



Thorough and Efficient: The Evolution of Public Education

By NJSBA STAFF

Although our state is a national leader in public education now, that wasn't always the case.

The phrase most frequently cited in reference to public education in the Garden State is “thorough and efficient.” That wording comes from the 1875 state constitutional amendment that required the state to provide “maintenance and support” for a system of free public schools for New Jersey’s children.

Before that amendment was passed, the story of public education in New Jersey involved patchy efforts to provide free schools – it was common for schools, even “public schools,” to charge parents tuition. A few municipalities did provide for free schools but the practice wasn't uniform. Similarly, while New Jersey is now a national leader in quality public education, that wasn't always the case.

Early Steps

In 1817, the first step was taken towards the establishment of a public common school system; the legislature established the State School Fund, allocating some U.S. bonds and gradually adding other stock and appropriations. Three years later, a law was passed authorizing townships to raise money for school purposes, but only for those students who were “paupers,” too poor to pay the rates charged. In 1829, a law to establish “common” schools was passed that provided for appropriations from the State School Fund. It also authorized the election of township school committees of three members each, the licensing of teachers, the provision of school houses, and reports to the state.

The reaction to that law was decisive, and in 1830 and 1831, it was substantially repealed. There was opposition to being taxed for schools, and non-English speaking schools feared that state schools would supplant instruction in their own language, while church-associated schools feared that state schools would affect their progress and welfare. Meanwhile, there were also fears that state schools would lead to a state church.

However, after a 1838 convention during which participants urged there be a common school education available for every child, the Legislature re-enacted many features of the Act of 1829. Appropriations were increased, the election of a school committee was required, county freeholders were authorized to elect examiners to license teachers and school committees were given the right to administer examinations to teachers. At that point, the state had 139 townships with more than 1200 school districts. It was estimated that about 55 percent of the children aged 5-16 residing in the school districts were attending school. Tuition still wasn't free, except for the poor.

Throughout the 19th century, progress toward providing a universal free education and improving the quality of schools and education was sporadic. By 1855, there were 29 townships with free schools. In 1866, the State Board of Education was established; the next year that group set up rules for teacher certification. Most classes during this time period had 45 to 50 pupils in the room, and some had as many as 72.

Thorough and Efficient

In 1871, the Legislature passed an act making all of the public schools in New Jersey entirely free for attending students. New Jersey became the last state in the nation to abolish rate bills and tuition payments. That foreshadowed the constitutional amendment a few years later, requiring a “thorough and efficient” system of public education.

At this point, while there were high schools in towns such as New Brunswick, Newark, Plainfield and Jersey City, there were relatively few high schools in smaller towns and villages. In 1890, the first statewide effort to mold high schools came, not from the State Board, but from the “State Normal School at Trenton,” a teachers’ college, which announced that graduates from an approved list of high schools could enroll without entrance exams. To gain approval, representatives from the college would visit and inspect the high schools; the high schools also needed to include certain specific courses in their curriculum.

In 1894, the last impediment to making schools entirely free was removed, when a law was passed requiring districts to pay for textbooks and instructional materials. That same year, a law was passed changing school administrative units from the neighborhood to the township: at one stroke the number of school units was reduced from 1408 to 374.

The 1900s

The new century started off with an expansion of which students were included in the public school system: In 1900, kindergarten was made part of the public school system. In 1907, as many districts still did not have high schools, the Legislature made it mandatory for each district to provide school facilities for children between the ages of 5 and 20.

New Jersey was the first state in the country to enact a tenure law to govern the hiring and firing of school employees, in 1909. In 1910 a law was adopted mandating special education for children who were judged to be three or more years below “normal.”

In 1917, spurred on by the low standards of physical fitness observed among entrants to the U.S. Army during World War I, the state passed a law establishing physical training for all school pupils except kindergarten students.

During the 1920s, there was rising dissatisfaction with school performance. Only one-third of high school freshmen went on to graduate. Less than half of those taking the Rutgers scholarship exams qualified, and only 80 percent of those taking “normal school” (that is, ‘teachers’ college) entrance tests passed in arithmetic and one-third failed to meet entrance standards. While there was some criticism of what was called by some “fads and frills,” the teaching of subjects such as music, typewriting, business training, domestic science, and physical education was deemed to be responsive to the needs of a changing pupil population. In an effort to raise teacher standards, in 1930, the state required all teachers to hold state certification.

In 1931, with the Great Depression in full swing, school boards were given the authority to regionalize by calling an election. This was seen as a solution for boards with rising high school enrollments and difficulties in collecting tuition payments from sending districts. Under regionalization, districts would all have a voice in the building of schools, the curriculum and the hiring of staff.

Collective Bargaining and Employee Rights

In 1968, the state's collective bargaining law was amended to include employers and employees in the public sector, including school districts and school employees. In 1985 the Legislature provided another boost to teachers, when it set the minimum teacher salary at \$18,500; it had been \$2,500 for decades, although the actual average starting salary was \$14,900 that year.

Funding State Aid to Schools

In 1947, the state – after years of debate – abandoned the railroad tax as the tax dedicated for school purposes. That income went into the general treasury as part of the total amount distributed by the state for local education.

The funding of state aid to education continued to be a source of debate, contention and legislation. In 1954, a law was passed that called for funding by local property taxes, augmented by state and federal aid.

Between the end of World War II and the early 1970's, the population of schoolchildren in New Jersey rose dramatically, and the need for school facilities and teachers grew. By the early 1970s, state aid to schools stood at 28 percent of the total, which set the stage for another reorganization of education financing.

After the New Jersey Supreme Court found that the funding mechanism for public schools was unconstitutional because it relied too heavily on property taxes, a new funding law was enacted in 1975. That law led to the 1976 enactment of the New Jersey Gross Income Tax for the purpose of funding the new law.

A series of decisions by the state Supreme Court, the Abbott v. Burke decisions, found that the 1975 law was unconstitutional for 28 poor urban districts. As a result, a funding formula has been adopted that ensures that the most disadvantaged districts in the state can spend at the same rate as the most affluent districts. In addition, new programs in the schools promote early childhood education and new school facilities.

While school funding perennially dominates the education landscape, New Jersey has, over the past 30 years or so, enacted a series of initiatives that have helped drive student achievement.

New Jersey was the first state to enact the alternate route to certification. Under the program, college graduates who did not major in education could become teachers after undergoing additional study and mentorship.

In 1996, the State Board of Education unanimously adopted the Core Curriculum Content Standards, which identify what the state expects students to know when they graduate from high school. Standards-based education, which has continued with the adoption of the Common Core State Standards in 2010, is seen as a significant factor in improving student achievement.

Legislation enabling charter schools was passed in 1997. Today there are nearly 90 charters in New Jersey; they are publicly funded, but are governed by a board of trustees, rather than by the local school board. The Interdistrict School Choice program, enacted in 2010, allows public schools to admit students whose district of residence is elsewhere.

In 2011, New Jersey, determined to protect students from harassment, passed the country's most comprehensive Anti-Bullying Bill of Rights. School districts have successfully implemented a system of anti-bullying strategies, reporting and investigating of incidents, and the disciplining of students found to have engaged in bullying. The system is seen as a national model.

In 2012, two pieces of legislation were passed that affected districts. In January, legislation permitted New Jersey boards of education to switch the annual board member election to November from April, while eliminating the vote on a district's annual base budget. Districts moved quickly to take advantage of this law. The state also enacted the

TEACHNJ tenure reform law, which extends the time it takes for teachers to earn tenure and requires a different process of teacher evaluations that include student assessment data.

Through the years, New Jersey has built one of the strongest public education systems in the country. A report from Education Week magazine, rated the academic achievement of New Jersey's K-12 students as second in the nation.

However, it must also be acknowledged that the state battles the same achievement gap problems that the entire nation faces. The achievement levels of economically disadvantaged students lag behind their more affluent peers. While the gap has narrowed slightly in recent years, eliminating that disparity must remain a focus of all education officials in the state.

Undoubtedly a history of education in New Jersey written 100 years from now will include challenges and continuing battles over how best to boost student achievement and fund schools. But if the past is prologue, public education over the next century promises to produce personal success stories for our students and advance the quality of life for all New Jerseyans.

The compilation of this history drew heavily on research by former NJSBA attorney Donna Kaye, and a history of New Jersey education, *Public Education in New Jersey, 2001*, published by the New Jersey Department of Education. That full document is available at www.nj.gov/education/genfo/penj.pdf (<https://www.njsba.org/wp-content/uploads/2016/02/public-education-in-new-jersey.pdf>).

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Mission Statement

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