

Government relations report to NJASL June 30, 2007

State Board of Education:

Reform of student assessment in the works. At its work session on June 20, the board received a presentation by Jay Doolan, DOE Assistant Commissioner for the Division of Educational Divisions and Standards on new statewide assessments for grades 3 through 6 and an update on reform of the high school assessment process. [Review the presentation.](#)

By memo from DOE Commissioner Lucille Davy, the July work meeting and open public meeting will be consolidated into one meeting to take place on July 18. At that meeting, the board is scheduled to consider for adoption (1) the resolution approving the New Jersey High School Proficiency Assessment Standard Setting Scores for the Science Assessments; and (2) the amendments pertaining to the School Ethics regulations. In addition, public testimony will be received on the amendments to the Programs to Support Student Development Chapter.

Department of Education:

Department announces final list of schools and districts making Annual Yearly Progress (AYP) On June 4, the Department announced that final calculations of student achievement on annual state assessments resulted in changes in the status of seven school districts and 77 schools from the results based on preliminary analysis. Two districts originally listed as In Need of Improvement, moved onto the AYP list: Bayonne and Hamilton (Mercer). Two other districts, West Orange and South Orange/Maplewood went the other way, from AYP to the Early Warning List with several subgroups not making AYP. Eighteen schools went from Early Warning to AYP. Thirty nine additional schools in various stages of the In Need of Improvement process, did make AYP. [Read more.](#)

Coalition of advocacy groups sues state over segregation of special ed students. On Wednesday, June 27, a coalition of advocacy groups filed a lawsuit in federal court in Newark alleging that the state educates too many special education students in segregated classrooms in violation of the law's requirement of "least restrictive environment." The lawsuit argues that New Jersey's policies and funding structure for special education encourage districts to provide education services for disabled students in separate classes and schools.

Presently, the about 43% of special education students attend general education classes compared to a national average of 55%. Ten percent of special ed students are placed in separate schools altogether, which is the nation's highest rate. The plaintiffs in the lawsuit include New Jersey Protection & Advocacy Inc., the Education Law Center, the Statewide Parent and Advocacy Network of New Jersey and the Arc of New Jersey. The defendants are the state Department of Education, state Education Commissioner Lucille Davy and the state Board of Education. [Read more.](#)

State Legislature

Legislature passes school construction reform but without funding. On June 21, 2007, just before recessing for the summer, both the Senate and the Assembly passed legislation to reform the school construction program, implementing key recommendations made by the governor's

Working Group on School Construction. The reforms apply to the governance, operations and accountability of the School Construction Corporation. The legislation does not, however, provide the additional funding necessary to resume work on the hundreds of stalled school construction projects across the state. The bill awaits the governor's signature. [Read more.](#)

Governor's Office

Governor signs budget. On Thursday, June 28, Governor Corzine signed a \$33.5 billion state budget that expands funds for property tax relief and avoids raising state taxes for the first time in six years. Corzine used his line item veto power to cut \$33 million of legislator grants from a proposed list of such grants this year of \$112 million. Last year, legislators loaded \$378 million of legislative grants into the budget contributing to a budget impasse that caused an historic shut down of state government. [Read the governor's budget message.](#)

Education highlights of the budget include:

- Every public school district will receive at least a **3 percent** increase in state aid – this represents the **first** major increase in aid to non-Abbott districts in **three years**;
- Aid to school districts represents **\$11 billion**, or **one-third** of the budget – an increase of **\$582 million** from the FY 07 adjusted appropriation;
- The budget provides:
 - **\$67 million** in aid targeted to districts with low-income students and **\$26 million** to districts that provide full-day kindergarten; and,
 - **\$10 million** to help districts expand and enhance preschool programs.

[Read Highlights of the Budget from the Governor's Office.](#)

Other Local Issues

State mails out tax rebate forms. By July 11, residents across New Jersey should receive their real property tax rebate application forms. Applications are due by August 15 with checks to be issued in the fall, as the state prepares for the general election with all seats in the Senate and the Assembly on the ballot. While this timing has raised Republican eyebrows, Democrats assert the schedule for rebate payments is based on the recent signing of the state's budget by Governor Corzine. Under the program, households who earn up to:

- \$100,000 would get a 20 percent cut, or an average of \$1,115.
- \$150,000 would get a 15 percent cut, or an average of \$960.
- \$250,000 would get a 10 percent cut, or an average of \$745.

Overall, 1.9 million households will get an average \$1,051, according to the Treasury Department. [Read more.](#)

Newark teachers union tries to be part of the solution. The New York Times recently reported on the efforts of the Newark Teachers Union, the largest in the state, to be part of the solution in school reform. The union is part of a takeover team at Newton Street School, in Newark. The school, with 487 students from pre-k through eighth grade, is one of the city's worst-performing public schools, failing to achieve AYP for the past six years. The takeover

team begins overseeing operations in September. The union will join representatives from the school, the district and Seton Hall University on the school's governing committee. The union has already spent big bucks at the school including \$100,000 on teacher training and a retreat, and it plans to spend another \$100,000 this year for professional development and to help pay for staff, supplies and field trips. [Read more.](#)

NIEER releases study demonstrating significant benefit from Abbott pre-school program.

In June, the National Institute for Early Education at Rutgers reported on its rigorous study of the benefits of the Abbott preschool program. The study looked at the question of whether the learning gains already seen in earlier research persisted throughout the kindergarten year. The study found that children who attend the program improve in language, literacy and math skills through the end of their kindergarten year and that the longer they attend the program, the greater the benefit. [Read more.](#)

National Issues

U.S. Supreme Court ruling sharply limits the ability of school districts to use race in making school assignments. Fifty years after the historic Brown v. Board of Education decision, a sharply divided United States Supreme Court ruled that it is constitutionally impermissible to assign students to schools based on their race. The several diverse opinions of the court hinted at the strong emotions underlying the decision. The ruling rejected diversity plans from Seattle and Louisville, Ky, stating that the districts had failed to meet their "heavy burden" of justifying "the extreme means they have chosen" to meet their goal of racially diverse classrooms by "discriminating among individual students based on race." Clearly the ruling is a result of the two new conservative justices appointed last year by President George Bush, the new Chief Justice John Roberts and Justice Samuel Alito, both of whom were in the majority. School districts will now have to develop other strategies for achieving diversity. [Read more.](#)

Private money for public schools. In recent years, education foundations and partnerships between school and business have been the source of contributions of private money to public schools. The money goes for a wide range of school equipment, supplies, extra programming and benefits that the normal taxpayer funded budget does not accommodate. While some schools use the money to fund basics; education foundations in poor communities can often be successful in attracting traditional grants. Educational foundations in more well to do communities often use the funds for scholarships, mini grants to teachers and other beyond-the-school-board budget items. Some observers believe the trend towards education foundations is a good thing as it strengthens the community support and school business partnerships for public education. [Read more.](#)

Reauthorization of No Child Left Behind

States satisfy NCLB by expecting less of students. One of the interesting details about NCLB is that it allows every state to set its own levels of student achievement and requires only that all states test on an annual basis and report those test results. But that "flexibility" and allowance for differences in academic standards among states allows some states to keep their standards low and then post higher rates of achievement. A Gannett News Service report analyzing test scores reports just that; that many states hold students to a relatively low standard, not a standard that is realistic preparation for work or college. [Read more.](#)