



SUNLIGHT
POLICY CENTER
— OF NEW JERSEY —

RESEARCH REPORT

POST-*JANUS*, THE NJEA HAS LOST OVER 9% OF ITS MEMBERS

When teachers learn the facts about how their dues are being spent, many are choosing to leave.

October 3, 2024

NEW SUNLIGHT POLICY CENTER ANALYSIS: THE NJEA HAS LOST OVER 9% OF ITS MEMBERS

When teachers learn the facts about how their dues are being spent, many are choosing to leave.

Introduction

[The Wayne Education Association president] certifies that since the [Sunlight Policy Center] email campaign began ... far fewer members have chosen to enroll in the Association, and the net result has been a decline in membership.

-- New Jersey Public Employment Relations Commission, September 28, 2023¹

The above quote is from the Wayne Education Association's (WEA) petition to the New Jersey Public Employment Relations Commission (PERC) seeking to block the Sunlight Policy Center of New Jersey's (Sunlight) messages to teachers.² Wayne teachers were learning facts they didn't know from Sunlight and choosing to leave the WEA, and the WEA didn't like it.

Sunlight's efforts in Wayne are part of a multi-year, statewide digital ad and email campaign to inform teachers of their First Amendment rights (per the US Supreme Court's 2018 *Janus* decision³) and how New Jersey Education Association (NJEA) leadership is spending their highest-in-the-nation dues. NJEA leadership has long tried to keep teachers in the dark about these facts, and Sunlight's goal was to shine a light on them. As the PERC petition reveals, it was Sunlight's campaign and Wayne teachers' response to it that caused the WEA to try to shut the campaign down.

So Sunlight determined to find out how many Wayne teachers have actually left the NJEA, and then to look at the statewide numbers. We found that the WEA has indeed seen a substantial decline in its membership. Sunlight's open records (OPRA) request revealed that as of June 2024 only 1,111 of the NJEA bargaining unit's 1,234 members -- or 90% -- were NJEA members having dues withheld from their paychecks. That's a significant deterioration from the 99%+ that existed before *Janus*. In other words, about 9% of Wayne educators have left the NJEA, which is remarkable because Wayne is NJEA President Sean Spiller's home district.

Sunlight also found similar membership declines across the state. We estimate that the WEA's state-level parent, the NJEA, has lost over 9% of its members since *Janus*. That would mean the

¹State of New Jersey, Public Employment Relations Commission, In the Matter of Wayne Township Board of Education v. Wayne Education Association, [Denial of Motion for Summary Judgment](#), September 28, 2023, p. 8.

² Unless otherwise specified, we use the term "teachers" to represent all classes of NJEA membership.

³ Prior to *Janus*, the NJEA could charge non-NJEA members agency fees for up to 85% of the amount of the annual dues paid by NJEA members. As a result, over 99% of teachers belonged to the NJEA (see Section II). In *Janus*, the Supreme Court ruled that agency fees were unconstitutional, which removed a major impediment to teachers leaving the NJEA.

NJEA has lost at least 18,000 members, from 203,520 in 2017 to about 185,000 today. Far lower than the 200,000 claimed on the NJEA's [website](#).⁴

Once again, NJEA leadership is trying to hide the truth: when New Jersey teachers learn the facts about how their highest-in-the-nation dues are spent, many are choosing to leave the NJEA. No wonder NJEA leadership wants to block out the sunlight.

I. Summary Budgets in NJEA Review Show a Decline of 9.7%⁵

Each year, the NJEA publishes a budget summary in its monthly magazine for teachers, *NJEA Review*. The summaries contain dues revenues for active teachers, active education support personnel (ESP), and retired teachers and ESP. The NJEA also publishes the amount of dues paid annual by each member of these groups. Because we know two variables (dues revenues and the amount of individual dues), we can infer changes in membership levels. For example, if the amount of dues increases by more than dues revenues, we can infer a membership decline.

With this in mind, Sunlight analyzed all the summary budgets going back to FY2017. The NJEA's fiscal year ends on August 31, so FY2017 (ending August 31, 2017) was the last full fiscal year prior to the 2018 *Janus* decision, so it is the appropriate starting point for an analysis of the change in membership since *Janus*.

Active teachers. As shown in Table 1, annual dues for full-time, active teachers have increased from \$866 in FY2017 to \$999 in FY2023, or a 15.4% increase. During the same period, dues revenues from active teachers increased from \$97.3 million to \$109.4 million, or 12.4%. This implies a membership decline of 3% for active teachers.⁶

Table 1.

Active Teachers	FY2017	FY2023	% Change
Amount of Annual Dues	\$ 866	\$ 999	15.4%
Dues Revenues (000s)	\$ 97,329	\$ 109,375	12.4%
Implied % Membership Loss			3.0%

Source: *NJEA Review* and Sunlight's calculations.

Active ESP. In Table 2, we do the same analysis for ESP. The amount of dues increased 15.1% while dues revenues declined by 2.8%, which implies a substantial membership loss of 17.9%.⁷

⁴ Even NJEA President Spiller has admitted that this number is too high - but not to NJEA members. In 2023, he testified to the legislature that the NJEA's current membership was "[nearly 200,000 active and retired members](#)."

⁵ Includes extrapolated numbers for FY2024. See Table 5.

⁶ Dues revenue from active teachers lumps together both full-time and part-time teachers, while the amount of annual dues is for full-time teachers only. Thus the implied 3% decline in membership is for full-time equivalent (FTE) teachers. Since part-time teachers pay less dues, the 3% FTE measure likely *understates* the actual membership loss.

⁷ This likely *understates* the actual ESP membership loss because there were likely some part-time ESP who left the NJEA.

Table 2.

Active ESP	FY2017	FY2023	% Change
Amount of Annual Dues	\$ 424	\$ 488	15.1%
Dues Revenues (000s)	\$ 15,730	\$ 15,294	-2.8%
Implied % Membership Loss			17.9%

Source: *NJEA Review* and Sunlight's calculations.

Retired teachers and ESP. In Table 3, we do the same analysis for retired teachers and ESP and find that the amount of annual dues increased 11.4%, while dues revenues declined 4.1%, implying another substantial membership decline of 15.5%.⁸

Table 3.

Retired	FY2017	FY2023	% Change
Amount of Annual Dues	\$ 79	\$ 88	11.4%
Dues Revenues (000s)	\$ 748	\$ 717	-4.1%
Implied % Membership Loss			15.5%

Source: *NJEA Review* and Sunlight's calculations.

Total membership loss FY2017-2023. Combining the three above measurements allows for an estimate of the total loss in membership.⁹ Back in 2017, the NJEA actually published its membership numbers, so we know that the NJEA claimed 203,520 members, with 125,079 active teachers, 49,179 active ESP, and 28,180 retired teachers and ESP (see footnote 9). As shown in Table 4, if we use those numbers as the starting point and apply our implied losses for each category, we can estimate the membership loss: 3,752 active teachers, 8,803 active ESP, and 4,368 retired, for a total loss of 16,923. That would put total NJEA membership as of August 31, 2023 at 186,597 -- a lot lower than the 200,000 claimed on the NJEA website at that time.

Table 4.

Implied Membership Loss	FY2017 Membership	Implied % Loss	% Change	FY2023 Membership
Active Teachers (FTE)	125,079	-3.0%	(3,752)	121,327
Active ESPs (FTE)	49,179	-17.9%	(8,803)	40,376
Retired Teachers	28,180	-15.5%	(4,368)	23,812
TOTAL*	203,520	-8.3%	(16,923)	186,597

*Total includes 1,082 student and other members, whose implied losses have not been calculated. Source: *NJEA Review* and Sunlight's calculations.

⁸ This likely understates the actual membership loss because some of the retired people who left the NJEA were ESP, who pay lower annual dues.

⁹ The three categories calculated made up 202,438 out of the NJEA's reported total membership of 203,520, or 99.5% of total membership, according to the NJEA website on August 29, 2017, accessed via [Wayback Machine](#) on September 18, 2024.

Extrapolating to FY2024. But Table 4 only covers FY2017-23, whereas our other source of data, the OPRA requests in Section II, covers FY2024. In order to provide for an apples-to-apples comparison, we looked at the average change in membership for FY2017-23, which we used as a proxy for the membership change in FY2024.

As shown in Table 5, the average loss for FY2017-23 was 1.4%, or 2,816 members. If we assume that same rate of decline in FY2024, we get a total percentage decline of 9.7%, or 19,739 members for FY2017-24. That would result in a FY2024 membership number of 183,781 -- again much lower than the 200,000 claimed on the NJEA website.

Table 5.

Implied Membership Loss	Implied % Loss	Membership Loss	Membership
FY2017-23 Total	-8.3%	(16,923)	186,597
FY2017-23 Average	-1.4%	(2,816)	(2,816)
Extrapolated FY2017-24	-9.7%	(19,739)	183,781

Source: *NJEA Review* and Sunlight's calculations.

II. Open Public Records Data Shows a Decline of 9.3%¹⁰

FY2024 Membership Percentage. School districts employ only active teachers and ESP, so the changes in membership percentages give a sense of the decline in the number of active NJEA members, which made up 86% on NJEA membership in 2017.

From June to August 2024, we made Open Public Records Act (OPRA) requests to the 17 school districts listed in Table 6. They represent a broad cross-section of New Jersey school districts with NJEA bargaining units, including the largest NJEA district (Jersey City), as well as urban, suburban, rural, northern, central, and southern ones, covering a total of 18,076 active employees. The data provides a clear picture of what is happening in these 17 districts and a reasonable basis for estimating the overall loss in active membership across the state.

As shown in Table 6, the combined size of the NJEA bargaining units in the 17 districts is 18,076, of which 16,252 have NJEA dues withheld from their paychecks and can therefore be deemed NJEA members. That makes for an average of 89.9% NJEA members (and 10.1% non-members). As can be seen, the numbers range from the high-70s to the high-90s.

¹⁰ From June to August 2024, Sunlight submitted its own OPRA requests to the 17 school districts listed. Sunlight's previous OPRA analyses were based on OPRA requests by a different entity. We observed sufficient discrepancies between the two datasets that we no longer stand by the previous OPRA data and have retracted our reports based on the previous data. We stand fully by this data, which can be verified by looking at Sunlight's requests on the [OPRA Machine](#), which are available to the public.

Table 6.

DISTRICT	Bargaining Unit	Dues Withheld	% with Dues Withheld
Jersey City	3,372	3,130	92.8%
Paterson	2,812	2,642	94.0%
Woodbridge	2,031	1,866	91.9%
Hamilton	1,826	1,499	82.1%
Toms River	1,592	1,359	85.4%
Wayne	1,234	1,111	90.0%
Camden	1,164	1,036	89.0%
Middletown	950	915	96.3%
East Orange	723	651	90.0%
Sparta	578	448	77.5%
Wyckoff	310	253	81.6%
Ramapo-Indian Hills	309	262	84.8%
Kinnelon	253	243	96.0%
Franklin Lakes	248	231	93.1%
Hanover	242	231	95.5%
Hopatcong	241	188	78.0%
Oakland	191	187	97.9%
TOTAL	18,076	16,252	89.9%

Source: OPRA requests via the [OPRA Machine](#) from June to August, 2024.

FY2017 Membership Percentage. In order to compare FY2024's 89.9% with the FY2017, we looked at the number of agency fee payers in FY2017 because prior to the *Janus* decision, non-members were required to pay agency fees. FY2017 dues were \$866, which meant agency fees were \$736.¹¹ FY2017 agency fee revenue was \$994,000, which implies 1,350 agency fee payers on top of the 174,258 active employees who were part of the NJEA bargaining units. As shown in Table 7, this results in a 99.2% membership percentage for FY2017.

Table 7.

NJEA FY2017		
Agency Fee Revenue	\$	994,000
Agency Fee Amount	\$	736
Implied Agency Fee Payers		1,350
Active Teachers and ESP		174,258
Implied Agency Fee Payers		1,350
Membership Percentage		99.2%

Source: *NJEA Review*.

¹¹ New Jersey law permitted agency fees of up to 85% of annual dues. As with the calculations above to derive the membership levels from changes in dues revenues and the amount of dues, this number likely understates the actual number of agency fee payers because it is likely that some agency fee payers were not full-time teachers.

Active Membership decline of -9.3%. Comparing the FY2017 membership percentage of 99.2% to the FY2024 percentage of 89.9% indicates a decline of 9.3%. This would translate into a loss of 16,205 active teachers and ESP, which would result in a current active membership of 158,052.

This is comparable with our Section I dues-revenue analysis. Using our Section I analysis for active employees only (excluding retirees and others), we arrive at a decline of 14,607 for FY2017-24, and a FY2024 membership number of 159,651.¹²

The broad consistency between the two types of analysis reinforces our overall findings.

Conclusion

Sunlight acknowledges that our estimates are just that: estimates. We have been transparent about the data we used and the calculations we made. We believe there is a broad consistency between the results from our analyses of dues revenues and our OPRA requests, which reinforces the validity of our conclusions about membership loss.

When we compared the changes in dues revenues to the changes in the amount of dues for the three main classes of NJEA members, we arrived at a membership loss of 8.3% from FY2017 to FY2023. We used the averages for that time-period to extrapolate for FY2024 so we could make a comparison with the OPRA data and arrived at a 9.7% loss for FY2017-24.

Using OPRA requests, we compared the membership percentages for active teachers and ESP in NJEA bargaining units from FY2017 and FY2024 and found a 9.3% decline.

Therefore, we believe it is reasonable to estimate an overall decline in membership of over 9%. With a FY2017 membership of 203,520 and using a conservative 9% decline, we estimate a loss of at least 18,000 members, leaving the current NJEA with about 185,000 members -- far below the 200,000 the NJEA advertises on its current website.

Of course, the NJEA knows exactly how many members it has, and its refusal to reveal that number betrays the inconvenient truth: as the WEA president said in the PERC petition, when NJEA members learn the facts about how their dues are being spent, a great many are choosing to leave. NJEA leadership does not want teachers to know that.

¹² Table 4 shows there were 174,258 total actives in FY2017. From FY2017-23, the number of active teachers declined 3.0% and ESP 17.9%. If we use the average annual FY2017-23 decline as a proxy for the decline in FY2024, we arrive at a FY2017-24 decline of 3.5% for teachers and 20.8% for ESP. This results in a total decline in actives of 14,607 and a FY2024 membership number of 159,651.