
Public Hearing

before

SENATE EDUCATION COMMITTEE

AND

ASSEMBLY EDUCATION COMMITTEE

ASSEMBLY BILL No. 3231

*(Prohibits public school fund-raising activities which include
unsupervised door-to-door sales by students)*

LOCATION: Woodcrest Elementary School
Cherry Hill, New Jersey

DATE: December 8, 1997
2:00 p.m.

MEMBER OF SENATE COMMITTEE PRESENT:

Senator John H. Ewing, Chairman

MEMBERS OF ASSEMBLY COMMITTEE PRESENT:

Assemblyman John A. Rocco, Chairman
Assemblyman David W. Wolfe, Vice-Chairman
Assemblyman Carmine DeSopo
Assemblyman Craig A. Stanley

ALSO PRESENT:

Darby Cannon III
Office of Legislative Services
Committee Aide



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ASSEMBLYMAN JOHN A. ROCCO (Assembly Chairman):

I'd like to call this meeting to order. The meeting will come to order. Let's have roll call, please.

MR. CANNON (Committee Aide): Senator Ewing?

SENATOR JOHN H. EWING (Senate Chairman): Here.

MR. CANNON: Senator Palaia? (no response)

Senator Martin? (no response)

Senator Lynch? (no response)

Senator MacInnes? (no response)

Assemblyman Rocco?

ASSEMBLYMAN ROCCO: Here.

MR. CANNON: Assemblyman Wolfe?

ASSEMBLYMAN WOLFE: Here.

MR. CANNON: Assemblywoman Crecco? (no response)

Assemblyman DeSopo?

ASSEMBLYMAN DeSOPO: Here.

MR. CANNON: Assemblywoman Wright? (no response)

Assemblyman Garcia? (no response)

Assemblyman Stanley? (no response)

ASSEMBLYMAN ROCCO: Thank you. We are here today to have testimony in regard to Assembly Bill No. 3231 and Senate Bill No. 2319 in regard to door-to-door sales and prohibition thereof and also in regard to incentives that go along with the door-to-door sales.

Senator Ewing, the Chair of the Senate Education Committee, is with us.

Jack, do you have any comments that you would like to make at this time?

SENATOR EWING: I want to apologize to everybody. I have a doctor's appointment at 5:00 up in Morristown, New Jersey, which is north of here. It will take me at least two hours, so I'm going to be leaving at 3:00.

We will be discussing this as to whether there will be another Education Committee in the Senate. Right now we have no other bills to discuss in it, but I will be talking to the Senate President to see, and also Senator Cafiero, to see if we can have a hearing -- not a hearing -- but discuss it at an Education Committee in the next week or 10 days.

ASSEMBLYMAN ROCCO: Members of the Committee, Carmine, comments? (no response) David, our Vice-Chair?

ASSEMBLYMAN DeSOPO: Let's get the show on the road.

ASSEMBLYMAN ROCCO: No comments at this time.

We'll get right to the testimony. There will be, on Thursday, another brief hearing before the Education Committee and before the vote which will occur on Thursday when the Education Committee and the Assembly would meet to deal with this particular bill.

At this time, we will begin by hearing from the New Jersey Education Association representatives beginning with Bill Lewis.

So, Bill, would you come forward.

I'll just make a brief comment in regard to the reason for the bill. We know, of course, of the Eddie Werner situation and the death of Eddie Werner because of door-to-door sales. We know that there are 1,200,000 children in the State of New Jersey who are out there -- many involved in door-

to-door solicitation. I can tell you and we will hear from the various speakers today in regard to their association with children and how to best try to correct the situation.

Eddie Werner was not alone. In our research, we have found six other children, throughout the nation, who have been murdered by going door-to-door -- literally murdered -- and we have had testimony in regard to-- We have seen the testimony of the actual murderers and how they accomplished the murder by luring the child into the house and then brutally murdering the child at that point.

It ranges not only here in New Jersey, but in Missouri, Arizona, Louisiana, and Arkansas, so this is a nationwide problem. We want to make sure that our children are safe, first and foremost, and that the fund-raising aspect, although serving a purpose, doesn't overwhelm every other factor. Those are the reasons why we are here.

This particular building is important to me, having been principal here years ago in the '60s. That's one of the reasons I had testimony here today, because I thought it kind of appropriate to be here on this particular issue because this is such a fine school and continues to be a fine school here in Cherry Hill.

Without further ado, then, I can tell you that we will listen to the testimony. We will try to improve this bill in any way possible. We'll try to make modifications where we can. We'll try to make adjustments where possible, and first and foremost, the safety of the children will be there. We are not looking to put this fund-raising issue out of the schools. The fund-raising can continue to occur; however, this would just eliminate the door-to-

door sales aspect of it, but direct mail and other kinds of activities to raise funds will continue, like car washes, supermarket-- Whatever else is being done in the school would not be prohibited. We are talking now strictly about door-to-door sales, and I think we'll find that the schools will find a way to continue to raise funds but without going door-to-door.

Without further ado, then, let's start with Bill Lewis.

WILLIAM H. LEWIS Jr.: Thank you. Bill Lewis, Associate Director of Government Relations, NJEA.

NJEA wholeheartedly supports A-3231, S-2319, which prohibits public school fund-raising activities, which include unsupervised door-to-door sales by students. NJEA President, Michael Johnson, in his weekly report on education, published in many New Jersey newspapers, said, "It needs to stop. All right-thinking adults should join the Jackson Township School District and their local PTA and call for an outright ban on such fund-raising activities," that is to say, the unsupervised door-to-door activity. He went on to say, "No school program that helps broaden our school curriculum or that helps children expand their horizons should suffer a negative impact."

Things or activities such as band competition, cheerleading uniforms, up-to-date computers and printers are not frills, but important programs that help students develop their talents. The first responsibility for the funding of our public schools lies with the government, Federal, State, and local working together. Certainly, business and corporations have a major role that they can play.

I often hear teachers refer to their students as "my children" or "my kids," and as a former teacher, public school employee, leader, and now

as an NJEA staff person, I know the meaning behind their reference to “my children.”

Public school employees, teachers, bus drivers, crossing guards, administrators, office assistants, nurses, and other school staff are very protective of “our children.” These are NJEA members, and NJEA has placed the protection of all children at the top of our priority list. We have a Youth Services Committee that continuously monitors issues that affect children and youth.

Regarding this bill, they have given their full support. Some of their comments are as follows. “Although most districts say that they already discourage unsupervised sales, some still encourage individual competition.” They went on to say, “Fund-raising should be parent centered and not student centered.”

Question: Will the Commissioner of Education penalize a school district that sponsors a fund-raiser, properly instructs students not to go door-to-door, and the parent either encourages or allows a student to sell door-to-door?

The intent of the bill is sound, but is the penalty phase problematic? So we ask that you look at that. Incentives and bonus points should not be allowed under any circumstances. This legislation is long overdue.

Monitoring, it is suggested, should be left at the county superintendent’s level, closer to where the activity is taking place, and supervision by parents should be emphasized by schools with schools working with parents to protect our children.

Thank you very much for this opportunity.

ASSEMBLYMAN ROCCO: Thank you, Bill.

Jack, do you have any comments?

SENATOR EWING: No, thanks.

ASSEMBLYMAN ROCCO: Members of the Committee? (no response)

Thank you and we appreciate the support of the NJEA.

We have Judy Peoples, representing the New Jersey School Boards Association. I saw Bob Boose.

Bob, did you want to come along?

JUDITH B. PEOPLES: Thank you, Mr. Chairman, Chairman Ewing, and members of the Committees, for the opportunity for the New Jersey School Boards Association to present our Association's policies concerning student fund-raising. My name is Judith Peoples, Associate Director of Governmental Relations, which is why I am speaking, Chairman Rocco.

The policy that I will refer to today are all contained in our manual of policies and positions on education. These policies are adopted by our delegates at the Association's semiannual Delegate Assembly. Our policy on student health and safety states our belief that local boards of education should provide conditions and establish policies that will ensure the health and safety of students. It further states that NJSBA should support legislation which aims to provide such conditions. On this basis alone we can support this legislation.

Moreover, we have many other policies that are related directly or indirectly. These policies address the need for safe transportation of students

to and from school, the need for crossing guards at dangerous intersections along school routes, the dangers of extending daylight saving time because of the students coming and going to and from school in the dark, and policies that address the need to establish programs that prevent violence and vandalism.

NJSBA's policy on the recognition of student performance states our belief that student progress, as well as absolute levels of achievement, should be rewarded. Every opportunity should be taken to acknowledge high performance in academics, attendance, athletics, and citizenship. Our policy does not include student fund-raising in the list of recognizable achievements.

The above policies are all relevant to the issue before you today, sending students unsupervised door-to-door for the purpose of raising funds. The issue of student fund-raising is not new. It is unfortunate that such a tragic turn of events has placed the issue before the Legislature.

NJSBA has adopted a sample policy available to local school boards that need to address the issue of fund-raising and door-to-door solicitation. The recommendations in this sample policy language go beyond the issue being addressed here today. They include: limitations on fund-raising by pupils and other school-related groups, as well as outside organizations; inclusion of funds raised in the annual district audit; naming and approving authority for all pupil-related fund-raising ventures; a sample statement of belief on the values of fund-raising activities; a definition of fund-raising activities; use of funds for personal benefit; limitation of door-to-door fund-raising; and the outright elimination of door-to-door fund-raising.

NJSBA stands ready to assist our members and the Legislature in addressing this issue. I thank you for this opportunity to indicate our strong support for the legislation.

ASSEMBLYMAN ROCCO: Bob, did you want to comment?

ROBERT E. BOOSE, Ed.D.: Thank you, Dr. Rocco and members of the Committee. I have with me today our Vice-President of Legislation and other board members from the Camden County School Boards Association and the Cherry Hill School District, and they are going to be talking specifically on the point.

I will say, too, that the calls that we have gotten in the office from people are very encouraging and very supportive, and I hope that we can move this legislation forward.

Thank you.

ASSEMBLYMAN ROCCO: Thank you very much.

Maryanne Kolbeck, President, New Jersey PTA.

Before Maryanne starts, I want to thank her for her support on this issue. She has been very strong in her position and has not wavered one iota.

MARYANNE KOLBECK: Thank you, Assemblyman. Immediate past president New Jersey PTA.

ASSEMBLYMAN ROCCO: Yes.

MS. KOLBECK: The New Jersey PTA was founded in 1900 to support and speak out on behalf of children and youth in the schools in the community and before governmental bodies and other organizations that make decisions affecting children. Our mission is threefold and includes assisting

parents in developing the skills they need to raise and protect their children and to encourage parent and public involvement in the public schools of this nation.

The primary emphasis in PTA should be focused upon the promotion of the PTA missions and objects. The real working capital of the PTA lies in its members, not in its treasury. Fund-raising is not a primary function of the PTA. The objects of the PTA are to promote the welfare of children and youth in the home, school, and community and to secure adequate laws for the care and protection of our children and youth. That is first and foremost in our minds.

Our policy clearly states, and I quote, “Children should never be exploited or used as fund-raisers.” Adhering to this policy, the Legislative Activities Committee of the New Jersey PTA fully supports this legislation introduced by Assemblyman Rocco and sincerely thanks the Assemblyman for his efforts on behalf of the safety of the children and youth of our nation.

ASSEMBLYMAN ROCCO: Thank you, Maryanne.

Did you have any comments?

SYVONNE FORKIN: No.

ASSEMBLYMAN ROCCO: Would you introduce yourself for everyone, since you are the new President.

MS. FORKIN: I’m Syvonne Forkin, and I am the newly elected President of the New Jersey PTA, as of last Wednesday.

ASSEMBLYMAN ROCCO: And your hometown.

MS. FORKIN: Cherry Hill. (laughter)

ASSEMBLYMAN ROCCO: I just wanted Jack Ewing to hear that.
Thank you.

Any questions? Jack? Members of the Committee? (negative responses)

Craig Stanley has arrived.

Craig, welcome, thank you for coming all the way down from Newark to attend this meeting, so it must be very important. Do you want to make any comments, Craig?

ASSEMBLYMAN STANLEY: Sure. Thank you, Mr. Chairman. I just want to take this opportunity to commend you, Chairman Rocco, on your diligence in your years of service as Chairman of the Education Committee and throughout a distinguished career in the Legislature, and also Senator Ewing, whom I have not always agreed with, but I have to commend him on his years in the Senate, as well, and on his diligence and on his work on behalf of young people throughout the State of New Jersey.

I just have a short statement that I would like to make. The tragic murder of Eddie Werner in Jackson Township is proof positive that we cannot be too vigilant about the safety of our children. It does not matter whether children are participating in a school activity or a community-based activity. We must take every possible action to guarantee that they arrive safely home each and every afternoon.

I wholeheartedly support A-3231 and commend Assemblymen Rocco and Doria and Senator Cafiero for taking the lead. A-3231 speaks to an issue that has become all too prevalent in New Jersey and across the United States, unsafe school environments.

We have all been following the bizarre and tragic shooting deaths of three young girls in a Kentucky school by a fellow student armed with a pistol. Closer to home, students in New Jersey schools face a real threat of violence from other students and from factors surrounding their school. As a matter of fact, not long ago in Newark a student was killed when he was struck by a car on Route 78. His school is located adjacent to an on-ramp to Route 78, and we have made efforts to move either the school or the on-ramp and have so far been unsuccessful. I have proposed a school student bill of rights which among other things guarantees our students a safe learning environment.

Today I would like to call for a series of public hearings on just the whole issue of school safety. We had so many things going on this past year, and that particular incident happened almost a year ago, but yet there has been nothing -- no moves -- or no efforts taken to resolve that situation.

Several years ago, before I was in the Legislature, Assemblyman Rocco held a hearing on school balance as part of A Plus For Kids Program. The meeting was held at WWOR-TV in Secaucus and was apparently so successful in raising public awareness that I still receive mail about it. We must not let this important subject fall by the wayside. I feel optimistic that we can do something to bolster the safety of our children in the coming legislative session. But even before Senator Ewing and Assemblyman Rocco take their leave from the Legislature, I would like for them to, perhaps maybe in due diligence, call for a hearing on school safety issues before the beginning of the next Legislature and deal with all of the issues surrounding the safety of our children.

Thank you very much, Mr. Chair.

ASSEMBLYMAN ROCCO: Thank you, Craig. Craig has been a wonderful member of our Committee, and I am proud that he has served on our Committee, and he has a great deal to offer. I kind of like the student bill of rights thing, Craig. I think you ought to follow on with that.

On the issue of violence, we know that more and more is happening around the nation now in regard to that issue.

Probably, Jack, we ought to talk about Craig's suggestion.

Our next testimony will be from Joe Hancock. Joe represents the superintendents of the State.

JOSEPH HANCOCK, Ed.D.: Thank you, Mr. Chairman, members of the Committee. On behalf of the New Jersey Association of School Administrators, I thank you for this opportunity of appearing before you.

My name, as you said, is Joseph Hancock. I am Director of Governmental Relations for that Association. I have to say at the outset it's with a little bit of sadness that you contemplate the reasons for our addressing this issue at this particular time.

When our society gets to the point where we have to be so guarded with the children that we have that we have to, in essence, take care of them from womb to tomb, so to speak, it is with great concern. So I congratulate the Chairman of the Committee and the sponsor in the Senate for this bill. We must address the issues that concern us at this particular point in time.

Thankfully it is not a situation that is rampant at this particular point in time, but we need to address it now and we need to address it firmly. This bill we support because it begins to do that very, very concisely. We support the bill, obviously, because its primary concern focuses on the business

of keeping children out of harm's way. It does that with a degree of precision that we find commendable.

It focuses very, very carefully on, with specificity, the practice of door-to-door sales, where children move within the community or maybe around their neighborhood and knocking on doors. They don't know what's behind those doors anymore, so we find it necessary to ban this kind of operation for children. That degree of precision makes it a good bill.

Because it does this, it doesn't impact on currently functioning programs that exist within the schools today that are very fine in terms of their outcomes, in terms of their goals and objectives -- such programs as Junior Achievement, school-to-school work projects, and so forth, that give children an opportunity to learn and to give children an opportunity to work within their community, that give the children an opportunity to expand their horizons in terms of their operation and in terms of their education.

It also, therefore, leaves open opportunity for those who wish to engage in alternative fund-raising activities for worthy, educational, or social causes. There are a number of opportunities that exist -- some of them have been named already -- anywhere from fund-raisers that deal with Mayfairs, fund-raisers that deal with book sales, fund-raisers that deal with dances, fund-raisers across the board.

This bill does not stop people who are interested in trying to raise funds for worthy causes from finding creative ways of coming up with programs that can raise those funds for the good of the children of their community. There are other options that we have that we might consider. Some of the activities that we are funding, perhaps, should be considered as

part of the school budgets. Many of them have a worthy cause and a worthy goal and should therefore be considered within the confines of the school budget. Of course, on the other extreme, we don't like to contemplate this because there is a lot of value for many of them. The option is to discontinue them, just don't do them. I don't think any of us really want to do that. Third, is to find those alternative fund-raising sources that we can't find if we have good feelings about it.

One other provision of the bill that I would like to address has to do with the idea of using special prizes or remuneration as motivation for students to kind of outdo his or her fellow students. We believe this provision has merit. The incentive program should not be carried out without some controls over it.

It places a focus on the student's effort on the goal of the project for the common good as opposed to the goal of self-gratification. Certainly, we want to motivate children to contribute to the raising of funds to the programs that they have going in terms of the common good, the common goal as opposed to the goal of self-gratification.

I think it was education 101, which I took more years ago than I want to think about, but -- John may remind me how many years ago it might have been -- we spent a good deal of time differentiating between the concept of intrinsic verses extrinsic motivation. I think I can remember, but the importance of people doing things for the good of doing them for the good that they can learn, for the good that they can develop within themselves rather than for that gratification that says I want, give me, I win this, I'm better than you.

The emphasis on the door-to-door sales and the incentives that go along with them frequently emphasizes that extrinsic motivation. I think the bill that we have before us today will replace the emphasis on the intrinsic motivation. We support this bill, and we stand ready to help in any way we can, to address any other issues that attend to it, to look at amendments that may attend to it, but we don't see the road for too many.

I wish you well.

ASSEMBLYMAN ROCCO: Thank you, Joe.

Questions, Jack?

SENATOR EWING: No.

ASSEMBLYMAN ROCCO: Committee members? (negative responses)

Thank you, Joe Hancock.

Next is our host, District President Keith Herman.

UNIDENTIFIED SPEAKER FROM AUDIENCE: He is not here today.

ASSEMBLYMAN ROCCO: He is not here. We do have two board members that I can see from Cherry Hill, Valerie Smith--

Valerie, go first, and then Norman, I guess, can follow.

I have also noticed Louis Greenwald, Assemblyman Greenwald, is in the room.

Did you want to testify, Louis?

ASSEMBLYMAN LOUIS D. GREENWALD: Just listen.

ASSEMBLYMAN ROCCO: Just listen, okay, thank you.

Valerie.

V A L E R I E S M I T H: Thank you. On behalf of Cherry Hill School District, I would like to welcome you all to Cherry Hill and thank you for having the hearing here tonight.

My name is Valerie Smith. I am a member of the board. I'm a mother of two girls, and I would like to support Assemblyman Rocco's bill today.

It is most appropriate that you are here today as this evening the Cherry Hill Board of Education will be approving or disapproving a policy that is almost identical to A-3231. Unfortunately, there has been some misinformation regarding the protective measures set forth in Assemblyman Rocco's bill and in the Cherry Hill policy. Most notably a banner headline appeared in the *Courier-Post* that Cherry Hill plans to ban all fund-raising activities in general.

This is simply not true. To say this has caused an uproar in the community would be an understatement. When our policy first came forward, one of our administrators asked that we not consider such a policy as it was a sad commentary on our society, in general, and didn't send the right message to our students.

I answered that this is a reaction to the realities of today's society and not a prejudice condemnation of it. Regardless of whether our local policy passes tonight, I will continue to support Assemblyman Rocco's bill as it is an important piece of legislation for all of the children in our State.

In closing, I hope that A-3231 is placed on the Assembly board list as soon as possible.

Senator Ewing, I hope that it be placed along with Senator Cafiero's companion bill on the Senate board list before the session ends in January.

Thank you very much and good luck.

ASSEMBLYMAN ROCCO: Thank you, Valerie.

Jack? (negative response)

Norman Rosen, Cherry Hill Board member as well.

N O R M A N R O S E N: I'm Norman Rosen. I have been a resident in Cherry Hill for the past 37 years. I am a member of the Cherry Hill school board, but the views I express today are my own, and they are not meant to reflect the views of the Board.

I would like to welcome you to Cherry Hill, you and members of the Committee, Senator Ewing, Mr. Cannon, John Rocco, and all the people in the audience. We are glad to have you here in Cherry Hill. Come again soon and often.

I am proud to represent Cherry Hill in its dedication, commitment, and support for quality education. We have over 10,000 students and 1400 employees in our 17 school buildings. Over 8000 voters, among the highest number in percent in New Jersey, voluntarily support local property taxes of \$80 million a year for education. It is this community interest and involvement which is a key element in the high achievement of our schools.

However, there are many funding needs to support desirable cocurricular and extracurricular school activities. These needs must be achieved with the concern for the safety and security of our students. A school

student body covers a wide range, from 5-year-old prekindergarten students to 18- or 19-year-old high school students. These groups should not be viewed in the same way. Students in grades *K* through eight should solicit door-to-door or for local businesses only, only when accompanied or supervised by an adult, parent, or teacher.

High school students raising funds for graduation nights, proms, or class trips are generally older and more able to recognize potentially threatening situations. Those of the lower high school grades, ninth and tenth, should be accompanied by an older student or adult to provide a greater sense of security. Those high school students over 18, adults themselves, should be able to raise funds on their own.

Thus, the fund-raising function will be supported while the student issue of safety is sustained. All circumstances for the imagination and creativity of participants will be stimulated to develop a new method for fund-raising.

The second issue in the bill, the allocation of funds that are raised: I believe all funds raised in the name of the schools and their projects should accrue to the benefit of the group, not to an individual student. No monetary reward should go directly to participating children, but a nonmonetary recognition could be a suitable alternative.

To use the name of an organization for personal reward is inappropriate. It is cynical to believe that no fund-raising participation would take place without personal financial reward. In fact, the very attitude we should encourage is that of volunteerism. Students should be working for the good and benefit of a purpose or project because of the merit of that project.

Indeed, what is the school board or PTA or a booster activity if not working for the group benefit? It is for the group within its own guidelines, however, to determine the appropriate use of the raised funds.

In summary, I believe in student participation with proper security and group fund-raising, with group determining the disbursement of those funds. There is no reason to eliminate fund-raising. A properly structured bill can accomplish long goals.

I would like to commend the joint committee for its diligence at taking testimony during this short interim legislative session. It is fitting that this meeting be held here in the Woodcrest School, for it was here that Dr. John Rocco served here as principal and began his decades long distinguished community service career, which culminated in the chairmanship of the Assembly Education Committee. He has served the State and Cherry Hill well as a driving force for educational improvement. He is a supporter and advocate of the State Holocaust Committee and for inclusion of Holocaust and genocide studies in our school curriculum, one of four states in the country that has that program presently being moved.

I am pleased for the opportunity to publicly commend Dr. John Rocco as a friend of education and as my friend. We will miss him as our advocate, but we know he will continue to contribute to quality education for all the students of New Jersey. May he enjoy his future accomplishments in good health for many more years.

Senator Ewing, I didn't realize that you were going to be here today as well, and the remarks that I was going to address to you in your last months of the Senate I was going to address in the letter that I had promised

you I was going to be writing to you along with the information you requested. So I will leave that for a personal time. But, of course, any warmth of feeling that I have for the good that has been done educationally by Dr. Rocco applies equally well to you. Both of you will be sorely missed, and I hope that this Committee will pick up to the same level of performance and sensitivity to the educational needs of the State.

Thank you very much for allowing me to appear.

ASSEMBLYMAN ROCCO: Thank you, Norman, that was very nice of you. I appreciate it and very accurate, as well. (laughter)

Jack, do you have any comments?

SENATOR EWING: No, I thought he was very accurate. (laughter)

ASSEMBLYMAN ROCCO: Patti Pawling, Vice-President, Legislation for the Camden County School Board -- New Jersey School Board.

PATTI J. PAWLING: Good afternoon, Senator Ewing, Dr. Rocco, and Committee members. I am Patti Pawling, a member of the Barrington Board of Education, and I also serve as the Vice-President for Legislation and Resolutions of New Jersey School Boards Association.

I wish we didn't need a law like this. I wish that every street were safe. I wish schools had every penny that they needed to pay for those little extras, like new band uniforms, field trips, or playground equipment. But we do need this law, and I say this as a board member and a parent.

The unsupervised door-to-door fund-raising that children do for their schools is a practice whose time is over. As parents, we tell our children time and again don't talk to strangers, don't go anywhere with a stranger. It's

rule number one. On Halloween, most parents now accompany their children to go trick or treating. Many only go to homes of the people that they know. But we change the rules when it comes to school fund-raising. Schools and school-based organizations offer incentives like a new bike or a new soccer ball. The result, children knock on strangers' doors.

This is not a complex issue. Sending children door-to-door is out of step with our times, and getting rid of individual incentives and prizes is also a good idea. Group incentives like class parties or class trips are more appropriate and send a better message. Not all fund-raising is bad. As a former principal, Dr. Rocco, you know there will always be a need for it and that good things can come from it.

This bill tells schools only what they can't do. It sets no limit on creativity. Many districts have started education foundations. These foundations are nonprofit trusts formed to raise money for public schools through tax-deductible donations from individuals and businesses. A decade ago only a handful of them existed. Today there is nearly 100. They sponsor a wide range of events such as car washes, golf outings, auctions, and dinner-dances.

In Bergen County, the Franklin Lakes Borough Education Foundation has raised more than \$300,000 over nine years. That money helped support after-school programs and upgrade school libraries. It also bought a satellite dish that students used to receive information from weather satellites in space. Many districts report that foundations also increase community involvement and pride in the schools. They offer a different way for the public to get involved. The New Jersey School Boards Association can

provide districts with information on how to start an education foundation.

Some may accuse us of overreacting, but no one would deny the world is a more dangerous place than it was. A-3231 is an accurate response to our times. There has already been one tragedy, let's not wait for another.

Thank you.

ASSEMBLYMAN ROCCO: Thank you.

Dr. Barry Ersek, Superintendent of Haddonfield. Is Barry here?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Chairman, Barry was held up for a little bit. He will be here.

ASSEMBLYMAN ROCCO: Okay, we'll put him further down on the list.

We have Robert Alberte (phonetic spelling), Howell Township Board of Ed. (negative response) He is not here either.

Stephanie Fisher, Eastern Camden County Regional Board of Ed President this year.

Welcome.

STEPHANIE A. FISHER: Thank you, Dr. Rocco, Senator Ewing, and the members of the Assembly Education Committee and the Senate Education Committee.

Good afternoon, my name, as you all know, is Stephanie Fisher. I'm currently a member of the Eastern Camden County Regional School District Board of Education. I come before you today in support of Assembly Bill No. 3231 and the Senate Bill No. 2319.

Eastern Camden County Regional School District, as many of you know, is a nine through twelve district with an approximate student population

of 1800. Like many high schools we have a considerable number of students who participate in sports, music programs, after-school clubs, and other related activities, not to mention the number of parent organizations which support these activities. For example, our Band-Aides program, the Eastern Parents Athletic Association, the Parents Action Committee of Eastern, and also our district advisory.

Sometimes these school activities necessitate the need for raising funds to either purchase additional equipment, take trips in order to compete, or to offer scholarships in areas of academia or athletics. Given the nature of school funding, these parent organizations have been able, through fund-raising, to help defray some of the expenses which I previously mentioned.

Eastern students have participated in these fund-raising activities, but they have always been encouraged to solicit support from friends and relatives. Door-to-door soliciting funds has never been encouraged. Once a fund-raising activity commences, students are then told that they are never to conduct door-to-door solicitations. This is done primarily, as you know, for the safety of our students.

Since the most recent incident involving the student in Jackson Township, Eastern has taken a strong stance on all fund-raising activity, including that which requires door-to-door solicitation. Alternative methods of raising funds within the district have been investigated. More recently the superintendent, with the full support of the board of education, has formed an education foundation which looks to the community for financial support from donations derived from businesses, alumni, etc. The school store holds

periodic sales of their merchandise, which is open to all the members of the community, in order to move their stock and raise money for the district.

The Eastern Camden County Regional School District Board of Education, superintendent, administrators, faculty, and staff continually work together in providing a safe and secure environment for Eastern students to be educated in. Therefore, we fully support Assembly Bill No. 3231, which prohibits unsupervised fund-raising which involves door-to-door solicitation.

Now, let me just switch my role just a little bit and speak to you as President of the Camden County School Boards Association. Given the number of districts within the county and the increasing number of students of all ages attending these schools, the Association has strongly encouraged administrators and boards of education to seek alternative methods for all fund-raising activities to ensure the safety and well-being of all students. These districts wholeheartedly support your bill, Dr. Rocco, Assembly Bill No. 3231, because their students' welfare come first.

I just had one amendment which you don't see in my speech or testimony that you have before you. I spoke, this afternoon, with the Superintendent of Schools at Eastern Regional, and I asked him if there was anything that he wanted me to add to my testimony this afternoon. He asked me just to mention, if I would, instead of concentrating on just our public schoolchildren, why not concentrate on all of the children. What is to preclude our young people from leaving their school buildings and going home or going to play football or going to cheer at a soccer game or some other sport and then, at the same time, try to raise money door-to-door for those organizations?

So, please, in the interest of our young people, please consider all of our young people in this bill. It's an excellent bill. It's too bad that it had to come during this time, but it's something that we need to think about. Think about all of our children, not just our public school children.

I want to thank each and every one of you, and once again remind you that on behalf of the Eastern Board of Education and as President of the Camden County School Boards Association, we give you our full support to Assembly Bill No. 3231.

Thank you very much.

ASSEMBLYMAN ROCCO: Thank you, Stephanie, for all your time and effort for the children in the region, as well. Certainly, Eastern is a wonderful high school, and we appreciate the county support in this project, as well.

The purpose of the public school aspect of it simply is constitutional issues that are still being researched, where we have the authority. We do not want a bill that is going to end up in court for the next five years. So this will hopefully be the first step, and if we do have the authority, then we will look into going into the other areas as well. But you are certainly right, we have to carry this on throughout and wherever possible. But I think there are constitutional issues here that we may not have the authority to do it.

MS. FISHER: Thank you so much.

ASSEMBLYMAN ROCCO: Senator Ewing has to leave. We appreciate his attendance, coming all the way in from North Jersey.

Thank you, Jack.

Ed Snyder, Superintendent of Haddon Heights Schools.
Welcome, Ed.

EDWARD J. SNYDER: I would like to thank the Chairman and the Committee for the opportunity to speak on this issue here today. My name is Edward Snyder, and I am Superintendent of Haddon Heights Public Schools located here in Camden County. I also serve as a Camden County representative on the Legislative Committee for the New Jersey Association of School Administrators.

Our district shares Assemblyman Rocco's concern for the well-being and safety of students entrusted to our care. In fact, working in conjunction with our local parent-teacher group, we have prohibited door-to-door sales by students for many years, as many local districts in Camden County have. We agree that prohibiting students statewide from participating in such activities would serve as an additional level of insulation for potentially dangerous situations.

However, the bill stops short of providing such protection statewide when it limits its target group to only public school students. The bill should be expanded to include other educational institutions as well as local youth groups. Hearing Assemblyman Rocco's answer to Mrs. Fisher's concerns about the same issue, we certainly hope that the constitutionality of it is upheld, and at that point, we would strongly encourage the Legislature to consider expanding it statewide to include all groups.

In addition, the bill specifies door-to-door sales in which students travel unsupervised by school district personnel. In most cases, in my experience, if a student is engaged in selling door-to-door, the supervision is

more likely to come from a parent or older sibling, but rarely from school district personnel. Therefore, we would suggest that this provision of this bill be expanded to more appropriately include family members.

Finally, the bill provides that the Commissioner of Education will monitor that school districts comply with the provisions of this act. Further clarification is necessary to determine district responsibility. As in many cases, if the district informs parents and students that such sales are not permitted and students or parents take it upon themselves to sell such items in such a manner, how can a district be held liable? Where is the liability of the district?

It may be more appropriate to specify that should a district knowingly condone or support or in any way encourage such prohibited sales, then the appropriate sanctions will be imposed.

Once again, we share your concern for the safety and well-being of all our children, and we look forward to legislation that will help all of us provide this type of protection for all of our students.

ASSEMBLYMAN ROCCO: Thank you, Ed. Certainly your points are well taken and further clarification in that area is necessary, and there are going to be amendments. We'll be taking that up.

We have Roslyn Siegel, a private citizen from Somerset, New Jersey.

Roslyn, thank you for coming all the way down here to give us your testimony.

ROSLYN SIEGEL: Thank you for letting me speak.

Assemblyman Rocco, Committee members, I am greatly distressed to think that you are prepared to enact legislation which will take the place of

school and or parental authority. It is time that responsibility is placed back where it belongs, i.e., parents and/or guardians. It is up to them to regulate and watch over their children, not the government.

This proposal is another attempt by some members of government to usurp the given authority of parents and each local school district. Parents already have the right to decide whether or not their children will participate in local fund-raising efforts. PTAs, which are made up of these local parents, can also decide for themselves to run or not to run a fund-raiser, as well as the rules governing same. These rules have, in the past decade, always discouraged students from contacting strangers and going door-to-door without adult accompaniment.

Dr. Rocco states in a *Star-Ledger* article of December 5, 1997 that his staff had identified four other cases, this decade, in which youngsters in other states died while selling merchandise door-to-door. My question is: How did they die, and how many hundreds of thousands of youngsters in the United States have participated in door-to-door sales in the same decade without any problems?

Also, has Dr. Rocco taken into consideration the many students injured, many for life, while playing school sports or during their gymnasium period? Perhaps we should enact legislation that bans all public school football, basketball, soccer, gym, intermural sports, etc., due to the fact that more students are injured or die during these activities than those that are selling door-to-door, especially in light of the fact that these activities are funded through public money, which is a concern of Dr. Rocco's.

In addition, how many students are injured and/or killed while riding their bicycles to and from school? Again, why not legislate a ban on all bicycle riding to and from school instead of letting the parents or guardians be responsible for this decision?

Referring to the same article as above, Dr. Rocco also states that if any school is hurt by the loss of money from student fund-raising, then the school board has not provided the necessary funds for education in that district. Money raised through fund-raising efforts is mostly used for enrichment and enhancement programs, i.e., assembly programs featuring speakers and short plays regarding culture, health, safety, etc.

In addition, high school groups may use the money for traveling to foreign countries to further expand on the language which they are studying or for a music group to participate in an adjudicated festival competing with other music groups from all over the United States. These are all areas which local school boards are not obligated to include in their budgets. Enactment of this bill will have a devastating effect on the poorer districts which can hardly afford to provide the bear essentials of education, no less some of the fringes which are as important to the educational process as basic education.

If you feel obligated to propose legislation regarding the selling of fund-raising products, perhaps the bill should merely state that children must be accompanied by a parent or guardian if they are going door-to-door and that individual prizes as incentives should be eliminated.

It is my hope that the Committee will take all of the above into consideration during their discussion and subsequently deny this proposal as it stands currently.

Thank you.

ASSEMBLYMAN ROCCO: Thank you, Ms. Siegel.

Did you also want to give testimony?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Just unless you have questions.

ASSEMBLYMAN ROCCO: Any questions from any of the members? (negative responses)

Thank you, Ms. Siegel.

Dr. Barry Ersek has arrived, Superintendent of Haddonfield Public Schools.

BARRY R. ERSEK, Ed.D.: Good afternoon, Chairman Rocco and other members of the Committee. It is my pleasure and privilege to be here today to speak on behalf of this bill. I think it is very important that the Legislature and the State go on record. Even though Haddonfield has had a policy for many years not to have children go door-to-door that parents certainly have the opportunity to accompany their children and children have the opportunity to sell items and participate in fund-raisers with their friends and family, but we are opposed to door-to-door for many years. However, some well-meaning groups who don't fully understand the policy, who are enthusiastic about their particular fund-raiser and do not think about the consequences have on occasion gone door-to-door.

I think if this law was in place and very clear, everyone would understand that it is a State law as well as a local policy. If it was known throughout the State, no one would ever be tempted to ignore it intentionally or unintentionally. We would have something that I think would be rock solid

throughout the State, and it certainly would help us avoid a tragedy like we have had recently here in New Jersey.

So we support it 100 percent.

ASSEMBLYMAN ROCCO: Thank you very much, Barry.

Any questions for Dr. Ersek? (negative responses)

Thank you, Barry.

DR. ERSEK: You're welcome. Thank you for the opportunity.

ASSEMBLYMAN ROCCO: Barry Perlman, Committee for Educational Equity and Parity.

BARRY S. PERLMAN: Good afternoon, ladies and gentlemen. It's a tragedy, ladies and gentlemen, that sometimes we, in this culture, have to address the fact that child abuse has so fully permeated our society, but it's true. We, however, from the Committee for Educational Equity and Parity, do not approve of this particular bill. We think that the particular incident that caused this bill to materialize points up most important other problems.

First of all, the young man died actually collecting taxes. He is out there supplementing the money that should have been supplied to his school under taxes. This means, really, that he fell under 18A:42-4, which prohibits children from being politicized in schools for the purposes of budgets. Now, we in this State have found various ways to get around not funding fully our schools.

Some time ago we tried to change thorough and efficient in the Constitution. That was borderline idiocy because it doesn't address the problem. Still we haven't addressed fully the problems regarding the equal distribution of the funds that we collect. We have billions of dollars available

in this State that we are already collecting. The main problem, the problem that sets people out fund-raising door-to-door is the lack of equal distribution of that collected money. So I suggest that you not create a new bill, but use 18A:42-4, reinforce that, so that children are not made party to the politics of educational funding that their parents and voters are supposed to part of, rather than creating a whole new bill over this particular incident.

In addition, I think that we should reach the point of maturity when we understand where some people have lack of the capability of meeting new funding, that we do those things that will make for a thorough and efficient education as commanded in our Constitution.

That, we believe, means the statewide regionalization of the 600-plus districts in the 21 county-based districts, getting rid of the overlapping management that superfluous. One does not have to get rid of one teacher. Reduce one teacher's salary, and we will pick up an additional \$300 to \$500 million which could be used for other additional education purposes within the State, whether they be magnet schools in each county or what have you.

I think, if anything should be addressed after such a tragedy that brings us all together, is that we don't continue to repeat the same mistakes. We will not solve the problem of financing with a structure that was developed in the days of horse-and-buggy wagons in New Jersey, where most of the State was farms and most of North Jersey was one huge corrupt political machine.

The only way we can address it is with a new structure for the new coming century. Nowhere in the Constitution does it say in support of a thorough and efficient education for every child that we must maintain 600 inefficient districts. It's just absolutely absurd.

Thank you very much.

ASSEMBLYMAN ROCCO: Thank you, Barry.

Questions, Committee members? (negative responses)

James Dougherty, Lindenwold Board of Ed.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Jim has not arrived.

ASSEMBLYMAN ROCCO: Has not arrived.

Ray Brosil -- I haven't seen Ray here, either.

That concluded the testimony.

Comments, Craig?

ASSEMBLYMAN STANLEY: Thank you, Mr. Chairman. I just really want to thank you for conducting the hearing here and also again reiterate my request that we have a hearing on school safety issues, not just this particular issue, but on school safety issues in general, sometime before -- hopefully before -- the conclusion of the term. It's the holiday season, a season for giving, and what better thing to give than the gift of life. Right, Chairman?

ASSEMBLYMAN ROCCO: Exactly.

If I don't have a chance to do it, we'll push on David.

David Wolfe, our Vice-Chair. David.

ASSEMBLYMAN WOLFE: Yes, I would like to thank Chairman Rocco for the opportunity to have this hearing because I think we did hear some diversion of opinion, some of which perhaps we had not considered, and I think that this is really part of the public hearing process. I would really like to thank all of you for coming here. It's been beneficial, not only to us, but hopefully for the school kids in New Jersey.

Thank you.

ASSEMBLYMAN DeSOPO: I, too, want to take this opportunity to thank you, Chairman, not only for conducting this hearing, but also for the monumental work that you have done in education for all of the children in the State of New Jersey.

I know that your concern is the concern of the students, what's best for the students, not only academically, but also the safety of the kids. I can't think of any other individual that has contributed more for the health and welfare of students throughout the State of New Jersey than you, Chairman. So again congratulations for a tremendous career, and hopefully you may continue to be in a position where you can continue to make a contribution to the children of the State of New Jersey.

ASSEMBLYMAN ROCCO: Thank you, Carmine.

That concludes the testimony, and I thank my members of the Committee for such kind words. Why weren't you so nice to me during the course of the year? But we'll forget that. (laughter)

Thanks again. The hearing is now adjourned.

(HEARING CONCLUDED)

