

**NJASL**  
**New Jersey Association of School Librarians**

**Legislative and Agency Update**

**October 2008**

**Governor's News**

New Law Reforms Public Employee Pensions and Benefits

On September 29, 2008, Governor Jon S. Corzine signed the Public Employee Pension and Benefits Reform Act of 2008 (P.L.2008, c.89). The legislation S-1962/A-2818 was described by the Governor in a press release as another step in the re-alignment of the compensation of our public employees and the reforms made over the last two years strike the right balance of being fair to hard-working public employees and at the same time lightening the burden on our taxpayers." The legislation was passed by both the Senate and Assembly in June.

Under the pension reform legislation, all future public employees including public school employees will face an increase in the normal retirement age from 60 to 62. The new law also raises the annual salary threshold for pension eligibility for TPAF and PERS for all future employees to \$7,500 per year which will be adjusted upwards annually by the CPI or 4 percent, whichever is less. In addition, individuals earning less than \$7,500 but who earn at least \$500 will be eligible for the state's defined contribution pension plan.

<http://www.njleg.state.nj.us/2008/Bills/PL08/89 .PDF>

Governor Announces New Chief of Staff

Governor Jon S. Corzine announced DEP Commissioner Lisa Jackson as his new Chief of Staff, replacing Bradley Abelow. Jackson will assume her new responsibilities on December 1. The Governor asked her to focus on implementing his economic and energy agendas.

**Legislative News**

Resolution to Honor Norma E. Blake

The State Senate adopted a resolution honoring State Librarian Norma E. Blake who was selected as National Librarian of the Year for 2008 by Library Journal.

### Appropriations for Municipal Libraries

Senate bill 881 sponsored by Senator Nia H. Gill, was favorably released from the Senate Community and Urban Affairs Committee, and referred to the Senate Budget and Appropriations Committee earlier this month. Currently, funding for municipal libraries falls under the 4% tax levy cap on municipal spending; S881 would remove appropriations for municipal libraries from the cap on increases to the property tax levy and would place them on an equal footing with municipalities that participate in a county library system funded by a separate tax levy.

### Criminal Background Checks for School Employees

The Senate voted 38-0 in favor of a bill to revise the criminal record check process for public and nonpublic school employees and school bus drivers. S110 proposes to require all public school employees who were continuously employed in a school district since prior to 1986 to undergo a criminal history record check. The bill includes a provision that ensures that forfeiture of a person's earned service credit or pension or retirement benefits will not occur if the criminal record check uncovers a disqualifying crime which was committed prior to 1986, the date the original law for fingerprinting new school employees was enacted, if at the time the person committed the crime he/she was not employed by a public school district.

The legislation also requires all public school employees and others to undergo a federal criminal history check every two years.

A new records monitoring system will be used by the state to establish data files to track the results of state and federal background checks. This system will also be used to flag violators and to notify school districts to terminate the employment of individuals whose record shows a conviction for a disqualifying crime.

### Legislation Limiting Tuition Reimbursement and Salary Guide Credit for Advanced Study

Senate bill 2127, sponsored by Senator Richard Cody passed the Senate by a 34-0 vote on October 23, 2008. This legislation was introduced in response to the "diploma mill" controversy about a school administrator who received both tuition reimbursement and salary guide credit for a degree program at a non-accredited institution of higher education. The legislation proposes to:

- Allow reimbursement only for coursework taken at accredited college or university
- Require that, to qualify for tuition assistance, the course must relate to the employee's job responsibilities and that the employee attain a grade of B or higher

- Establish a return-service obligation that requires the employee to continue to work in the district for at least one year after receiving reimbursement/compensation or to pay the district back
- Cap the amount of tuition reimbursement

This bill has referred to the Assembly Education Committee for action.

### Pending Bills on Libraries

The following bills are pending in the New Jersey State Legislature and no further action is scheduled at this time.

- A1981 Permits municipal board of library commissioners to reduce library tax rate when a municipality acquires new ratables.
- S650/A2620 Increases the maximum amount of bonds issued by the New Jersey Educational Facilities Authority for the Public Library Project Fund from \$45 million to \$95 million to provide library construction and technology grants.
- S881/A1139 Removes appropriations for municipal library purposes from the four percent municipal property tax levy cap. 10/2/08 Reported from Senate Community and Urban Affairs committee with amendments.
- S1306/A1567/A2516 Reduce the cap for the annual increase in the amount required to be raised by taxation for the municipal library from 15% to 4%. This change would bring the municipal library cap in line with the 4% tax levy cap for municipalities imposed pursuant to P.L.2007. The 4% cap could be exceeded only with the approval of the State Librarian.
- A2107 Provides \$ 1 million to continue the New Jersey Knowledge Initiative until June 2008.

## **Department of Education News**

### Superintendents and School Business Officials File Law Suit

The New Jersey Association of School Administrators (NJASA) filed a law suit in federal court against Education Commissioner Lucille E. Davy challenging certain provisions in the newly enacted fiscal accountability regulations. The suit alleges that the commissioner's regulations violate tenure rights of school administrators and business administrators and contractual rights of superintendents.

In a recent ruling, the court ordered the commissioner and the NJASA to engage in good faith negotiations on the issues. The court further ordered that the new regulations remain in effect pending further action by the court; however, they shall be interpreted and applied by the commissioner and executive county

superintendents so as not to impair any legal or contractual rights of superintendents and business administrators.

### Purchase Orders

The recently adopted fiscal accountability regulations require local school districts to implement new policies and procedures for payments for goods and services via purchase orders. The new rules aim to prevent over-payments, ensure efficient expenditure of budgeted funds, and establish tighter controls on the use of purchase orders. N.J.A.C. 6A:23A-6.6 Standard operating procedures for business functions and N.J.A.C. 6A:23A-6.10 Approval of amounts paid in excess of approved purchase orders contain the new stipulations on policies and procedures for the use of purchase orders.

<http://www.nj.gov/education/code/current/title6a/chap23.pdf>

### Changes to Professional Development Requirements for Teachers

In January 2008, the State Board of Education adopted critical changes to the regulations governing the professional development requirements for teachers. The commissioner has issued a comprehensive memo on the changes which provides guidance for local school districts on how to develop school-level plans, the revised approval process, and important timelines. Highlights of the changes are as follows:

- District professional development committees are replaced by school-level ones
- Each school will have a professional development committee that will target the needs of staff within the school in developing the school-level plan
- Every school-level committee will be responsible for integrating the school plan into the overall district professional development plan
- School level committees must be in place by December 1, 2008 to begin work for the 2010-2011 plan submission which must be submitted to the department before February 15, 2009

Important other changes will require teachers working under a provisional certificate as well as teachers who hold standard certificates to have a Professional Development Plan (PDP) in place within 60 instructional days after beginning their teaching assignments. Another change will allow novice teachers to accrue hours towards the 100 hour requirement.

The memo also announces that the professional development provider system has been discontinued however; the Provider Directory will remain on-line until January 2009.

Finally, the commissioner's memo indicates that the department will provide training opportunities, guidance documents, and other resources to support district's efforts to implement the changes to the professional development

requirements of teachers. To review the commissioner's memo, go to <http://www.state.nj.us/education/profdev/pd/teacher/100908req.pdf>

### Special Review Assessment Council Formed

The Department of Education has formed a Special Review Assessment (SRA) Advisory Council to lay the foundation for a revised SRA process which will be implemented in the 2009-2010 school year. The new process, called the Alternative High School Assessment, is in response to criticism of the SRA by legislators and department officials.

### **State Board of Education**

The Board met on October 15 at in the Paul Robeson Campus Center at Rutgers-Newark University to discuss a single item, namely the [High School Graduation Amendments](#). The department presented the amendments at second discussion level. The proposal aims to transform secondary schools throughout the state. It is divided into three major sections: Revised Core Curriculum Content Standards, Revised Assessment Schedule, and new High School Graduation Requirements. During the discussion Commissioner Davy stated that the task is to transform secondary schools not merely change graduation requirements. She stated further that the transformation initiative is to ensure every child has access to a rigorous educational program and curriculum that will prepare him or her to participate in the 21<sup>st</sup> century economy regardless of whether he or she enters college or the workforce. Commissioner Davy explained that the initiative is for grades six through 12 and is a matter of equity which mandates that all children, regardless of where they live, must have the same set of high expectations and have access to the same educational opportunities that will prepare them for the future. Testimony on the amendments will be accepted over the next few months.

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