

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

**Legislative and Agency Update**  
**May 2008**

**Governor's News**

On May 2, 2008, Governor Jon Corzine signed the Paid Family Leave bill into law. It is now known as P.L. 2008 c.17. This new law creates a sub fund under the state Temporary Disability Insurance fund which allows workers up to 6 weeks of paid family leave to care for a sick family member or a new child. The maximum yearly contribution by an employee to the sub fund will be \$33. The law contains a provision to allow school employees to use paid sick leave to care for a family member or new baby should the employer require it. Under current statute, school employees are only allowed to use sick leave for their own illness.

**Legislative News**

**Corporate Tax Credit/Voucher Bill**

Senator Raymond Lesniak, chair of the Senate Economic Growth Committee introduced legislation that will allow corporations to get a dollar-for-dollar tax credit for contributions they make to a state-run Corporate Tax Credit Scholarship Fund. S-1607 would make available \$360 million in scholarships to send students to private and religious schools in eight pilot districts: Camden, Elizabeth, Jersey City, Lakewood, Newark, Orange, Paterson, and Trenton.

Because this legislation would strip \$360 million in tax revenue from the state budget over five years and allow it to go to private and religious schools most public education groups in the state oppose it.

**Bomb Searches in Schools**

S-1088 sponsored by Senator Sean Kean provides that employees of public schools shall not be required to search for, handle, or detonate an explosive device or to supervise or be present during the same. This legislation overturns a 1984 decision of the Commissioner of Education that permitted school districts to direct certain employees to participate in visual searches for bombs. This bill was released by the Senate Education Committee and now goes to the Senate for its consideration.

**New Fingerprinting Requirements for School Employees**

S-1527 introduced by Senator Shirley Turner would require every employee of a board of education or contracted service provider who has not undergone a criminal history records check utilizing the electronic fingerprinting process to do

so within one year of the effective date of this bill. Under current law individuals employed in a district before 1986, the year the original law was passed, were “grandfathered” and never required to undergo a criminal history check. If passed, S-1527 would require everyone who has never undergone the electronic fingerprinting process to do so. This process facilitates a “flagging” procedure whereby the state will forward any information it receives about a pending charge against an employee to the employing board of education or contractor so that appropriate action may be taken.

This bill has been released from the Senate Education Committee and referred to the Senate Budget and Appropriations Committee.

## **Department of Education News**

### **Proposed Program Regulations**

Would mandate a library in every school staffed by a SLMS - The Commissioner reported to the state board that the Attorney General has requested to again review the program regulations and a few changes are likely. She expects to have the AG’s advice in the next few days and intends to implement these regulations through her emergency powers in the next week or so. Staff at the department indicated that the mandate noted might look a little different but the department is confident that they have the authority to require library services in every school.

### **Draft Accountability Regulations**

Recent changes in law and regulations will impact on the reimbursement for certain expenses that school board members and school employees may receive when they attend educational conferences and workshops. In an effort to curb fraud and waste in government, the legislature has enacted over the past two years several “accountability” statutes that apply to all levels of government in the state including local school districts.

On April 30, 2008, New Jersey Education Commissioner Lucille E. Davy released the department’s draft regulations concerning school district fiscal accountability, efficient spending practices and budgeting procedures at a news conference at DOE in Trenton. The draft regulations clarify the various responsibilities given to DOE and to local school districts under the School Funding Reform Act, the state Office of Management and Budget (OMB) travel circular, which applies to all state government agencies and is applied to local school districts and their employees, and other fiscal legislation enacted in recent years.

Included in the draft is a provision that will permit sponsors of conferences to apply to the Commissioner for a Waiver to attend multi-day in-state conferences that include an overnight hotel stay. If approved, the Waiver would permit individuals to be reimbursed for overnight travel and certain meal expenses.

Only events that have relevance to improving instruction or school operations or governance will be considered.

The waiver process for Associations to utilize to obtain permission for conference attendees to be eligible for reimbursement of lodging expenses associated with overnight conferences is now in effect. I briefly met with the Commissioner to ask her about the waiver process and her timeline for making it available to Associations. She indicated that she will use her emergency powers to implement many of the proposed regulations including the travel provisions. She also noted that because the Office of Management and Budget has the authority under statute to apply the travel regulations to school employees, the waiver process in the proposal is covered under current law and immediately available for Associations.

For NJASL to receive a waiver for its fall conference, the Association must send a letter to the Commissioner with the detailed information outlined in the proposed Accountability Regulations for her review and approval/non-approval. Guidance from the department for submitting a waiver request can be found at <http://www.state.nj.us/education/genfo/travel.htm>

Finally, Davy noted that because the new regulations emanate from different statutory authorities, some of the new rules will be promulgated under the Administrative Procedures Act (APA), some will be presented to the State Board of Education for approval, and some will be put in place through the emergency regulatory powers granted to the Commissioner. She intends to seek authority through language in the budget bill to make sure that all of the proposed regulations are in place in time for the start of the 2008-09 school year in September.

To access the draft regulations, click here:  
<http://www.nj.gov/education/code/proposed/title6a/regs.htm>.

### **State Board of Education**

A special meeting with the New Jersey Commission on Higher Education was held late in April and Commissioner of Education Lucille Davy presented an overview of the policy report of the High School Redesign Steering Committee. The report contained the committee's recommendations for high school reform in the following areas: standards/high school graduation requirements, assessment alignment, teachers/school leaders, learning communities/personalized education and P-16 alignment. The policy report and other related documents are available at [www.njhighschoolsummit.org](http://www.njhighschoolsummit.org)

Additionally, department staff presented a Power Point to the State Board on the High School Redesign including new high school graduation requirements being proposed by the department. Similar presentations are being made throughout

the state to inform local school districts of the coming changes and to enlist support for the initiative. Below is a copy of a recent presentation by department staff.



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## **2007-2008 QSAC Performance Continuum Placements**

Commissioner Davy presented the QSAC Performance (local district monitoring) scores for 124 school districts. These districts began QSAC as a self-assessment in September 2007. The County Superintendents verified the districts' work from November 2007 to January 2008.

Approximately 47% of these districts have been categorized as "High Performing Districts" based on their outcomes of achieving 80% of the weighted indicators in each of the five District Performance Review (DPR) areas. The remaining districts have begun the QSAC District Improvement planning process and will be scheduled for a six-month review by the County Superintendent.

[QSAC Performance Scores](#)

## **Professional Licensure and Standards Regulations**

The department has proposed certain changes to the certification regulations governing the assignment to teach computer literacy. No comment was made about this proposed change at the Board meeting.

Following the meeting, I spoke with Dr. Robert (Bob) Higgins and he indicated that the Office of Standards included the phrase *information literacy* in the authorization of instructional certificates to reflect the competencies teachers must possess in order to be assigned to teach computer and *information literacy* per the Core Curriculum Content Standards. The proposed change is also intended to alleviate the confusion many individuals and school districts have about the authorization to teach computer and *information literacy* from the endorsement to teach technology education.

Higgins welcomed comments from interested parties on the proposed change and indicated that his office will return to the Board probably in July at proposal level. In order for any changes to be considered, they must be received in the next two to three weeks.

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