

**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**

April 5, 2006

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

Secretary: Lucille E. Davy, Acting Commissioner

PRESENT CONSTITUTING A QUORUM

Mr. Arcelio Aponte
Dr. Ronald K. Butcher
Ms. Debra Casha
Ms. Maud Dahme
Ms. Kathleen A. Dietz
Ms. Josephine E. Figueras
Mr. John A. Griffith
Dr. Ernest Lepore
Dr. Thelma Napoleon-Smith
Mr. Edward M. Taylor

ABSENT

Rev. Frederick LaGarde, Jr.

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 April 5, 2006.

ADJOURN TO EXECUTIVE SESSION

President Hyndman then read the resolution pertaining to the executive session of the State Board meeting as it complies with the Open Public Meetings Act.

WHEREAS, in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits public bodies to exclude the public from that portion of a meeting at which certain matters are discussed, now therefore be it

RESOLVED, that consistent with the provision of *NJSA 10:4-12(b)*, the State Board of Education will now adjourn to executive session to discuss personnel and legal matters.

The State Board immediately adjourned to executive session.

RECONVENING

President Hyndman reconvened the public meeting with the reading of the resolution pertaining to the resumption of the public session of the State Board meeting as it complies with the Open Public Meetings Act.

WHEREAS, consistent with the provision of *NJSA 10:4-12(b)*, the State Board will now adjourn from executive session to resume the open session of this meeting.

STUDENT SPEAKERS

John Blakeslee, the 2006 State Board student representative and a sophomore from Holmdel High School (Monmouth County), introduced the student guest speaker.

Aisha Huggins, a student from Union County Magnet High School (Union County), spoke to the State Board about her experience as a participant in Liberty Science Center's Partners in Science program, a summer internship opportunity that matches students by their science interests with some of the top scientists in those fields. Aisha stated that she became a part of the actual ongoing research conducted on the aspects of skin cancer. Aisha also stated that she worked at a Susan Lehman Laboratory for Cancer Research of Rutgers University.

President Hyndman, on behalf of the State Board, thanked Aisha for her presentation.

INTRODUCTIONS

Lucille Davy, Acting Commissioner of Education, recognized Daniel Mastrobuono, Cumberland County Superintendent of Schools, who represented the county superintendents. Dr. Mastrobuono has served in this position since July 2005.

Student Recognition Program

The State Board recognized Maria Pace, Millville Senior High School (Cumberland 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 Maria for her outstanding accomplishments in academics, dedication to her family and for service to her community.

On behalf of the State Board, President Hyndman congratulated Maria on her achievements.

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 March 1 and March 15, 2006. State Board members Arnold G. Hyndman and Arcelio Aponte abstained from voting on the minutes of the March 15 meeting.

PRESIDENT'S REPORTS

April Work Session and Public Testimony Session

President Hyndman stated that the April work session will be held on April 19, 2006 at 1:00 p.m. at the Department of Education. The items for discussion will be the Evaluation of the Performance of School Districts (Quality Single Accountability Continuum [NJQSAC]) and the Update on Work from the NJ Education Summit on High Schools.

President Hyndman also stated that the April public testimony session will be held on April 19, 2006 at 3:00 p.m. The topics for consideration will be Amendments to *NJAC* 6A:3-1.1, Controversies and Disputes, and Amendments to *NJAC* 6A:9, Professional Licensure and Standards.

International Education

Kathleen Dietz, chair, International Education committee stated that the Department officially approved the first accelerated Chinese teacher certification program at Rutgers University. She also stated that this is the only Chinese teacher certificate program in the State and it will be central in building teacher capacity in this area. She further stated that the program will have a strong focus on reform-based teaching of languages such as Chinese. Ms. Dietz stated that an article in the March 29, 2006 issue of *Education Week* recognized New Jersey for its plan introducing students proficient in such languages.

Ms. Dietz also stated that the Department has submitted a grant proposal for funding by the Longview Foundation at the Asia Society in partnership with International Education and Resource Network (IEARN) USA. The project will implement a statewide model for using technology to infuse international education and cross cultural awareness in elementary, middle and high school programs. Ms. Dietz further stated that the Long Branch School District is working on implementing an internationally themed small school learning community. Ms. Dietz stated that the department has submitted a request for proposal to several international education organizations for the development of a guide for incorporating international knowledge and skills into New Jersey's core curriculum standards. Ms. Dietz stated that Acting Commissioner Davy participated on a panel for international education in New York City that discussed the need to incorporate international education into curriculums across the country.

Promoting Effective Leadership Conference

President Hyndman stated that he attended a conference for the chairs of the State Boards of Education on March 15-16, 2006 funded by the Wallace Foundation and sponsored by the National Association of State Boards of Education. President Hyndman also stated that the meeting focused on the role that State Boards can play in developing policies that will create cohesive leadership systems in public schools. President Hyndman further stated that the key

components of any leadership system involve establishing leadership standards, preparation program approval and leader performance assessment. President Hyndman stated that the sessions explored the types of policies and practices that will yield an integrated leader development system and the kind of policies that State Boards should be using in helping to ensure that all of our schools have effective leaders. President Hyndman also stated that those policies and practices include standards and certification, professional development, conditions and incentives that impact on achievement, access to performance data, accountability, supportive governance and streamlining rules and regulations particularly for high performing school districts.

Mid Year Retreat

President Hyndman announced that the State Board of Education will hold its Mid Year Retreat on May 3-4, 2006 at the Trenton Marriott at Lafayette Yard in Trenton, New Jersey. President Hyndman also stated that the purpose of the retreat is to set the goals and objectives to meet the State Board's 2006 educational priorities, ethics training, operations of the legal committee and analysis and discussion of State Board operations.

Paperless Agenda

President Hyndman stated that the State Board of Education will soon begin to use laptops at their monthly public meetings and work sessions for their review and consideration of agenda items rather than using a paper agenda. President Hyndman also stated that training will take place in the near future on the use of laptops for consideration of the State Board's agenda in electronic format. President Hyndman also stated that the number of complete paper copies that will be printed for each State Board meeting for use by the public will also be dramatically reduced and that members of the public should only receive one paper copy per person or organization. President Hyndman further stated that the monthly public meeting agenda will be available to the public and department staff on the department's website at www.state.nj.us/njded/sboe/meetings/agenda.

COMMISSIONER'S REPORT

Acting Commissioner Davy stated that New Jersey submitted updates to its accountability workbook to the United States Department of Education. The Commissioner stated that the changes include a uniform subgroup number of 30 as opposed to the current number of 35 for special education and 20 for all other subgroups; the aggregation of the scores for grades 6, 7 and 8 and grades 3, 4 and 5 to calculate middle and elementary school proficiency; a confidence interval of 95 percent added around proficiency and a confidence interval of 75 percent added around Safe Harbor; and changes in the score calculation process that will provide schools with a greater margin of error and more flexibility in determining progress.

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

- There were no school districts recommended for certification.

C. Evaluation of the Performance of School Districts

- Discussed the amendments pertaining to the implementation of the Quality Single Accountability Continuum (NJ QSAC) proposed at *NJAC* 6A:30 pursuant to *NJSA* 18A:7A-3 et. seq.

D. Evaluation of the Performance of School Districts

- Discussed the school district performance review (DPR) as it pertains to the implementation of the Quality Single Accountability Continuum (NJ QSAC).

***E. Professional Licensure and Standards**

- Adopted the amendments pertaining to the re-establishment of the industrial arts endorsement pursuant to statute; delineation of the individual authorizations for business education/business-related technologies and family and consumer sciences endorsements; grandfathering provisions; and clarification of degree, credit-hour, grade point average, experience and/or mentoring requirements for various endorsements proposed at *NJAC* 6A:9 pursuant to *NJSA* 18A:1-1, 18A:4-15, 18A:6-34, 18A:6-38, 18A:26-10 and 18A:26-2.7.

***F. Finance and Business Services**

- Approved for publication in the *New Jersey Register* the readoption with amendments of the Finance and Business Services regulations proposed at *NJAC* 6A:23 pursuant to N.J.S.A. 18A:1-1; 18A:4-14; 18A:6-27; 18A:7B-12; 18A:7F; 18A:7G; 18A:17-9,10, 31, 32, 34-37, 45; 18A:18A; 18A:19; 18A:20; 18A:21; 18A:22; 18A:23; 18A:24; 18A:29-3; 18A:33-1,2,3; 18A:36A; 18A:36B-8; 18A:38-7.8, 7.9, 8, 19, 20, 21; 18A:39; 18A:46; 18A:54; 18A:58; 18A:69.

***G. Programs to Support Student Development**

- Approved for publication in the *New Jersey Register* the readoption with amendments of the Programs to Support Student Development regulations at *NJAC* 6A:16, pursuant to *NJSA* 18A:4-15, P.L. 2001, c.(246), *NJSA* 18A:36-5.1, *NJSA* 18A:17-46, *NJSA* 18:36-5.1, *NJSA* 2A:4A-60, *NJSA* 18A:37-2.1, *NJSA* 2C:33-19, *NJSA* 18A:37-1 through 5, *NJSA* 18A:38-25 through 31, *NJSA* 18A:25-2, 20 USC Section 1400, Section 504 of the Rehabilitation Act of 1973, P.L. 107-110 (Title IV, Part A, Subpart 4, Section 415, and Title IX, Part E, Subpart 2, Section 9532), *NJSA* 18A:37-13 et seq., *NJSA* 2A:4A-60, *NJSA* 18A:36-19a, 20 USC Section 1232g, 34 CFR Part 99, 20 USC Section 1232h, 34 CFR Part 98, 45 CFR Section 160, 42 CFR Part 2, *NJSA* 18A:40A-7.1, N.J.S.A. 18A:36-19.

H. Special Education

- Discussed the readoption with amendments of the Special Education regulations at *NJAC 6A:14*, pursuant to *NJSA Title 18A; 20 U.S.C. §1400 et seq.*

I. Vocational Education

- Discussed the regulations pertaining to Vocational Education proposed at *NJAC 6A:19* pursuant to *NJSA. 18A:1-1, 18A:4-15, 18A:4-16, 18A:4-24, 18A:4-25 through 4-27, 18A:4-32, 18A:4-34, 18A:6-9, 18A:7A-1 et seq., 18A:33-1 et seq., 18A:40-12.1 and 12.2, 18A:54-1 et seq., 18A:59-5, 34:15C-3, 29 C.F.R. Subpart C of Part 570; 20 U.S.C. §§ 2301 et seq.; P.L. 105-220.*

***J. City of Newark \$63,700,000 School Qualified Bonds, Series 2005**

- Adopted the resolution approving the City of Newark to allow \$63,700,000 of School Qualified Bonds, Series 2005, pursuant to *NJSA 18A:24-88(b)*.

NEW BUSINESS

State Board member Maud Dahme suggested that until the State Board converts to the use of the laptops, state board members could save the summary memo and rule text from the paper agenda when the rules are presented at first discussion level and use it for consideration of the rules at second discussion level.

LEGAL CASES

On motions duly seconded and carried, decisions in the following cases were adopted by the board as presented by legal committee members Josephine E. Figueras and John A. Griffith.

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

Pursuant to a remand by the Appellate Division, the State Board of Education voted unanimously to remand this matter to the Commissioner of Education for such proceedings as are necessary to fulfill the terms of the Court's decision.

IN THE MATTER OF THE REVOCATION OF THE CERTIFICATES OF MANUEL FERREIRA BY THE STATE BOARD OF EXAMINERS, STATE BOARD DOCKET #44-05

The State Board of Education voted unanimously to affirm the decision of the State Board of Examiners to revoke the appellant's administrative and instructional certificates for unbecoming conduct. The Board of Examiners found that the appellant, a tenured principal, had intimidated and threatened employees, made sexual comments to female subordinates and pushed a male colleague during the course of a discussion. In affirming the Board of Examiners' decision, the State Board of Education rejected the appellant's argument that any action should be limited to

his administrative certification. The State Board agreed with the Board of Examiners that the appellant's conduct as demonstrated in the record also implicated his fitness to serve as a teacher and warranted revocation of his instructional as well as his administrative certificates, and it concluded that revocation of the appellant's instructional certification was sufficiently related to the facts to be justified.

A.O.L., on behalf of minor children, A.L., A.L. and J.L. V. BOARD OF EDUCATION OF THE TOWNSHIP OF BLOOMFIELD, ESSEX COUNTY, STATE BOARD DOCKET #37-05

This matter was withdrawn from the agenda.

ADJOURN TO EXECUTIVE SESSION

President Hyndman then read the resolution pertaining to the executive session of the State Board meeting as it complies with the Open Public Meetings Act.

WHEREAS, in order to protect the personal privacy and to avoid situations wherein the public interest might be disserved, the Open Public Meetings Act permits public bodies to exclude the public from that portion of a meeting at which certain matters are discussed, now therefore be it

RESOLVED, that consistent with the provision of *NJSA* 10:4-12(b), the State Board of Education will now adjourn to executive session to discuss legal matters.

RECONVENING

President Hyndman reconvened the public meeting with the reading of the resolution pertaining to the resumption of the public session of the State Board meeting as it complies with the Open Public Meetings Act.

WHEREAS, consistent with the provision of *NJSA* 10:4-12(b), the State Board will now adjourn from executive session to resume the open session of this meeting.

ADJOURNMENT

On a motion duly seconded and carried the State Board of Education adjourned its April 5, 2006 public meeting at 3:35 p.m.

Lucille E. Davy, Acting Commissioner
Acting Secretary, NJ State Board of Education