

Fundamentals

OF SCHOOL BOARD MEMBERSHIP



New Jersey School Boards Association

Fundamentals of School Board Membership



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Acknowledgements and Contributors

This edition of *Fundamentals of School Board Membership* is built upon the fine work that went into the writing and editing of the previous editions.

The legal, policy, labor relations, field service, governmental relations and communications experts — past and present — of the New Jersey School Boards Association have shared their considerable knowledge in the pages of this volume, enabling it to reflect both time-honored wisdom and the latest regulatory and legal actions that might affect board members.

The NJSBA field service representatives have been integral to this edition, including Jesse Adams, Mary Ann Friedman, Kathy Helewa, Jane Kershner, Matt Lee, Theresa Lewis, Charlene Peterson, Gwen Thornton, and Kathy Winecoff. Other NJSBA staffers involved in this edition include Jonathan Pushman, John Burns and Christopher Jones, of the NJSBA governmental relations department.

NJSBA would also like to recognize contributors to previous editions, whose work continues to illuminate the subjects covered here. Lee Lusardi Connor, an author, editor and herself a former school board president, contributed immensely to the 2016 edition, as did Frank Belluscio III, former NJSBA deputy executive director and director of communications.

Janet Bamford, NJSBA chief public affairs officer, oversaw the editing and much of the writing of this edition. Adriana DiGiacomantonio, NJSBA graphic design manager, directed the design and production of the book.

Foreword

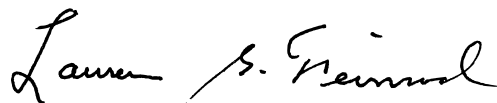
I am proud to present *Fundamentals of School Board Membership 2021*. This collection of articles reflects the New Jersey School Boards Association's mission to promote effective school district governance, with the ultimate goal of advancing the achievement of all students.

As a local school board member, you are part of the public body that plans and governs the education of your community's children. It is a critical role that has grown in complexity. Today, local boards of education must make decisions involving collective bargaining, funding, and curriculum. The board must work with its attorney, engage the community, and select and evaluate its superintendent.

Our authors include experts in school law, negotiations, policy development, board-superintendent relations, school-community relations, and other subjects vital to the local governance of public education.

For new school board members, *Fundamentals of School Board Membership* will not only serve as a valuable information source, but also as an introduction to the extensive training and resources available from NJSBA. For veteran board members, the book can be a continuing reference on effective school board membership.

We wish your school district continued success in its mission and urge you to turn to the New Jersey School Boards Association for guidance and assistance.



Lawrence S. Feinsod, Ed.D.
Executive Director

NJSBA Field Services Department

Field service representatives provide no-cost direct services to boards of education across the state. Our highly skilled team has experience in school board governance and responsibilities and can provide information and workshops on topics including superintendent evaluation; board self-evaluation; goal-setting; community engagement; school finance; student achievement; and more.

Your district's field service representative can also tailor workshops and retreats to your board's specific needs. Boards of education receive credit through the NJSBA Board Member Academy toward board certification for this professional development. Below is a listing of the programs currently available.

Each school district has an assigned field service representative. Contact information for your board can be found at www.njsba.org/services/field-services under the "Find Your FSR" function.

Board Governance:		
Board Effectiveness & Teamwork	Continuous Improvement	Parliamentary Procedure
Board Oversight & Appraisal	Consensus Building/"Getting to Yes"	Roles & Responsibilities
Board's Role in Budget Development	Dealing with Difficult People	Starting Right/Board-Building
Board's Role in Curriculum	Education Reform Initiatives	Strategies for Success
Board's Role in Finance	Effective Meetings	Student Achievement
Board's Role in Policy	Ethics	12 Common Mistakes
Committee Effectiveness & Roles	Goal-Setting/Using Data Effectively	Transitioning to a New Superintendent
Conflict Resolution	Listening Skills	Work Styles
	Governance by Policy	
Communications:		
Effective Year-Round Communications	Key Communicators	Public/Community Engagement
Evaluations:		
The Evaluation Process	Board Self-Evaluation (Feedback)	Superintendent/CSA Evaluation
Fee-Based Services:		
Superintendent Search	Strategic Planning	Focus Group Facilitation

Who Does What in Public School Governance

*A primer on the distinct functions of school boards,
board members and superintendents*

You've probably heard it a dozen times, and you'll hear it dozens more during your time as a board member: The role of a board of education is not to run the schools but to see that they are well run.

But what does that mean, in practical terms, for public school governance? Here, we'll define the various and separate functions of a board of education, individual board members and a district's superintendent/chief school administrator. (We'll use the terms "superintendent" and "CSA" interchangeably.)

Board Members' Roles

Board members provide a critical function as representatives of and to their communities. However, it's important to remember that the power lies with the group. Individual board members have no legal status other than that of any citizen, except when sitting with other board members in a legally constituted meeting. As individuals, board members cannot make decisions for the board, take actions for the board, or speak for the board, unless the board has authorized them to do so.

Local school board members are state representatives. They are empowered by state law to perform a state function — governing the public schools — at a local level.

Board members are community representatives. That means representing the entire community, not just the area in which they live or their particular supporters. Board members have a responsibility to listen to all citizens and to explain to those with a particular point of view the needs of the school system as a whole.

Above all, board members are responsible for and to all the students in the schools. Every policy they approve and every action they take needs to be based on what is best for the education of students.

Board members are policy makers. They provide guidance through policy development in the areas of instruction, personnel, general administration, fiscal and business management, physical plant and community relations.

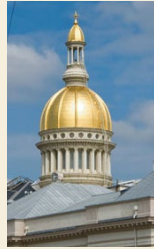
These policies serve as a guide to the chief school administrator and provide him or her with direction, a basis for decision-making, and an imperative

From Trenton to Your Town

Here's how state governance of education works:



The New Jersey Constitution gives the Legislature the power to govern the schools.



The Legislature delegates its power and function to make rules and regulations (within the law) to the State Board of Education.



The State Board's staff, the New Jersey Department of Education, has the authority to carry out the mandates created by those higher bodies.



Within all these laws and regulations, local boards of education can develop their own policies covering a multitude of issues relevant to their local districts.

for action. Within the policy manual there is a section called “Board Bylaws,” which explains how the school board governs itself.

Board members are visionaries and goal-setters. They set standards for a program of quality instruction, and ensure that the budget can support the achievement of those standards, as well as professional development training for staff. They hold administrators accountable for the achievement of those goals.

Board members are communicators. They provide two-way communication between the community and the school district by informing the public about the schools, promoting parents' presence in schools and working to secure public support for the schools and district goals.

The Superintendent's Role

The superintendent is the implementer-in-chief of the district. In order for him or her — and the district — to succeed, it is critical to have a good relationship between the board and the superintendent. The board must trust its superintendent, have respect for his or her professional training and experience, and be confident in the person's ability to administer the district. The superintendent, in turn, should give the board his or her loyalty and best advice, while providing the most competent management of the schools, and seeing that the board's policies are implemented.

The superintendent's responsibilities are divided into three areas: chief advisor to the board of education, executive officer of the school district, and educational leader within the community.

Chief Adviser In this role, the superintendent is consulted for background information, alternatives, suggestions, and recommendations before decisions are made. The CSA will often bring issues that require board discussion and/or action to the attention of the board. He or she keeps the board briefed on district operations and may ask other district staff to attend board meetings to give reports on particular items. As the top education professional, the superintendent

Don't Break the Chain of Command

Sometimes board members are contacted by community members about individual student issues. When that happens, board members should immediately refer the person to the appropriate member of the school staff. If the person doesn't get satisfaction, he or she should continue up the chain — for example, from teacher to principal to superintendent to, if necessary, the school board.

By going to a board member, a concerned citizen may believe he or she is "going right to the top" in a school system. Unfortunately, this practice actually impedes a solution because it creates morale problems, complicates communication and involves board members in matters that are outside their area of responsibility.

Let the chain of command work. The board of education should preserve its role as final arbiter on issues that have not been resolved at other steps in the chain.

continually evaluates and assesses which policies are working well and which need to be changed.

All issues on an agenda for board action are accompanied by the superintendent's recommendation. A variety of options and alternatives may be provided in the information, but the superintendent includes his or her judgment on which would be best.

Executive Officer As the executive officer of the school district, the CSA is responsible for running the school system, and is accountable to the board regarding how well it is run. By personal action, delegation, and supervisory activities, the superintendent directs appropriate staff members in the following areas of his responsibility:

- Development, expansion, and evaluation of the education program.
- Recommendations for hiring of new staff and renewal or nonrenewal of nontenured staff.
- Recommendations and administration of the teacher, staff and administrator evaluation process.
- Recommendations for disciplinary action for tenured staff members not performing at expected levels.
- Creation and implementation of professional development programs for the staff.
- Development of sound evaluation procedures for staff, in accordance with state regulations.
- Monitoring of all expenditures and the establishment of control systems for purchasing and accounting.
- Maintenance of all school facilities and equipment.
- Development of a safe and equitable school environment for staff and students.
- Development of all necessary transportation systems.
- Awareness of and adherence to legal mandates relevant to the public schools.
- Establishment of effective, two-way lines of communication with the community and stakeholders.

In all of these areas, the superintendent must constantly keep the board informed on how things are progressing, where problems might surface, and what actions they should be taking to ensure a smoothly functioning system.

Educational Leader Finally, the superintendent is the educational leader within the community. The CSA remains active in professional education organizations, is familiar with current ideas in education and takes the initiative in bringing worthwhile ideas to the attention of the board and the townspeople.

The Board-Superintendent Relationship

To ensure that the board and superintendent, in carrying out their respective duties, maintain the best relationship, each partner follows some basic guidelines.

For the board, these are:

- Not taking actions without consulting the superintendent and getting recommendations.
- Recognizing the superintendent as the district's education leader and listening to him or her as such.
- Not confusing the role of setting policy for the district with that of running the schools.
- Not surprising the superintendent.

For the superintendent, these are:

- Understanding what the board needs to know and when, in order to fulfill its governance.
- Implementing policies of the board in the most effective and efficient manner and evaluating the results.
- Recognizing the board as the final authority in the school district and conveying that recognition to the rest of the staff.
- Not surprising the board.

In carrying out their separate responsibilities cooperatively, the board and the chief school administrator aid each other in the effective management of the school system.

Let Policy Be Your Guide (and Your Shield)

When you are hearing concerns on issues affecting the district as a whole, your function as the member of a policy-making organization becomes relevant. Such concerns might appropriately be placed on a meeting agenda for discussion by the whole board or a board committee. The discussion could result in new or revised policies being adopted and implemented in the district.

NJSBA always advises boards to review and update policies on a regular basis. It is not a good idea to change school district policies during a crisis. Sound, updated policies can be your lifeline for decision-making during an emotion-charged incident.

For example, several years ago a New Jersey school district faced a challenge to its written policy concerning its high school senior prom. Students who were attending were asked to sign a pledge not to use alcohol; parents also had to sign the agreement as well. The pledge included clear consequences for anyone who was caught

drinking or drunk at the prom, such as not walking at graduation.

One year, two girls were sent home from the prom for violating the no-alcohol policy. The school board president was surprised to get a telephone call at 11:30 p.m. from a local judge, who began pleading the case of the girls, arguing that the policy was unfair and wrong-headed. It turned out that one of the girls was his niece.

The board president calmly told him that the school board had a firm rule not to change or disregard policy in a crisis. She told him that he had an interesting point to make, and that she would suggest a review of the policy for the following year if he would like to come to a meeting and express his views. He passed on the opportunity to further discuss the matter; but the board president was able to de-fuse a difficult situation by relying on the board's established practices.

The Board-Superintendent Relationship: Partners in Progress

By Dr. Lawrence S. Feinsod

If you have ever wondered how important your work on your school district's board of education is, consider the Iowa Lighthouse Study.

That study, conducted by the Iowa Association of School Boards, reported a direct correlation between the characteristics of a well-functioning school board and student achievement. Simply put, districts with well-run boards of education have higher student achievement.

The research team also reported on the relationship of the school board and superintendent team among districts with differences in student achievement.

One of the attributes shared by effective school boards is a “good working relationship with the superintendent.” Typically board members in those districts reported that they had amicable relationships with their chief school administrator, pointing out that they could “disagree without making it personal.”

So how can these two cornerstones of your school system — the board and the superintendent — build a good relationship?

Understanding the Roles

Key to a productive and healthy board-superintendent relationship is that board members and superintendents each understand their respective roles.

I have spent my entire professional career in public education — more than 50 years — as a teacher, assistant principal, principal, superintendent, executive county superintendent, and now, as executive director of the New Jersey School Boards Association.

I can tell you that 99% of the time when a board and a superintendent are not working well together, the cause is a fundamental misunderstanding, on one side or the other, of what each side's role is.

The Role of Board Members

- Board members determine the overall vision and mission of the school district.
- They plan and approve district goals.
- They monitor and oversee the district's programs.

- They communicate the district’s goals and performance to the community and act as ambassadors for the district.
- They determine district policies.
- They secure financial resources for the district, through voting to approve a school district’s yearly budget, and they accept responsibility for monitoring district finances.

Board members need to respect the superintendent’s right to be the educational leader of the district. The superintendent is often called the chief school administrator — and that is his or her function. That means that board members should refrain from dealing directly with school system employees, receive reports from them through the superintendent, and refer complaints or other communication regarding staff to the superintendent.

A new board member will sometimes want to be helpful to citizens by looking into complaints for them. That is not a board member’s function. Parents and other education stakeholders should be directed to work up the chain of command if they have a problem with a teacher or coach.

Several of the other chapters in this book delve into more detail about the board’s role in various district functions — including personnel, curriculum, policy, and finance. As you will see, the specifics vary, but there is a common theme. Board members are there to provide oversight — not to run the district but to see that it is well-run.

There is an old joke in board of education circles that sheds some light on the role of the board member. How many board members does it take to change a lightbulb? The answer? None! It’s not the board member’s job to change the lightbulb. The board member’s job is to say to the superintendent, “We would like there to be adequate lighting for staff to teach and students to learn, and we’d like it to be as efficient as possible.” Then it is the superintendent’s job to figure out how to achieve that goal and actually accomplish it — or delegate the task.

The Role of the Superintendent

If the board sets the goals and policies for the district, the superintendent faithfully implements those goals and policies. He or she establishes objectives, action plans, district regulations and procedures — all of which define the means by which goals are accomplished.

The superintendent also serves as the chief adviser to the board, keeps the board well-informed about school issues, interprets the needs of the district and makes recommendations to the board. He or she also establishes and manages the financial operations of the district, in close collaboration with the business administrator.

The superintendent is a leader in school/community relations and is highly visible in the school community.

A superintendent needs to faithfully implement a board’s policies and decisions, even if he or she does not agree with those policies.



Hiring Matters: Handle with Care

Personnel is an area in which some boards try to micromanage. Keep in mind that it is the superintendent who, by statute, is responsible for recommending candidates for employment to the board, as well as recommending which employees will be nonrenewed or

terminated.

I found it useful to adopt a multi-tiered interview process for new hires. At times, based on the type of vacancy to be filled (e.g., principal, supervisor, assistant superintendent) board members might be included as members of the screening committee. The bottom line, however, was that recommendation of personnel remained the responsibility of the superintendent.

If I were to sum up the role of each side, the board decides: what, why and how much. The superintendent decides: how, when, where, by whom and recommends decisions. The board then votes on decisions.

Communications Between the Board and the Superintendent

Clear, full and frequent communication between the board and the superintendent is all-important.

Boards need to establish firm expectations for interaction, behavior and responsibilities of the superintendent right from the start. Superintendents should make it a point to update board members frequently. As a superintendent, I sent out a weekly update to my boards.

I also had a “no surprises” policy and appreciated the same courtesy from board members. A public board meeting is not the time or place for either the board or the superintendent to raise “surprise” issues.

It is the superintendent’s responsibility to provide enough information, in a timely manner, to evaluate and act on the recommendations he or she makes. In turn, board members should take the time before a board meeting to review the information.

The Annual Evaluation

One of the most important responsibilities of the board is to conduct the mandated annual evaluation of the superintendent. That process allows both the board and the chief school administrator to review the progress made on the previous year’s goals and decide whether the goals have been achieved or if the district is still working toward those achievements.

As noted, the board has a legal responsibility to evaluate the CSA. The evaluation is also required by the New Jersey Quality Single Accountability Continuum (NJQSAC). In addition, the New Jersey Administrative Code requires boards of education to annually evaluate tenured and nontenured superintendents.

Every year, boards have the opportunity to set goals — no more than three to five is ideal — that reflect the community’s aspirations for its school system. When the board and the superintendent cooperatively establish these goals, it

provides a road map for the entire school community. NJSBA provides online resources to help with your board's superintendent evaluation.

The board's credibility will be enhanced if the board includes, on an annual basis, an evaluation of itself. This practice is now required to be completed annually by NJQSAC. NJSBA also has an online board self-evaluation instrument, and will assist boards in rating themselves as team members and as individuals in the following areas: planning, policy, student achievement, finance, board operations, board performance, board/superintendent relationships, board/staff relationships and the board and community relationship.

Establishing an effective and collegial board-superintendent relationship takes time and commitment, but the payoff is a better educational system for your students.

Dr. Lawrence S. Feinsod is executive director of the New Jersey School Boards Association. Previously, he served as the superintendent of schools in the Cranford, Madison and Mount Arlington school districts. From 2008 to 2012, he was the state Department of Education's executive county superintendent for Essex County, assisting and overseeing 23 school districts with a student population of approximately 130,000. He began his career as a special education teacher in Linden, followed by administrative assignments as Assistant Principal of Holmdel High School and Administrative Principal in Mount Arlington. In addition, he served for approximately 20 years as a member of the Board of Education of the Morris-Union Jointure Commission, including a term as the board's president.

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10 Tips for New Board Members

Some words of wisdom from a board veteran

You did it! Got up your courage, filled out the petition, campaigned and won. Now you're a brand-new, sworn-in school board member.

Congratulations. However, if you're like most of us, you may be feeling a few butterflies in your stomach as you contemplate your new job. The size and complexity of the board packets! The jargon and acronyms that fly so freely around the committee table! The — uh-oh — is that an upset parent who's heading determinedly your way in the supermarket?

In the hopes of easing these first steps of your journey, I would like to share a few things I wish I'd known when I first sat at the board table:

1. Just listen for a while.

Get an ear for the local dialect. You've arrived on the board knowing certain things about the hot topics in your district. Now, you'll get a new perspective. Every district issue is governed by a complex web of local history, personality, statute, negotiated agreements and more. Smart newbies let experienced board members give them the background scoop before weighing in with a proposed solution.

Of course, ask questions, too — no matter how basic you fear they are. Don't know the difference between an LEA and an IEP? Between NJQSAC and ADA? Neither did your colleagues when they first started out. No need to fake it; just ask.

2. Take off your private sector hat.

If you work in the corporate world or as an entrepreneur, your professional frame of reference will only take you so far. Many matters can be dealt with promptly or by fiat in business. Not so in education, where no action is taken without lengthy discussion, consultation and buy-in from various stakeholders. Managing is different when a staff is covered by a collective bargaining agreement. Very different. Swallow hard and accept the rules the district must play by.

3. Take the new board member training ASAP.

The sooner you do it, the sooner that question mark floating above your head will disappear. As the months go on, attend any other NJSBA programs you

need. At first, I thought I couldn't spare the time for programs because I was spending so much time "learning on the job." Then I attended a few sessions. In my experience, the NJSBA sessions are substantive and well organized. They don't waste your time, and you come away with relevant materials for later reference.

4. Your role is different now.

While you may have been effective in the past as a fiery advocate or impassioned parent rep, now your job is to step away from the day-to-day drama and function as a member of a policy-making body. Further, any careless or negative remark you might make about the schools now carries a weight it wouldn't have had pre-election. And in matters involving personnel, negotiations or litigation, you must keep information absolutely confidential, or you can do real harm. Needless to say, chatting about the schools on the soccer sidelines will become somewhat less relaxed for you.

5. No surprises at the board table.

Don't publicly blindside fellow board members or administrators with tough questions or controversial issues. Also, don't grandstand with speeches that make it clear that you and you alone are the board member who feels the pain of the audience regarding the hot issue du jour. Unless, that is, your goal is to annoy your colleagues, lose their trust and render yourself ineffective. You can't get anything done as one board member; you need to get a majority to agree with you. Work as a member of a team.

6. The key to success is learning to say the same thing a thousand times.

As noted, nothing happens quickly in the world of education. There are hundreds of competing priorities and limited administrative time. Even though your pet idea may be completely fabulous and its worth self-evident, the wheels aren't going to start turning the first time you mention it. Or even the first dozen times. You're going to have to keep it on the radar screen via research and consensus-building and mentioning it, mentioning it, mentioning it.

7. Read the negotiated labor agreement thoroughly.

It took me a while to get around to doing this, because the document was so long and dense and, well, it was someone else's job to be on top of that. Eventually I realized that the wording of this contract — along with relevant state and federal laws — was the key to most of the issues the board faced. It was easier to absorb it than it had been to avoid it.

8. Read up on your district's policies.

Same as above.

9. You don't have to be the hero.

Which is another way of saying that your job is not to run the schools; it is to see that the schools are well run. This concept goes to the heart of one of board

membership's most fraught situations. When an upset parent or staff member comes to you, your natural inclination as a can-do guy or gal will be to fix the problem. However, you must resist that temptation.

Certainly you should listen, empathize and thank the person for sharing. But don't say, "I'll look into it and get back to you." The person needs to be advised to deal with the issue by going through the staff and administrative chain of command. This is not a heartless rebuff of a concerned citizen; it is actually the best means he or she has of getting a resolution to the problem. Should the issue eventually rise to the board level, you will address it then — and even then you'll have only one vote.

10. Being a school board member is both a big job and an adventure.

Yes, it's work — hours of meetings and reading and wrapping your mind around complicated and deep-rooted issues. You won't be paid and you'll rarely be thanked (it's a little like parenting in that way).

The intrinsic reward, though, is tremendous. Public education is absolutely fascinating — timely, relevant, intellectually challenging and emotionally engaging.

More important, over time and with persistence, you will feel that you are making a positive difference. If you ever find yourself to be tapped out, make time to attend the school play or concert or science fair as a private citizen, or simply take a moment to observe your district's students next time you are at the school as they get off the school bus with their backpacks. So merry, so innocent, so clueless (we hope!) about the thorny issues we adults are busy wrangling with.

It's a great way to remind yourself why you got into this gig.

This article was written by **Lee Lusardi Connor**, a former member, president and vice president of the Morris Plains Board of Education, and former president of the Morris County School Boards Association. She is a professional writer and editor.

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The New Jersey School Ethics Act: Frequently Asked Questions

Since its enactment in 1991, the New Jersey School Ethics Act has had a profound impact on the operations of the state’s public schools. The law establishes ethical standards for school officials, including local board of education members and charter school trustees. The following list of questions and answers provides information about the School Ethics Act and the New Jersey School Ethics Commission, the gubernatorial-appointed body that interprets and enforces the Act.

What is the New Jersey School Ethics Commission?

The New Jersey School Ethics Commission (NJSEC) is a nine-member body with the power to issue advisory opinions, receive complaints, receive and retain disclosure statements, conduct investigations, hold hearings, and compel the attendance of witnesses and the production of documents as it may deem necessary to enforce the School Ethics Act. (*N.J.S.A. 18A:12-21 et seq.*)

It is composed of two school board members, two school administrators and five public members. No more than five of the nine members are from the same political party. **School Ethics Commission members** are appointed to three-year terms by, and serve at the pleasure of, the governor. The commission is established in the New Jersey Department of Education.

The commission typically holds its **meetings** on the fourth Tuesday of each month, except for the December meeting, which is scheduled separately. Commission meetings are usually held at the New Jersey Department of Education (NJDOE), 1st floor conference room, 100 Riverview Plaza, Trenton.

What is the School Ethics Act?

The **School Ethics Act** (*N.J.S.A. 12:21 et seq.*) is intended to ensure that the conduct of school officials holds the respect and confidence of the people. The Act defines “**school officials**” as school board members, school administrators, charter school trustees, charter school administrators, and New Jersey School Boards Association officers and professional staff. (*N.J.S.A. 18A:12-23 and 23.1*) Through the Act, the Legislature declared that school officials must avoid conduct which is in violation of their public trust or which creates a justifiable impression that the public trust is being violated. The Act sets forth standards for the following:

- **Conflict of Interest for School Officials** (*N.J.S.A. 18A:12-24(a)*) through

Ethics Training for Every Member



Orientation program attendees participate in training exercises at one of a number of small group sessions designed to provide a hands-on experience for new board members.

School board members must attend training programs in each of the three years of their first term, and in the first year of any new term if re-elected or reappointed.

The New Board Member Orientation program includes a component on the School Ethics Act (SEA), with emphasis on the SEA's Prohibited Acts (*N.J.S.A. 18A:12-24*) and Code of Ethics (*N.J.S.A. 18A:12-24.1*), (See pages 20 and 21 for a listing of these), the annual filing of financial, personal and relative disclosure statements, and the various resources available for those unsure of whether their conduct has ethics implications.

Re-elected and reappointed board members (public school board members as well as charter school trustees) must attend a program that includes a review of relevant changes to New Jersey school law, and every board must adopt policies and procedures regarding ethics training at the board level. Each board must annually discuss the SEA at a regularly scheduled board meeting and each board member must be given a copy of the Code of Ethics and sign an acknowledgment that he or she is familiar with it.

- (k)), which applies to school board members, school administrators, charter school trustees, and charter school administrators;
- **Code of Ethics for School Board Members** (*N.J.S.A. 18A:12-24.1(a)* through (j)), which applies only to school board members and charter school trustees, and not to administrators;
- **Annual disclosure of employment and financial interests** — Personal/Relative Disclosure Statements of School Officials (*N.J.S.A. 18A:12-25*) and
- Financial Disclosure Statements of School Officials (*N.J.S.A. 18A:12-26*), and school board member training requirements (*N.J.S.A. 18A:12-33*).

In furtherance of the standards, the NJSEC may take the following action:

- Review complaints alleging violations of the School Ethics Act (see **Filing and Answering a Complaint before the School Ethics**

Commission) and issue a final decision. The commission may dismiss the complaint, or it may adjudicate that the Act was violated and recommend a sanction against the offending school official to the commissioner of education.

- Issue **advisory opinions**.
- Enforce the requirement that all school board members and charter school trustees file **personal/relative and financial disclosure statements**.
- Enforce the **training requirements** for school board members and charter school trustees.

What is an advisory opinion?

A school official may request an advisory opinion about his or her prospective conduct, or that of another school official. (See **advisory opinions**.) An advisory opinion is just that: advisory. If approved for publication by the NJSEC, the advisory opinion may be relied upon by the requesting school official and other school board members, administrators and charter school trustees in conducting themselves in office. (*N.J.A.C. 6A:28-5.1, 5.2*) However, unlike a final decision of the NJSEC, an advisory opinion cannot be appealed, according to a 1996 opinion of the Appellate Division of Superior Court.

Advisory opinions may be made public only upon the direction of at least six members of the NJSEC. If an advisory opinion is made public, all references to school board members' and charter school trustees' names and/or boards of education and charter schools are removed.

What conduct is prohibited by the School Ethics Act?

The School Ethics Act establishes standards of conduct (*N.J.S.A. 18A:12-24*), which serve as guidelines for the activities of school officials, including board members and charter school trustees. The standards are summarized below.

- School officials or their immediate family members cannot have an interest in any business, or engage in any business, transaction or professional activity, that is in substantial conflict with the school officials' duties.
- School officials cannot use or attempt to use their positions to obtain unwarranted privileges, advantages or employment for themselves or anyone else.
- School officials must excuse themselves from any matter in which their objectivity or independence of judgment might reasonably be expected to be impaired because of the financial involvement of themselves, an immediate family member, or a business in which the board member has an interest. School officials must also excuse themselves from any matter where they or an immediate family member have personal involvement that creates a benefit to the school official or an immediate family member.
- No school official shall engage in any employment or service, whether compensated or not, which might reasonably be expected to prejudice his or her independence of judgment in the exercise of official duties.

- No school official may solicit or accept anything of value if given or offered for the purpose of influencing his or her official actions. This provision also applies to the official's immediate family members and to business organizations in which he or she has an interest. School board members, however, may solicit and accept campaign contributions if they reasonably believe the contributions are not given to influence their official actions.
- A school official cannot use or allow the use of his or her public office or any confidential information for personal financial gain or for the financial gain of either an immediate family member or a business with which he or she is associated.
- A school official (or business organization in which he or she has an interest) cannot represent anyone other than the board in any matter pending before the board or involving the board. Labor union and similar representational responsibilities are permitted.
- No school official shall be deemed in conflict with these provisions if, by reason of his or her participation in any matter required to be voted upon, no material or monetary gain accrues to him or her as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of that business, profession, occupation or group.
- An elected board member can request information for a constituent as long as there is no remuneration attached to the board member or the board member's immediate family.
- School officials and immediate family members may represent themselves in any negotiations and proceeding in the school district that involves their personal (family) interests. (For example, this provision would permit a board member, acting as a parent, to contest his or her child's academic grade or discipline.)

Are there any requirements under the School Ethics Act that pertain specifically to school board members and charter school trustees?

Yes, the School Ethics Act requires school board members and charter school trustees to abide by the following **Code of Ethics** (*N.J.S.A. 18A:12-24.1*), which was first established by the New Jersey School Boards Association in the 1970s:

- I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
- I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.
- I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.

QUICK VIEW: Code of Ethics for School Board Members

N.J.S.A. 18A:12-24.1

A school board member shall abide by the following:

- A. I will uphold and enforce all laws, rules and regulations of the State Board of Education, and court orders pertaining to schools. Desired changes shall be brought about only through legal and ethical procedures.
- B. I will make decisions in terms of the educational welfare of children and will seek to develop and maintain public schools that meet the individual needs of all children regardless of their ability, race, creed, sex, or social standing.
- C. I will confine my board action to policy making, planning, and appraisal, and I will help to frame policies and plans only after the board has consulted those who will be affected by them.
- D. I will carry out my responsibility, not to administer the schools, but, together with my fellow board members, to see that they are well run.
- E. I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.
- F. I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- G. I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its school.
- H. I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
- I. I will support and protect school personnel in proper performance of their duties.
- J. I will refer all complaints to the chief administrative officer and will act on the complaints at public meetings only after failure of an administrative solution.

- I will carry out my responsibility, not to administer the schools but, together with my fellow board members, to see that they are well run.
- I will recognize that authority rests with the board of education and will make no personal promises nor take any private action that may compromise the board.
- I will refuse to surrender my independent judgment to special interest or partisan political groups or to use the schools for personal gain or for the gain of friends.
- I will hold confidential all matters pertaining to the schools which, if disclosed, would needlessly injure individuals or the schools. In all other matters, I will provide accurate information and, in concert with my fellow board members, interpret to the staff the aspirations of the community for its schools.
- I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.
- I will support and protect school personnel in proper performance of their duties.
- I will refer all complaints to the chief administrative officer and will act

QUICK VIEW: What Are Prohibited Acts?

Prohibited Acts N.J.S.A. 18A:12-24

- a. No school official or member of his immediate family shall have an interest in a business organization or engage in any business, transaction, or professional activity, which is in substantial conflict with the proper discharge of his duties in the public interest;
- b. No school official shall use or attempt to use his official position to secure unwarranted privileges, advantages or employment for himself, members of his immediate family or others;
- c. No school official shall act in his official capacity in any matter where he, a member of his immediate family, or a business organization in which he has an interest, has a direct or indirect financial involvement that might reasonably be expected to impair his objectivity or independence of judgment. No school official shall act in his official capacity in any matter where he or a member of his immediate family has a personal involvement that is or creates some benefit to the school official or member of his immediate family;
- d. No school official shall undertake any employment or service, whether compensated or not, which might reasonably be expected to prejudice his independence of judgment in the exercise of his official duties;
- e. No school official, or member of his immediate family, or business organization in which he has an interest, shall solicit or accept any gift, favor, loan, political contribution, service, promise of future employment, or other thing of value based upon an understanding that the gift, favor, loan, contribution, service, promise, or other thing of value was given or offered for the purpose of influencing him, directly or indirectly, in the discharge of his official duties. This provision shall not apply to the solicitation or acceptance of contributions to the campaign of an announced candidate for elective public office, if the school official has no knowledge or reason to believe that the campaign contribution, if accepted, was given with the intent to influence the school official in the discharge of his official duties;
- f. No school official shall use, or allow to be used, his public office or employment, or any information, not generally available to the members of the public, which he receives or acquires in the course of and by reason of his office or employment, for the purpose of securing financial gain for himself, any member of his immediate family, or any business organization with which he is associated;
- g. No school official or business organization in which he has an interest shall represent any person or party other than the school board or school district in connection with any cause, proceeding, application or other matter pending before the school district in which he serves or in any proceeding involving the school district in which he serves or, for officers or employees of the New Jersey School Boards Association, any school district. This provision shall not be deemed to prohibit representation within the context of official labor union or similar representational responsibilities;
- h. No school official shall be deemed in conflict with these provisions if, by reason of his participation in any matter required to be voted upon, no material or monetary gain accrues to him as a member of any business, profession, occupation or group, to any greater extent than any gain could reasonably be expected to accrue to any other member of that business, profession, occupation or group;
- i. No elected member shall be prohibited from making an inquiry for information on behalf of a constituent, if no fee, reward or other thing of value is promised to, given to or accepted by the member or a member of his immediate family, whether directly or indirectly, in return therefor;
- j. Nothing shall prohibit any school official, or members of his immediate family, from representing himself, or themselves, in negotiations or proceedings concerning his, or their, own interests; and
- k. Employees of the New Jersey School Boards Association shall not be precluded from providing assistance, in the normal course of their duties, to boards of education in the negotiation of a collective bargaining agreement regardless of whether a member of their immediate family is a member of, or covered by, a collective bargaining agreement negotiated by a statewide union with which a board of education is negotiating.

on the complaints at public meetings only after failure of an administrative solution.

What Is the Personal/Relative Disclosure Statement?

The School Ethics Act requires board members to disclose the following:

- The name and position of any relative (spouse, child, parent, sibling) or person related to the board member by marriage who is employed by the school district in which the board member serves.
- The nature of any contract between the district and the board member or his or her relative or person related to the board member by marriage.
- The name of any business that has a contract with the school board and with which the board member or relative has one of the following relationships: (1) the board member or relative is employed by the business; (2) the board member or relative receives compensation from the business, or (3) the board member or relative has an interest in the business. (Interest in a business is defined as ownership or control of more than 10% of the profits, assets or stock.)

What Is the Financial Disclosure Statement?

The School Ethics Act's financial disclosure provisions require the reporting of only sources of income above a certain amount, but not the actual dollar amounts. Board members must report the sources of income for themselves and the members of their immediate families (spouse, and dependent children living in their household). The financial disclosure statement must include —

- Sources of income exceeding \$2,000 for each family member during the prior calendar year. (Interest or securities income need not be reported unless the family member retains more than 10% of the ownership or control of the financial institution or business organization.)
- Sources of fees and honoraria earned by each family member during the prior calendar year, which totaled more than \$250 from a single source. (Fees and honoraria are payments for such services as personal appearances, speeches or writing.)
- Sources of gifts, reimbursements or prepaid expenses valued at more than \$250 from a single source that were received by each family member during the prior calendar year. (Gifts from relatives need not be reported. Relatives include spouse, children, parents or siblings of the board member.)
- Names and addresses of all business organizations in which the board member or a member of his or her immediate family had an interest during the prior calendar year. (Interest in a business is defined as ownership or control of more than 10% of the profits, assets or stock of the business.)

When Must the Disclosure Statements be Filed?

Each year by April 30 (or within 30 days after taking office), school officials, including board members and charter school trustees, must disclose sources of income and the employment or contractual relationship of relatives with the

school district or school. The disclosure statements are public records, kept by the executive county superintendent and the local school board secretary. The NJSEC has access to the disclosure statements through the county office of education.

What are the Training Requirements under the School Ethics Act?

The School Ethics Act requires all school board members and charter school trustees to complete a training program conducted by the New Jersey School Boards Association on the skills and knowledge needed to serve as a board member. The School Ethics Act requires the training to be completed during the first year of the board member's first term in office and to include information regarding the New Jersey Quality Single Accountability Continuum (NJQSAC).

Additionally, the Act requires board members and charter trustees to attend (a) training on school governance in the second and third years of the first term in office and (b) an advanced training program on relevant changes to New Jersey school law within one year of each re-election or reappointment.

Board members and charter trustees must also complete a training program on harassment, intimidation and bullying in the schools within one year of initial election or appointment or, for board members in office when this requirement was established, within one year of re-election/reappointment. (A board member is required to complete this program only once.)

NJSBA provides all required training through its Board Member Academy. For details on **mandated training** and other programs, go to www.njsba.org/training or call NJSBA toll-free at 1-888-886-5722.

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The Board's Role in Policy Development and Oversight

*Your board's policy manual is its lighthouse
— and its shelter in a storm.*

Just as baseball is more than just hitting balls with a stick, being a school board member is more than just voting “yes” or “no” each time someone “calls the question.” In baseball, there is a strategy that involves using the talents of every player by placing them in the best position on the field and in the batting order.

On your school board, you can manage with a strategy or you can just swing at balls with a stick. Your policy manual sets forth your strategy. When you write policy, you make decisions on questions that arise today, tomorrow, and perhaps for years to come.

Policies describe how the board wants the district to function. Policies are statements of the goals of the board and the direction it wishes to take; they are the direct expression of the board's desires for the schoolchildren of the district or charter school.

The board will want its employees to comply with state and federal laws. Therefore, the policy manual will include detailed legal citations that make it clear to employees how they must act to be in compliance with applicable laws.

Policies provide a legal basis and a business foundation for the actions of the board. A board's actions should be fair and reasonable at all times — and policies help keep them so.

Further, policies support stability in district oversight. The nature of a local board of education is that the membership is continually changing. And while turnover can be a source of strength by bringing in new ideas and new talent, it also works against continuity of action. The policy manual is one way in which a district can have continuity despite turnover in its membership.

Policy also provides board members with a chance to make a lasting difference. A good policy is a type of legacy that endures long after individual board members have moved on.

In times of confusion or turmoil in a district, a good policy can be like a lighthouse that guides the district through fog and storm.

How Policies Guide Boards

Board members individually, and boards of education as a whole, do not run schools. They see that schools and districts are well run by the administrators

hired for that purpose. A process of policy development and oversight is the key to effective oversight.

The board's role in the policy process has two major components. One is the development of policies that state the educational goals of the district to guide the administration. The other is the evaluation of how well these policies achieve the goals.

To carry out its role of seeing that the schools are well run, the board will need procedures for the rational development of policies and their regular review; procedures for evaluating district and school progress toward policy goals; and appropriate standards of measurement and criteria for judging such progress.

Who Does What in Policy Development?

A policy is both philosophical and practical. It states:

- (1) what the board wants to have done and why;
- (2) who is responsible for implementation; and
- (3) how the board will know that the policy is effective and achieving its purpose.

Policies provide directions and instructions for staff, including administrators, to follow. The board's role is to set goals to be achieved by a particular policy. Having set broad policy, it then tasks the administration with developing the details of implementation.

The administrators write regulations to provide structure and procedures — who will do what, where and when — to accomplish the policy goals. The regulations supplement the policies by providing particulars.

Such regulations do not necessarily require board approval; however, most boards will want to see the regulations to be informed on how its policies are being carried out.

In some areas, the law requires the board to adopt regulations — for example, pupil records, identification of special education students, drug/alcohol programs and drug-free school zones, etc. Otherwise, the board does not become involved in regulations unless a pupil, parent/guardian or other community member says a rule or regulation is not correctly implementing board policy.

Where is the line between giving the administration clear and sufficient guidance and overstepping bounds by venturing into rulemaking? It can vary from district to district or from topic to topic.

For example, only the board may authorize busing of pupils who live less than the state-defined "remote" distance from the school. Having set the distance or the conditions under which it will pay for transportation without state reimbursement, however, the board would leave to the administration the determination of eligibility for the individual pupil.

In summary, when it comes to policy, the board sets the destination; the administration navigates; and the board decides how nearly the district reached its ultimate goal.

For specific procedures regarding how policies are formulated, adopted and amended, please see sample policies 9311, 9312 and 9313 on pages 28, 29, and 30.

What are Critical Policies?

Known as the “general enabling statute,” *N.J.S.A. 18A:11-1* directs local boards of education to adopt policies for the operation of the district’s schools and bylaws for its own operations.

However, all policies are not created equal; some are more important than others. “Critical policies” are those that are mandated by law or regulation, are monitored by the state, or are vital to district governance.

A policy is critical to a local school district or charter school when the consequences of not having policy in that area are likely to be damaging. Such consequences may include:

- failure to comply with statute and administrative code;
- likelihood of litigation;
- failure to pass the monitoring process;
- damage to the district’s or board’s public image;
- impairment of the board’s ability to function;
- impairment of the administration’s ability to function; and
- failure to fulfill obligations to the children of the district.

Critical policy topics fall into one or more of the following categories:

- monitored: policies addressing areas of operation on which the district will be monitored;
- mandated: policies explicitly required by statute, administrative code or state board resolutions;
- addressed in court or in commissioner of education decisions;
- implicitly required by a legal mandate to develop rules and regulations; and
- necessary or sensitive aspects of district operations.

Because districts differ in size, grade plan and other characteristics, not every district or charter school will require policy on a critical topic. For example, a district or charter school that chooses not to use the vehicles of parents and/or employees to augment its own vehicles for extracurricular transportation will not need policy on the topic.

Good Policy/ Bad Policy

Good policy can be described as “clear, legal and workable.” In other words, first-rate policy will be clear and understandable to all readers, in compliance with the law, and workable within the resources and traditions of the district. Individual policies address specific aspects of a district’s operation or direction. Taken as a whole, the policies serve as a comprehensive guide to district

operations. In addition, the policies are kept up-to-date to reflect changes in law or community needs.

Bad policy, on the other hand, is ambiguous, contrary to current law, or not workable given the district's resources.

Bylaws of the Board

Bylaws, the board's own internal rules for operation of the board, are a specific kind of policy. The manner in which the board conducts its business in developing and adopting policies is governed by its bylaws. These include the board's statements on public participation at meetings, election and duties of the board president, and other meeting procedures. Bylaws remind board members of the laws that both grant and limit authority, and prevent arbitrary and capricious actions.

Developing Good Policy

There are four basic steps in developing good policy:

1. identifying and defining the need;
2. getting all the relevant information;
3. reaching agreement; and
4. providing for implementation and evaluation.

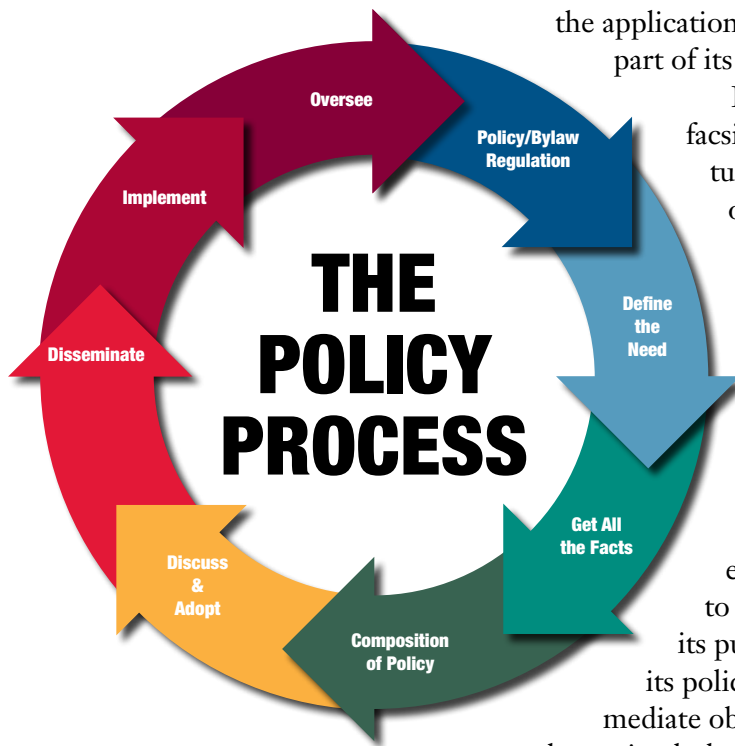
The board action plan should ensure that none of these components is skipped when policies are being considered, developed or approved.

Defining the need: A policy should express in straightforward language what the board expects to be accomplished. Setting forth exactly what the board wants to address and reviewing the circumstances — is the first step.

Getting information: Relevant data may include pertinent law; current negotiated agreements; existing policy and practice; staff, parent, and community input; district demographics and resources; and information on what other districts are doing. All these things will help the board develop a useful and workable policy that complies with the law.

Reaching agreement: Many different opinions may surface on any detail of a particular policy. It is the board's obligation, after careful review of the facts, to arrive at a decision acceptable to most of the board. "Acceptable" means just that — not necessarily preferred, but not anathema. Gaining acceptance by "most of the board" is a necessity unless the board is prepared to have its policies changed or reversed at every other board meeting.

Implementation and evaluation: When a board provides for implementation and evaluation, it ensures that the action called for by the policy is and remains both viable and effective. Some policies will specifically require evaluation of the major areas they address. However, because each individual policy is also part of a whole governance system, it may not be necessary to specify times or techniques for the evaluation in every policy. Nonetheless, the expectation of evaluation will be there. It may exist in policies linked by cross references or in



the application of the action plan developed by the board as part of its policy oversight strategy.

For example, a policy that permits the use of facsimiles in place of individually written signatures would be reviewed in a general evaluation of business practices. By contrast, evaluation of various special education programs — gifted and talented, special needs, and so on — would be included specifically in the policies addressing them. (Evaluation of specific programs would also be included in the overall policy on evaluation of the educational program.)

Evaluation, Review and Amendment

When the time comes to evaluate how effectively the policy has been implemented and to decide whether the policy itself is appropriate to its purpose, the board should follow the provisions of its policy oversight action plan. With goals set, intermediate objectives established, and criteria for achievement determined, the information required from the chief school administrator will directly relate to measurement of progress toward achievement.

If appropriate progress is found, the policy and its implementation will be deemed satisfactory. If no progress has been made, the board will want to know why.

Policy Is a Cycle, or Process

Most school boards have a policy committee. That group should periodically review the school policies, as well as develop and present additional policies to conform to the board's wishes.

Finding and Using the District's Policies

Policies must be organized. The best policy in the world cannot be implemented, evaluated or kept up to date unless the board or administrators can find it. Nor can all the facts be gathered to develop new policy unless the related existing policies are readily identifiable.

The board should select a coding system with a master index. The NJSBA Policy Unit uses a numerical index that allows for insertion of a new topic at an appropriate place when necessary, and that also demonstrates the logical relationship among topics, making cross referencing easy.

Most school districts and charter schools in New Jersey follow the numbering system used by NJSBA. All policies are assigned a file code number. For example, policies about "pupils" are in the 5000-series, and "admission to kindergarten" is in #5111. The major series are:

- 1000 Community relations
- 2000 Administration

How to Stay on Top of Policy

New laws, administrative code and court decisions, as well as individual district issues, necessitate regular changes in school district policies. Despite its girth and complexity, your district's policy manual should be considered a "living document," one that is monitored and discussed on a regular basis. NJSBA offers the following dues-based services:

The Wellness Check: An NJSBA policy consultant will review your current policy manual and provide a report on the condition of each policy and the manual as a whole.

Critical Policy Reference Manual (CPRM): Online, updated CPRMs for public and charter school districts are available at njsba.org.

The Policy Update List: A regular posting of all the changes to the CPRM that result from state and federal statute and regulation amendments.

The Manual for the Development of Job Descriptions (JD): The JD manual is a collection of sample school district job descriptions

NJSBA also provides phone consultation on policy issues, as well as timely policy information at county association meetings, at Workshop, and school board member training sessions, and through its periodicals, *School Board Notes* and *School Leader*.

NJSBA offers the following fee-based services:

Policy Manual Writing: An NJSBA policy consultant will review, update, and write your entire policy manual. This service includes free email updates.

Online Policy Manual Publishing: This service creates an online, searchable manual, linked to all the pertinent legal citations and policy cross-references.

For more information, visit njsba.org or call (609) 695-7600.

3000	Business and non-instructional operations
4000	Instructional and support personnel
5000	Pupils
6000	Instruction
7000	Construction, remodeling and renovation
8000	(reserved, not currently in use)
9000	Bylaws of the board

The logical order makes it possible to quickly locate policies on any topic. Another handy feature is the NJSBA alphabetic index, which locates policies according to topics and keywords.

Your policies should be kept together in one place. A ring binder is the least expensive and most efficient organizer for a district's governance manual. (Most districts have also placed a copy of their policy manual on the district website; that practice provides an accessible and convenient reference for community members who wish to learn more about school district policies.)

In addition to policies and bylaws, such a manual should contain district-wide regulations, an index to contract references, legal citations, cross references, the coding system, and exhibits, such as forms that the board considers public knowledge.

The governance manual is more than just a handy organizer. Used properly by board members and administration, it allows the board to concentrate

its attention on matters it has not yet addressed, rather than making the same decisions over and over again. It provides for consistency in making decisions, which in turn protects the board from charges of being arbitrary, unreasonable or capricious. With its legal citations and other references, it informs the public of the authority for board actions. It reminds the board of the legal limits of its own authority and of the distinctions between its role and that of the administration.

Maintaining the Governance Manual

Maintaining the manual has two aspects: keeping up with changes in the law, in education, and in community needs; and review, both on a regular basis and when some question or protest comes up.

Boards should have a policy coordinator in charge of (a) keeping track of changes so that appropriate policies are reviewed in a timely fashion; (b) presenting appropriate sections of the manual for board review/reaffirmation on a regular basis so that the manual as a whole is kept harmonious and up to date; and (c) providing the board with all relevant information when new policy is being developed. Many boards appoint a new board member to be the chair of a policy committee. This brings a fresh set of eyes to the task, with the additional benefit of making the new member of the board familiar with the existing policies. The chief school administrator or business administrator is often assigned to physically maintain the manual.

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Sample Bylaw

FORMULATION, ADOPTION, AMENDMENT OF POLICIES

The governance of the district through policies directed toward providing a thorough and efficient education for its pupils is one of the most important functions of the board of education. Therefore, the board shall establish a careful process to ensure:

- A. Development of clear, workable, legal policies that reflect mature consideration of the will and needs of the community, and
- B. Timely, accurate evaluation of the effectiveness of the policies in the achievement of district objectives and progress toward goals.

In order to ensure that the total policy process is implemented effectively, the board appoints the chief school administrator as policy coordinator. In cooperation with the board, he/she shall establish procedures to implement this bylaw that shall include an action plan for the careful development of policies and their regular review; appropriate policy goal-setting; a process for evaluation of district and school progress toward or achievement of policy goals; and appropriate standards of measurement and criteria for judging such progress.

The procedures shall conform in all respects to the bylaws of the board concerning agenda and meetings. The procedures shall provide a means whereby all interested parties in the school community may submit proposals for additions and amendments to the school district governance manual, and may contribute opinions and information for the board's consideration.

The policy coordinator shall ascertain any conflicts between proposed and existing policies and bring them to the attention of the board at the first reading of the draft. Policies may be adopted on second reading by a majority vote of the members of the board present and voting or may be further revised until consensus is reached. NOTE: FIRST READING MEANS THE FIRST TIME THE POLICY IS PRESENTED, NOT THE FIRST TIME A POLICY IS APPROVED IN ITS FINAL FORM.

In the interest of efficient administration, the chief school administrator shall have the power to decide all matters of detail that may arise for which no specific provision is made in the policies adopted by the board, but no emergency action shall constitute official board policy. The chief school administrator shall present the matter at the next board meeting, so the board can consider policy to deal with that situation in the future.

The board reserves to itself the right to final determination of what shall be the official policy of the school district.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

KEY WORDS:

Policy, Board Policy

8/16

9311b

Monitored

Mandate

Other Reasons

Sample Bylaw

FORMULATION, ADOPTION, AMENDMENT OF BYLAWS

The board of education's bylaws are rules designed to organize and control its internal operations. Some bylaws are set by statute. Others may be formulated and adopted at its option by the board of education itself as long as they are in harmony with the intent and specifics of the statutes.

In its deliberations leading to the establishment or amendment of its bylaws, the board's central concern will be for increased efficiency and effectiveness in carrying out its legally mandated tasks.

Proposed new bylaws and suggested amendments to or revisions of existing bylaws shall be adopted by a majority vote of the members of the board present and voting during the second of two regularly or specially scheduled meetings of the board. The proposed additions, amendments or revisions shall have been described in writing in the calls for these meetings.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

KEY WORDS:

Bylaws, Board Policy

8/16

9312b

NJSBA POLICY AND LIBRARY RESOURCES

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Monitored

Mandate

Other Reasons

Sample Bylaw

FORMULATION, ADOPTION, AMENDMENT OF ADMINISTRATIVE REGULATIONS

The board of education delegates to the chief school administrator the function of specifying required actions and designing the detailed procedures under which the school will be operated. Such rules and detailed procedures shall constitute the administrative regulations governing the schools.

These administrative rules and regulations must be consistent with board contracts and policies, the law, rulings of the Commissioner, and rules of the State Board of Education.

In the development of rules, regulations, and procedures for the operation of the school system, the chief school administrator shall include at the planning stage, whenever appropriate, those employees who will be affected by such provisions.

Such rules and regulations shall be binding on all employees unless or until the board should vote to change or rescind any such rule or regulation following its presentation at a public meeting of the board. The board itself will adopt administrative regulations when specific state laws require board adoption, and may do so when the chief school administrator recommends board adoption. The board reserves the right to review and cause revisions of administrative regulations should they, in the board's judgment, be inconsistent with the policies adopted by the board.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

KEY WORDS:

Administrative Regulations, Procedures

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The Board's Role in Curriculum

What to Know before you Vote to Approve

Board members are sometimes hesitant to become involved in curriculum matters, assuming that this is an area better left to district administrators and other educators. On the contrary, it is critical for board members to be involved. Curriculum goes to the heart of a district's most important concern: student achievement.

The board's role can be described simply, but it is not an easy one to carry out. That role is to approve what is taught; to monitor the process to ensure that what is being "taught" is being learned; and to make sure that resources needed for learning are available and are being used effectively.

As representatives of the community, board members have the duty to see that the community's educational expectations and desires for their children are realized. This can only happen in the classroom through the curriculum.

The Right Way to Approve

The board should never function as a "rubber stamp" for the administration's recommendations; at the same time, board members shouldn't let their own judgment and viewpoints override the educational expertise of their professional staff.

Ideally, the board makes informed decisions based on their experts' recommendations, along with the supporting material they provide. The professional staff should also be prepared to answer any questions the board may have.

The box on [page 33](#) lists some key questions that board members should consider before voting on a curriculum.

In some cases, a vocal minority in a school district will push for adoption or suppression of particular parts of the curriculum. As with any issue, board members are urged to make their decisions based on what they think is best for all the students in the district, in accordance with the district's overall goals for student learning.

What Exactly is Curriculum?

Curriculum is crafted to comply with national and state standards. It includes

objectives for grade levels; details assessment practices and benchmarks students should meet; and describes the resources available to educators and students. However, a curriculum is not just a list; it includes the philosophy that governs instruction. Curriculum development is also a continuously evolving process. In most districts, it's wise to have a flexible five-year curriculum plan.

What Must be Approved?

The board must approve all new courses prior to their inclusion in the curriculum, as well as alterations in current courses that have been approved previously. Every small wrinkle added to a course will not need approval, but any important change or modification must be voted on.

Course materials must be approved, too. New Jersey law 18A:34-1, states, "Textbooks shall be selected by the recorded roll call majority vote of the full membership of the board."

Note that the law only applies to books and materials that are required reading. It does not apply to library books used for research or to free reading. For example, if a teacher assigns Charles Dickens' *A Tale of Two Cities*, the book must have been approved by the board for use in that course. If, however, a teacher tells students that they should read three books during the semester and write book reports — leaving the selection of the books to the students — the books chosen do not have to be approved.

Lawmakers did not envision digital texts when the original law was passed in 1967, but the spirit behind the law applies to these media, too. The bottom line: If material of any kind is required by district staff for use by students in a course or class, it must have been previously approved by the board of education.

Let Policy be Your Guide

As in all matters, boards should start with a good policy. NJSBA has sample policies on curriculum adoption that can be helpful for your board, including "Guidelines for Evaluation and Selection of Instructional Materials."

Every curriculum recommendation should include evaluation procedures that have been clearly stated in policy, including methods of and criteria for evaluation, and evaluation timelines. Boards should not approve curriculum recommendations that do not follow board policy.

A board member's part in the curriculum process boils down to this: If you believe that what happens in the classroom is important, then you must be sure to carry out your appropriate role in the process of approving curriculum.

12 Questions Board Members Should Ask

The key to exercising effective oversight in a school district lies in asking the right questions. Here are some questions your district's administrators should be able to answer about your schools' curriculum.

1. Are curriculum recommendations based on our district's goals and do they show a direct link to the state's academic standards?
2. Do the goals promote achievement for English language learners, students with disabilities and gifted and talented students?
3. How are we revising curriculum and delivery of instruction based on an analysis of the statewide assessment data and other student achievement data?
4. Are we meeting performance targets for all students in all subgroups?
5. If not, what changes in curriculum will allow us to meet those targets?
6. What curriculum development process does the district use?
7. What is the schedule for curriculum development, and is it flexible enough to allow for emergent issues?
8. How are the priorities for curriculum development determined?
9. How does the district introduce and implement changes in the curriculum?
10. What professional development programs support these changes?
11. How does the district evaluate the effectiveness of the curriculum?
12. Who reports on curriculum and student achievement at our board meetings, and what form does the report take?



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The Board's Role in Personnel

*Yes, the board has a role in school district personnel
— but it is a limited one*

School board members are state officials. They are empowered by state law to perform a state function — governing the public schools at the local level. Their powers are derived from the legislature and they are representatives of their community to the state.

The role of a board of education is not to run the schools but to see that they are well run. In order to accomplish this, a board makes policies. Policies are the written expression of the board's desires for the district's students. A board of education is a policy-making body.

Board's Role in Personnel One of the roles of the board of education is to ensure that schools have qualified staff. Much of the hiring and renewing of staff process takes place with the administration and is closely regulated under New Jersey statute and code. However, the board will have to vote on hiring of new personnel and/or renewing existing staff. To ensure the schools have qualified staff, the board is responsible for policies regarding hiring and renewal of personnel. The administration is responsible for the regulations that will go with those policies.

The interviewing process, while it can vary from district to district, is largely an administrative function and not a board member role. Typically, districts will have interview committees that an applicant will move through before reaching an interview with the superintendent and/or other administrators. These committees will review resumes and narrow the candidates down to whom they feel are best qualified and the best fit for the district. The superintendent must recommend the hiring and renewal of all personnel. *The only person the board will hire, at the recommendation of the board and without the recommendation of the superintendent, will be a new superintendent.*

Upon learning of vacancies in school staff, the board and superintendent may have discussions on the qualifications for the position, i.e., what qualities, education, experience and certifications are desired in the successful applicant. The board should also review the job description for the position(s) to ensure that it is up-to-date and truly reflects the responsibilities of the position. Board members are responsible for overseeing the district, not running the

The Role of the Board in Personnel

- The board is “the what.”
- Employs certificated staff members based on the recommendation of the superintendent.
- Establishes criteria to be used in hiring through adoption of policies for personnel management.
- Ensures job descriptions are in place for staff and are up-to-date.
- Promotes good working relations with staff and maintains lines of communication with staff as appropriate and through the superintendent/chief school administrator (CSA).
- Adopts policy on the evaluation of personnel and approves staff evaluation procedures.
- Receives and acts on personnel recommendations from the superintendent.
- Conducts an annual evaluation of the superintendent/CSA.

district. The superintendent and administrative team are responsible for running the day-to-day operations of the district. The board then evaluates the superintendent on how well they run the district. The superintendent’s responsibility also requires interviewing, hiring and making employment contract renewal recommendations to the board. Board members hold the superintendent accountable for these decisions during the evaluation process.

It is very important to note that the superintendent/chief school administrator (CSA) cannot recommend, nor can the board approve, the initial hiring of “immediate family members or relatives” of any board member, or of the CSA. District application forms should include a question asking if the applicant is a relative of the CSA and/or board of education members. There may be circumstances where the CSA can ask the executive county superintendent (ECS) for permission to hire a relative or immediate family member of a board member, but those are generally in hard-to-fill positions. These would require ECS permission. The superintendent can recommend renewal of a board member’s relative or immediate family member, but the board member would need to abstain from that vote.

Who qualifies as an immediate family member or relative? Below are the definitions in state law and regulations:

- **Immediate Family Member** is defined by the School Ethics Commission (SEC) as a spouse or dependent child residing in the same household. (*N.J.S.A. 18A:12-23*).
- **Relative** is much broader and defined by the Accountability Regulations (*N.J.A.C. 6A:23A-12*) as a spouse/civil union or domestic partner, parent/stepparent, child/stepchild and son/daughter-in-law, grandparent, grandchild, siblings, stepbrothers/stepsisters, half brother/sister, aunt, uncle, niece, nephew whether related to the school official or board member by blood, marriage or adoption.

A board member would have a conflict of interest in participating in the discussion and/or voting on any renewal of any immediate family or relative who was employed prior to the board member’s election as defined above. The board member would need to abstain from the discussion and vote.

Hiring Staff By statute, employees may only be appointed or rehired with the CSA’s recommendation and by a recorded roll call majority vote of the full membership of the board. Only nonconflicted board members may participate.

So for a board of nine, five members would have to vote to approve the hiring or the motion would fail. If only five of a nine member board can vote, then all five would have to approve the motion.

The School Ethics Act also states (*N.J.S.A. 18A:12-24. 1 (h)*) “I will vote to appoint the best qualified personnel available after consideration of the recommendation of the chief administrative officer.” The board shall not withhold its approval of the CSA’s recommendation for arbitrary and capricious reasons. The CSA is the educational leader of your district and has the education, certification and experience to make these important hiring recommendations. Board members do not have to rubber-stamp hiring, however, they must consider the CSA’s recommendations.

Renewal and Nonrenewal of Staff At the end of the school year, boards will likely have to make decisions about whether to rehire nontenured teachers and other staff.

Certificated Staff (Nontenured) and Paraprofessionals The staff members who have been employed since the preceding September must be provided a written offer of employment or a notice of nonrenewal by May 15. Your board may have a negotiated agreement with an earlier date, but the date cannot be later than May 15.

Noncertificated Staff There is no statutory deadline for notice, however, a deadline is likely outlined in your district’s negotiated agreement. This category will likely include most custodians, secretaries, maintenance, and cafeteria staff. Renewal of staff will be an action item on the board’s agenda. Nonrenewal is not an action item as these employees have a one-year contract. Typically, the superintendent will have a conversation with the board in executive session, having provided each staff member with a Rice Notice. A Rice Notice is a notification from the board that it is going to discuss an individual’s employment in an upcoming meeting. He or she will identify those staff members who are not being recommended for renewal and what the reason(s) may be. A good practice is to require the CSA to provide some general information regarding all personnel decisions. Failure to notify staff of non-renewal by May 15 will automatically be considered a job offer for the next year if the employee writes back before June 1 and accepts.

The renewal of staff requires both the CSA’s recommendation and a recorded roll call majority vote of the full membership of the board. Only non-conflicted board members may vote.

Can a Board Member Review a Personnel File When There is a Recommendation Before the Board?

A board member may ask to see personnel information if there is imminent board action to be taken. This request needs to go through the CSA who should provide specific information relevant to the decision that will be before the board. The district should place restrictions on the time and place of review of the documents to assure that confidentiality is not breached and limited to truly pertinent documents such as an evaluation or a letter in the file. The state has warned against board members going on fishing expeditions. The confidentiality of personnel documents must be ensured.

Nonrenewal If the CSA does not want to renew, the employee is nonrenewed. There is no motion on the board's agenda to nonrenew staff. Before notifying an employee of nonrenewal, the CSA shall notify the board of their recommendation and reasons. You have probably heard many times from NJSBA, the "no surprises" rule. As previously stated, this would be a conversation the CSA would have with the board, prior to May 15, in executive session, with staff having received a Rice notice. The board may ask questions during that discussion.

Once a staff member has received a written statement of nonrenewal, they may, within 15 days, request a written statement of reasons. They are entitled to receive that written statement within 30 days of asking (*N.J.S.A. 18A:27-3.2*). When the employee has received the written statement of reasons, they have 10 days to request a Donaldson Hearing if they so choose.

Donaldson Hearing A Donaldson Hearing is an informal appearance before the board to permit a nontenured employee an opportunity to convince the board to offer re-employment. It is not for the board to prove its reasons for non-renewal. The board does not present witnesses, but the employee may bring an attorney, a representative from the local bargaining unit and may bring witnesses to speak on their behalf. The board does not cross-examine or ask questions of the employee or their witnesses. It is highly recommended that the board's attorney be present if there is a Donaldson Hearing and that the board's attorney facilitate the process.

The board will then caucus and can decide not to vote and the CSA's recommendation would stand, or can decide to vote and the CSA's recommendation could be overturned with a majority roll call vote of the full membership of the board. If the motion is made for renewal and the motion fails, the employee remains nonrenewed. Notification to the employee must be provided within three days of the hearing.

It is well-settled that a school board has virtually unlimited discretion in the hiring or renewal of nontenured teachers. The nonrenewal decision must not be arbitrary, capricious or based on illegal motives. The employee would have the burden of proving that the board had acted in such a way.

Resources Available Your field service representative (FSR) has several documents available as resources for board members, such as "Format for Staff Hiring Recommendations," and "Format for Tenure Recommendations" (reprinted on page 30) which provide questions that board members may ask of the CSA when hiring and tenure recommendations are before them. Please contact your FSR for these resources.

The authors are NJSBA field service representatives and former board of education members. **Mary Ann Friedman** serves boards in Hudson, Middlesex and Ocean (partial) counties; **Gwen Thornton** serves Hunterdon, Somerset and Union counties; and **Kathy Winecoff** serves Monmouth and Ocean (partial) counties.

How Board Members Can Drive Student Achievement

*Is your board doing what's needed to improve academic performance?
What can school boards do to drive student achievement?*

The question posed in the subhead were asked by the renowned Iowa Lighthouse Project. The answer: quite a bit.

The research study, which was conducted by the Iowa Association of School Boards, had two parts. The first, conducted from 1998 to 2000, demonstrated that districts with higher levels of student achievement had school boards that were different from those in lower-performing districts, even when controlling for a range of variables. Part two of the study, which took place from 2002 to 2007, examined exactly how boards learn to lead their districts to become high performing.

The study made the following observations about higher-achieving districts. They had:

- a knowledge of what it takes to change achievement;
- an atmosphere where connections occur between people throughout the system;
- a commitment to professional development;
- good community connections; and
- a widespread use of data to help student achievement.

Higher-achieving districts also had higher expectations for students. Adults in the better districts believed all students could learn and that the district could impact learning.

For board members, the exciting conclusion was that boards can indeed drive gains in student achievement. That approach wasn't always a given. "When I first came to the [Iowa] school boards association, we were teaching board members to stay at a distance on the issues of teaching and learning," said Mary Delagardelle, one of the leaders of the Iowa Lighthouse Study, in remarks given at a training program for New Jersey board members. "We told them that wasn't their job, and that they should leave that to the professionals in the district.

"But we were wrong asking board members not to play a role in those areas. Boards matter and what they do matters in relationship to the teaching and learning work going on in our system. A board's role is different from that of

How Does an Effective School Board Act?

Research shows that school boards in high-achieving districts are significantly different in their knowledge and beliefs, compared with school boards in low-achieving districts. Here's how:



They share leadership.

- Board members are knowledgeable about the learning conditions in the schools, alternatives for improving education and the needs of students.
- Board members can identify specific initiatives that are underway; explain them; and identify specific ways that the board contributed to the initiatives.
- Board members can describe a clear direction and focus on specific goals related to improving student achievement. Board members can describe the work of staff around the goals in clear, specific terms.
- Board members can describe what is happening in classrooms and with instruction.
- Board members express their focus on finding ways to reach all children. "We can't just let them fall through the cracks."
- Board members have high expectations for all students.

They expect continuous improvement.

- Board members feel an internal desire to improve. They talk to each other about the importance of improving education for the sake of students.
- Board members consistently express their belief that all children can learn, and can give specific examples of ways that learning has improved as a result of initiatives in the district. Poverty, lack of parental involvement and other factors are described as challenges to be overcome, not as excuses.
- Board members expect to see improvements in student achievement quickly as a result of actions the district takes.

continued

How Does an Effective School Board Act? continued

They have the ability to create and sustain initiatives.

- Board members have an understanding of how to organize the people and the school environment to start and sustain an improvement effort.
- Board members can describe specific ways board actions and goals are communicated to staff, such as a post-board meeting for teachers and administrators.
- Board members participate in goal-setting exercises in which the board and superintendent learn together and solve problems together.
- Board members can describe structures that exist to support connections and communications within the district. For example, board members can describe teaching teams, faculty committees and how they related to school improvement initiatives.
- Board members can show evidence of regularly learning together as a board before making a decision.

They provide a supportive workplace for staff.

- Board members express a high level of confidence in staff. They make frequent positive comments about staff and can give specific

examples of how staff members showed commitment, how staff members are improving, and how staff members are working to help students learn.

- Board members can identify specific examples of the way the board shows its appreciation for staff, such as recognition at board meetings.
- Board members express their belief that changes can happen with existing people, including students, staff and community.

They are proponents of staff development.

- Board members can describe staff development activities in the district and can describe the link between teacher training and board or district goals for students.
- Board members describe a belief in the importance of staff development activities focused on student needs.

They study relevant data and information to guide their decisions.

- Board members receive information from many sources, including the superintendent, curriculum director, principals, and teachers, along with sources outside the district, such as information about exemplary programs and practices.

Information is received by all board members and shared at the board table.

- Board members often refer to student needs — as shown through data about students and groups of students — as the focus for decision-making. Board members mention data on the dropout rate, test scores and student needs. They receive information on a routine basis, such as monthly reports.
- Board members can usually clearly describe the decision-making process in terms of learning, listening, questioning, discussing and then deciding, taking action and evaluating.

They know how to foster community involvement.

- Board members can identify how they have sought out ways to connect with and listen to the community. Board members express pride in their community and in their efforts to involve parents.
- Board members can name specific ways the district is involving parents and community and all indicate a desire for more involvement.

the administrators and teachers, but a board does have a role — and now we can describe it.”

Is your board operating in the same way as school boards in high-achieving districts? NJSBA field service staff members developed a self-assessment tool that board members can use to gauge their performance. Review the bulleted items in the article above to see where your board stands — and where it can improve. NJSBA field service representatives are also happy to conduct on-site training for individual boards on this topic. For information, call your FSR or contact NJSBA at 888-88NJSBA.

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A Board Member's Role in School Finance

School finance is the backbone of every effective educational program, and a challenge for almost every board member. The process for securing funding for schools and overseeing a district's financial operation is one that many board members approach with distaste or just plain bewilderment. Even board members who make numbers dance for a living can find education finance to be extremely complex.

That said, as a school board member, you have assumed the responsibility for lay control of the school system, including school finances. This does not mean that you should be able to balance the books, or know how to encumber funds. It does mean that you should:

- ensure that the books do balance.
- hire financial experts.
- provide policy guidelines for the district's finances.
- oversee the effectiveness and efficiency of the financial operation.

You and your fellow board members must be the visionaries, the goal-setters, the ones who express the community's aspirations. At the same time, you must also be pragmatists, responsible for ensuring that the community's dollars are spent effectively. In short, you are responsible for providing a quality education — the constitutionally mandated “thorough and efficient” system of education — at a price the community can afford.

If you find the prospect intimidating — well, join the crowd of your fellow new board members. However, after you've gone through one budget cycle, you should become reasonably comfortable with the process.

It is crucial to have a school business administrator and superintendent who can clearly explain the budget and its rules to board members. This enables the board to make good decisions, as well as translate key budget points for community members. Your NJSBA field service representative can also direct you to numerous resources to help you undertake this most worthy challenge.

Major Purposes of a School Budget

In spite of the general belief that a school budget is a once-a-year phenomenon, work on, and with, the budget is continuous and ongoing. The budget is:

- a planning document that brings into reality your community's vision for education.

- a financial road map — a management tool that enables your board to chart anticipated expenditures and available revenues.
- a measure of educational efficiency that provides checks and balances on expenditures throughout the school year.
- a measure of accountability, which allows you to accurately evaluate your district's effectiveness in achieving your educational goals while maintaining financial integrity.

As a result, budgets for several years are under review simultaneously: While the board and administration are preparing next year's budget, they are also implementing this year's budget, evaluating last year's budget for spending trends and problems, and planning to fulfill another portion of your district's goals in the budget that will be put into effect two years hence.

The Budget Process

Because of its nature and complexity, a school budget should be a consensus document, one created with input and acceptance from the community, staff, administration, students and the board.

Budget development should begin with the people closest to budget implementation — the educators working in your schools. Depending on your district's size and staffing, administrators in the chain of command should review, clarify, mold and hone the budget. Only then is it presented to the board members for tentative approval. At that point, the tentative budget is then sent to the executive county superintendent (the representative of the state commissioner of education on the county level) for review and approval.

After your budget receives executive county superintendent approval, it must be advertised in your district's designated newspaper in a state-mandated format.

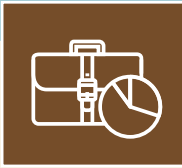
Then the board must hold a public hearing on the budget. Even though the budget no longer goes out to a vote in a majority of New Jersey districts, it is critical for a school district to make a strong effort to thoroughly explain its proposed budget and the budget decision-making process. Telling citizens how their property tax dollars are spent is a key part of any district's community relations effort.

After the public hearing and subsequent board consideration of the public input, the board may adopt the budget as advertised or modify it where appropriate. The budget is approved by a roll-call vote of a majority of the full board. (In a handful of districts, the tax levy to fund the budget goes to a public vote.)

Talking Budget

Here are a few of the basic terms and concepts with which you'll quickly become conversant:

School property tax levy: As you no doubt know, the majority of money for schools in New Jersey comes from local property taxes. Other sources of funding include state aid, as well as federal funds, tuition, school-generated revenues,



External Forces That Impact Budgets

There is no better example of “local control” than the ability of a school district to develop educational goals and the financial plan and budget to implement those goals. In reality, though, many external forces impact a district’s finances and budget, thereby eroding local control. Some of these forces are:

- **Perennially unstable state funding.** Frequent court challenges, overall state budget issues, and continued tinkering with aid funding formula, give the state government and the courts significant control over local school budgets.
- **Statutorily required negotiations with the various district unions.** Contracts are frequently not settled by budget time. Since employment compensation can make up as much as 80% of a school district’s operating costs, uncertainty in the salary line makes personnel budgeting decisions very difficult. Including bottom-line settlement dollars in the budget can telegraph the board’s final position to the union; on the other hand, failure to make provision for settlement costs may lead to a budget shortfall or unplanned program cuts.

Other items that challenge local control over the budget include: tax increase caps, unfunded state and federal mandates, unanticipated costs from litigation settlements, increased enrollment, and unanticipated special education placements.

You may be surprised at the relatively small percentage of costs in the budget that are truly within a board’s control. The discretionary dollars available must cover equipment, technology, and facilities needs, new textbooks and educational supplies, staff development and training and any new programs designed to implement your educational goals.

grants, investment income and use of district-developed surplus. The more of these sources your district can tap, the less it will have to rely on the local property tax.

Property tax caps: As of this writing, under current law the property tax levy cap is 2%, which means that districts may not increase their tax levy by more than that in any year. That tax cap also applies to other local government entities in addition to school districts, including municipalities, counties, fire districts and solid waste collection districts.

The 2010 law that reduced the tax levy cap from 4% to 2% also reduced the number of allowable “waivers” to the cap, thereby giving it the moniker of a “hard cap.” Previously, school districts had been able to apply to the commissioner of education for waivers under several circumstances. The 2010 law eliminates commissioner waivers but does permit limited adjustments to the cap for enrollment increases, certain pension cost increases and health benefit cost increases. The law also restored the practice of “cap banking,” the process under which school districts that budget under cap may apply the unused amounts to budgets in the succeeding three years.

Separate ballot questions: Proposals to spend over the tax levy cap (outside the base budget) must be submitted to voters in the form of separate ballot questions. A separate ballot question must cite a program, position or purchase to be funded and must indicate if it represents a recurring or a one-time expense. Proposals for such ballot questions may not include programs or services that



Board Members' Financial Responsibilities

OVERALL RESPONSIBILITIES

- Develop district financial goals and strategies to support the district's educational plan;
- Balance the educational needs of the students with taxpayers' ability to pay;
- Select and evaluate (through the CSA) the financial experts of the district;
- Oversee the financial management of the district;
- Annually set the district's educational goals and provide financial support;
- Develop policies and procedures to expedite financial processes and to ensure appropriate financial oversight, using monthly reports, budget, audit and other appropriate financial records;
- Review and approve the monthly board secretary and treasurer of school moneys financial reports;
- Annually appoint auditor, treasurer of school moneys (optional) and board secretary;
- Approve the actual expenditures and monitor financial reports; and
- Understand and approve all line item transfers.

PLANNING & POLICY

- Determine district's long-range (strategic) educational goals (5 years), the financial implications of those goals and the appropriate financial strategies to reach those goals as well as the community impact of those strategies; and
- Monitor and evaluate the district's progress toward those goals.

BUDGET

- Set budget parameters and priorities for budget development process in accordance with policy;
- Understand proposed budget implications, programs and changes;
- Reach consensus on a budget appropriate for students and taxpayers that supports student achievement;
- Assist in explaining the budget to the general public in accordance with policy and indicate how it supports student achievement; and
- Evaluate on an ongoing basis the implementation of the budget.

AUDIT

- Select and appoint the auditor;
- Accept the annual audit report; and
- Approve the Corrective Action Plan that addresses all recommendations.

BIDDING

- Adopt and implement policies covering all aspects of the bidding process; and
- Approve or reject all bids in accordance with statute.

CONTINUING RESPONSIBILITIES:

- Approve all purchase orders and bill lists prior to payment and in accordance with district policy;
- Understand and approve all line item transfers;
- Provide for transportation for public and nonpublic students as required by statute and board policy; and
- Review and approve the monthly board secretary and treasurer of school moneys financial reports monthly.

are necessary to achieve the New Jersey Student Learning Standards, unless approval has been obtained in advance from the commissioner of education.

Voters must approve these over-cap expenditures by a simple majority. Separate ballot questions must appear in the annual school election, whether that is held in November or April.

Charter school finance: Charter schools are public schools, and as such, are funded by local school districts. The school district must pay the charter school, for each resident enrolled student, 90% of the per-pupil prebudget year general fund tax levy. In addition, the school district pays the charter school 90% of the Equalized Aid per pupil, security aid, a *pro rata* percentage of special education categorical aid, 100% of preschool aid and 100% of federal funds attributable to the student.

Clearly, school finance is one of the most important responsibilities board members have. If the district's educational goals are to be accomplished, it is up to the board to employ, oversee (through the superintendent) and hold accountable competent individuals to implement that budget.

The budget is not an end in itself; it is the financial expression of the district's educational goals. With goals as your focus and the budget as your road map, you and your board will be effective trustees for your students' future.



The ABCs of State Aid

As of this writing, the law that governs state aid to education is the 2008 School Funding Reform Act (SFRA). Two concepts — the “adequacy budget” and the “fair share” are used to calculate the amount of state aid each district will receive.

The state-determined “adequacy budget” is based on the state's assessment of the expenditure necessary to provide a thorough and efficient education. Factors such as enrollment, including the number of special education students and at-risk, economically disadvantaged students, are also involved.

State law also establishes a local “fair share” contribution of community support for schools, based on property valuation and personal income.

We're doing a bit of simplifying here, but roughly speaking, the state calculates how much aid to provide to each district (“equalization aid”) by taking the adequacy budget and subtracting the local fair share.

On the fourth Tuesday in February in most years (very late in the school budget development process), the governor gives the annual budget address. At that time he or she lays out the details of the proposed budget for the upcoming fiscal year. By law, the state Department of Education must provide school districts with their individual state aid figures within 48 hours of the governor's budget message.

It is important to note that the school funding formula is often changed slightly in any given year. It is not uncommon for the state legislature, through the annual appropriations act (which is how the state budget is legally enacted), to include language modifying the school funding law for that year.

The Board and Labor Relations: Collective Bargaining in New Jersey's Public Schools

What is collective bargaining? Collective bargaining is a joint decision-making process by which the employer (the school board) and the employees' representative (the union) reach agreement on issues affecting terms and conditions of employment. The terms and conditions include salaries; time off; insurance; benefits; workload; length of workday; length of work year; certain facilities issues, such as use of the teachers' lounge; and procedural protections (for example, how job vacancies are posted). State law says these topics are "mandatorily negotiable." Therefore, they can only be determined through bargaining.

Which employees are covered by a contract? The groups of employees covered by a collective bargaining agreement vary from district to district. Each contract lists all the positions covered by the contract, and refers to the union as the "bargaining unit." The bargaining unit may consist of teachers only, but it might also include secretaries, aides, custodians and bus drivers, if these groups have elected the same union to represent them in bargaining.

What issues are not negotiated? Any topic not defined as "mandatorily negotiable" is not subject to collective bargaining. Examples include the hiring of employees and determining the qualifications for a position; the size of the work force; teaching assignments; and class size. These are matters of public policy, and school boards determine them at public meetings, where the community can observe the decision-making process. In contrast, collective bargaining is an exception to the rules of the Open Public Meetings Act and, therefore, can take place in closed session. Other topics not open to negotiations involve any issue that does not affect the work and welfare of employees, or which may be in breach of state laws or regulations.

The contract does not guarantee individual employees of a job. (Staff size is decided by the school board.) Rather, the contract ensures the level of benefits and protection for the staff members who work in the district and are covered by the agreement.

Is the school board required to negotiate with its unionized employees? Yes. New Jersey's Employer-Employee Relations Act (also known as the PERC law, for the Public Employment Relations Commission), was enacted in 1968. It not only requires school boards to negotiate with the labor unions, but they must negotiate in

“good faith.” Bargaining in “good faith” is a legal requirement in which both parties consider all mandatorily negotiable topics raised through the bargaining process.

How does the bargaining process work? Typical teacher contracts last for three years. When a contract’s end is near, the school board and union will return to the bargaining table, each represented by a negotiating committee. Both committees have a chief spokesperson, who can be a member of the school board or the union. In many cases, the board or the union will be represented by a professional negotiator, who serves as chief spokesperson.

Each side prepares proposals, which contain its positions and demands on mandatorily negotiable issues. In an attempt to negotiate an acceptable compromise, the other side will offer counter positions. During the process, many proposals are modified; some are withdrawn. Each move is an attempt to shape an agreement that both sides can live with. Neither party is required to concede on any issue, although each must bargain in good faith in an attempt to reach a mutually satisfactory settlement.

What happens when the two sides reach an agreement? The committee representing the school board presents the tentative agreement to the full school board for a vote, and the committee representing the union presents the same agreement to its members for ratification.

Be aware that when one hears of a contract giving raises of a certain percentage, rarely does it mean that all teachers will get the same percentage. Rather, that figure represents the total dollar increase, because the way in which raises are distributed will vary according to the salary guide. For instance, a school board seeking to attract and retain new teachers might negotiate more substantial raises at the junior levels of the salary guide, while the staff on the higher echelons of the guide might receive raises less than the average percentage increase.

This ratified contract becomes legally binding on both parties for its duration and may not be modified unilaterally by either side. Any contract changes must be negotiated since they would affect terms and conditions of employment. Therefore, the only way that the terms can change is if the parties voluntarily agree to reopen negotiations.

Are there other issues to look for in a contract other than salary increases? Absolutely. One can’t properly evaluate contracts by looking only at the average salary increase; that’s just one element of the agreement. Unions will often agree to concessions, or “give backs,” that can yield substantial savings to taxpayers. This has become an increasingly common approach to controlling health insurance costs, which have skyrocketed in recent years. For instance, boards and local unions may agree to higher deductibles or prescription co-pays; a less-costly health insurance program for new employees; or offering incentives to waive the district’s health insurance if the employee is covered by another health insurance plan, such as their spouse’s. In other cases, school boards may negotiate increased student-pupil contact time.

What happens if the two sides cannot reach a settlement? When the parties declare an “impasse,” the Public Employment Relations Commission is contacted and a mediator is sent. The mediator is a third-party neutral whose purpose is to ensure both sides reach an agreement – but the mediator’s role is not to safeguard the interests of either the board or teachers.

Mediation typically involves both sides being separated while the mediator works between the two to broker a deal. If mediation fails, the process goes to “factfinding,” in which a new state-appointed intermediary hears arguments from both sides and presents a report with a recommended settlement. The factfinder’s report is a public document 10 days after both parties receive it. Sometimes, the release of the document can generate public pressure to make concessions that result in a settlement. However, neither side is obligated to accept the factfinder’s recommendation.

If factfinding does not result in a settlement, the process moves to “super conciliation.” This is a more intensive impasse procedure, and state law authorizes the super conciliator to “utilize means and mechanisms, including but not limited to requiring 24-hour per day negotiations, until a voluntary settlement is reached.” However, the super conciliator cannot obligate either party to accept any settlement terms.

Can’t the school board and the union simply go to arbitration? No. New Jersey law does not provide for binding arbitration for teacher contracts. Nor would New Jersey taxpayers want arbitration. Arbitrators do not live in the district, they do not pay for the consequences of their decisions, and they are not accountable to the taxpayers of the community.

Why does it take so much time and effort to reach an agreement? Each side brings the interests of its constituency to the bargaining table. School boards with limited resources seek to allocate funds in a way that best serve students, taxpayers and employees. Meanwhile, the unions’ purpose is to gain as much as it can for its members in terms of salaries and benefits.

These are issues that will impact taxpayers, staff and students — typically for three years. It’s easy to see why the negotiations process demands serious consideration and time.

What happens if the contract expires before a new one is reached? School employees never work without a contract. Until a new agreement is reached, all of the provisions of the expired agreement remain in effect. Employees continue to receive salaries, health insurance, sick leave, and all other benefits provided in the expired agreement. That is why it is inaccurate to say that teachers are “working without a contract.”

What resources does the school board have available? School boards rely upon their superintendents, business administrators and attorneys for help, but many also hire professional negotiators during the bargaining process. As a service organization, NJSBA also assists school boards by providing extensive data on contracts throughout the state, settlement rates and benefits. NJSBA keeps school

officials aware of the latest news and labor rulings — and it helps individual districts with in-district consultations. In addition, NJSBA hosts a number of training programs both in-person and virtually throughout the year, which address topics including salary guides, labor issues and negotiations.

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Legislation and the Role of the Board Member

NJSBA: Your Voice in Education Legislation

Even as a new board member, you're undoubtedly well aware of the enormous role that laws — both state and national — play in the functioning of a school district. As financial resources become ever scarcer and education initiatives proliferate, it is increasingly important for board members to know what's happening in government regarding education.

Keeping track of laws and policy, whether new or proposed, is a big job — but the New Jersey School Boards Association is here to help. NJSBA actively represents the interests of boards of education concerning critical issues, including funding, education reform, and any other legislation or regulation that pertains to public education.

Because NJSBA serves as the voice for school boards and public schoolchildren, our legislative experts form a familiar presence in the State House and with members of Congress.

Governmental relations staff members are also available at all NJSBA county school boards association programs to give the most updated information and to provide guidance to help board members advocate for their districts. Board members are also alerted whenever critical issues arise that may have an impact on schools.

Whatever the specific topic at hand, NJSBA's advocacy efforts send a consistent, overarching message: Education of our public schoolchildren must be a priority. Our members are committed to advancing the achievement of all students.

A bullhorn for board members Because school board members are public officials, it is important for their voices to be heard by the legislature. The NJSBA facilitates this process in a number of ways. For example, it hosts events at which board members can network with federal and state government officials. These informative events provide the opportunity for face-to-face contact with decision makers.

Further, our staff coordinates grassroots lobbying efforts to promote, and involve the public in, NJSBA legislative's goals. Board members can become actively involved in NJSBA's governance and legislative goal-setting by serving

An Example of How the Advocacy Process Works

In 2020 NJSBA's governmental relations department coordinated an outreach advocacy effort by New Jersey districts to reverse the cut to funding of the School Based Youth Services Program (SBYSP) that was proposed for elimination in the fiscal year 2021 state budget. (The SBYSP, administered by the New Jersey Department of Children and Families, provides students — in a school setting — with important supports, such as mental health counseling, employment counseling, substance abuse education and prevention, preventive health awareness, primary medical linkages, and learning support.)

NJSBA's efforts included collaborating with other education advocates; contacting the governor's office and Executive Branch officials; and working with the legislative leadership in the state. School boards across the state adopted a resolutions drafted by the NJSBA describing the importance of maintaining the SBYSP and contacted their legislative representatives about the issue. In addition, NJSBA utilized vehicles such as *School Board Notes* articles, county association meetings, and email alerts to board members asking them to join in the Association's advocacy efforts.

The effort was successful. The funding for the program was restored in the final FY 2021 budget agreement.

on the Legislative Committee and by ensuring that their boards participate in the Delegate Assembly.

As a school board member, you can depend on NJSBA's advocacy staff to help you maximize your school district's impact on local and federal policies.

Outreach and advocacy efforts include:

- Testifying on proposed legislation before legislative committees and on pending regulatory proposals before the State Board of Education.
- Reaching out to key legislators to enlist their support or to prevent a bill that may not benefit public education.
- Speaking directly with the governor's office to block unfavorable bills from being signed into law.
- Organizing phone and email campaigns.
- Creating email alerts that urge members to take specific actions in favor of or against a proposed law.
- Drafting sample resolutions local boards can adopt to express their stance on pressing legislative issues.

Where to learn, what to do NJSBA keeps an eye on the legislative action wherever it occurs, whether in Trenton or in Washington, D.C. You can turn to NJSBA as a ready resource for the latest news and analysis on significant developments in public education, including:

- Decisions of state and federal courts.
- Rulings of the New Jersey Office of Administrative Law.
- Actions by the New Jersey Commissioner of Education.

- Activity of the New Jersey State Board of Education.
- Developments occurring in the state legislature and in Congress.

What can you, as an individual board member, do to stay informed — and make a contribution? Here are some options for members:

- Visit the “Advocacy” portion of the NJSBA [website](#). It features important information about pending legislation and other developments that may affect school governance.
- Read the NJSBA weekly *School Board Notes* newsletter and quarterly *School Leader* magazine for informative articles written by our experienced governmental relations staff.
- Take action on Advocacy Alerts encouraging board members to send letters and make phone calls to legislators pertaining to pending legislative action.
- Attend legislative programs at Workshop.
- Attend a legislative conference, usually held in the spring, to meet with members of the legislature.
- Take advantage of the NJSBA *Legislative Directory*, which explains the legislative and regulatory processes and provides contact information for all legislators in N.J.
- Follow NJSBA on social media, such as Facebook, Twitter, and Instagram.

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Good Public Relations for School Districts: It's Fundamental

Communication is at the heart of your school's success in the community. Your board needs students' families, as well as the larger taxpaying community, to know about your educational initiatives; to be excited about the great things going on in your schools; and to understand the challenges public school districts face. In an era of increasing controversy about the role of public schools and their effectiveness, a good public relations program is a must.

In the not-very-old days, a monthly newsletter, backpack notices and good relationships with local newspapers did the trick. More recently, school websites have filled the community's need to know about matters from curriculum to policies to sports schedules.

As communications evolve, however, even a robust website is not enough. Parents don't want to check a website; they want information to be "pushed" to

The Info They Most Want to Know

With a proactive communications policy, community members will, over time, learn to turn to your district communications – not the rumor mill – for relevant news. Issues that drive eyeballs to your communications channels include:

The issue du jour: At any given moment, there is a hot-button issue in education as a whole and/or in your district specifically. Make every effort to post answers to frequently asked questions on your website and on your social media accounts.

Annual school performance reports: Help your community members get beyond simple "rankings" to understand what the report is saying about your district. Identify strengths, challenges and steps the district is taking as a result of these.

Codes of behavior and disciplinary procedures: Student handbook; district policy manual. Making this ma-

terial readily available can nip misunderstandings in the bud.

Budget information: In addition to the required "user-friendly" version of the yearly budget, post your BA's or CSA's public slideshow presentation to give more context to the numbers.

What the board of education does: How a board meeting works, what executive session means, when public meetings are scheduled.

Create a Policy with Impact

Both statute and code require a district to inform its community of specific proposals, programs and activities, as well as the condition of the district. A formal communications policy helps a district fulfill that requirement and also, more important, helps create a partnership with the community. Some guidelines:

Establish goals and objectives. NJSBA's critical policy manual provides sample policies ("Concepts and Roles in Community Relations," and "Communicating with the Public,") that will help your board articulate overall goals. For more ideas, check out other school districts' policies, as well as resources from the New Jersey School Public Relations Association (njspra.com) and the National School Public Relations Association (NSPRA.org).

Define desired outcomes. Specify what it is you hope to achieve, and over what period. These outcomes should be verifiable and achievable.

Allocate adequate resources to carry out the policy. Additional resources may be needed, and may be found through reprogramming, or identifying new funding sources — such as district or state education funds, public agencies, Title I, or local businesses. Necessary resources may include a dedicated workspace, additional social or health services, stipends for teachers for training or outreach and a community/parent coordinator. Continuity of funding is key.

Establish assessment and evaluation procedures. For example, markers of increased and effective communication may include attendance at parent meetings, better student attendance, and feedback from teachers that parents are more involved.

SOURCES: NJSBA, National School Boards Association

them through emails and texts. Local media outlets have lean staffs, making it a challenge to place stories about your district. And social media, online sites and cell phone texts can spread rumors far and wide before administrators even hear a whisper of them.

While a proactive communications policy is essential, it's not as easy as it sounds to create one. Stretched-thin administrators must manage many priorities that compete for time, personnel and budget; as a result, communications often fall through the cracks. Moreover, many districts have the mistaken impression that they are not allowed to expend resources on communications.

With all that, supporting a sound public relations program can be one of your most enjoyable and meaningful tasks as a board member. To promote good communication, your district should take these basic steps:

- Develop an overall policy. The policy will require sufficient funding, measurable goals and an ongoing outreach to stakeholders. (See sidebar, "Create a Policy with Impact.")
- Designate a spokesperson. In general, the superintendent is the spokesperson for matters relating to district operations. For issues related specifically to the board of education, such as board policy, the board president typically acts as spokesperson. Some districts appoint a district communications officer to deal with the media as well as public inquiries. Whatever the case, a spokesperson should always be available and responsive to take calls, even after regular working hours as events require.

Social Media: Where the Eyes Are

Facebook, Twitter, Instagram, YouTube, and other social media venues are essential tools in your communications toolbox. Social media promotes collaboration, sharing of opinions, listening and transparency — all great qualities that you want to nurture in your school community. The major channels are designed to be simple and intuitive to use, and are usually free. Most important, the members of your community that you need to reach are on them.

It takes time and effort to use social media effectively. Some best practices:

Appoint a district liaison to post frequently enough to keep your Facebook page or Twitter feed fresh. Make sure he or she has a clear mission as well as the necessary budget, time and access to top administrators.

Drive more visitors to your website by having posts link back to it for more information.

Post icons/links to your social media accounts on your district homepage.

Tweet or post photos as much as you can for pleasing posts (be sure you have permission before identifying students).

Create a “terms of use” policy regarding what kind of posts you will and will not allow on your social media account. Have it reviewed by your district lawyers.

In ordinary times, your followers will enjoy hearing about sports, school activities, local coverage of district events, behind-the-scenes looks at school events, even special lunch menus. In times of urgency, such as weather disasters or major accidents, your social media channels will be a key source of information for the school community.

- **Develop an e-mail blast list.** A district could have several lists: one for families who need to know details of school events and news like a weather-related school closing, and another that encompasses the community in general and gives overall district news and information. Ways to create this broader list include having signup sheets at local organizations such as senior citizen groups, and making a general signup list available through the district website.
- **Diversify communication.** Remember that one communication technique is rarely a silver bullet for reaching most parents. Some will prefer email, others social media, while others prefer the backpack method or delivery through churches or community and social centers.
- **Make two-way communication a priority.** A community relations program isn't just about putting information out there; it's about receiving it as well. Online surveys are a great way to keep in touch with what your community is thinking; some districts use them on back-to-school night, when developing budgets, to evaluate staff professional development and more. Other districts meet regularly with Parent Advisory Councils (PACs), comprised of administrators and parent reps from every grade level. Parents know they can funnel their suggestions and concerns through PAC representatives.
- **Meet with key communicators.** These are the “go-to” people, the connectors in your community. They should represent a cross section of the

community, including: parents, teachers/staff, business leaders, senior citizens, clergy, alumni, youth organizations, sports leagues, preschool/day care centers, civic associations, local business leaders and service providers and local government. Administrators can invite members of the key communicators group to informal meetings over coffee, or to formal presentations in which their counsel and input are sought on budget development and other matters. The administration should also make sure this group has timely and correct information about important or controversial district issues.

- Arm board members with positive talking points. Board members tend to hear complaints or concerns about the district from the public – that’s just part of the territory, and listening is an important aspect of a board member’s role. However, try to make it a practice to impart good news as well. “Isn’t it great that our eighth-graders did so well on the language arts tests?” “Did you hear about the wonderful community service project our student government recently ran?” “Did you know our school club recently won the state solar car competition?”

Board members’ words carry weight. Spread the word about good news in the district and watch it travel along the grapevine.

This article was written by **Lee Lusardi Connor**, a former member, president and vice president of the Morris Plains Board of Education, and former president of the Morris County School Boards Association. She is a professional writer and editor.

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Working with the News Media: A Basic Guide

Knowing how to work with your local news media will help your board get the real story out

- D**oes your school district (choose one) —
- (a) Contend with the news media.
 - (b) Put up with the press.
 - (c) Work with the reporters and editors who cover your board meetings, your district's schools, and its students.

The answer, of course, should be (c). Your school district's relationship with the news media is a vital component of its overall public relations program. For that relationship to be effective a district must make a genuine effort — and then some — to provide information to the local news media that cover the district. In effect, it should work with the people who work for the media.

That can be a challenge. In this era of reduced newsroom staffs, diminished ad revenue and shrinking news holes, the news-gathering industry has morphed into a hybrid web- and print-based information source. School districts today are dealing with more reporters, who possess extreme variations in journalistic experience and skill, and who also have a need to post information immediately. Still, the key lessons of dealing with the news media remain as critical today as they were a decade ago.

Meet the Press

Who in your district talks to the news media? Under what circumstances and when? What type of written information is available to the press?

A legally sound, well-thought-out policy on school-community relations, including relations with the news media, will guide you in answering these questions. It will also serve as the foundation for effective communications with the press. (NJSBA's policy department or your NJSBA field service representative can provide information on school-community relations policies.)

Let's look at how a board's policy and planning can pay off when it comes to coverage of a regular public meeting.

Often, this is the first place a school board and the news media cross paths. The reporter in your audience is likely to be someone fairly new to the job. The local community beat is often a new reporter's first assignment. He or she may

have little or no knowledge of your district or about how a school board works.

But his or her written or posted words still have power. Any board action, any comment by you — or by any other board member — could find its way into the reporter’s article, turning up in an online news site that same night — not to mention in print in the following morning’s newspaper.

On either platform, it is likely to be well read. The public school district, which receives more than half of local property tax dollars, is of intense interest to local cyber observers — knowledgeable and novice alike.

While the reporter at your meeting may have limited knowledge, it’s also likely, however, that the reporter got his job because an editor found him or her to be a “quick learner” who could write about complex matters in an understandable way. Therefore, while they may be on uncharted waters, you may be able to set some direction.

A goal your district and the reporter share is that the news should be reported accurately. To achieve this goal, your board and your school district should establish procedures to ensure a reliable flow of accurate information.

Identify a “Press Contact” This should be a person whom a reporter can reach before, during and after the meeting. Fast accessibility to a district-designated information source is critical to ensure accuracy and to foster a sound relationship with the news media.

This press contact role should, if possible, be separate from the role of the official spokesperson for the school board (its president) or the school district (the superintendent). The press contact can provide background information — recent changes in state law, for example — and explain the issues on the board’s agenda. Some districts handle this function by appointing full-time staff members whose job descriptions include substantial public relations responsibilities. Others may tap an administrator to serve as liaison with the media.

Never underestimate the power of the press release. A well-written document, objective in nature, will help a reporter accurately frame complex issues facing the school board.

Publish a fact sheet for easy reference on your district website. Make it available in print as well. The document should include key information about the district and its schools, including enrollment, building principals, test scores, student achievement, and financial information.

Develop a “Welcome to the Board Meeting” Pamphlet Such a publication can list the names of the board members and key administrators, the board’s policy concerning public comment, and key information about the district’s schools. At meetings, identify the superintendent and all board members clearly. Place placards or name plates on the table in front of their chairs. This step may sound simplistic. Not taking it, however, can make a reporter’s job difficult. Take the initiative. Apart from being available for board meetings, your media contact person should establish a solid relationship with the reporters who cover your district, as well as with their editors. He or she should reach out to

The Four B's of Effective Press Relations

Based on our experience at NJSBA, here are four simple guidelines that could help school districts respond to news media inquiries:

Be responsive. Reporters are working on ever-tightening deadlines. Many "print reporters" now have the additional responsibility to post same-day and same-hour stories on newspaper websites. Get back with information or comments as soon as possible. Responding quickly sometimes gives you an advantage in getting your district's point of view into the story.

Be accurate and direct. If you do not know the answer to a question, say so. (Never speculate.) If you cannot provide the information asked for, say so.

Be accessible. Make sure the news media can reach a district spokesperson after meetings, in the evening, and when schools are closed. The district's public information officer or press contact person should give reporters out-of-office contact information, e.g., district and personal e-mail addresses, cell phone number, and home telephone number. In addition, all district-issued press materials should include the direct office telephone number and email address of the media contact person.

Be in touch. After responding to a press inquiry, keep the reporter informed of any developments that will affect the story.

reporters and editors to identify the needs of their news organization. Daily newspapers, weekly newspapers, websites and the broadcast media all operate differently.

Effective school public relations professionals ascertain reporters' deadlines, as well as storylines that would be of interest. They also explore opportunities for guest columns by, and interviews with, school district leaders.

Taking the necessary steps to help reporters in covering your school district could have a positive impact on its image. Most important, it will encourage balanced and accurate reporting.

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Fundamentals of Special Education

As a board member, it is critical for you to have an understanding of how special education in New Jersey works. Providing special education students with appropriate services is not only a key mission for your district; it likely consumes a large chunk of the budget. However, the programs, processes and procedures, which are largely dictated by federal and state law, can be complex and confusing.

Some Background The Garden State has long been in the forefront of providing special education services to children. In 1911, by an act of the legislature, New Jersey became the first state in the nation to mandate special education classes for the deaf, blind and educationally delayed in public schools. In the mid-1950s, the state legislature extended special education for “physically handicapped, mentally retarded students, emotionally and socially maladjusted children,” and provided state aid for those services. The laws then required school districts to employ child study teams (including psychologists, social workers, learning disability specialists), and to provide appropriate special education programs either alone or in conjunction with other public institutions or schools.

In 1966, state legislation clarified the responsibility of local districts to identify children who need special education and consolidated the categories of eligibility according to educational need. It also authorized tuition to private schools, expanded services to children in hospitals and residential programs, broadened the range of programs and services, increased the responsibility of county child study teams and created a state special education advisory council.

Federal Involvement A landmark in special education was reached when, in 1975, President Gerald Ford signed the Education for All Handicapped Children Act, the first federal law that guaranteed that students with disabilities had a right to receive a free, appropriate public education (FAPE), a term still in use today. Interestingly, the model for some of the federal legislation was New Jersey’s regulations, as a former New Jersey Department of Education staffer chaired the National Advisory Committee on Special Education in the early 1970s, and brought the state’s ideas to Washington, D.C. Later versions of the Education for All Handicapped Children Act were named the “Individuals with Disabilities Education Act,” or IDEA.

The guiding principle behind IDEA is that education should meet the needs of the child with a disability; it must prepare the child for further education, or to live and work independently. The law requires that education take place in the least restrictive environment; that is, to the greatest extent possible, a special education student should be educated alongside nondisabled students.

IDEA requires evaluation and placement procedures to guard against misclassification, and it requires periodic reevaluation of students. Due process procedures allow parents and guardians to receive required notices, to review their child's records and to challenge identification, evaluation and placement decisions. The law also requires schools to take a student's disability into account when enforcing discipline.

With the expansion of services, not surprisingly, the number of students and staff involved in special education grew. In the 2019-2000 school year, according to the New Jersey Department of Education, 246,677 students ages 3 through 21 were receiving special education services. That translated to about 17.93% of New Jersey students.

School District Requirements Simply put, school districts must provide students with disabilities a free and appropriate public education (FAPE) in the least restrictive environment.

However, deciding what constitutes an appropriate public education in the least restrictive environment for each child can be a complex task. For some children, being in a class that has an aide or being pulled out of a classroom for a few hours of individual help a week is sufficient. Other children may require a placement in a self-contained classroom or a separate setting, such as a public or private day school or a residential facility.

Parents and school districts may disagree about the services that children should receive. Serious disagreements can lead to mediation or legal action.

Many districts find themselves involved in special education litigation. Typically, it involves a dispute over whether a child is receiving FAPE, or there is an alleged violation of the individualized education program (IEP). School board members should seek assurance from their superintendent that the special education staff is following required procedures and protocols to minimize the chance that the district will be subject to legal action.

Special Education Eligibility Children aged 3 to 21 who are classified are eligible for services. Sometimes new board members don't realize that preschool disabled children are eligible — and a district's responsibility may not end until a child is 21 years old.

For individual children, the process begins with a referral — a written request to a school district for an evaluation by the child study team for a child who is believed to have a disability. Parents, school personnel or agencies concerned with the welfare of students can all request an evaluation.

Such a request triggers a procedure with firm timelines. The team evaluates the child and, if he or she is found to have educational disabilities, it develops an IEP that describes the education program and services that the district

is proposing for a child. Parents and guardians are part of the IEP process. Periodically the IEP is revisited, and the child is reevaluated.

According to a 2012 census of New Jersey schoolchildren, 84.7% of the students receiving special education services were represented by four categories of disability: learning disabilities (36.9%), speech-language impairment (20.6%); other health impairments (18.1%), and multiple disabilities (9%).

Funding for Special Education Programs As far back as 1911, state aid was established to cover the excess cost of special education, that is, those costs that exceed expenditures for general education. State funding initially covered half the cost of special education. Later, the funding was based on the category of disability.

In 1996, state funding shifted from categorical aid allocated according to program, to a distribution method based on four tiers defined by the severity of the disability. “Extraordinary aid” for extraordinary circumstances, such as when per-pupil expenditures exceed \$40,000, was added in 1996 and refined by a law enacted in 2002. State funding for speech-language services was built into general education aid because it was deemed to be such a common service that separate funding was not needed.

Since 2001, special education expenditures have increased faster than state funding. As a result, the percentage of special education costs covered by state aid dropped by about one-quarter. Additionally, the 2010 local levy cap law restricted the ability of school districts to budget for increased local revenue to offset the lack of state aid. Federal aid was initially based on a per-pupil reimbursement but changed in the 1990s to a formula that included a base amount, a factor to reflect enrollment growth, and a poverty factor.

When the IDEA was first enacted in 1975, the federal government promised to cover 40% of the cost of implementing required special education services. However, the amount actually covered by federal funding is less than one-tenth of required special education services.

In 2008, New Jersey enacted a new school funding formula, which made several changes in how the state provides aid for special education. The School Funding Reform Act bases one-third of special education funding — that is, the proportion awarded to districts regardless of wealth — on the average percentage of students that receive special education services statewide, which at the time of the law’s enactment was 14.69%. In fact, the number of classified students in an individual district could be far greater. In addition, the formula distributes the other two-thirds of state funding on a district’s ability to pay, rather than the number of students served, thereby driving up the local share of special education costs.

Factors in Special Education Cost Increases In 2007, the NJSBA commissioned a study, “Financing Special Education in New Jersey.” This year-long research project included statistical analysis of state and federal data, independent data collection, and on-site visits to school districts. (The full report can be accessed at: <http://www.njsba.org/news-information/research/njsba-task-force-on-special-education-report-2014/>) The study found that the growth in special

education costs, which then totaled \$3.3 billion for roughly 240,000 students, could be largely attributed to tuition and transportation for out-of-district programs.

According to the 2007 study, the intensity of special education programs had increased over the previous decade, with more students placed in out-of-district autism programs and related services. For local school districts, that trend is critical because, as indicated in the study, 57% of special education costs are borne by local property taxpayers. The remainder comes from the state (34%) and the federal government (9%).

“Frequency of classification” and “severity of classification” are other major trends affecting special education costs since 2007, according to a survey of New Jersey school superintendents and special education directors issued by a newly convened NJSBA Special Education Task Force in the summer of 2013. The responses reflect state-issued data. For example, during the four school years between 2008 and 2012, the number of students receiving special education services increased 4.9%, while the total public school enrollment decreased by 1%.

Reining In Special Education Costs The 2013 NJSBA Special Education Task Force studied ways public schools could control costs while preserving the quality of special education programs and services. In March 2014, the group issued its final report. (See sidebar, below, “A Path Forward for Special Education.”)

Titled “Special Education: A Service, Not a Place,” the report called for statewide efforts to reduce special education classification of children through the consistent use of early intervention strategies, or “multi-tiered frameworks of support.” According to the report, these efforts focus on students’ needs at an early age in general education classrooms. They have proved to be effective in reducing the number of students later classified as requiring special education services.

In all, the task force report made 20 recommendations that address early intervention, literacy, shared services, changes in state and federal aid, alternative funding, and training of educators and school board members.

The task force report also called for a change in the perception of special education, arguing that public education should not be viewed as two separate systems — general education and special education — but rather as one continuum of instruction, programs, interventions and services that respond to individual student needs.

With all the subject’s complexity, one thing is certain: Special education and its funding will be a worthwhile endeavor as well as a key challenge for all school boards in the coming years. For perspective, consider the wise counsel provided by former West Orange Board of Education member Laura Lab, who also served on the NJSBA Special Education Committee, in an article she wrote:

“Like any other parent in your district, whether it is the band parent, sport parent, AP parent or uber-PTA mom, the parent of a special needs student

needs to know that the board of education considers what their child needs equally to what other students need. Sometimes it appears boards focus on the test scores, showcasing winning sports teams, bursting at the seams with pride in their honor roll and AP students and touting the accomplishments of their thespians, which is wonderful, of course, but can we sit back and say with confidence and no reservations that we are doing as much as we can for our classified students as well? Obviously there are financial considerations to be considered, but remember the support the classified student receives while in school is creating a skill set that will be the foundation of what they will be able to achieve during their lifetime.”

A Path Forward for Special Education

The recommendations of “Special Education: A Service, Not a Place,” the 2014 NJSBA Special Education Task Force Report, included several actions that the state should take. We have included summaries of the recommendations below to better acquaint new board members with valuable public policy ideas for providing the best education possible for special education students, with the greatest possible efficiency.

Early intervention

The state should develop a multi-tiered system of supports, including programs such as Response to Intervention, Intervention and Referral Services, and Positive Behavioral Supports, to identify students with learning needs at an early stage and implement strategies. The process should include ongoing assessment and evaluation. Such early intervention in the general education classroom would improve student outcomes and enable schools to avoid overclassifying children as requiring special education, according to the task force. Additionally, the task force found that by controlling classification through educationally-sound strategies, schools could reduce costs.

Shared services

While many school districts share some special education services, such as transportation, the task force recommends that the New Jersey Department of Education and local school districts explore a voluntary Regionalized Special Education Model/Shared Services Model for special education and related services. For example, regional or county-level child study teams could evaluate students and then turn over the findings to the local school district for implementation. Such a strategy could free up resources locally for classroom-level programs, according to the task force. Another shared services model cited by the task force would involve regional consortia to complete the filing process for federal funding under the Special Education Medicaid Initiative (SEMI). Currently, some districts opt not to file for reimbursement because the potential benefit is outweighed by the cumbersome filing process. As a result, the state does not receive all of the SEMI funding to which it is entitled. A July 2013 report by the State Auditor indicates that New Jersey state government and school districts could receive an additional \$10 million in federal funding through full participation in SEMI.



The entire text of the report may be accessed at www.njsba.org/specialeducation2014.

continued

A Path Forward for Special Education continued

Funding

The report recommends restructuring state special education aid to support programs that improve student outcomes; ensuring adequate Extraordinary Special Education Cost Aid, which helps fund out-of-district placement for severely disabled pupils; and providing flexibility in the use of federal special education funding so that it could be applied to supplemental literacy and math programs in inclusive settings. The task force cited research showing that when reading improves, classification rates drop. In addition, the report calls for improved auditing processes at the state and local levels to ensure consistent and accurate coding of special education expenditures. The goal, according to the task force, is more accurate expenditure data for special education than is now available.

Training

In its recommendations on training, the task force addressed teacher preparation programs, professional development for child study teams and other professionals, and programming for board of education members. The state's teacher preparation programs should focus on the inclusive classroom with training in adapting curriculum, instruction and assessment to meet the needs of all learners. Additionally, child study teams and other educators should receive targeted training on the development and implementation of individual education programs (IEPs) and federal special education requirements. School board member training should address the legal, financial and programmatic aspects of special education, with the goal of improving outcomes. According to the task force, such training would reduce IEP-related conflicts, develop a culture of trust and cooperation among school districts, parents and students, and meet the needs of all students in an inclusive setting.

Due process

In addition, the task force called for the amendment of a 2007 law that places the burden of proof in disputes over individual special education programs on the school district, rather than on the party bringing the complaint. In the task force's survey, more than 38% of respondents cited the need for legislative and regulatory change in the special education adjudication process, with the current placement of the burden of proof on school districts most frequently cited.

Questions for Board Members to Ask about Special Education in Their District



How do classification rates in our district compare to state rates?

Are our students with disabilities placed in the least restrictive environment with appropriate supports?

How do our out-of-district placement rates compare to state rates?

Do students with IEPs have access to our district curricula? Have modifications and accommodations been added to those curricula to meet the needs of our students?

Are there appropriate interventions (e.g. supplementary reading and math programs, behavior interventions) available for kids prior to referral to special education?

What outcomes do our students with IEPs achieve after they leave our district? Postsecondary education?

How are our students with IEPs doing on state and district assessments — achievement and growth — from one year to the next?

SOURCE: New Jersey Department of Education, *Special Education: What Board of Education Members Should Know*

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How Boards Work

The “committee of the whole” versus a board of committees

In colonial times, schools were managed by citizen volunteers. As communities grew and the number of schools multiplied, the amount of work needed to run them increased. Citizen groups began dividing into committees that were responsible for specific areas, such as deciding on curriculum, selecting books, employing teachers, purchasing supplies, maintaining buildings, and so on.

As rural communities grew into towns, lay board members could no longer give the time necessary to run the schools. Professionals were hired to take over supervision and administration, leaving board members to determine policy and deal with broad governance issues. Some boards kept the committee structure; others eliminated them and worked as committees (or boards) of the whole.

In New Jersey today, some districts work in a committee structure, others as a committee of the whole, and still others have structures that combine the two — a board may work as a single group for some matters, and in smaller committees for others.

A 2015 informal *School Board Notes* survey of readers found that 56% of respondents’ districts used a committee system, 14% met as a committee of the whole, and 30% reported using a combination of the two structures.

Here is a summary of the pros and cons of each structure, as well as best practices. NJSBA members can find more guidance in Policy 9130 of the Critical Policy Reference Manual at www.njsba.org.

Committee of the Whole

In this structure, the entire board gives full consideration to all issues, whether they relate to policy, buildings and grounds, personnel, negotiations, finance or curriculum. Debate and discussion are done as a group. The entire board receives backup materials and administrative recommendations for review well before a decision must be made.

Note that because meetings involve a quorum of the board, all meetings are subject to the Open Public Meetings Act.

- Pros:**
 - Debate can be more productive, as the entire board is present to offer insights.
 - The district benefits from the best thinking of professional educators as well as each board member.
 - All board members are fully informed on important issues; no one feels “out of the loop.”
- Cons:**
 - Time required for discussion is extensive, and constraints may prevent the board from exploring certain issues.
 - Boards should consider whether, realistically, every board member will be able to review their board materials carefully enough to develop a fluent knowledge of every topic, from finance to personnel.

- Best practices:**
 - The superintendent/CSA is a member of the board and the chief adviser to the board on district operations.
 - The superintendent/CSA is clearly the educational leader. He/she may choose to delegate research and data collection to staff members, but he/she retains ultimate accountability for how it is presented to the board.
 - The CSA should not be excluded from committee meetings, unless it is the meeting to discuss the evaluation of the superintendent.
 - The superintendent either makes recommendations to the board based on the data, or gives alternatives, detailing the positive and negative implications of any action.
 - The staff does the research. They have the time and training needed to do it, can be more thorough than board members and are also the people who will be responsible for the implementation and success of the project.

Board of Committees

In this structure, the board recognizes several permanent standing committees. Because committee meetings do not involve a quorum of the board, they are not subject to the Open Public Meetings Act. The most common standing committees are:

- Facilities (also called “buildings and grounds” or “property”).
- Curriculum (also called “curriculum/education,” “instruction” or “program”).
- Finance (also called “budget and finance” and often combined with the facilities committee).
- Policy.
- Personnel (also called human resources).

In addition, Negotiations is often a recurring ad hoc, or temporary special-purpose, committee.

The board's bylaws should include written descriptions of the duties of each committee. It is the board president's responsibility to name individual board members to committees. The committees meet with the superintendent and appropriate administrators and/or staff on a regular basis to review recommendations that will be made for full board approval. All board members should be told when a committee will be meeting and what is on the agenda. After the meeting, board members should receive a report on the committee's findings or recommendations.

It's very important to note that committees only make recommendations to the full board. The final decisions are made by a vote of the full board.

- Pros**
- System allows committee members to dig deeply into the complexities of issues that the full board may not have time to discuss.
 - Splits responsibilities and increases efficiency.
 - Allows committee members to “get their teeth” into areas of particular interest or expertise.

- Cons**
- Committee members may get too involved in details and stray from their role as policy makers.
 - If not kept properly informed on issues by the committees and the superintendent, other board members may be voting without sufficient information.
 - Committees can lead to suspicion of secrecy or an unequal balance of power among board members.
 - Multiple committees increase demands on administrators' time.

- Best practices:**
- Committee members are assigned by the board president, with consideration given to board member requests.
 - For a nine-member board, committees typically have three assigned members. It is a good idea to leave a fourth seat open in case another board member wishes to attend. Larger or smaller boards would have more or fewer members on a committee but need to recognize Sunshine Law requirements if a quorum of the full board is present at a meeting.
 - Each committee member should be provided with a list of the committee's functions, duties and procedures.
 - The job and responsibilities of the committee chairman should be defined in writing.
 - The committee meeting agenda should be decided by the chair and the district administrator assigned to the committee (often the superintendent) and distributed to the entire board prior to the meeting.

- The board secretary should receive a committee report from a committee representative in a timely manner (a week is a reasonable time period); the full board should receive a report at the next meeting.
- Only agenda items should be discussed in committee meetings unless the chairperson asks for discussion of items not on the agenda. Other board members are expecting that the committee will only address those items on the agenda.
- Standing committees should be reapproved (or dissolved, as necessary) at each reorganization meeting. It is useful to annually review the committee system to make certain that the original purpose of a committee is still valid. Committees can get “off track” without even realizing it.

Combination system A combination system is just what it sounds like: Some matters are handled by standing committees, while others are discussed and considered as an entire board. Which functions are performed by committees is something that is very specific to individual boards — and can shift over time.

The *School Board Notes* informal survey that queried readers on how their boards worked found there were almost as many variations on the topic as there were respondents. One respondent, for example, noted that his or her board worked as a committee of the whole on financial matters, but used committees for policy, negotiations, transportation, curriculum, safety and buildings and grounds matters. A respondent from another district noted that buildings and grounds matters are handled by the entire board; while still another indicated that his or her board has a finance committee.

Both the committee of the whole approach and the committee system require discipline — committees require that board members trust each other, and committee meetings of the whole require that issues aren’t overly debated so that the meetings do not run to the early hours of the morning.

Some boards are hesitant to try the board-of-the-whole approach — the vast majority of boards use the committee system. But many high-functioning boards operate as a committee of the whole because they feel it is more efficient, and it tends to discourage micromanagement.

It is important to remember that the working style of a school board can change at any time. NJSBA field service representatives will often suggest a change if a board is having difficulty coming to agreement on matters, or having unproductive conflicts.

The same *School Board Notes* survey included a comment section that displayed the full range of board member opinions on the topic. “We feel that with the board as a whole we will have a better understanding and grasp on what is happening in our district,” noted one respondent. “It also allows each of us to hear the same information at the same time.”

What is an Ad Hoc Committee?

An "ad hoc" committee is one that is for a specific purpose (ad hoc is Latin for "for this"). These are temporary committees that have a specific task or goal. School boards in New Jersey report using ad hoc committees to consider topics such as school security, regionalization, referendums, shared services, superintendent search, technology, and strategic planning. Typically these groups work best when they have a clear idea of their purpose, and the tasks they will tackle, as well as a timeline of when their results or recommendations should be complete.

BOARD OF EDUCATION BOARD COMMITTEE REPORT

The Board Secretary should receive this report one day after the meeting was held, for distribution to the entire board.

Committee: _____ **Chairperson:** _____

Date of Meeting: _____ **Time:** _____ / _____
Start End

Board Members in Attendance: _____

Administrators in Attendance: _____

Others: _____

Business Discussed: _____

Pending Business: _____

Recommendations: _____

Contact Person for additional information: _____

Name: _____ **Telephone:** _____

Next Meeting:

Date _____ **Time** _____ **Place** _____

Possible Topic: _____

Signature of Preparer

Date

Another respondent had an opposing view. “We can accomplish more in the committee system. It helps save time at board meetings when the committee has done its due diligence before the board meeting and comes with recommendations.”

Having trouble sorting out your board’s working style? Your NJSBA field service representative can help.

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Sample Bylaw

COMMITTEES

In order to use the time, effort and expertise of the members of the board effectively, the board shall operate under a committee system.

Standing Committees

The board may authorize the establishment of such standing committees from among its membership as it finds necessary to study operations in specific areas and to make recommendations for board action. The following rules will govern the appointment and function of such committees:

- A. The committee shall be established through action of the board;
- B. The committee chairperson and members shall be appointed by the board president;
- C. The committee shall be provided with a list of its functions and duties;
- D. The committee may make recommendations for board action, but it may not act for the board;
- E. The board president and chief school administrator shall be *ex officio* members of all standing committees;
- F. All standing committees shall be dissolved at the end of the board's year – at the annual organizational meeting. They may be dissolved at any time by a motion of the board.

Special Committees

Special committees may be created for special assignments. The same rules shall apply to special committees as apply to standing committees, except that they shall be dissolved upon completion of their assignment.

Committee of the Whole

The board reserves the right to meet and work as a committee of the whole in informational, discussion, and exploratory sessions. No official action shall be taken at these meetings, unless so advertised.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Committees, Board Committees

Sample Bylaw

NOTE: THIS IS THE FIRST OF TWO SAMPLES

COMMITTEES

The board shall operate as a committee of the whole. Although the board does not have standing committees, it may create special committees for special assignments. When so created, such committees shall be appointed by the president, subject to board approval, and shall terminate upon completing their assignments (or they may be terminated by a vote of the board at any time).

It shall be the responsibility of such committees to make appropriate and effective use of professional expertise and resources within and outside the district. These committees may actively seek input and participation by parents/guardians, staff, community and pupils, as well as consult with other local public boards and agencies.

The president shall be an *ex officio* member of each task force or committee. The chief school administrator or a member of the chief school administrator’s staff may also be named as liaison to each committee when appropriate.

Date:

Legal References: Use legal reference sheet.

Cross References: List your appropriate policies. See legal reference sheet for possibilities.

Key Words

Committees, Board Committees

Board Meeting Magic

*There's no mystery to a well-run school board meeting.
Here's a guide to how things should work.*

Why are some school board meetings productive, civil and well-run while others are not? Much of it has to do with how well-planned and organized meetings are.

One of the best tools to use in conducting an efficient meeting is an agenda. An agenda based on board policy and procedure allows for the careful planning of subject matter discussion. This improves the board's ability to handle routine matters, engage in productive discussions and reach informed decisions, and solve problems, while offering the staff and community insight into the operation of the district on the policy-making level.

The ultimate purpose of an action meeting of the board is to take official, formal action on the business of the board and school district. As you probably know, such meetings must be conducted in a specific manner because law and regulation require certain formal actions and procedures. As elected officials, board members must ensure that all required actions are completed. A well-constructed agenda focuses the board's attention in important matters, reduces the tendency to delve into tangential areas, and minimizes "surprises," those last-minute supposedly emergent topics that can wreak havoc on the board, the administration and public perception of the district.

A Well-Crafted Agenda The formal meeting begins when the president calls the board to order at the advertised time, which by law can be no later than 8 p.m. Meetings should always begin promptly even if all members are not present (assuming a quorum is in attendance); consistency in this area will motivate everyone to try harder to arrive on time.

Agendas can vary by district, but this sample agenda organizes the meeting in the following order:

- Call to order.
- Reading of the Open Public Meetings Act notice.
- Roll call.
- Approval of minutes.
- Correspondence.
- Public comment on agenda items.

- Report of the chief school administrator.
- Action items:
 - Finance/ buildings and grounds.
 - Personnel.
 - Curriculum.
 - Other.
- Information items:
 - Committee reports.
 - Other.
- Public comment.
- Adjournment.

Long before the meeting begins, much work goes into the planning of the session. The board president and superintendent work together to develop an agenda that contains all action and information items needed by the board. Since this is a board meeting, the president of the board plays a prime role in these decisions. Board members, as part of the management team, must be aware of the procedure for having items included on the agenda. Most boards have policy on this and they can find it in the board’s bylaws. This process may differ from district to district. Agenda items added may be a reflection of a board work session, the result of a committee meeting, or the request of an individual board member in a call to the president or the superintendent.

Deal with Controversy First A good tip in setting up the agenda is to put controversial issues toward the beginning of the session. If community members are upset about an issue, having to sit in the audience and wait for hours while the board discusses seemingly more mundane items will only fuel their anger. Members of the public may be unhappy with the action the board ultimately takes, but they will see that the board at least has heard their concerns and addressed the item in a timely manner. In general, it is also a good idea, not to mention a courtesy, to schedule presenters — be they staff, students or outside consultants — early in the meeting, both as a sign of appreciation of their taking the time and effort and as an acknowledgement that it is your job to be there for the entire meeting, not theirs.

Once topics are placed on the agenda, the superintendent is responsible for collecting background information, researching options, and making recommendations. Any relevant material should be received by all board members at the same time (about three to five days in advance), enabling them to do their homework, read and review all materials, and call the board president or superintendent for clarification in advance. This allows them to be fully prepared to participate in the board meeting.

“RRRIP” “What’s the scariest sound at a board meeting? The “rrrip” sound of someone opening his or her board information packet for the first time.

Effective team members read their packets well in advance of the meeting, ask for clarification in advance, adhere to the practice of no surprises, and are fully prepared to participate in the board meeting,

Many boards adopt Robert's Rules as a proven, workable operating system. Using parliamentary procedure, with its precise and consistent rules, creates a clear path for reaching decisions. The resulting aura of professionalism reflects well both upon the board and the district.

Another key to efficient meetings is to maintain an effective timeline. The segments for public comment usually come at the beginning and again toward the end of the meeting. Our sample agenda limits the first segment to comments from the public regarding agenda items, allowing their input to be heard before the board acts on any items. The later session allows all other issues to be addressed, so that, if appropriate, the board can consider them at the committee level or for inclusion on a future agenda. The board president should outline the specific time limits for public discussion – three minutes or less per person with a total of 30 minutes is typical. It is also helpful to have a cover letter on your agenda that describes for the public the policies and practices governing the meeting and public input segments.

It is important for board members, particularly new board members, to understand that no response is required during the public comment segments. This is not a time for individual board members or administrators to be put on the spot. A good way to handle this is illustrated by the following sample dialogue:

Citizen: "I demand to know how you will each vote on this issue."

Board president: "This is the part of the meeting in which we the board can hear your input. It is not meant to be a dialogue. We do not want to take up your time, which is limited by policy to 30 minutes, by our responses, nor would it be appropriate for us to necessarily respond to your question. When this item comes before the board for a vote, there will be the opportunity for discussion among the members and then, of course, you and everyone else here will have the opportunity to see how each person votes."

One of the hardest tasks for a board member is to sit through an attack by the public and still retain a calm, professional demeanor. Knowing that you don't have to respond may make that task somewhat easier.

To keep focused on completing the business of the board and understanding that good decisions are best made by board members who are not half-asleep, some boards have a policy to end meetings by 11 p.m. To prolong the meeting, 15-minute extensions must be moved and approved. One board even has a policy that calls for the board to stand up during any extension, as a further incentive to "move things along." Another technique some districts have found to be

helpful is putting suggested timelines on the agenda. Although these limits must have some flexibility, they do serve to focus the board.

One particularly useful planning tool is the 12-month agenda. Developed by the board and the superintendent, it provides an annual plan establishing a schedule for due dates of state-mandated reports, progress reports on district goals, recurring administrative items, the board self-evaluation and superintendent evaluation, and the annual board retreat. A 12-month agenda gives lead-time for the board to study and consider many decisions it will make during the year, providing the superintendent and staff with adequate notice to collect and assess information and make recommendations. An organized agenda planned on a 12-month basis will enhance the development of the regular agenda as well as expedite and improve the work of the board all year long.

Remember, too, if your meeting is not as effective and satisfying as you would like, help is only a phone call away. Your NJSBA field service representative offers expertise as well as a variety of services. Call us for information, suggestions and recommendations. We will be happy to attend your board session, complete a meeting analysis and follow up with a feedback session. If you prefer, we will facilitate workshops and retreats, which provide boards with the time and opportunity to discuss issues and develop ideas for improving and enhancing their success. Putting a session with your field service representative on your agenda may be one of the best things a board can do.

When all is said and done, there's no particular magic to conducting effective board meetings. The trick is knowing how to run such a meeting, carefully planning and organizing it, and enlisting all board members in the process of properly preparing to work together to help all your district's schoolchildren.

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An Introduction to Parliamentary Procedure

To the board meeting newcomer, following parliamentary procedure can seem cumbersome, unwieldy and overly bureaucratic. But as any veteran board member can attest, there's a reason organizations have been using it since 1876 or so when Brig. Gen. Henry M. Robert, an army engineering officer, decided to write "Robert's Rules of Order" to codify procedures for meetings.

Most boards use a parliamentary procedure that follows Robert's Rules, or some slight variation of it. The procedures provide the best method yet to enable assemblies of any size to arrive at the general will on a number of questions of varying complexity in a minimal amount of time. The process operates well whether your meeting is harmonious or hostile.

It's important to understand the principles behind Robert's Rules.

- First, all members of the group have equal rights, privileges and obligations. The majority has the right to decide questions, but the minority has rights, which are protected.
- A quorum (the number of members required in the bylaws to hold a meeting) must be present for group action.
- Full and free discussion of every motion considered is a basic right.
- Only one question can be considered at any given time.
- Members have the right to know at all times what the immediate pending question is, and to have it restated before a vote is taken.
- No member can speak until recognized by the chair.
- No one can speak a second time on the same question as long as another person wants to speak a first time.
- The chair should be impartial.

Making a Motion The basic element used to make decisions and take actions under parliamentary procedure is the motion. A motion is a proposal or resolution by a member that the assembly take a certain action or express a certain view. A motion is considered out of order if it somehow conflicts with the constitution or bylaws of the group.

Parliamentary Rules to Remember

1. The presiding officer should recognize each speaker, and each board member should be given the chance to speak once before any member speaks a second time.
2. Debate should be confined to the question being considered.
3. Avoid the use of members' names during debate.
4. During debate, address all remarks to the presiding officer, not to other board members.
5. To make a motion, say "I move that..." Avoid saying "I so move," if you hear a comment you agree with during debate. Restate the proposed action when you make a motion.
6. Modify or amend a motion by saying, "I move to amend by..."
7. The presiding officer should always repeat the motion before a vote.
8. To "lay a motion on the table" means to set a question aside temporarily in order to take care of a more important matter. It is not meant to be used to suppress a question.
9. A quorum is the number of members required to be present at a meeting for business to be legally transacted. If the number for a quorum is not set by law or policy, a majority of members is sufficient.

The main motion is one that introduces a principal subject. Only one main motion may be considered at a time and must be disposed of before another main motion may be considered.

To make a motion, a member must be recognized by the chair, and use the phrase, "I move..." The motion must be seconded by another member, which indicates that at least one other member feels the idea to be worthy of consideration. The chair of the group restates the motion to the assembly, precisely as it was proposed. Members then discuss and debate the motion. After discussion is finished, the presiding officer asks for votes on the motion, being sure to repeat the motion before the vote. The presiding officer should also tell the members exactly what to do in the voting process — for example, say "aye," or "raise your hand," to vote yes. After the vote, the chair announces the result of the voting: if a voice vote is used and the outcome of the voting is unclear, a member can call for a hand count.

During discussion of motions, amendments to motions can be proposed. A word or phrase can be added or removed, or substituted for another. No more than two amendments may be considered at a time. A vote on an amendment to a motion must take place before voting on the motion.

There are five categories of motions: main motions, privileged motions, subsidiary motions, incidental motions and unclassified motions. By far, the most commonly used motions are main motions. However, it is useful to be aware of the other types of motions. There is a hierarchy and order of precedence of motions. When certain types of motions are made, they must be acted on before other types of motions that may already be before the assembly.

PARLIAMENTARY PROCEDURE CHEAT SHEET

If You Want To...	You Say to the Chair...
Add to or change a motion. (Two times only.)	I wish to amend the motion.
Stop a motion YOU have made.	I wish to withdraw the motion.
Get a committee to study the matter.	I move that we refer this to _____ committee.
Put the matter aside until another time.	I move that the motion be tabled.
Bring up a motion that was tabled.	I move that the motion be taken from the table.
Discuss something without having to stick to the rules.	I move that we suspend the rules. (Requires a 2/3 vote.)
Want to divide the motion into parts.	I move that the motion be divided into ____ recommendations.
Get discussion back on track.	I call for the order of the day.
Erase the original vote on the motion and put it back on the floor to discuss. (As if the original motion never occurred.)	I move to reconsider the vote on _____. (Can only be made by a member of the prevailing side.)
Cancel something that the voting body did at a previous meeting.	I move to rescind the motion adopted at the ____ meeting to _____. (Needs a 2/3 vote.)
End discussion.	I move that we close debate. (Requires 2/3 vote.)
Get more information on matter being discussed.	Point of information.
Point out violation of procedure or bylaws.	Point of order. (No vote needed.)
Call attention to something concerning the well-being of meeting participants (bad acoustics, room temperature, other discomfort).	Personal privilege. (No vote needed.)

Privileged motions do not relate to a pending question, but they are of such great importance that they take precedence over all other motions. Examples of privileged motions include setting a time to adjourn; adjourning; recessing; raising a question of privilege; and calling for the orders of the day. So if a motion to adjourn is made, the group must decide on that before voting on a main motion.

Subsidiary motions are applied to other motions for the purpose of appropriately disposing of the motion. They include: lay on the table (temporarily setting aside a pending motion); call for a previous question; postpone definitely; postpone indefinitely; refer to a committee; and amend.

Incidental motions correct ill-advised actions or correct improper use of parliamentary procedure and include motions such as “rise to a point of order,” and withdrawal of a motion, among others. Unclassified motions have a definite



A brochure on Basic Parliamentary Procedure is available from your field service representative.

purpose, but are not classified as any other type of motion and usually pertain to actions taken at previous meetings, such as reconsidering, or rescinding an action.

Detailed information on the order of precedence of motions, and parliamentary procedure in general, is available from NJSBA in a free brochure, “Basic Parliamentary Procedure: An Introduction to Robert’s Rules of Order.” Your district’s NJSBA field services representative can also conduct a program for your board on parliamentary procedure.

While parliamentary procedure rules can seem overwhelming to new board members, with practice, those procedures will seem like second nature. And they will prove their usefulness when your board is considering a particularly complex or contentious issue.

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A Year in the Life of a School Board

Mark your calendar to be ready for a busy year

While every school board in New Jersey deals with its own particular issues, there are certain tasks and responsibilities that all boards share. Many of these are as predictable as the seasons. The schedule below will help you understand what your board should and will be doing — and when.

The timing on the following activities is suggested, not required, except where noted.

JANUARY

- Board reorganization (after November elections).*
- District in-house orientation for new board members (for districts with November elections).
- Board Code of Ethics discussion with NJSBA representative *(for districts with November elections).
- Review mandatory training requirements for board members (for newly sworn in as well as existing members).
- Review requirements of the superintendent contract renewal for contracts expiring July 1.* (Superintendents must be given 30 days notice for each year of a contract duration.) See *N.J.S.A. 18A:17-15*. Title 18 A is the section of state law governing public education.
- For new board members, financial disclosure forms are due to the School Ethics Commission within 30 days of joining the board.*
- Review preliminary budget numbers with superintendent/chief schools administrator (CSA) and board administrator.

FEBRUARY

- CSA provides an update on progress toward achievement of district goals and objectives.
- Board provides public update on progress toward achievement of board goals and professional development improvement plan.

- CSA reports on teachers meeting definition of highly qualified or evidence of progress toward sam.e
- CSA/BA provide update on capital projects.
- Meet with NJSBA representative to review superintendent and board evaluation process and set timelines for completion.

MARCH

- Hold public budget hearing / adopt budget (April elections).*
- Suggested: Public hearing of the Violence, Vandalism and Bullying Report. (By law a board must have a public hearing twice yearly; once between Sept. 1 – Jan. 1 and again between Jan. 1 – June 30.).

APRIL

- Financial disclosure forms to the Ethics Commission for board members elected in April and for all continuing board members.*
- Hold public budget hearing / adopt budget (November elections).*
- Approve the school health nursing services plan.
- Approve the comprehensive equity plan.

MAY

- Board reorganization (if April elections held).*
- In-house orientation for new board members (April elections).
- Review mandatory training requirements for board members (April elections).
- Board Code of Ethics discussion with NJSBA representative *(for districts with April elections).
- Complete online CSA evaluation forms* (all nonconflicted board members) once CSA has completed his/her goals portion.
- Complete online board self-evaluation form.
- Approve written curriculum that clearly and specifically aligns with the most recent State Board adopted version.
- End-of-year staff review report to board by CSA (all staff: non-tenured, tenured, and administration).
- Report on compliance of submitting financial disclosure statements to the School Ethics Commission.
- Act on personnel recommendations of CSA.

JUNE

- Schedule closed-session meeting (all nonconflicted board members) to review board members' evaluations and organize the overall superintendent evaluation narrative. (Provide "Rice" notice to superintendent.

“Rice” refers to the case that led to the legally-required process of notifying school employees when matters affecting their employment will be discussed privately by the school board.).

- CSA provides end-of-the-year report on district goals.
- Board provides end-of-the-year report on board of education goals.
- Review and revise as necessary the superintendent evaluation instrument for upcoming year based on goals and objectives.
- Finalize the superintendent’s evaluation and conduct closed-session summary conference (provide Rice notice to superintendent;*all non-conflicted board members) before July 1 as per statute.
- Board annual goal-setting retreat.
- Review results of compiled board self-evaluation.
- Board should request contract analysis from NJSBA labor relations staff, for employee contracts ending in June of the upcoming year.

JULY

- Board of education approves district and board of education goals.
- Superintendent develops action plans to achieve district goals.
- Board develops action plans to achieve board goals.
- Review and approve staff development plans for next year and the connection to student achievement.
- Review the district mentoring plan.
- Approve board professional development improvement plan.
- Review curriculum writing process and the connection to increased student achievement.

AUGUST

- Review progress of all students at key grade levels in mastering the current education standards and on the performance of student subgroups on state tests.
- Approve any additional personnel recommendations for coming school year.
- Annual review of student code of conduct.
- Annual review of memorandum of agreement (MOA) and law enforcement operations for alcohol, other drugs, weapons and safety.

SEPTEMBER

- Board approves district and board of education goals.
- Superintendent presents action plans for achievement of district goals.

- Approve the comprehensive maintenance plan.
- Approve the long range facility plan.
- Approve the safety and security plan.
- Board plans for negotiations for employee contracts ending in June of upcoming year.

OCTOBER

- Public hearing of the Violence, Vandalism and Bullying Report (suggested for this month; by law a board must have a public hearing twice yearly; once between Sept. 1- Jan.1 and again between Jan 1- June 30).
- Develop budget parameters focusing on student achievement based on strategic planning goals and/or district annual goals.
- Update on curriculum writing/pilots/cycle.
- CSA provides update on progress toward achievement of district goals and objectives.
- Board provides update on progress toward achievement of board goals and Professional Development Improvement Plan.
- Attend NJSBA Workshop.

NOVEMBER

- Board election (November elections).
- Approve submission of the NJQSAC Statement of Assurance.*
- Review audit report / approve and oversee the corrective action plan if needed* (Audit report must be approved by board no later than five months after the end of the previous school year.)
- Review and/or approve Technology Plan.

DECEMBER

- Review budget priorities, ensure planned purchase of materials and curriculum development support student achievement.
- Negotiations begin if teachers contract ends in June of upcoming year.

* Required

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Glossary of Education Terms and Acronyms

AASA American Association of School Administrators; www.aasa.org.

AAUW American Association of University Women; www.aauw.org.

Abbott School District This term, not present in current statute, refers to the 28 low-wealth school districts initially identified by the state Supreme Court in its 1990 *Abbott v. Burke* decision based upon two qualities: low socioeconomic status as indicated by the state Department of Education’s district factor groups, a statistical program that measured the district’s per-capita income and the educational levels of its adult residents, among other factors; and a low level of community resources to support public services as indicated by the school district’s location in an urban aid municipality, a designation that was applied by the state Department of Community Affairs. Three additional school districts were given “Abbott” status by the state Legislature.

In the *Abbott* decision, the court directed the state to fund these districts at a level that would ensure that their students receive a “thorough and efficient” education.

New Jersey’s current school finance law, the School Funding Reform Act of 2008, was designed to uphold the court’s directive as applied to the 31 districts, while recognizing that at-risk students attend school in other communities. The 2008 law, however, eliminated the term “Abbott.” In certain instances, the 31 former Abbott districts are now called “SDA Districts,” an acronym that stands for the state’s Schools Development Authority and reflects the districts’ entitlement under *Abbott* for full state funding of eligible school construction.

Ability Grouping The separation of students into groups on the basis of perceived ability as determined by standardized test scores, student academic performance, or less-formal assessment.

Acceleration A process of moving through the curriculum or school grades at a rate faster than that expected of the average student.

Accountability Holding governing bodies, districts, schools, staff, and students responsible for student achievement as well as the efficient and effective use of resources. Also implies public reporting of measures and results.

Achievement Gap Persistent differences in achievement among different groups of students as indicated by scores on standardized tests, teacher grades, and other data. Usually refers to disparities in achievement levels of various student groups based on income, race/ethnicity, special education needs, or English language proficiency.

Achievement Test A test that measures the extent to which a student has acquired and can demonstrate certain skills and proficiencies that are usually a result of instruction.

ACLD Adults and Children with Learning and Developmental Disabilities; www.aclid.org.

Activity Fees Fees that some districts charge parents/guardians for children's participation in extracurricular activities, including sports and clubs. Assessment of fees normally involves a financial "needs test," which ensures that no child is denied participation because of inability to pay.

Activity Fund A fund containing monies received and distributed for certain activities within the school district, such as PTA/PTO funds, candy sales, and club or class treasuries.

ADA (Americans with Disabilities Act) A federal law that prohibits discrimination against disabled individuals in all terms and conditions of employment and requires employers to make "reasonable accommodations" for disabled applicants and employees, unless the employer can demonstrate that doing so would create "undue hardship" for the organization. (Note: ADA can also stand for "average daily attendance.") See also Individuals with Disabilities Education Act (IDEA).

ADA (Average Daily Attendance) Average of the number of students present at (as opposed to enrolled in) a school during the time it is in session.

Ad Hoc A committee formed for a specific purpose, for a limited length of time. Appointed by the board, it is often made up of community members charged with studying a particular problem and making recommendations to the board of education.

Administrative Code The body of rules and regulations enacted by the State Board of Education or the chief executive of a state system, under statutory authority, to govern the operation of the public schools in that state.

Administrative Regulation A statement that outlines procedures to be followed with respect to a specific matter. The statement usually supplements and/or provides direction on the implementation of a policy adopted by the board of education.

Advisory Committee A group chosen to prepare recommendations on an education-related program or issue. Such a committee does not have final decision-making power; rather, it offers advice to legally constituted administrative officials. It is also referred to as a citizen committee or commission.

AFT The American Federation of Teachers, www.aft.org; an affiliate of the AFL-CIO.

Alternative Assessment A process that does not rely solely on standardized or teacher-developed tests to measure student knowledge and skills, but rather uses a variety of measurements.

Alternative Education A comprehensive, nonconventional school program, delivered in a separate classroom or off-site facility, that provides at-risk students with special support to meet their behavioral, social, psychological, and academic needs.

Alternative Schools Schools that are different in one or more ways from traditional public schools. The term is often used to describe schools designed primarily for students who have been unsuccessful in regular schools due to disabilities or behavioral/emotional difficulties, but who may be able to achieve in a different setting.

Amistad Commission The Amistad Bill (A1301), which became law in 2002, calls on New Jersey schools to incorporate African-American history into their social studies curriculum. This legislation also created the Amistad Commission, a 23-member body charged with ensuring that African-American history, contributions and experiences are adequately taught in the state's classrooms. The Amistad Commission ensures that the Department of Education and public schools of New Jersey implement materials and texts that integrate the history and contributions of African-Americans and the descendants of the African Diaspora.

Annual Audit The audit of a school district's financial statements and schedules presented in the Comprehensive Annual Financial Report (CAFR) as required by *N.J.S.A.* 18A:23-1 et seq. The annual audit must be performed by a public school accountant in accordance with standards required by the applicable authoritative or regulatory agencies and established in the documents issued by those agencies.

Approved Transportation In accordance with state law, *N.J.S.A.* 18A:39-1, transportation must be provided for all public elementary school students (grades K-8) who live more than two miles from their school and all public secondary school students (grades 9-12) who live more than two-and-a-half miles from their school. Students attending nonpublic schools who meet these distance requirements may also be entitled to transportation services. In addition, any student classified with special needs who either meets these distance requirements or for whom transportation is required in the student's Individual Education Plan must be transported.

AP (Advanced Placement) Programs A series of courses administered by the College Board that high school students can take to earn college credit. Students must master a high level of coursework and pass an accompanying test.

Aptitude Tests Tests that are used to predict future performance. They are designed to measure learned as well as innate abilities.

Arbitration A method of settling disputes through recourse to an impartial third party, whose decision can be binding. Arbitration is commonly resorted to in the interpretation of existing contract terms or other rules and regulations (grievance arbitration). It can also be used in jurisdictional matters when parties cannot reach agreement on a contract (interest arbitration). In addition, under a 2012 statute, contested tenure cases against certificated school employees are determined by arbitrators.

Articulation Communication about and continuity in the curricular offerings at each grade level of the school system and among constituent, regional and sending-receiving districts.

ASBO Association of School Business Officials; asbointl.org.

ASCD Association for Supervision and Curriculum Development; www.ascd.org.

Assessed Value The value of taxable property as periodically determined by a governmental agency or tax assessor for the purpose of calculating property taxes. The assessed valuation of property is usually different from the current appraised, or market, value of the property.

At-Risk A term applied to students who are at risk of educational failure due to lack of services and resources, negative life events, or physical or mental challenges, among others.

Audit An examination of documents and procedures to ascertain whether school operations have been handled accurately and legally and whether school financial documents and procedures conform to generally accepted school accounting principles.

Audit Report Statement prepared annually by an outside auditor to detail the financial status of the school district in accordance with state guidelines and to make recommendations for improving the financial operations of the district.

Block Scheduling An alternative scheduling method that uses flexible time arrangements to provide extended blocks of instructional time. Pupils take fewer classes of longer length each day. The two most common models are the 4 x 4 block (four courses of approximately 90 minutes each day for an entire semester) and the alternate day schedule (a greater number of courses scheduled in extended-time blocks to be taken over two days).

Bylaws Collection of rules adopted by a board of education for the regulation of its own organization. They may not conflict with statutes, but may be more specific.

CAFR (Comprehensive Annual Financial Report) A CAFR is the official annual financial statement of a governmental unit. The report includes all funds and account

groups and summarizes the activities and operations performed by all units that constitute the reporting entity. The combined financial position and results of operations are presented as if there were a single operating unit.

Career Education A curriculum that provides a broad examination of professional and vocational opportunities, as well as concentrations within several clusters of career skills and interests.

Carnegie Unit A standard of measurement used for secondary education that awards academic credit based on how much time students meet with a classroom teacher. The standard Carnegie unit is 120 hours of contact time over the course of an academic year.

CAPA Team A Collaborative Assessment and Planning for Achievement Team consists of educational practitioners, parents and other individuals assembled, trained, and assigned by the commissioner and the chief school administrator. The team is charged with implementing the CAPA process in low-performing schools to bring about school improvement. The process was formerly known as the Performance Assessment Team (PAT).

Capital Outlay Proposed program for financing construction, additions to facilities or other permanent improvements. It usually contains priorities and a timetable for completion.

Capital Reserve Fund Monies set aside over several years to fund a specific, clearly delineated capital project.

Categorical Aid State aid designated for a specific use. It is given to every district based upon the number of students in that district in each specific category. Current categories include special education and transportation.

Character Education Encompasses schoolwide climate enhancements, infusion of core ethical values into the curriculum, and teaching strategies that help young people develop positive character traits such as respect, responsibility, fairness, citizenship and caring.

Charter School A public school operating under charter, granted by the New Jersey Commissioner of Education, that is independent of the local school district's board of education and is managed by a board of trustees.

Child Protection and Permanency (CP&P) Formerly known as the Division of Youth and Family Services (DYFS), this division is responsible for investigating allegations of child abuse and neglect. It is a unit of the New Jersey Department of Children and Families.

Clinical Supervision Supervision of instructional activities to improve teacher performance. Clinical supervision has five stages: pre-observation conference; observation; analysis and strategy; supervisory conference; and post-conference analysis.

Code of Ethics Policy statements of the rules of ethical conduct for public officials in their official capacity. A code of ethics for school board members has been promulgated by the New Jersey School Boards Association and has been adopted by many local boards of education. The NJSBA Code of Ethics was incorporated into the state's School Ethics Act in 2002.

Collective Bargaining The process, usually set by law, used by a group of organized employees and their employer to negotiate a mutually acceptable written work agreement on certain specified subjects.

Commissioner of Education New Jersey's chief executive school officer and head of the Department of Education. The commissioner is appointed for a four-year term by the governor with the advice and consent of the Senate and serves at the pleasure of the governor. The commissioner also serves as secretary to the State Board of Education.

Community School A school that is intimately involved with the life of the community around it, serving as a center for many activities outside of the normal educational hours. Programs can include health clinics, athletic activities, adult schools, mental health groups, senior citizen organizations and more.

Compensatory Education Instruction designed to remedy or prevent the loss of basic skills by a student due to socioeconomic or academic deficiencies. The Head Start preschool program is one example of compensatory education.

Competency-Based Education Instructional programs designed to develop and measure students' mastery of specific skill performance levels.

Co-op (Cooperative Program) Involves vocational work-time outside of the school building, along with regular school courses in the building.

Courtesy Transportation Transportation to and from school provided for students who live under the statutory distance limits that would make the service eligible for state aid. The cost of such transportation is borne by the local district and is not funded in any part by the state. State law also allows districts to offer such students subscription busing, a program under which the parents/guardians pay a fee for transportation.

Criterion-Referenced Test (CRT) A measuring device used to determine whether a learner has achieved a defined set of objectives at the specified level of proficiency. The learner's abilities are compared to the criterion and not to other individuals.

Critical Thinking A term used to describe a form of learning that goes beyond memorization to emphasize seeing patterns, making judgments, examining different perspectives and solving problems.

CSA (Chief School Administrator) The superintendent or administrative principal of a local district as set forth in *N.J.A.C. 6:3-2.1*; or in the case of a state-operated school district, the state district superintendent.

CST (Child Study Team) Consists of a school psychologist, a learning disabilities teacher/consultant, and school social worker. The team is responsible for conducting evaluations to determine eligibility for special education and related services for students with disabilities.

Current Expense The day-to-day costs of operating a school district, including salaries, benefits, utilities, consumables, insurance, etc.

Curriculum A plan of instruction that details what students are to know, how they are to learn it, what materials will be used, and what assessments will be used for evaluation.

Debt Service The payment of principal and interest on outstanding bonds.

Distance Learning Any learning that occurs remotely from the instructional source, such as online learning, correspondence courses, and audio conferencing.

District Factor Group (DFG) An indicator previously developed by the New Jersey Department of Education that used census data to measure and define a school district's socioeconomic status. DFGs were used in comparative reporting of statewide test results.

Due Process Constitutional right as defined in the 14th Amendment to the U.S. Constitution, guaranteeing that all legal proceedings will be fair.

DYFS (Division of Youth and Family Services) Now known as Child Protection and Permanency (CP&P), the division within New Jersey's Department of Children and Families with responsibility for childcare licensing, child protection, and child welfare, among other programs.

Educational Equity The educational policies, practices and programs necessary to: (a) eliminate educational barriers based on gender, race/ethnicity, national origin, color, disability, age, or other protected group status; and (b) provide equal educational opportunities and ensure that historically underserved or underrepresented populations meet the same rigorous standards for academic performance expected of all children and youth.

Education Law Center (ELC) A legal and policy advocacy group. It represents students in the "Abbott districts" in all court proceedings and oversees the actions taken to carry out the court's decisions.

Efficiency Standards Standards for effective and efficient use of school district funds, established by the state and re-established every three years (*N.J.S.A. 18A:7F-46*).

Eminent Domain The power to take private property for public use, whether exercised by the sovereign power directly or by one to whom such power has been delegated for quasi-public purposes; or the right by which private property may, in certain cases, be taken or its use controlled for the public benefit.

Encumbrances Obligations in the form of purchase orders, contracts, salaries or other commitments, which are chargeable to an appropriation (budget) and for which a part of that appropriation is reserved.

Equalized Valuation A measure of taxable property or the property wealth in a district, developed to enable comparisons among communities, actual assessments will vary from municipality to municipality based on date of assessment and other factors.

Equalized Valuation Per Pupil The wealth or poverty of a school district in terms of its property resources (ratables) available to support education. It is calculated by dividing the total equalized valuation of a school district by the resident enrollment of that district.

ERIC (Education Resources Information Center) An online digital library of education, research and information sponsored by the Institute of Education Sciences of the U.S. Department of Education.

ESEA (Elementary and Secondary Education Act) First enacted in 1965, this is the principal federal law affecting education from kindergarten through high school. ESEA provided guidance and funds to schools throughout the United States. The No Child Left Behind (NCLB) Act of 2001 reauthorized ESEA. Prior to NCLB, the education reauthorization was called Improving America's Schools Act. A reauthorization, the Every Student Succeeds Act (ESSA) signed into law in December 2015.

ESSA (Every Student Succeeds Act) The federal law governing elementary and secondary education that was enacted in December 2015.

ESL (English as a Second Language) A term for the study of the English language by non-native speakers in an English-speaking environment.

ETS (Educational Testing Service) Princeton-based organization that develops and administers various student tests, including PSATs, SATs, and Advanced Placement tests.

ETTC (Educational Technology Training Center) A county-based resource center that offers educators professional development opportunities. Funded by federal and state funds, the ETTCs contain demonstration technology equipment and offer training programs to assist teachers in implementing the state standards.

Executive Session Board meeting that, under the Open Public Meetings Act, is not open to the public and usually deals with personnel matters, negotiations strategy, or legal strategy; also referred to as a closed session.

Extracurricular Activities of students, teams, or clubs that are not considered part of (and, therefore, outside of) the school curriculum.

FAPE (Free, Appropriate Public Education) Special education and related services that are provided at public expense under public supervision and direction and without charge to the parents; meet state and federal requirements; include preschool, elementary, or secondary school education; and are provided according to an Individualized Education Program (IEP).

Feasibility Study Assessment of the practicality of a proposed plan. For example, in a school district, a preconstruction evaluation may be undertaken to determine whether, because of health and safety or efficiency, it would be more feasible to replace rather than renovate a school facility.

FERPA (Family Educational Rights and Privacy Act) A federal law that gives parents and students certain rights and protections with respect to education records.

Fiscal Year The twelve-month period used as the basis of the budget. In school districts, the fiscal year is July 1 to June 30 of the following year.

GAAP (Generally Accepted Accounting Principles) Uniform minimum standards and guidelines for financial accounting and reporting, which include broad guidelines as well as detailed practices and procedures. In New Jersey schools, GAAP includes double-entry bookkeeping and fund accounting.

General Educational Development (GED) A high school equivalency diploma, earned by passing a standardized examination.

Gifted and Talented A classification for children who possess or demonstrate high levels of ability in one or more content areas, compared to their peers, and who require modification of their educational program if they are to achieve in accordance with their capabilities.

Grandfather Clause Part of an agreement or law that exempts certain persons from provisions due to preexisting conditions or facts.

Grant-In-Aid A financial grant, frequently in the form of periodic payments, made by a government or agency to another government or agency or to an individual, for assistance in a general or specific project — for instance, a grant by the federal government to the states for the promotion of vocational education. Usually requires a preliminary or matching contribution and the meeting of certain stipulations.

Head Start A federal child development program of the U.S. Department of Health and Human Services. It provides a comprehensive program of education, medical care, social services, and nutritional help for children from disadvantaged backgrounds aged zero to five.

Heterogeneous Grouping A pattern in which all students of different ability levels are taught and work in groups together.

Holistic An approach or study that considers the subject as a single entity, rather than an interrelated system of distinct elements.

Holocaust Commission New Jersey Commission on Holocaust Education is to promote Holocaust education in the State of New Jersey. On a continual basis, the Commission shall survey the status of Holocaust/Genocide Education; design, encourage and promote the implementation of Holocaust and genocide education and awareness; provide programs in New Jersey; and coordinate designated events that will provide appropriate memorialization of the Holocaust on a regular basis throughout the state.

Homogeneous Grouping A pattern in which students of similar abilities are grouped for instruction and projects.

HSPA (High School Proficiency Assessment) The name of the former test administered by the N.J. Department of Education as part of its Core Curriculum Standards program. In 2015, it was replaced by the Partnership for Assessment of Readiness for College and Careers (PARCC) test.

Hybrid Learning Students learn through a mix of in-person and online activities. Students are encouraged to learn from one another in in-class instruction sessions whereas the multimedia shared online enhances and reinforces discussions in class. Hybrid learning is synonymous with blended learning.

IB (International Baccalaureate) A rigorous, pre-university course of study. In the U.S., about 1,675 universities recognize the IB with official admissions policies. Schools must meet certain criteria to offer IB curriculum and to administer the examination.

IDEA (Individuals with Disabilities Education Act) The primary federal program that authorizes state and local aid for special education and related services for students with disabilities. In New Jersey, that includes students who are ages 3 through 21.

IEP (Individualized Educational Program) Required by state and federal law, a set of prescribed instructional activities and services developed by a child study team together with teaching staff and parents, for the identified needs of a learning or physically disabled student.

IHP (Individualized Healthcare Plan) A plan written by a certified school nurse that details accommodations and/or nursing services to be provided to a student because of the student's medical condition, based on medical orders written by a physician.

Impact Aid Federal funds given to districts to offset the costs of providing educational services to tax-exempt federal facilities (such as Army bases) located within the district or community.

Inclusion A way of educating children with disabilities, to the maximum extent appropriate, alongside children without disabilities. The concept advances the belief that separate schooling, special classes, or other removal of children with disabilities from the general educational environment should occur only when the nature or severity of the disability is such that education in general classes,

with the use of supplementary aids and services, can't be satisfactorily achieved.

Indirect Costs Those costs necessary in the school system's operation, or in the performance of a support service, for which the amount applicable to each instructional program cannot be determined readily and accurately (for example, costs for heating and lighting).

Individualized Instruction A teaching approach that permits the student to progress at his/her own pace with the guidance of the teacher.

In Loco Parentis A Latin phrase meaning "in place of the parent." In an educational context, it refers to the school's position in determining the amount of supervision given to a student away from home.

Intersectionality The interconnected nature of social categorizations such as race, class, and gender, regarded as creating overlapping and interdependent systems of discrimination or disadvantage; a theoretical approach based on such a premise. (Oxford Dictionary). Intersectional theory asserts that people are often disadvantaged by multiple characteristics- their race, class, gender identity, sexual orientation, religion, and other identity markers. Intersectionality recognizes that identity markers (e.g. "woman" and "black") do not exist independently

Job Description A written statement of the duties and responsibilities involved in any one position. Includes a summary of the education, experience, and training the person must possess in order to qualify for the position.

LAL (Language Arts Literacy) Integrates all the verbal skills that are needed for critical thinking and communication.

LEA (Local Education Agency) A legally constituted organization established to conduct educational activities, such as a school district.

LEP (Limited English Proficiency) Persons who are not fluent in English because it is not their first language may be assessed as having Limited English Proficiency and may be entitled to language assistance.

Local Autonomy The power the state grants to local school districts to make many of their own decisions regarding school management and administration.

LRFP (Long Range Facilities Plan) A plan required by the NJDOE to be submitted every five years detailing maintenance and upgrades to current buildings/capital improvements, plans and district capacity.

Magnet School A school offering special courses not available in regular school programs, which is open to students, on a voluntary basis, from all parts of the school district or among several school districts.

Mainstreaming An instructional strategy in which a child with disabilities is placed among the general-education student population for a portion of the school day. The specific amount of time spent in the mainstream of students is determined by the particular needs of the student.

Mastery Learning School of thought that assumes that mastery of a topic is possible for all individuals, provided that each learner is given the time he/she needs as well as the optimum quality of instruction appropriate for him/her.

Mediation An attempt by a neutral party to resolve a dispute out of court by persuading the contending parties to adjust or settle their differences.

Merit Pay A salary adjustment paid to employees on the basis of qualitative differences in performance; extra pay for outstanding or meritorious performance.

Monitoring The process by which the New Jersey Department of Education evaluates public school districts to determine the degree to which a thorough and efficient education is being provided. The current monitoring process is the New Jersey Quality Single Accountability Continuum (NJQSAC).

Multicultural Education Teaching designed to recognize the histories, values, beliefs and perspectives of people from different cultural, language and social groups.

Multiple Intelligences A theory developed by developmental psychologist and author Howard Gardner to describe the multiple ways in which individuals know, perceive, learn and process information. Gardner identifies seven intelligences: verbal/linguistic, logical/mathematical, visual/spatial, body/kinesthetic, musical/rhythmic, interpersonal and intrapersonal.

NAESP National Association of Elementary School Principals; www.naesp.org.

NASBE National Association of State Boards of Education; www.nasbe.org.

NASSP National Association of Secondary School Principals; www.principals.org.

NCLB (No Child Left Behind) The No Child Left Behind Act of 2001 was signed into law Jan. 8, 2002. It reauthorized the Elementary and Secondary Education Act of 1965 (ESEA), the main federal law regarding K-12 education. It has been replaced by the Every Student Succeeds Act (ESSA).

NEA National Education Association; www.nea.org. The largest professional organization and largest labor union in the U.S., representing educators and support personnel in public schools as well as colleges and universities.

New Jersey School Performance Reports Document, formerly called the School Report Card, that is prepared and disseminated annually on the NJDOE website to parents and other interested taxpayers within each local school district. The report card for each school in the state contains information about academic achievement, college and career readiness, graduation rates, and enrollment.

New Jersey Student Learning Standards (NJSLS) Designed to prepare all students for postsecondary success, to become effective thinkers, problem solvers and communicators, and have the skills needed for high skilled, high demand jobs. Adopted June 3, 2020, by the NJ State Board of Education

- English Language Arts
- Mathematics

- Career Readiness, Life Literacies, and Key Skills;
- Comprehensive Health and Physical Education;
- Computer Science & Design Thinking;
- Science;
- Social Studies;
- Visual and Performing Arts;
- World Languages.

These standards truly represent a foundation from which districts will build coherent curriculum and instruction that prepares each New Jersey student with the knowledge and skills to succeed in our rapidly changing world. The standards include the following:

- Climate change across all content areas, leveraging the passion students have shown for this critical issue and providing them opportunities to develop a deep understanding of the science behind the changes and to explore the solutions our world desperately needs;
- Computer programming in all grade bands K-12, ensuring all students receive a 22nd century education in the critical computational thinking skills that are the underpinning of so much of our work and so many of our transactions;
- National standards for science and visual and performing arts, ensuring access to, and opportunity in, science and the arts, for every New Jersey public student.

N.J.A.C. (New Jersey Administrative Code) The rules and regulations put forth by the executive agencies of the state that govern the operation of the section of law under the specific charge of the agency. *N.J.A.C.* Title 6 governs education and is adopted by the State Board of Education.

NJASA New Jersey Association of School Administrators; www.njasa.net.

NJASBO New Jersey Association of School Business Officials; www.njasbo.com.

NJASK (New Jersey Assessment of Skills and Knowledge) The standardized state test formerly used to measure student achievement for grades 3-8 in the knowledge and critical thinking skills defined by the state Core Curriculum. These assessments were replaced by PARC from 2014-2018 and replaced again in October 2019 with the NJ Student Learning Assessments (NJSLA), which are still in place.

NJEA New Jersey Education Association, the state's largest public workers union; www.njea.org.

NJ SMART (New Jersey Standards Measurement and Resource for Teaching) A comprehensive statewide longitudinal data system solution that serves multiple purposes: staff/student identification, data warehousing, data reporting, and analytics.

NJSBA New Jersey School Boards Association; www.njsba.org.

NJQSAC (New Jersey Quality Single Accountability Continuum) The state Department of Education's monitoring and evaluation system for public school districts. The system monitors and evaluates school districts in five key components: instruction and program; personnel; fiscal management; operations; and governance. NJQSAC's primary purpose is to provide a single accountability system based on one set of standards, used to ensure regulatory compliance and also to assess each district's effectiveness, its capacity to provide a thorough and efficient education, as well as any need for state intervention.

Norm-referenced test Testing that seeks to compare an individual performance with the normal or average performance for a large group of similar individuals.

NJPSA New Jersey Principals and Supervisors Association; www.njpsa.org.

NJSPPRA New Jersey School Public Relations Association; www.njsppra.com/.

NSPRA National School Public Relations Association; www.nspr.org.

Open Public Meetings Act (OPMA) All 50 states have passed similar laws, often referred to as "sunshine laws," to require state and local officials to conduct their business in open sessions subject to press and public scrutiny. These laws prohibit private or closed meetings except in specific circumstances, such as sessions to discuss legal, personnel, or contract negotiation issues.

Open Public Records Act (OPRA) This law requires that all New Jersey government records shall be accessible and public, subject to specific exemptions such as those involving a citizen's privacy.

Outcome-based education Defines learning as what students can demonstrate that they know, and relies on achievement of education outcome goals rather than specific curriculum content requirements.

Pedagogy The art, practice or theory of education.

Peer Coaching A form of professional development designed to assist the transfer of new skills into a teacher's classroom practices. It includes one-on-one assistance by another teacher, administrator or curriculum specialist.

Peer Tutoring A practice of having students tutor other students.

PERC (Public Employment Relations Commission) A state commission that makes policy and establishes rules and regulations concerning employer-employee relations, including dispute settlements, grievance procedures, contract administration and negotiations.

PERS (Public Employment Retirement System) State pension system governing retirement in New Jersey for public employees, except those who are eligible for any other state pension system (e.g., teachers', police and fire, state police, judicial). Noncertificated school employees are usually eligible for PERS.

PL 94-142 The 142nd law passed and signed during the 94th Congress of the United States, it prescribes that a free and appropriate education be available to all children, regardless of disability. The counterpart of this federal law in New Jersey is *N.J.S.A.* 18A:46.

Phonics An approach to reading instruction in which the student is taught to recognize the relationships between graphic symbols (letters or letter combinations) and the speech sounds they represent.

Portfolio Assessment A method used to measure student progress and achievement using work samples and other demonstrations of skills and knowledge.

Pre-Budget Year The school year preceding the year in which the school budget will be implemented.

Professional Days Workdays used by teachers and other professionals for educational meetings, seminars, or workshops. Usually provided for in a limited number in a negotiated contract.

Professional Development An ongoing process that provides continuous expansion of skills, knowledge, and insights to ensure consistent high performance of all school district staff.

PTA (Parent Teacher Association) or PTO (Parent Teacher Organization) A local organization of parents, teachers and administrators that works to enhance communication and improve educational facilities or programs at a school. A PTA is associated with the national PTA organization; a PTO is an independent group that may also be known as a Home School Association (HSA) or by another name.

Pupil Personnel Services Staff in a school system, such as school counselors, school social workers, school psychologists, Child Study Team (CST) members, and other qualified professional personnel whose purpose is to provide assessment, diagnosis, counseling, educational, therapeutic, and other necessary services to students with special needs.

Pupil Weighting The ratio of the cost of servicing a pupil with special requirements compared to the cost of servicing a pupil without special requirements.

Purchase Order A document submitted to a vendor that requests material or services at a price set forth in the order. The purchase order is the usual point of encumbrance in the accounting cycle.

QSAC See NJQSAC .

Recall The legal procedure by which voters may remove from office those officials, including school board members, who have been elected by them.

Referendum A proposed public measure that is submitted for direct public vote.

Regionalization/Consolidation The process of combining two or more school districts designed to provide broader-based curriculum, fuller articulation and provide cost efficiencies through reduction of duplicative staffing and services.

Resident Enrollment The number of pupils for whom the district is financially responsible, other than preschool, postgraduate or postsecondary vocational students. Currently, the count is made on the last school day prior to Oct. 16 of the pre-budget year. The number reflects pupils enrolled in the public schools of the district, including evening schools, another school district or private school to which the district pays tuition, a state facility, a county vocational school, a county special services school district and home-instruction.

Resolution Formal expression of opinion or intention, usually by a vote of a formal organization such as a school board, legislature, or other group.

Restructuring In education, a term used to describe a process changing the governance structure of school districts or the manner in which they operate.

Risk Management An insurance term for a plan to avoid, minimize and/or recover losses.

SAT Formerly known as the Scholastic Aptitude Test but now known by its acronym, the SAT is one of two major college readiness assessments. The other is the ACT (originally the initials stood for American College Testing, but it too is now known by its acronym).

School Business Administrator (SBA) A certificated position responsible for school district finances and facilities. This position may hold the title of assistant superintendent for business.

School Choice The option given to students and their parents to choose public or private schools, alternative programs, or different school systems, sometimes made possible through magnet schools, open enrollment, tax credits, vouchers, or other arrangements. New Jersey law establishes a public school choice program, under which a school district may enroll students from outside the community and receive state funding to cover the cost.

School-Within-A-School A system used to divide large schools into smaller educational units with separate programs, staffs and budgets.

Schools Development Authority (SDA) A public agency responsible for educational facility and infrastructure construction in schools districts throughout the state. It is the successor organization to the Schools Construction Corp.

SDA District See Abbott district.

SEL (Social Emotional Learning) Social and emotional learning (SEL) is the process through which children acquire and effectively apply the knowledge, attitudes and skills necessary to understand and manage emotions, set and achieve positive goals, feel and show empathy for others, establish and maintain positive relationships and make responsible decisions. (CASEL)

Special Education Classes or instruction that provide specialized instruction and related services to meet the needs of classified or disabled students.

Special Needs Districts Low-wealth districts identified by the courts and the New Jersey Legislature as having special additional educational challenges and needs (See Abbott school district).

Standing Committee A regularly constituted committee of a board of education, whose members are appointed annually by the board president and whose charge is included in board policy or bylaws.

Strategic Planning Process of continuous planning for change, which assesses an organization's or program's internal and external environment, analyzes the implications of relevant trends, and identifies effective strategies for achieving a desired future state.

T & E (Thorough & Efficient) Refers to New Jersey's constitutional provision that all children have a right to a "thorough and efficient system of free public schools."

Tax Levy Cap Statutory limit (2%) on increases in local property tax levy to support a school budget, designed to limit the growth of property taxes. (A 2% tax levy cap is also applied to municipal and county budgets.) For school districts, the levy cap may be adjusted for enrollment increases, debt service, and certain health benefits and pension cost increases.

Taxpayers' Guide to Education Spending The annual report of comparative financial statistics of school districts compiled and published for general distribution by the New Jersey Department of Education pursuant to *N.J.S.A.* 18A: 4–30. Prior to 2011, the report was called the Comparative Spending Guide.

Team Teaching A type of instructional organization in which two or more teachers are given joint responsibility for the same group of students. Also, a method whereby the teachers of adjoining rooms in an elementary school work together so that students have a homeroom teacher and other teachers for specific subjects.

Tenure A permanent job status granted to employees following successful completion of a probationary period. The 2012 TEACH NJ Act established a four-year timeline for tenure acquisition, and links tenure acquisition and retention to the evaluation process.

Title I From the Elementary and Secondary Education Act of 1965 (ESEA), this law provides federal funds to be used by school districts to assist disadvantaged or neglected students in meeting educational standards.

Title IX In the Education Amendments of 1972, this law prohibits discrimination on the basis of sex in any federally funded education program or activity.

Tracking In education, a system for grouping students either on the basis of ability or achievement.

Tuition Tax Credit An allowance against a family's annual income tax, for a specific amount of money that has been spent on their child's private school education.

Unfunded Mandates Federal and state legislative and regulatory provisions that require school district compliance but do not provide funding to cover the costs of carrying them out.

Vendor A person or organization selling a product(s) or services(s).

Voucher Plan A plan to distribute educational monies through direct issuance of a voucher to parents, allocating public funds toward the cost of their children's education in a public or private school of their choice.

Whole Language A language arts program based on the idea that reading, writing, speaking and listening are natural and interrelated processes learned in similar ways. Proponents say that reading should be learned by recognizing words as a whole instead of breaking them down into letters.

Whole School Reform Also known as comprehensive school reform, this involves a complete restructuring of an entire school with programs that have been proved effective, as opposed to putting programs into place piecemeal.

Win-Win Bargaining A bargaining process developed on the belief that a positive and collaborative relationship exists between labor and management and that a contract can be achieved that is beneficial to both parties.

Year-Round Education School programs that operate on a twelve-months-a-year basis.

YTD Year-to-Date.

Zero-Based Budgeting A budget development process that presumes each unit's annual budget starts at zero. Each item must be "justified" annually, rather than based on an automatic percentage increase of previous expenditures.

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