for filing due to improper formatting and was returned to the sponsor with a detailed explanation of deficiencies.

Accordingly, six resolutions were forwarded to the Resolution Subcommittee and recommendations as to each are included in the report.

RESOLUTION NO. 1

The South Orange and Maplewood Board of Education (Essex) – proposed that NJSBA adopt a belief that school districts should be allowed, but not required, to use ranked choice voting in school board elections.

RECOMMENDATION: The Resolutions Subcommittee recommended approval of the proposed resolution with the following substitute language that would create additional policy language at File Code No. 9112 – Elections/Appointment:

The NJSBA believes school districts should be permitted to use ranked choice voting in school board elections.

Motion to approve Resolution No. 1 as recommended made by Jeffrey Bennett, South Orange/Maplewood (Essex) and seconded by Reginald Bledsoe, Essex County Technical (Essex).

When opened to the floor for discussion, there was spirited debate on the topic, with members presenting arguments both for and against the resolution.

Motion made to postpone consideration indefinitely by Laura Erber, Little Egg Harbor Township (Ocean) and seconded by Allan Focarino, Garfield (Bergen).

Motion to postpone denied (48/65)

Motion to extend time for more discussion made by Jean Trujillo, Hillsborough (Somerset) and seconded by Loretta Rivers, Piscataway (Middlesex).

Motion to extend time for discussion denied (36/77)

Motion made by Jeffrey Bennett, South Orange/Maplewood (Essex) to approve as recommended and duly seconded by Reginald Bledsoe, Essex County Technical (Essex).

Motion to approve as recommended failed (55/58)

RESOLUTION NO. 2

Essex County School Boards Association (Essex) – The proposed resolution requests that the NJSBA support the inclusion of three separate broad belief statements indicating, in summary, that: public schools must carry out the State's constitutional obligation to provide all students with a thorough and efficient education; public school buildings must be free from civil immigration enforcement activities; and boards of education should adopt policies and procedures that protect the health and safety of all students, while also honoring valid judicial authority.

RECOMMENDATION: The Resolutions Subcommittee recommended approval of the proposed resolution with the following substitute resolved clause, which would create new policy language to be included in File Code No. 3516 – Safety Issues in Schools:

> The NJSBA believes that boards of education have a responsibility to ensure that their school buildings **and grounds** are safe havens for all students regardless of their immigration status and are not to be used as venues for immigration enforcement absent judicial authority.

Motion made by Reginald Bledsoe, Essex County Technical (Essex) to approve the resolution as recommended and duly seconded by Angelina Cuadrado, Haledon (Passaic).

Motion to amend the resolution to add "and grounds" on line 2 after "school buildings." made by Regional Bledsoe, Essex County Technical (Essex) and duly seconded by Clara Williams, Teaneck (Bergen).

Motion to amend resolution to add "and grounds" passes (64/5)

When opened to the floor for discussion, there was spirited debate on the topic, with members presenting arguments both for and against the resolution.

Motion made by Reginald Bledsoe, Essex County Technical (Essex) to approve the resolution as recommended and duly seconded by Angelina Cuadrado, Haledon (Passaic).

Motion to approve as amended passes (86/33)

RESOLUTION NO. 3

Egg Harbor Township Board of Education (Atlantic) – The proposed resolution supports the belief that school districts should be involved in discussions pertaining to Payment In Lieu of Taxes (PILOT) agreements; and be able to share the delegated funds in an effort to offset the expenses related to potential increases in student enrollment and/or potential increases in various services required to support additional students.

RECOMMENDATION: The Resolutions Subcommittee recommended approval of the proposed resolution with the following substitute resolved clause, which would create new policy language to be included at File Code No. 3210 – Local Funds:

> The NJSBA believes that in circumstances where direct allocation of PILOT revenues to school districts is not provided, municipalities and school districts above and in addition to the local school tax levy shall consider negotiated community benefit agreements, or other legally permissible fiscal arrangements to offset educational costs attributable to development whether or not said development will result in the addition of students in the school district.

Motion made by Barbara Szilagyi, Egg Harbor Township (Atlantic) to approve the resolution as recommended and duly seconded by Bernie Robson, Rahway (Union).

When opened to the floor for discussion, there was spirited debate on the topic, with members presenting arguments both for and against the resolution.

Motion made by Julia Jones-Jasper, Lopatcong (Warren) to amend the resolution to add the word "shall" instead of "should" and duly seconded by Rosemarie Person, Phillipsburg (Warren).

Motion to amend the resolution to add "shall" passes (84/11)

Motion made by Julia Jones-Jasper, Lopatcong (Warren) to amend the resolution to add after the word "development" as follows: "whether or not, said development will result in the addition of students in the school district." and duly seconded by Rosemarie Person, Phillipsburg (Warren).

Motion to amend the resolution to add after the word "development" as follows: "whether or not, said development will result in the addition of students in the school district." passes (74/10)

Motion made by Roger Chu, Collingswood (Camden) to amended resolution to insert after "municipalities and school districts" as follows: "above and in addition to the local school tax levy" and duly seconded by Nancy Barna, West Deptford (Gloucester).

Motion to approve resolution to insert after "municipalities and school districts" as follows: "above and in addition to the local school tax levy" (passes (77/25)

Motion made by Barbara Szilagyi, Egg Harbor Township (Atlantic) to approve resolution as amended and duly seconded by Bernie Robson, Rahway, (Union).

Motion to approve resolution as amended passes (107/3)

RESOLUTION NO. 4

West Milford Board of Education (Passaic) – The proposed resolution requests that the NJSBA support the belief that New Jersey's school funding system should recognize structural limitations on local revenue capacity caused by state-imposed land-use and environmental restrictions; and, as a result, should ensure equitable consideration for affected school districts in state aid calculations.

RECOMMENDATION: The Resolutions Subcommittee recommends approval of the proposed resolution with the following substitute resolved clause, which would create new policy language to be included in NJSBA's Manual of Positions and Policies on Education at File Code No. 3220 – State Funds:

> The NJSBA believes in an equitable distribution of education aid and related support payments which ensure that all school districts have an opportunity to benefit from government financial assistance, and which considers a school district's unique circumstances, including, but not limited to, circumstances that impact a school district's capacity to raise revenue locally.

Motion made by Claire Lockwood, West Milford (Passaic) to approve the resolution as recommended and duly seconded by Bernie Robson, Rahway (Union)

Motion to approve the resolution as recommended passes (86/7)

RESOLUTION NO. 5

Glen Rock Board of Education (Bergen) – The proposed resolution supports equitable pricing, transparency, and cooperative purchasing opportunities for instructional materials and digital educational resources, while preserving local board authority over curriculum decisions.

RECOMMENDATION: The Resolutions Subcommittee recommends approval of the proposed resolution with the following substitute resolved clause, which would create additional policy language to be included at File Code No. 6160 – Instructional Services and resources.

> The NJSBA believes that purchasers of textbooks and other curricular materials should be provided with a wide array of consumer information on available programs and products to assist them in making informed selections. When purchasing such materials, districts should employ strategies that promote the efficient use of taxpayer resources, where it is practical to do so.

Motion made by Karyn Stephenson, Glen Rock (Bergen) to approve the resolution as recommended and duly seconded by Bernie Robson, Rahway (Union).

Motion to approve the resolution as recommended passes (95/6)

RESOLUTION NO. 6

Secaucus Board of Education (Hudson) – The resolution proposes new language to NJSBA's Manual of Positions and Policies on Education (P&P) expressing the belief that county vocational school district boards of school estimate "should provide meaningful representation for sending school districts that contribute tuition funding" while preserving appropriate county oversight .It also calls for greater transparency, fiscal accountability, and more predictable tuition-setting practices to improve collaboration and align with regional workforce needs.

RECOMMENDATION: The Resolutions Subcommittee recommended approval of the proposed resolution with the following substitute resolved clause, which would create additional policy language in File Code No. 9300 – Governance:

> The NJSBA believes that governance and advisory structures for County Vocational Technical School Districts should reflect the shared financial and educational responsibility between counties and local sending school districts. The Association supports statutory and regulatory changes that promote greater transparency, fiscal accountability, and collaboration in decisions related to tuition rates, capital planning, enrollment capacity, and program expansion.
>
> The NJSBA believes that governance models for county vocational-technical schools should encourage the creation of advisory structures that allow local district officials to review tuition methodologies, long-term capital plans, and fiscal impacts prior to adoption.
>
> The NJSBA believes that policies governing tuition increases for county vocational technical schools should include mechanisms that promote fiscal predictability and public transparency

consistent with the principles of responsible budgeting applied to other public-school districts in New Jersey.

Motion made by Bernie Robson, Rahway (Union) to approve the resolution and duly seconded by Amy Hasa, Greater Egg Harbor (Atlantic).

Motion to approve the resolution as recommended passes (69/29)

Report of the Nominating Committee

Irene LeFebvre, Immediate Past President, Boonton Town (Morris) provided the report of the Nominating Committee.

Procedures for nominating offices are set forth in the NJSBA bylaws and Ms. LeFebvre explained the composition of the committee. According to the bylaws, there shall be a standing committee of the association called the Nominating Committee. It is established at least 170 days prior to the annual meeting at which the regular election is held by selecting volunteers to serve on the committee.

The membership must consist of the following persons:

- Four members of the Board of Directors, one from each of the geographical areas of the state northeast, northwest, central, and south, elected by the board of directors;
- Four persons, one from each of the geographical areas of the state, elected by the county school boards association presidents;
- Four persons appointed at large by the president, with the advice and consent of the board of directors;
- The immediate past president; and
- The president as a non-voting member.

Committee members serve for a two-year term and hold office until their respective successors have been elected or appointed.

No two members of the Nominating Committee, excluding the president and immediate past president, may represent boards of education in the same county. Committee members shall be eligible to serve on the nominating committee for one two-year term. They would be eligible to serve again after a two-year break. The president names one member as the chair of the committee.

No person who serves on the nominating committee may be nominated as a candidate for office at the forthcoming election.

Vacancies among the members of the committee shall be filled for the unexpired term in the same manner in which the original appointment was made.

Pursuant to the bylaws, the report of the association's Nominating Committee was published in School Board Notes and posted on the NJSBA website on March 24, 2026.

The choice of candidates for office is never easy. Ms. LeFebvre thanked the members of the committee for the many hours of deliberation they spent.

- Karen Cortellino, M.D., Immediate Past President, Montville Township. Board of Education, Morris County
- Michael Jacobs, ex-officio, NJSBA President, Ridgefield Board of Education, Bergen County
- Diane Morris, Mine Hill Board of Education, Morris County
- Michael Sprague, Norwood Board of Education, Bergen County
- Victoria Pakala, Brick Board of Education, Ocean County
- Marsha Hershman, Lindenwold Board of Education, Camden County
- Jennifer Knittel, Washington Twp. Board of Education, Warren County
- Dr. Courtney Washington, Roselle Board of Education, Union County
- Donna Iacone, Cinnaminson Board of Education, Burlington County
- Patrick Ireland, Egg Harbor Twp. Board of Education, Atlantic County
- Ray Morris, Newton Board of Education, Sussex County
- Alan Paris, Clifton Board of Education, Passaic County
- Joann Groeger, Lawrence Twp. Board of Education, Mercer County
- Jacqueline McAlister, Ocean City Board of Education, Cape May County

In appreciation of the Nominating Committee's extraordinary work this year due to unexpected officer turnover, Dr. Purnell presented committee members with T-shirts.

Because there is only one nominee for the vacant office and no petitions were filed, absent objection, the vacancy in the office of the Vice-President Legislation/Resolutions was filled by acclamation.

Seeing no objection, Charles Caraballo, Bloomingdale Board of Education (Passaic) was named to the office of the Vice-President Legislation/Resolutions.

Installation of Officer

President Jacobs conducted the installation of Mr. Caraballo as vice president for legislation/resolutions, who will hold office from the conclusion of today's delegate assembly until the annual meeting in 2027.

Mr. Carabello takes the oath of office.

Adjournment

President Jacobs asks for a motion to adjourn.

Motion made by Bernie Robinson, Rahway (Union) to adjourn and duly seconded.

Motion carries.

New Jersey School Boards Association Delegate Assembly adjourned at 12:35 p.m.

REPORT OF THE SCHOOL FINANCE COMMITTEE

Prepared for the November 21, 2026 Delegate Assembly

CHARGE:

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

REPORT:

Since the May 16, 2026 Delegate Assembly, the School Finance Committee has met once, on May 18, 2026.

May 18, 2026 Meeting

Agenda/Discussion Items

1. **Welcome – April Miller, Chair**

2. **Review of Committee Charge –** Chair Miller read the mission of the committee, which is to monitor the school funding laws in New Jersey that impact school districts, and study issues related to school finance.

3. **Committee Member and Staff Introductions**

4. **Presentation and Discussion** – Jesse Young (NJSBA Director of Governmental Relations) delivered a PowerPoint presentation reviewing the New Jersey Department of Education's 2025 report entitled "NJDOE Examination of School Funding Policies." Language in the FY2026 appropriations bill required NJDOE to "undertake an examination of codifying school funding policies and ensuring that these policies are enacted through distinct and non-temporary legislation." NJDOE issued its report to the Legislature in December 2025, offering options and policy implications for legislative solutions on local resource measures, special education funding, extraordinary special education aid, transportation aid, limits to annual changes in state aid, and tax levy flexibility. The committee discussed each of these six policy areas, along with pros and cons for various legislative solutions and other considerations. The report is available on NJDOE's website: https://www.nj.gov/education/stateaid/docs/FY2026%20Resolution%201378_School%20Funding%20Report_Final_12.1.2025_AE.pdf

5. **Next Steps:** The Committee discussed the importance of continuing to review and monitor the implementation of the current SFRA formula and to identify potential improvements to how New Jersey funds its public schools and opportunities for boards and the NJSBA to effectively advocate for those improvements. Committee members and staff discussed the likelihood of additional state aid for schools as part of the FY2027 budget cycle and updates to the school funding formula during the 2026-2027 state legislative session. The committee plans to monitor

all news regarding these issues over the coming months and is ready to meet again should more details emerge on proposed updates to the formula.

School Finance Committee 2026

April Miller, *Chair*	Pitman	Gloucester County
Judith Bassford	Clifton	Passaic County
Laura Genovese-Behrmann	Ramsey	Bergen County
Joseph Bucs	Northern Burlington County Reg.	Burlington County
Richard Casey	Ocean Gate	Ocean County
Kellie Hinkle	Haddon Township	Camden County
Matthew Kitchen	Keansburg	Monmouth County
Cheryl Potter	Elk Township	Gloucester County
Jean Trujillo	Hillsborough	Somerset County
Michael A. Jacobs	NJSBA President	Ex Officio
Dr. Tom Connors	NJSBA Vice President for Finance	Ex Officio
Dr. Timothy Purnell	NJSBA Executive Director / CEO	

Staff

Jonathan Pushman	Senior Director of Advocacy, Governmental Relations
Jesse Young	Director of Governmental Relations
Todd D'Anna	Business Administrator in Residence
Harrison Silver	Legislative Advocate
Anette Airey	Administrative Assistant

REPORT OF THE LEGISLATIVE COMMITTEE
by Charles Caraballo
Vice President for Legislation/Resolutions
Prepared for the November 21, 2026 Delegate Assembly

CHARGE:

1. The Committee shall encourage, promote and assist in the development of local, county and Statewide legislative networks.

2. The Committee may initiate legislative policy recommendations for consideration by the Board of Directors or the Delegate Assembly.

3. The Committee shall review issues and NJSBA's advocacy agenda and offer input on these matters.

4. The Committee shall clarify existing positions on legislation by analyzing bills pending in the Legislature.

5. The Committee shall recommend a biannual legislative agenda.

6. The Committee members may be called upon to testify at meetings and hearings of the State Legislature on issues.

7. The Committee shall serve as a membership base for the Resolutions Subcommittee.

8. The Committee members may participate in NJSBA's legislative training activities.

9. The Committee shall review federal legislation and other initiatives that affect local school boards and offer input on these matters.

10. The Committee shall serve as a united voice for the needs of all children by testifying, initiating local resolutions, writing/meeting/telephoning legislators, and communicating with local board members at county functions.

At the heart of the Committee's charge is its crucial service as a link between local boards of education and the New Jersey School Boards Association on current legislative and administrative code issues. Committee members encourage, promote and assist in the development of local, county and Statewide legislative networks.

The Legislative Committee consists of 80 members and alternates who represent their respective legislative districts. Having members from all legislative districts ensures that each legislator is contacted on a regular basis by board members who advocate and champion the needs of 1.4 million public school children. Having active Committee members and alternates ensures a stronger and more consistent message to ALL legislators. Please look at the vacancy list below. If you know of any board members in your district who would be great in our advocacy efforts, let us know.

Legislative Committee Vacancies (as of October 7, 2026)

LD #	County		
2-alt	Atlantic	13-alt	Monmouth
4-alt	Atlantic, Camden and Gloucester	14-alt	Mercer and Middlesex
9-alt	Ocean	22-alt	Somerset and Union
11-alt	Monmouth	33-alt	Hudson

Since the last report, the Committee met on May 30, 2026 and October 3, 2026 during which it heard from invited guest speakers, received updates from the governmental relations staff, and held discussions on various timely educational and legislative issues.

May 30, 2026

OPENING REMARKS

Mr. Charles Caraballo, Vice President for Legislation/Resolutions led the meeting to order and thanked the members for their advocacy efforts. This marked the first meeting presided over by Mr. Caraballo, who was elected to be vice president for legislation/resolutions at the May 2026 Delegate Assembly. Dr. Timothy Purnell, Executive Director / CEO introduced Mr. Caraballo, recognizing his extensive experience and contributions to the organization. Mr. Michael A. Jacobs, President, also provided welcome remarks and expressed his appreciation to the committee members for their continued efforts in promoting public education advocacy for board members and students across the state.

Mr. Caraballo then introduced himself to the committee and stated he is very excited to have been appointed in his new role. Mr. Caraballo provided information on his background and professional experience. He also highlighted some of the advocacy items he plans to focus on during his tenure, including School Funding Challenges, expanding on the school board member advocacy network, and gaining allies to help the committee influence decision makers on behalf of students.

Mr. Caraballo stated guest speaker Mr. Michael Illiano, Policy Advisor for Education and Youth Safety, Office of NJ Governor Mikie Sherrill, would be speaking later.

A quorum count, and recognition of committee appointments that were approved by the NJSBA Board of Directors at its most recent meeting, took place. In addition, a member who will be departing from the committee was also recognized for their service.

GUEST SPEAKER

Mr. Caraballo welcomed and provided an introduction to the meeting's guest speaker from the Office of NJ Governor Mikie Sherrill:

- Michael Illiano, Policy Advisor for Education and Youth Safety

Mr. Illiano engaged in a robust discussion for nearly an hour, detailing his role in the governor's office, outlining his office's priorities with focus on policy and constituent services across the entire state, and

responding to questions from committee members. Mr. Illiano also explained how his previous experience working with Senator Gopal prepared him for his current position, which began at the commencement of the Governor's term.

Mr. Pushman then moderated the discussion with Mr. Illiano, which included the key topic of the proposed FY2027 State Budget; the administration's thoughts in approaching the modernization of the existing School Funding Reform Act (SFRA) formula; the shift in youth mental health services from NJ4S to the proposed SPARK program; preschool funding; school facilities; and acknowledging rising healthcare costs is a top priority for the Governor. The committee appreciated Mr. Illiano considering their input.

LEGISLATIVE UPDATES

Mr. Jonathan Pushman, Senior Director of Advocacy, referred to the agenda and various meeting materials that were sent to attendees in advance of the meeting that highlighted some of the most significant legislative developments and advocacy activities of the Association since the last committee meeting. The materials included the Governmental Relations Update.

The Governmental Relations staff of Mr. Pushman, Mr. Jesse Young, Director of Governmental Relations, Mr. John Burns, Esq., Senior Legislative and Policy Counsel and Mr. Harrison Silver, Legislative Advocate, then led a PowerPoint presentation. Highlights of the presentation included the following:

- Promotion of the NJSBA Capitol Watch newsletter (https://www.njsba.org/capitol-watch/).
- Newly signed laws and other gubernatorial action.
- Education-related legislation that has been considered by the Legislature since the March 2026 committee meeting.
- New details on the FY2027 proposed state budget that came through Office of Legislative Services analysis and other documents from the New Jersey Department of Education.
- A sample resolution drafted by NJSBA urging relief from rising health benefit costs. The resolution is provided for boards (whether participating in the state health plan or not) who wish to urge the Sherrill administration and the State legislature to provide immediate, short-term relief from the unsustainable increased healthcare costs experienced by school districts in recent years.

A copy of the PowerPoint presentation and a meeting summary was provided to the committee members. The Governmental Relations staff responded to member inquiries and questions that were submitted via the Zoom chat and Q&A function during the meeting, and an unedited copy of the public chat was provided as well to the members.

A meeting summary can also be found in the June 2, 2026 edition of School Board Notes:

https://www.njsba.org/news-information/school-board-notes/school-board-notes-june-2-2026/

DISCUSSION AND COMMITTEE SHARING

- Mr. Pinney announced the Association's newly launched Civility Starts with Us campaign, which includes the NJSBA's Civility Resolution. In today's increasingly divisive political climate, maintaining civility in local government has become more challenging, from contentious school board

meetings to personal attacks on social media. Recognizing the impact on effective governance, NJSBA has made promoting civility in school board leadership a top priority. As of May 28, the Sparta BOE and Great Meadows Regional BOE became the first school boards in the state to pass the Resolution.

- A member inquired if there was any legislation for protecting immigrant students; Mr. Pushman discussed the Safe Communities Act: https://pub.njleg.state.nj.us/Bills/2024/A6500/6308_R1.PDF
- Mr. Pushman announced the approval of the 2026-2027 Legislative Committee meeting dates by the NJSBA Board of Directors at its most recent meeting in May.

  - Saturday, October 3, 2026
  - Saturday, December 12, 2026
  - Saturday, March 13, 2027
  - Saturday, June 5, 2027

Committee meetings will take place Saturdays at 9:00 a.m. Location/format TBD.

October 3, 2026

OPENING REMARKS

Mr. Charles Caraballo, Vice President for Legislation/Resolutions called the meeting to order and delivered opening remarks. Dr. Timothy Purnell, Executive Director/CEO and Mr. Michael A. Jacobs, President, also provided welcome remarks and expressed their appreciation to the committee members for their continued efforts in promoting public education advocacy for board members and students across the state.

A quorum count and announcements of newly appointed committee members that were approved by the NJSBA Board of Directors at its most recent meeting took place. Recognition of members who departed the committee followed.

GUEST SPEAKER

Mr. Caraballo introduced the meeting's guest speaker from the NJ Department of Education.

Diana Pasculli, Esq., Deputy Chief of Staff, NJ Department of Education

Ms. Pasculli has been with the NJDOE for 14 years, and has been involved in school funding, educator workforce initiatives, assessment and accountability, strategic communications, community engagement, legislative affairs, and other statewide education policy initiatives. Ms. Pasculli is also currently a member of the Lawrence Township Board of Education.

Ms. Pasculli was joined by NJDOE's Superintendent in Residence Dr. Jorden Schiff. Together, they spent the first portion of the meeting providing an overview and building a shared sense of understanding of the state of school funding in New Jersey. They then led a roundtable discussion with members of the Legislative Committee to discuss ways in which the current method of school funding could be improved for all districts across the state.

The conversation was part of NJDOE's Statewide School Funding Outreach project. The Department's goal is to engage educators, families, policymakers, community leaders, and advocacy organizations to gather feedback and foster meaningful dialogue on the future of school funding in New Jersey. As part

of this effort, NJDOE is hosting regional forums where stakeholders can provide feedback and plans to facilitate community roundtables in the coming months to gain more specific local perspectives. To learn more about NJDOE's outreach and to sign up for its project newsletter, please visit please visit NJDOE's Statewide School Funding Outreach website.

Mr. Jonathan Pushman, Senior Director of Advocacy, moderated the discussion with Ms. Pasculli and Dr. Schiff. The committee thanked the guests for considering their input as well.

Members can also use the following email address to share their thoughts on school funding and any resources they believe would be helpful to the NJDOE and stakeholders: FundingOutreach@doe.nj.gov.

LEGISLATIVE UPDATES

Mr. Jonathan Pushman, Senior Director of Advocacy, referred to the agenda and various meeting materials that were sent to attendees in advance of the meeting that highlighted some of the most significant legislative developments and advocacy activities of the Association since the last committee meeting. The materials included the Governmental Relations Update and a copy of the NJSBA Federal Advocacy Priorities.

The Governmental Relations staff of Mr. Pushman, Mr. Jesse Young, Director of Governmental Relations, Mr. John Burns, Esq., Senior Legislative and Policy Counsel and Mr. Harrison Silver, Legislative Advocate, then led a PowerPoint presentation. Highlights of the presentation included the following:

- Promotion of the NJSBA Capitol Watch newsletter (https://www.njsba.org/capitol-watch/).
- Newly signed laws and other gubernatorial action.
- Education-related legislation that has been considered by the Legislature since the May 2026 committee meeting.
- Recent news on the School Employees' Health Benefits Program (SEHBP) including:
    - A September 25 vote by the School Employees' Health Benefits Commission (SEHBC) to approve 34.4% premium increases for Plan Year 2027;
    - An announcement from the Department of the Treasury on September 29 that SEHBP Open Enrollment would be postponed to October 26 through October 31; and
    - An announcement from Governor Sherrill on October 1 that she will be convening a State Health Benefits Plan Reform Working Group to develop recommendations for improving affordability and long-term sustainability of public employee health benefits. NJSBA will have a representative on the Working Group.
- NJSBA's federal advocacy work with recent meetings between NJSBA and offices from New Jersey's congressional delegation, highlighting several of the Association's federal advocacy priorities:

- 1) Fully funding IDEA
- 2) Reviewing how the recently enacted "Education Freedom Tax Credit" may affect public education in New Jersey
- 3) Protecting E-Rate
- 4) Universal school meals, and
- 5) maintaining Title I funding in the FY27 federal budget.

- Highlights of several new laws since the committee's last meeting, most significantly:
  - The FY2027 state appropriations act;
  - The "SPARK" mental health program; and
  - The New Jersey Kids Code Act.

Mr. Pushman introduced Mr. Todd D'Anna, the new Business Administrator in Residence. The committee gave a warm welcome to Mr. D'Anna and he explained that his role will include providing support and resources to districts on school funding and related issues and serve as a resource on advocacy matters.

A copy of the PowerPoint presentation and a meeting summary was provided to the committee members. The Governmental Relations staff responded to member inquiries and questions that were submitted via the Zoom chat and Q&A function during the meeting, and an unedited copy of the public chat was provided as well to the members. The chat transcript includes hyperlinks to many helpful webpages and resources that were shared by staff and members throughout the meeting.
A meeting summary can also be found in the October 7, 2026 edition of School Board Notes:

https://www.njsba.org/news-information/school-board-notes-october-7-2026/

DISCUSSION AND COMMITTEE SHARING

- Mr. Pushman requested that any members whose terms will be expiring at the end of this year and who are not seeking re-election in November to please contact Anette Airey. This will be useful in keeping the committee roster current and to appoint new members.

- The 2026-2027 Legislative Committee meeting dates were approved by the NJSBA Board of Directors in early 2026 and are as follows:
  - Saturday, December 12, 2026
  - Saturday, March 13, 2027
  - Saturday, June 5, 2027

Committee meetings will take place Saturdays at 9:00 a.m. Until further notice, all meetings will take place virtually via ZOOM.

Staff
Jonathan Pushman, Senior Director of Advocacy
Carl Tanksley, Jr., Esq., General Counsel
Jesse Young, Director of Governmental Relations
Raymond Pinney, Chief Membership Engagement Officer
John Burns, Esq., Senior Legislative and Policy Counsel
Harrison Silver, Legislative Advocate
Todd D'Anna, Business Administrator in Residence
Anette Airey, Administrative Assistant

LEGISLATIVE COMMITTEE ROSTER
11-21-26 *

District	Name	Title	Board of Education
1	Michele Barbieri	Member	Upper Township (Cape May)
	Josephine Sharpe	Alternate	Wildwood City (Cape May)
2	Amy Hassa	Member	Greater Egg Harbor Reg. (Atlantic)
	Vacancy	Alternate	
3	Carolyn Kegler	Member	Logan Township (Gloucester)
	Cheryl Potter	Alternate	Elk Township (Gloucester)
4	John Shaw	Member	Winslow Township (Camden)
	Vacancy	Alternate	
	Maryjo Dintino	Resource	Gloucester Township (Camden)
5	Naomi Davidson	Member	Runnemede (Camden)
	Matthew McDevitt	Alternate	Pennsauken (Camden)
6	Joyce Miller	Member	Gibbsboro (Camden)
	Randall Freiling	Alternate	Pine Hill (Camden)
7	Lester Holley	Member	Edgewater Park (Burlington)
	Sean Toner	Alternate	Palmyra (Burlington)
8	Janet DiFolco	Member	Mount Holly (Burlington)
	Janis Knoll	Alternate	Evesham (Burlington)
9	Richard Casey	Member	Ocean Gate (Ocean)
	Vacancy	Alternate	
10	Steve Shohfi	Member	Lavallette (Ocean)
	John Henry	Alternate	Brick (Ocean)
11	Paul Savoia	Member	Red Bank (Monmouth)
	Vacancy	Alternate	
12	Tara Rivera	Member	Jackson (Ocean)

	Jesse Tossetti	Alternate	Manalapan/Englishtown (Monmouth)
13	Dr. Paul Christopher	Member	Shore Regional (Monmouth)
	Vacancy	Alternate	
14	Kate Rattner	Member	Monroe (Middlesex)
	Vacancy	Alternate	
15	Jo Ann Groeger	Member	Lawrence Township (Mercer)
	Larry Traylor	Alternate	Trenton (Mercer)
16	Karyn Gove	Member	High Bridge (Hunterdon)
	Mike Mitchell	Alternate	South Brunswick (Middlesex)
17	Shantell Cherry	Member	Piscataway (Middlesex)
	Hayley Toth	Alternate	North Brunswick (Middlesex)
18	Sharon Miller	Member	South Plainfield (Middlesex)
	Laurie Herrick	Alternate	East Brunswick (Middlesex)
19	Eloy Fernandez	Member	Sayreville (Middlesex)
	Stephan Lally	Alternate	Woodbridge (Middlesex)
20	Jerry Jacobs	Member	Elizabeth (Union)
	Dr. Courtney Washington	Alternate	Roselle (Union)
21	Robin McKeon	Member	Bernards Township (Somerset)
	Sharon Schueler	Alternate	Middlesex Borough (Middlesex)
22	Bernard Robson	Member	Rahway (Union)
	Vacancy	Alternate	
23	Teresa Kane	Member	Milford (Hunterdon)
	Lisa Marshall	Alternate	Warren Hills (Warren)
24	Raymond Morris	Member	Newton (Sussex)
	Alyssa Eisner	Alternate	Green Township (Sussex)
25	Michael Bertram	Member	Morris Hills Regional (Morris)
	Robin Ghebreal	Alternate	Wharton (Morris)
26	Alison Cogan	Member	Parsippany Troy (Morris)

	Dino Cappello	Alternate	Denville (Morris)
27	Judy Bassford	Member	Clifton (Passaic)
	Pamela Chirls	Alternate	Livingston (Essex)
28	Hasani Council	Member	Newark (Essex)
	William Meyer	Alternate	South Orange/Maplewood (Essex)
29	Reginald Bledsoe	Member	Essex Cnty Voc Bd of Ed (Essex)
	Arthur Pettigrew	Alternate	Harrison (Hudson)
30	Dr. Denise Lowe	Member	Howell (Monmouth)
	Cherie Adams	Alternate	Belmar (Monmouth)
31	Sam Maggio	Member	Bayonne (Hudson)
	Jose Soares	Alternate	Kearny (Hudson)
32	Antonio Grana	Member	Hoboken (Hudson)
	Afaf Muhammad	Alternate	Jersey City (Hudson)
33	Dr. Adam Parkinson	Member	Hudson Cnty Schools of Tech (Hudson)
	Vacancy	Alternate	
34	Jeffrey Wingfield	Member	Orange (Essex)
	Michael Heller	Alternate	Bloomfield (Essex)
35	Lucia DeNova	Member	North Haledon (Passaic)
	Liliana Baez-Molena	Alternate	Manchester Reg (Passaic)
36	Lori Hoffman	Member	Ridgefield (Bergen)
	Dr. Letizia Pantoliano	Alternate	Cliffside Park (Bergen)
37	Clara Williams	Member	Teaneck (Bergen)
	Isaac Park	Alternate	Leonia (Bergen)
38	Alan Feigenson	Member	River Dell Regional (Bergen)
	Mary Katherine Norian	Alternate	Oradell (Bergen)
39	Dr. Jeffrey Pollack	Member	Dumont (Bergen)
	Mary Ellen Nye	Alternate	Ho-Ho-Kus (Bergen)
40	Pamela Priscoe	Member	Verona (Essex)

Alexander Clavijo	Alternate	Hawthorne (Passaic)

****Note: Roster is current as of October 7, 2026. It may not include any changes or new appointments approved by the Board of Directors at its November 13, 2026 meeting.**

REPORT OF THE RESOLUTIONS SUBCOMMITTEE

Prepared for the Annual Delegate Assembly
November 21, 2026

by Charles Caraballo
Vice President for Legislation/Resolutions

The Resolutions Subcommittee met virtually on Tuesday, October 27, 2026, via Webex, to review the resolutions that will come before the Annual Delegate Assembly on November 21, 2026.

The Association received seven (7) resolutions prior to the official cutoff date of September 11 for the Annual Delegate Assembly. Two resolutions were withdrawn by the sponsoring districts, Dumont Board of Education (Bergen) and Piscataway Board of Education (Middlesex). Five (5) resolutions were forwarded to the Resolutions Subcommittee for action. Of these, one resolution, Cliffside Park, was adopted by the Resolution Subcommittee and forwarded to the Delegate Assembly for consideration. The Resolution Subcommittee declined to support one resolution from the Hillsborough Twp. Board of Education, however, that resolution was forwarded to the Delegate Assembly for consideration pursuant to the NJSBA *Bylaws*. Three additional resolutions from Bridgewater-Raritan (Somerset), Springfield Twp. (Burlington) and Washington Twp. (Morris) were removed from the Delegate Assembly agenda. One district, Springfield Twp., pursuant to Art. V §6 of the *Bylaws,* filed a Notice of Motion to Override Resolutions Subcommittee seeking to override the Resolutions Subcommittee's removal of the district's resolution from the Delegate Assembly agenda.

Pursuant to Article V, §6, delegates attending in-person at the Delegate Assembly may provide advance notice of intent, of no later than 10 days, to override action taken by the Resolutions Subcommittee with a motion and a simple majority vote. To file a motion, the moving party must specifically state the remedy sought by the moving party. The motion to override shall not be subject to debate except that both the maker of the motion and the Chair of the Resolutions Subcommittee shall be given three minutes to address the delegates concerning the motion.

Enclosed are the resolutions admitted to the Annual Delegate Assembly agenda by the Resolutions Subcommittee.

Resolutions Removed from the Agenda
as of October 27, 2026

Sponsoring District	Objective Sought/NJSBA Policy #	Status Report/Activities
R01 - Bridgewater-Raritan Board of Education (Somerset)	Scheduling statewide assessments for AP students/P&P File Code 6147.	The RSC, pursuant to Article V §5(f) of the *Bylaws* and by a two-thirds affirmative vote, removed the resolution from the agenda of the Delegate

		Assembly as a reaffirmation of existing policy.
R02 - Springfield Twp. (Burlington)	Pathogen Screening/P&P File Code 5141 – Pathogen Screening	The RSC, pursuant to Article V §5(f) of the *Bylaws* and by a two-thirds affirmative vote, removed the resolution from the agenda of the Delegate Assembly as a reaffirmation of existing policy. Pursuant to Art. V §6 of the NJSBA *Bylaws,* the district filed Notice of Motion to Override RSC.
R03 - Dumont Board of Education (Bergen)	Greater transparency with regard to census information and claims data relative to health benefits/P&P File Code 4144 - Insurance/Workers' Compensation	The resolution was voluntarily withdrawn by the sponsoring district; accordingly, no action was taken by the RSC.
R05 - Washington Twp. (Morris)	Data Integrity in Standardized Assessments/P&P File Code 6147 - Standards of Proficiency	The RSC, pursuant to Article V §5(f) of the *Bylaws* and by a two-thirds affirmative vote, removed the resolution from the agenda of the Delegate Assembly as a reaffirmation of existing policy.
R06 - Piscataway Board of Education (Middlesex)	School Funding Modernization/P&P File Code 3210 – Local Funds and 3220 – State Funds	The resolution was voluntarily withdrawn by the sponsoring district; accordingly, no action was taken by the RSC.

The following members attended the Resolutions Subcommittee meeting on October 27, 2026:

- Chair, Charles Caraballo, Bloomingdale Board of Education, Passaic
- Joyce Miller, Gibbsboro Board of Education, Camden
- Michael Mitchell, South Brunswick Board of Education, Middlesex
- Paul Christopher, West Long Branch Board of Education, Monmouth
- Sharon Schueler, Middlesex Borough Board of Education, Middlesex
- Michael Bertram, Morris Hills Board of Education, Morris

- Judith Bassford, Clifton Board of Education, Passaic
- Dr. Jeffrey Pollack, Dumont Board of Education, Bergen
- Lisa Marshall, Warren Hills Board of Education, Warren
- Jo Ann Groeger, Lawrence Township Board of Education, Mercer
- Sharon Miller, South Plainfield Board of Education, Middlesex
- Lucia DeNova, North Haledon Board of Education, Passaic
- Afaf Muhammad, Jersey City Board of Education, Hudson
- Mary Ellen Nye, Ho-Ho-Kus Board of Education, Bergen

RESOLUTIONS SUBCOMMITTEE OF THE LEGISLATIVE COMMITTEE

JANUARY--DECEMBER 2026

CHAIR **Charles Caraballo**, NJSBA Vice President Legislation/Resolutions
Bloomingdale BOE (Passaic)

REGION A - MEMBERS

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

REGION B – MEMBERS

District 16	**Mike Mitchell,**	South Brunswick BOE (Middlesex)
District 13	**Dr. Paul Christopher**	West Long Branch BOE (Monmouth)
District 15	**Jo Ann Groeger,**	Lawrence Twp. BOE (Mercer)
District 20	**Jerry Jacobs,**	Elizabeth BOE (Union)

REGION C – MEMBERS

District 22	**Sharon Schueler,**	Middlesex Borough BOE (Middlesex)
District 23	**Lisa Marshall,**	Warren Hills BOE (Warren)
District 25	**Michael Bertram,**	Morris Hills Regional BOE (Morris)
District 28	**Judith Bassford**,	Clifton BOE (Passaic)

REGION D – MEMBERS

District 37	**Clara Williams,**	Teaneck BOE (Bergen)
District 36	**Dr. Letizia Pantoliano,**	Cliffside Park BOE (Bergen)
District 39	**Dr. Jeffrey Pollack,**	Dumont BOE (Bergen)
District 39	**Mary Ellen Nye,**	Ho-Ho-Kus BOE (Bergen)

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REGION A – ALTERNATES

District 2	**Patrick Ireland,**	Egg Harbor Twp. BOE (Atlantic)
District 3	**Carolyn Kegler,**	Logan Twp. BOE (Gloucester)
District 8	**Janet DiFolco,**	Mount Holly BOE (Burlington)
District 9	**Richard Casey,**	Ocean Gate BOE (Ocean)

REGION B – ALTERNATES

District 14	**Kate Rattner,**	Monroe Twp. BOE (Middlesex)
District 11	**Paul Savoia,**	Red Bank BOE (Monmouth)
District 17	**Shantell Cherry,**	Piscataway BOE (Middlesex)
District 18	**Sharon Miller,**	So. Plainfield BOE (Middlesex)

REGION C – ALTERNATES

District 22	**Bernard Robson,**	Rahway BOE (Union)
District 24	**Raymond Morris,**	Newton BOE (Sussex)
District 26	**Alison Cogan,**	Parsippany BOE (Morris)
District 27	**Pamela Chirls,**	Livingston BOE (Essex)

REGION D – ALTERNATES

District 35	**Lucia DeNova,**	North Haledon BOE (Passaic)
District 38	**Alan Feigenson,**	River Dell Regional BOE (Bergen)
District 31	**Sam Maggio,**	Bayonne BOE (Hudson)
District 32	**Afaf Muhammad,**	Jersey City BOE (Hudson)

EX-OFFICIO: **Karen Cortellino, M.D.**, NJSBA IPP, Montville Twp. BOE (Morris)

STAFF: Carl Tanksley, Jr., Esq., General Counsel
E-mail: ctanksley@njsba.org

Lauren Liu, Executive Assistant to the General Counsel
E-mail: lliu@njsba.org

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

Phone: (609) 278-5250
Fax: (609) 278-5250
800 #: 1-888-88NJSBA

RESOLUTION NO. R02 **PATHOGEN SCREENING**

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):

On October 27, 2026, the Resolutions Subcommittee removed the Springfield Twp. resolution from the Delegate Assembly agenda pursuant to Art. V §5(f) of the NJSBA *Bylaws*, as a reaffirmation of existing policy. Pursuant to Art. V§6 of the *Bylaws*, Springfield Twp. has filed a Notice of Motion to override the action of the Resolutions Subcommittee.

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



Neko Vretos

NJSBA REVIEW - RESOLUTON NO. R02

SYNOPSIS

Resolution No. 1 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.

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.

DISCUSSION

Under N.J.S.A. 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.

At home kits would eliminate the school nurse's time and effort of collecting stool samples but increase their administrative time by having to distribute home collection kits to parents. Additionally, the results would be reported to the physician, which would then have to be shared with the school.

For on-site school nurse direct collections, the workflow to perform the collections would create logistical and biohazard challenges. Students would have to be instructed on how to collect their own stool sample using specialized collection hats placed over the toilet. Since the handling of stool samples would be considered a biohazard waste, the health office would need personal protection equipment, specialized hazardous waste disposal containers, and dedicated medical refrigeration units to store the samples before lab courier transport. Additionally, for specific pinworm screening, a nurse would have to perform a "tape test" by pressing clear adhesive tape against the perianal skin early in the morning to capture eggs, which is a highly invasive procedure that if conducted in a school setting would potentially raise privacy and consent concerns.

The considerations for requiring students to be screened by a family's physician are numerous. Although the resolution states that no costs should fall on local school districts or public taxpayers, individual families and healthcare systems would incur direct and indirect costs to implement such a screening. The costs could include costs for stool tests, physician visits, time by physician office staff for specimen collections and review of diagnostic reports, and financial assistance for families that currently do not have family health coverage. For families currently covered under Medicaid, such tests are only covered when medically necessary for children displaying symptoms. Public health insurance generally does not cover broad testing panels unless ordered for a specific clinical diagnosis.

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 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.

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.

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.

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. 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.

RELEVANT NJSBA POSITIONS AND POLICIES ON EDUCATION FILE CODE

In NJSBA's Positions and Policies on Education File Code 5141 under the Student Health and Safety section,

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 to better inform their school community.

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. 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.

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.

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 position policy 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.

For families without health insurance, they 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.

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.

RESOLUTION NO. B01 **EXECUTIVE COMPLAINTS**

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

NJSBA REVIEW - RESOLUTION NO. B01

SYNOPSIS

Resolution No. B01 from the Hillsborough Township Board of Education (Somerset) proposes **new** language for addition to Article X (Committees), Section 8 (Ethics Committee) of the *NJSBA Bylaws*, and proposes **new** policy language for adoption by the Delegate Assembly, and for inclusion in the NJSBA's *Manual of Positions and Policies on Education* (P&P).

BACKGROUND

The Hillsborough Township Board of Education submitted a resolution seeking to do two things: (1) to add a new subsection (g) to Article X, Section 8 of the *NJSBA Bylaws*; and (2) to add two new belief statements to an unspecified file code within the P&P.

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 would then be required to 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 investigation. 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.

Similar to the proposed new subsection (g) in the *NJSBA Bylaws*, the resolution's first proposed addition to the *Manual on Positions and Policies on Education* would profess the belief that "[a]ny 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 second proposed belief statement would provide that board members and delegates who raise "governance concerns in good faith" must be explicitly protected from retaliation, legal threats, and personal financial exposure, and that 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.

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

I. Proposed New Subsection of the *NJSBA Bylaws*

Before addressing the Hillsborough Township Board of Education's proposal to add a new subsection to the *NJSBA Bylaws*, 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, 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.

As noted above, 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 permits 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. However, as noted below, existing statutes, bylaws, policies, and ethical obligations ensure oversight of these employees.

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

In contrast to allegations lodged against employees, the Ethics Committee is specifically charged with reviewing and investigating charges of 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 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 resolution is adopted, legally compliant and carefully balanced due process protections currently set forth in policy would be substantively altered. For example, 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 and one-sided information. Stated differently, the resolution submitted by the Hillsborough Township Board of Education conflates 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 legally compliant, fundamentally fair, 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 the 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.

C. Indemnification

The concluding sentence of the new subsection (g) proposed by the Hillsborough Township Board of Education states, "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." In essence, this language seeks indemnification for those board members and delegates who "in good faith, submit or support" complaints of misconduct, ethical violation, or conflict of interest concerning the Executive Director, General Counsel, or Executive Committee members.

While the NJSBA is required to indemnify officers, Board of Directors members, and employees when *defending against* certain complaints which arise out of and occur in the course of the performance of their duties, there is nothing in the *NJSBA Bylaws* or in the *Governance and Operations* Manual which explicitly requires the NJSBA to indemnify *anyone* who *submits* or *supports* a complaint against any officer, member of the Board of Directors, the Executive Director, or the General Counsel. *See* GO/File Code 3530. In a similar vein, when a person files an ethics complaint against another school official with the School Ethics Commission, the person who initiated the complaint, regardless of whether they are also a school official, is not entitled to indemnification; however, the person against whom the ethics complaint was filed, assuming their act or omission arise out of and in the course of the performance of their duties, will most likely entitled to indemnification because of clear and express statutory authority, namely *N.J.S.A.* 18A:12-20. In this way, NJSBA's indemnification policy mirrors the statutory indemnification statute.

Moreover, GO/File Code 3530 specifically provides that, "No officer and/or Board of Directors member shall be indemnified for any expenses incurred in defending a proceeding before the NJSBA Ethics Committee." In addition, GO/File Code 8463R states, in connection with proceedings before the Ethics Committee, "There shall be no identification of the parties," which necessarily includes the person who submits such a complaint, and the person against whom such a complaint is filed. These procedures mirror the New Jersey system of jurisprudence wherein complainants are not generally entitled to indemnification for costs in filing a complaint against a state entity unless statutorily authorized.

Because there is no explicit authority in the *NJSBA Bylaws* or the *Governance and Operations* Manual, or in any other statutory or regulatory authority, for the indemnification of board members or delegates who submit or support the filing of a complaint with the Ethics Committee and, in fact, it is specifically prohibited by GO/File Code 3530 and GO/File Code 8463R, the inclusion of such language in the *NJSBA Bylaws* would be contrary to existing policies in the *Governance and Operations* Manual.

II. The Proposed New Policy Language

Before addressing the Hillsborough Township Board of Education's proposal to add two new belief statements to an unspecified file code within the P&P, it is necessary to distinguish between the objective of the P&P, versus that of the *NJSBA Bylaws*.

The P&P represents the NJSBA's positions with respect to board of education responsibilities, local school district operations, and other critical areas affecting or otherwise impacting boards of education throughout the State. The policies and positions in the P&P, which are enumerated as broad-based belief statements, form the basis for the advocacy efforts of the NJSBA *on behalf of* boards of education. In this way, they serve as "the framework for NJSBA activities and efforts in *legislative, legal, program and service areas* … (emphasis added)" *See* GO/File Code 8700. Stated differently, and as explained in GO/File Code 8700R, the policies and positions in the P&P are designed to "address the current priorities in public education and the needs of New Jersey's school districts."

On the other hand, the *NJSBA Bylaws* address "the needs of NJSBA's membership and the efficient and orderly operation of the [NJSBA's] governance structure." *See* GO/File Code 8600R. Unlike the P&P, the *NJSBA Bylaws* are adopted by the NJSBA to manage and direct its own internal affairs and operation. The *NJSBA Bylaws* directly address how the NJSBA is organized, how it operates, and how it manages its internal structure and procedures.

Against that backdrop, the Hillsborough Township Board of Education seeks to add two new belief statements to an unspecified file code within the P&P. The first proposed belief statement would state that "… 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 second proposed belief statement would provide that board members and delegates who raise "governance concerns" must be explicitly protected from retaliation, legal threats, and personal financial exposure, and that 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.

Because the policy statements proposed by the Hillsborough Township Board of Education solely concern the internal governance structure and operations of the NJSBA, and would have absolutely no impact on "NJSBA activities and efforts in legislative, legal, program and service areas" on behalf of boards of education, and would not otherwise inform the advocacy efforts of the NJSBA on behalf of school districts throughout the State, they are not appropriate for inclusion in the P&P. Although governance and operational issues are appropriate for inclusion in the *NJSBA Bylaws*, and in related policies and regulations of the *Governance and Operations* Manual, they are not appropriate for the P&P. In the same way that a local board of education is governed by its bylaws, its policies, and its regulations, the NJSBA must only be governed by its *NJSBA Bylaws*, and by the policies and regulations that are adopted by the Board of Directors and embodied in the *Governance and Operations* Manual.

Even if it was appropriate for the proposed belief statements to be considered for inclusion in the P&P, which it is not, it has already been explained that there are sufficient processes and procedures in place to address and resolve alleged unethical behavior by the Executive Director, General Counsel, and NJSBA officers, and adding the Hillsborough Township Board of Education's proposed language to the P&P would only contradict clearly codified processes and procedures in the *NJSBA Bylaws*, and the related policies and regulations and would deprive those individuals of fundamental due process.

Moreover, just as there is no explicit authority in the *NJSBA Bylaws* or the *Governance and Operations* Manual, or in any other statutory or regulatory authority, for the indemnification of board members or delegates who submit or support the filing of a complaint with the Ethics Committee, there is also no explicit authority in the *NJSBA Bylaws* or the *Governance and Operations* Manual for those who initiate or file a complaint of misconduct against any officer, member of the Board of Directors, the Executive Director, or the General Counsel, in any process or proceeding other than through the Ethics Committee.

If, as contemplated by the resolution, a board member or delegate who filed a complaint was entitled to indemnification, and the NJSBA was also required to indemnify the person against whom the complaint was filed, then the NJSBA would be liable for the costs associated with both the prosecution and the defense of the same complaint. If this same concept were applied in the context of ethics complaints filed with the School Ethics Commission, this would mean that a local board of education would bear financial responsibility for the fees incurred by both the complainant *and* the respondent to resolve the complaint. Not only is this fiscally irresponsible, the provision of such blanket indemnification could also lead to the filing of complaints without regard to their merit or veracity.

Because there is a lack of express authority in the *NJSBA Bylaws* or the *Governance and Operations* Manual, or in any other statutory or regulatory authority, for the indemnification of board members or delegates who initiate a process or procedure or who otherwise file a complaint such a procedure is also inappropriate for inclusion in the P&P, the *NJSBA Bylaws*, and the *Governance and Operations* Manual.

STATEMENT OF REASONS

1. The NJSBA's Ethics Committee establishes a code of conduct for officers and members of the Board of Directors; 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 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.

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 legally compliant, fundamentally fair, 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.

6. The stated concerns about how alleged complaints of misconduct against the Executive Director, General Counsel, and/or the Executive Committee are processed and adjudicated, and about NJSBA governance generally, are not appropriate topics for inclusion in the P&P. Moreover, these matters are already adequately addressed in existing policy.

7. There is no explicit authority in the *NJSBA Bylaws* or the *Governance and Operations* Manual, or in any other statutory or regulatory authority, for the indemnification of board members or delegates who, in good faith, submit or support the filing of a complaint with the Ethics Committee, and/or who initiate or file a complaint of misconduct against any officer, member of the Board of Directors, the Executive Director, or the General Counsel (other than through the Ethics Committee).

RECOMMENDATION

For the foregoing reasons, the Resolutions Subcommittee recommends that the proposed resolution submitted by the Hillsborough Township Board of Education seeking to add a new subsection (g) to Article X, Section 8, and to add two new belief statements to an unspecified file code within the P&P, should not be adopted.

RESOLUTION NO. R05 **SPEC. ED. RESERVE ACCOUNTS**

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

NJSBA REVIEW - RESOLUTION NO. R05

SYNOPSIS

Resolution No. R05 from the Cliffside Park Board of Education (Bergen) 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.

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 the authority to reserve funds for anticipated but unknown expenses as suggested in this resolution would provide valuable financial flexibility for all local 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 contracted transportation routes are capped at an increase of CPI each year, rising fuel costs, capital costs for buses, and personnel costs associated with these routes may force private vendors to not

accept the small CPI increase. In this case, the route would need to be publicly rebid by the district, resulting in increases much greater than CPI. 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 of a classified student to a district's enrollment mid-year could increase tuition, contracted services for speech/OT/PT, and transportation immediately, as districts are required to provide such services to meet FAPE for such students. In addition, out-of-district tuition, for students requiring such services, 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. However, boards of education are currently only allowed to establish reserves for seven explicitly-named purposes and not for other unanticipated costs. *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: "[t]he 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.

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 approval from the Commissioner of Education 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 was 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 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 substantially negative 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 Resolutions Subcommittee recommends approval of the proposed 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