

**New Jersey State Board of Education
Minutes of the Regular Monthly Meeting
in the Conference Room on the First Floor,
100 River View Executive Plaza
Trenton, NJ**

February 2, 2005

Presiding: Arnold G. Hyndman, Ph.D., President

Secretary: William L. Librera, Ed.D., Commissioner

PRESENT CONSTITUTING A QUORUM

Ms. Margaret F. Bartlett
Dr. Ronald K. Butcher
Ms. Debra Casha
Ms. Maud Dahme
Mrs. Anne S. Dillman
Mr. John A. Griffith
Ms. Josephine E. Figueras
Dr. Ernest Lepore
Mr. Edward M. Taylor
Mrs. Roberta Van Anda

ABSENT

Ms. Kathleen A. Dietz
Dr. Thelma Napoleon-Smith

CONVENING

Arnold G. Hyndman, president, State Board of Education, convened the public meeting with the reading of the resolution pertaining to the public session of the State Board meeting as it complies with the Open Public Meetings Act.

WHEREAS, the New Jersey Open Public Meetings Act was enacted to insure the right of the public to have advance notice of and to attend the meeting of public bodies at which any business affecting their interest is discussed or acted upon, and

WHEREAS, in accordance with the provisions of this act, the State Board of Education has caused notice of this meeting to be published by having the date, time and place thereof posted in the Department of Education, Secretary of State's Office and notice also having been given to the State House Press Corps, the Governor's Office and the state board agenda subscribers, now therefore be it

RESOLVED, that by adopting this resolution the State Board of Education states its intention to convene a public meeting to conduct the state's business on February 2, 2005.

STUDENT SPEAKERS

Katie Wright, the 2004 State Board student representative and a senior from Shawnee High School (Burlington County), gave her final presentation to the State Board. She thanked the State Board for the opportunity to serve as the 2004 State Board student representative. She stated that her interaction with the State Board has been a valuable experience. She also expressed her appreciation to her school and to her family for supporting her in her role as the State Board student representative. She then introduced the student guest speaker.

Dana Mountis, a student from Frank Antonides Elementary School (Monmouth County), spoke to the State Board about the financial and social benefits of requiring students to wear standard school uniforms. She stated that a mandatory policy on school uniforms would help to alleviate financial pressure on many families. She also stated that school uniforms will help students focus more on academic pursuits rather than their clothing or that of their peers.

President Hyndman, on behalf of the State Board, thanked the student speakers for their presentations.

INTRODUCTIONS

Commissioner Librera recognized David Livingston, Somerset County Superintendent of Schools, who represented the county superintendents. Mr. Livingston has served in this position since November 1997.

Student Recognition Program

The State Board recognized the North Plainfield Reserve Officers Training Corps (ROTC) and Franklin High School Junior Reserve Officers Training Corps (JROTC) (Somerset County), as a part of its monthly recognition program designed to honor a student or a group of students who have made a significant contribution to school, community, family or other groups. The State Board recognized these programs for their commitment to service and development of student leadership.

On behalf of the State Board, President Hyndman congratulated North Plainfield NJROTC and Franklin High School JROTC for their contributions in assisting these students to grow as individuals and as part of a team.

APPROVAL OF MINUTES OF THE MEETINGS

On a motion duly seconded and carried, the State Board members approved the minutes of the meetings conducted on December 1, 2004, December 15, 2004 and January 19, 2005. State Board Member Josephine Figueras abstained from voting to approve the minutes of the December 1, 2004 public meeting. State Board Member Margaret Bartlett abstained from voting to approve the minutes of the December 15, 2004 public work session.

PRESIDENT'S REPORTS

Resolution to Recognize State Board Student Representative Katie Wright

On behalf of the State Board, President Hyndman thanked Katie Wright for her outstanding job of representing the New Jersey Association of Student Councils as a nonvoting member on the State Board of Education for the past year. President Hyndman expressed his appreciation to Katie for her dedication and commitment to her position. President Hyndman wished Katie the best as she finished her senior year and presented her with a gift on behalf of the State Board members.

Vice President Debra Casha read the following resolution for Katie into the record. On a motion duly seconded and carried, the State Board unanimously approved the adoption of the resolution:

RESOLUTION FOR KATIE WRIGHT

WHEREAS, Katie Wright, a student at Shawnee High School in Burlington County, has served with distinction as the student representative to the New Jersey State Board of Education from March 2004 to February 2005; and

WHEREAS, Katie has ably executed her responsibilities as a representative of both the New Jersey Association of Student Councils and Shawnee High School; and

WHEREAS, Katie is an intelligent, affable, attentive young woman who sets long-range goals and pursues them with enthusiasm and commitment; and

WHEREAS, Katie took a leadership role with all student guests and served as the State Board liaison to the student community; and

WHEREAS, Katie participated in State Board meetings by making presentations which were articulate, thought-provoking, and a benefit to the State Board members; and

WHEREAS, Katie's leadership activities and community services on the local and state level demonstrate that others have confidence in Katie and value her contributions; now, therefore, be it

RESOLVED, that the members of the New Jersey State Board of Education and the Commissioner of Education, William L. Librera, extend their sincere congratulations and appreciation to Katie Wright for a job well done; and be it further

RESOLVED, that the New Jersey State Board of Education and the Commissioner of Education wish to acknowledge Katie's commitment of time and energy as the State Board Student Representative and that they wish her continued success in her future endeavors.

February Work Session and Public Testimony Session

President Hyndman stated that the February work session will be held on February 16, 2005 at 1:00 p.m. at the Department of Education. The item for consideration will be a resolution requesting Acting Governor Richard J. Codey to extend the expiration date of N.J.A.C. 6:3, School District Operations. He also stated that the items for discussion will be the NJ Excel Program and the School District Operations Code.

President Hyndman stated that the February public testimony session will be held on February 16, 2005 at 3:00 p.m. He stated that the February 16 public testimony session will be an open topic session. Members of the public may present testimony to the State Board on any educational topic of their choice. He further stated that the State Board will not consider testimony on any legal cases that are currently before the State Board.

Committee Appointments

President Hyndman announced the appointment of State Board Member Ernest Lepore to the State Board's Retreat / Strategic Plan committee; the International Education committee; and the Research and Development Committee. He also stated that State Board Member Edward Taylor will serve as the State Board's liaison to the Vocational-Technical Education community.

Congressional Conference on Civic Education

President Hyndman stated that in December 2004, he attended the Congressional Conference on Civic Education in Washington, D.C. He stated that the conference focused on the state of civic education in America and the role of policy makers in promoting civics education. He then introduced Arlene Gardner, Esq., Director of the New Jersey Center for Civic and Law Related Education at Rutgers University, who served as the leader of the New Jersey team at the conference.

Ms. Gardner spoke to the State Board about the programs and services that are offered by the Center and made available to teachers and students across the State. Ms. Gardner stated that professional development is offered to teachers in areas such as conflict resolution and U.S. History and programs such as *We the People...the Citizen and the Constitution* and *We the People...Project Citizen* are accessible to students. She stated that through these programs the Center is able to enhance the teaching of civics, law, justice, citizenship, history, government and humanities in K-12 schools in New Jersey.

President Hyndman also stated the State Board Research and Development Committee should work with the department to explore ways to support the Center and report back to the full State Board with the committee's recommendations.

Administrative Code Website

President Hyndman announced that the administrative code website has been revised. He stated that the new webpage links the user to the full text of all current chapters of code and to all proposed rules currently being considered by the State Board. The administrative code webpage can be found on the Department's website at www.state.nj.us/education or www.nj.gov/njded/code.

National Association of State Boards of Education Value Added Assessment Study Group

President Hyndman announced that State Board Member Josephine Figueras has been selected to participate in the National Association of State Boards of Education (NASBE) Study Group on Value Added Assessment. The group is expected to focus on how measuring actual achievement against expected achievement is related to the quality of instruction students receive.

Northeast Area Director

President Hyndman announced that State Board Member Maud Dahme has been selected as the NASBE Northeast Area Director. President Hyndman stated that Ms. Dahme will complete the remainder of a one-term vacated by Jo Eva Gaines, member, Rhode Island State Board of Education. Ms. Dahme stated that she plans to run for a full term next year.

Mid-Year Retreat

President Hyndman announced that the State Board Retreat/Strategic Plan Committee is planning a mid-year retreat that will be scheduled for April 2005.

2005-2006 New Jersey State Board of Education Student Liaison

President Hyndman requested that the State Board student representative prepare speeches that address a topic currently being considered by the State Board to ensure that the viewpoint of the student community is integrated into its discussions.

Paperless Board Meetings

President Hyndman announced that the State Board Office staff is currently conducting research to change the operation of State Board meetings. He stated that the State Board office is looking to use technology to institute paperless agendas for the state board and the public. He further stated that he would be using a laptop at today's meeting to follow the agenda.

Letter to Acting Governor Richard J. Codey

President Hyndman stated that he and Vice President Casha, on behalf of the New Jersey State Board of Education, sent a letter to Acting Governor Codey expressing best wishes to him in his role as acting governor. President Hyndman also stated that he and Vice President Casha invited Acting Governor Codey to attend a State Board meeting and/or a retreat. Acting Governor Codey responded in a letter that extended warm greetings to the State Board and also thanked the State Board for their support and invitation.

COMMISSIONER'S REPORT

Commissioner Librera stated that the 2004 New Jersey School Report Card was released at 9:00 a.m. on February 2, 2005 to the public. He stated that the department made several necessary adjustments to the data fields to accommodate new federal mandates and to clarify information that is presented in the report. He further stated that the minor changes to the data fields include: the addition of 2004 NJASK assessment results; expulsions expressed in numbers of expulsions rather than percentages; inclusion of revenue sources for charter schools; and addition of faculty turnover rates for all school types, not just charter schools as in the past. Commissioner Librera also stated that the New Jersey School Report Card is the major accountability instrument issued by the state to enable citizens in our communities to assess trends in academic achievement in each of their schools and hold districts accountable where progress is lacking. The New Jersey Report Card and database can be found on the department's website at www.state.nj.us/education.

ITEMS FOR CONSIDERATION:

On motions duly seconded and carried, the State Board of Education took the following action:

A. Appointments

- There were no appointments.

B. Certification of Districts

- Certified for a period of seven years, the following school districts pursuant to the Public School Education Act of 1975, NJAC 6A:30, Evaluation of the Performance of School Districts, and the *Manual for Evaluation of Local School Districts*.

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| Camden County | Middlesex County |
| Brooklawn | North Brunswick (<i>previously certified with conditions</i>) |
| Cape May County | Old Bridge Township |
| Middle Township | Piscataway (<i>previously certified with conditions</i>) |
| Cumberland County | South Amboy (<i>previously certified with conditions</i>) |
| Fairfield Township | South Plainfield (<i>previously certified with conditions</i>) |
| Hopewell Township | Woodbridge (<i>previously certified with conditions</i>) |
| Maurice River Township | Morris County |
| Shiloh Borough | Rockaway Township |
| Upper Deerfield Township | Salem County |
| Essex County | Elmer |
| Belleville | Penns Grove-Carneys Point Regional |
| Fairfield | Union County |
| West Orange | Clark (<i>previously certified with conditions</i>) |
| Gloucester County | Linden |
| Clearview Regional | Rahway Township |
| Kingsway Regional | Springfield |
| Hudson County | Winfield Township |
| Guttenberg | Warren County |
| Weehawken | Great Meadows Regional |

- Also, Commissioner Librera notified the State Board that the Department had granted certification with conditions for a period of one year to Pemberton School District in Burlington County and Stow Creek Township School District in Cumberland County.

C. Special Education Advisory Council

- Approved as amended the appointments to the State Special Education Advisory Council pursuant NJSA 18A:46-2 and P.L. 94-142.

**RESOLUTION
APPOINTMENTS AND REAPPOINTMENT TO
THE STATE SPECIAL EDUCATION ADVISORY COUNCIL**

WHEREAS, N.J.S.A. 18A:46-2 requires that the Commissioner shall appoint biannually an advisory council for special education with the approval of the State Board which will consist of not fewer than seven nor more than 15 members representative of professionals in the field of special education and parents of children with disabilities; and

WHEREAS, N.J.S.A. 18A:46-2 defines the role of the advisory council as advising in the promulgation of rules, regulations and implementation of N.J.A.C. 6A:14 and the establishment of standards and qualifications for the professional personnel and further provides that the council members shall serve without remuneration; and

WHEREAS, the reauthorized Individuals with Disabilities Education Act (IDEA) of 1997 amendments require each state education agency to have an advisory panel for special education; and

WHEREAS, the New Jersey Department of Education has established and maintains an advisory panel, known as the State Special Education Advisory Council, for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State; and

WHEREAS, the advisory panel consists of members, [that] who are representative of the state population and are composed of individuals involved in, or concerned with, the education of children with disabilities, including: (i) parents of children with disabilities; (ii) individuals with disabilities; (iii) teachers; (iv) representatives of institutions of higher education that prepare special education and related services personnel; (v) state and local education officials; (vi) administrators of programs for children with disabilities; (vii) representatives of other state agencies involved in the financing or delivery of related services to children with disabilities; (viii) representatives of private schools and public charter schools; (ix) at least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and (x) representatives from the state juvenile and adult corrections agencies; and

WHEREAS, a majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities; and

WHEREAS, the advisory panel shall: (i) advise the department of unmet needs within the state in the education of children with disabilities; (ii) comment publicly on any rules or regulations proposed by the department regarding the education of children with disabilities; (iii) advise the department in developing evaluations and reporting on data to the Secretary of the United States Department of Education under Part B Sec. 618 of the Individuals with Disabilities Education Act; (iv) advise the department in developing corrective action plans to address findings identified in federal monitoring reports under this part; and (v) advise the department in developing and implementing policies relating to the coordination of services for children with disabilities; now therefore be it

RESOLVED, that the State Special Education Advisory Council meets the state mandate for an advisory council and the federal requirements for an advisory panel; and be it further

RESOLVED, that the Commissioner recommends that Mr. Scott Elliot be appointed to the State Special Education Advisory Council for a two-year term effective January 5, 2005. Mr. Elliot is the Executive Director of the Progressive Center for Independent Living (PCIL) and the current Chairman of the New Jersey Association of Centers for Independent Living. The Centers provide information, peer support, and training in independent living, self-help and self-advocacy skills to adolescents and adults with disabilities; and be it further

RESOLVED, that the Commissioner recommends that Mr. William Sellar be appointed to the State Special Education Advisory Council for a two-year term effective January 5, 2005. Mr. Sellar is a founding member of the Special Education Leadership Council. Its members represent Special Education PTAs from all over the state of New Jersey. Mr. Sellar is also the Special Education Chairman of the New Jersey State PTA and Treasurer and Past President of the SEPTA of South River; and be it further

RESOLVED, that the Commissioner recommends that Ms. Harriet Findlay be reappointed to the State Special Education Advisory Council for another two-year term. Ms. Findlay is the Director of the Vocational Rehabilitation Department at the JFK Johnson Rehabilitation Institute in Edison and Point Pleasant. In addition, she has served on the New Jersey State Rehabilitation Council. She is a long-time member of the SSEAC Transition Committee, serving initially as an ad hoc subcommittee member before being appointed to the Council in 2000.

D. Marie H. Katzenbach School for the Deaf

- Readopted the Marie H. Katzenbach School for the Deaf regulations at *NJAC* 6A:21 pursuant to *NJSA* 18A:1-1, 18A:4-15, 18A:6-10 et seq., 18A:39-1, 18A:46-1 et seq., 18A:60-2 through 60-3 and 18A:61-1 et seq.

E. Professional Licensure and Standards

- State Board Member Ronald Butcher moved to table the adoption level consideration of the amendment until the March 2, 2005 public meeting.
 - The motion passed. The State Board voted to table the adoption of the amendments at *NJAC* 6A:9 pertaining to structured learning experiences, a new endorsement for office administration/office systems technology and grandfathering provisions pursuant to *NJSA* 18A:4-15.

F. State Board Appeals

- Approved for publication in the *New Jersey Register* the readoption of the State Board Appeals regulations proposed at *NJAC* 6A:4 pursuant to *NJSA* 18A:4-1 through 20, 18A:6-27 through 29, 18A:6-39, 18A:7A-15 and 18A:12-29.

G. Regulatory Equivalency & Waiver

- Approved for publication in the *New Jersey Register* the readoption of the Regulatory Equivalency and Waiver regulations at *NJAC* 6A:5, pursuant to *NJSA* 18A:36-1 et seq., specifically 18A:36A-18.

H. Students At Risk of Not Receiving A Public Education

- Approved for publication in the *New Jersey Register* the regulations pertaining to Students at Risk of Not Receiving a Public Education proposed at *NJAC* 6A:17 pursuant to *NJSA* 18A:38-1, 18A:7B-12, 18A:7B-1 et seq., 18A:7F-1 et seq., and P.L. 107-110 et seq.

I. Educational Facilities

- Approved for publication in the *New Jersey Register* the amendments to School Facilities regulations proposed at *NJAC* 6A:26-3.7(j) pursuant to *NJSA* 18A:7G-5k and *NJSA* 18A:7G-26.

J. Student Transportation

- Approved for publication in the *New Jersey Register* the readoption with amendments of the Student Transportation regulations at *NJAC* 6A:27, pursuant to *NJSA* 18A:1-1, 18A:4-15, 18A:39-21 and 18A:70-18.

K. Standards and Assessment for Student Achievement

- Approved for publication in the *New Jersey Register* the readoption with amendments of the Standards and Assessment regulations proposed at *NJAC* 6A:8 pursuant to *NJSA* 18A:7A-4 through 14, 18A:7C, 18A:7E-2 through 5, 18A:35-4.2, 18A:35-4.7, 18A:59-5 and 18A:7F-4, 4.1 and 4.2.

NEW BUSINESS

On a motion duly seconded and carried, the State Board unanimously approved the adoption of the following resolution:

**RESOLUTION
REQUESTING AN EXTENSION OF THE EXPIRATION OF N.J.A.C. 6:3**

WHEREAS, the State Board of Education sets rules necessary to carry out state education law including rules for the supervision and governance of the state's 2,500 public schools serving 1.2 million students; and

WHEREAS, the State Board of Education recognizes that N.J.A.C. 6:3, School Districts, which provides guidance to district boards of education and school district administrators regarding the daily operation of their schools, is scheduled to expire on March 9, 2005; and

WHEREAS, the State Board of Education has proposed N.J.A.C. 6A:32, School District Operations, to replace the requirements of N.J.A.C. 6:3; and

WHEREAS, N.J.A.C. 6A:32 may not become effective until the July 5, 2005 publication of those regulations in the *New Jersey Register*; and

WHEREAS, the time between the March 9, 2005 expiration date of N.J.A.C. 6:3 and the anticipated July 5, 2005 effective date of N.J.A.C. 6A:32 will create a period in which school districts will have no regulations in place regarding daily operations; and

WHEREAS, N.J.S.A. 52:14B-5.1(d) provides that the Governor may continue in effect an expiring rule for a period to be specified by the Governor; now therefore be it

RESOLVED, that the State Board of Education respectfully requests Acting Governor Richard J. Codey continue in effect N.J.A.C. 6:3, School Districts, from March 9, 2005 to March 9, 2006.

State Board member Maud Dahme requested a report from the Department regarding the P-12 first year report. Ms. Dahme also requested information pertaining to the second and third years of funding for the first year awardees.

State Board member Anne Dillman requested information regarding the timeline for the receipt of the final organization chart.

LEGAL CASES

On motions duly seconded and carried, decisions in the following cases were adopted by the State Board as presented by legal committee members Margaret F. Bartlett, John A. Griffith, Roberta Van Anda, and Debra Casha, chairperson.

BOARD OF EDUCATION OF THE BERGEN COUNTY VOCATIONAL AND TECHNICAL SCHOOL DISTRICT, BERGEN COUNTY V. BOARD OF EDUCATION OF THE RAMAPO-INDIAN HILLS REGIONAL SCHOOL DISTRICT, BERGEN COUNTY, STATE BOARD DOCKET #47-04

The State Board of Education voted unanimously to affirm the decision of the Commissioner of Education, agreeing that the regional board was obligated to reimburse the vocational board for tuition and transportation costs for its resident students who attended the vocational district's Academies program. The regional board contended that it was not obligated to pay such costs because it offered "University Programs" that had the same Classification of Instruction Program (CIP) codes as those programs offered by the vocational district and which were identical to the programs offered by the vocational district. As a result, the regional board claimed that it qualified as a "vocational school" within the meaning of N.J.S.A. 18A:54-20.1(a) so as to exempt it from an obligation to send students to the vocational district.

The Commissioner agreed with the Administrative Law Judge that the regional board had not demonstrated that it had received any approvals from the Commissioner to establish a vocational school and that the provision of vocational programs in a comprehensive high school does not amount to the establishment of a vocational school. The Commissioner stressed that the statutes require the approval of the Commissioner subject to the advice and consent of the State Board in order for a school district to establish and maintain a vocational school and that the present State Plan for Vocational Education, together with the history of State funding laws and the State Board's regulations, effectively precluded a district board from operating a "vocational school" regardless of prior approval as a Local Area Vocational School. In affirming the Commissioner's determination, the State Board added that, while the vocational board may apply for postjudgment interest as provided by N.J.A.C. 6A:3-1.17(c)2, prejudgment interest was not warranted in this case.

IN THE MATTER OF THE REPRIMAND OF ALFONSE A. DE MEO PURSUANT TO N.J.S.A. 18A:12-29(c), BELLEVILLE BOARD OF EDUCATION, ESSEX COUNTY, STATE BOARD DOCKET #54-04

The State Board of Education voted unanimously to dismiss the appeal in this matter as a result of the fact that the notice of appeal was not filed by the attorney of record for the respondent and the filing attorney failed to submit a substitution of attorney or a brief in support of the appeal.

A.M., on behalf of minor children, A.M.C. AND J.M.C. V. BOARD OF EDUCATION OF THE TOWNSHIP OF UNION, UNION COUNTY, STATE BOARD DOCKET #52-04

The State Board of Education voted unanimously to grant the appellant's motion to supplement the record on appeal. N.J.A.C. 6A:4-1.9(b).

BOARD OF EDUCATION OF THE NORTHERN BURLINGTON COUNTY REGIONAL SCHOOL DISTRICT, BURLINGTON COUNTY V. WILLIAM L. LIBRERA AND WALTER KEISS, BURLINGTON COUNTY SUPERINTENDENT OF SCHOOLS and TOWNSHIP OF MANSFIELD, BURLINGTON COUNTY V. WILLIAM L. LIBRERA AND WALTER KEISS, BURLINGTON COUNTY SUPERINTENDENT OF SCHOOLS (consolidated), STATE BOARD DOCKET #24-02

This matter arose from a reapportionment of the nine seats comprising the regional board by the Burlington County Superintendent of Schools and was effectuated pursuant to N.J.S.A. 18A:13-8 and 18A:13-9 on the basis of the 2000 census. In calculating the population figures that led to his determination of the reapportionment, the County Superintendent included military personnel and inmates. On March 5, 2003, the State Board of Education affirmed the determination by the Commissioner of Education that the County Superintendent's use of the equal proportions method to reapportion the seats was proper. The State Board also concurred with the Commissioner that inmates residing in State facilities were properly included in determining the population for purposes of reapportionment. The Appellate Division affirmed that portion of the State Board's decision which found the use of the equal proportions method to be proper, but reversed the State Board's conclusion that inmates residing in State facilities were properly included in the population for purposes of reapportionment. The Court remanded to the State Board for proceedings consistent with its opinion.

Pursuant to the Court's decision, the State Board voted unanimously to remand this matter to the Commissioner. In so doing, the State Board noted that its determination did not alter the obligation of the County Superintendent under N.J.S.A. 18A:13-9 to immediately reapportion the seats on the regional board consistent with the Appellate Division's decision.

D.T. AND M.T., on behalf of minor child, N.T. V. BOARD OF EDUCATION OF THE BRIDGEWATER-RARITAN REGIONAL SCHOOL DISTRICT, SOMERSET COUNTY, STATE BOARD DOCKET #45-03 and #9-04 and D.T., on behalf of minor child, N.T. V. BOARD OF EDUCATION OF THE BRIDGEWATER-RARITAN REGIONAL SCHOOL DISTRICT, SOMERSET COUNTY, STATE BOARD DOCKET #24-04, #25-04, #26-04, #27-04, #28-04 and #29-04 (consolidated)

The State Board of Education voted unanimously to dismiss the appeal in this matter as a result of the appellants' failure and refusal to serve the counsel for the regional board with a copy of their appeal brief as required by the regulations. In view of the circumstances, in which the counsel for the regional board represented that neither he nor the board had received a copy of the appellants' brief, the appellants' willful noncompliance deprived the regional board of the opportunity to file a response thereto. The State Board concluded that dismissal of the appeal was warranted under these circumstances.

ADJOURNMENT

On a motion duly seconded and carried the State Board of Education adjourned its February 2, 2005 public meeting at 3:15 p.m.

William L. Librera, Ed.D., Commissioner
Secretary, NJ State Board of Education