

**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 17, 2010**

**Presiding:** Josephine Hernandez, President

**Secretary:** Willa Spicer, Acting Commissioner

**PRESENT CONSTITUTING A QUORUM**

Mr. Arcelio Aponte  
Dr. Ronald Butcher  
Ms. Kathleen Dietz  
Ms. Edithe Fulton  
Mr. Robert Haney  
Ms. Florence McGinn  
Mr. Ilan Plawker  
Dr. Dorothy Strickland

**ABSENT**

Dr. Ernest Lepore

**CONVENING**

Josephine Hernandez, President, State Board of Education, convened the public meeting at 10:15 a.m. with the reading of the statement pertaining to the public session of the State Board meeting as it complies with the Open Public Meetings Act.

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.

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.

And seeing there was a quorum the meeting of February 17, 2010 was called to order.

**PLEDGE OF ALLEGIANCE**

**SWEARING IN STATE BOARD MEMBERS**

State Board members Ronald Butcher and Arcelio Aponte were sworn in as members of the State Board of Education by the Honorable Anthony Massi. Dr. Butcher reflected back on his years on the State Board and expressed his hope that the balance of his four year term would see major changes occur. He looks forward to working with the new commissioner in the days ahead.

## **STUDENT SPEAKERS**

There was no student speaker.

## **INTRODUCTIONS**

Deputy Commissioner Spicer recognized Samuel Stewart, Executive County Superintendent of Schools (Mercer County), who represented the county superintendents.

### **Student Recognition Program**

Mr. Stewart introduced five students representing Project Lead the Way, from Robbinsville High School (Mercer County). On behalf of the State Board President Hernandez congratulated the students on their academic accomplishments.

## **APPROVAL OF MINUTES OF THE MEETINGS**

On a motion duly seconded and carried, the State Board members approved the minutes of the public meeting conducted on January 20, 2010. State Board members Robert Haney, Ronald Butcher, Kathleen Dietz and President Hernandez abstained.

## **PRESIDENT'S REPORT**

President Hernandez shared that she and Vice president Aponte met with Acting Commissioner Schundler and shared with him issues that are of concern to the State Board, such as the strategic plan and the Board's retreat. President Hernandez was hopeful of working with Mr. Schundler.

### **Committee Reports**

Code Committee – Chairperson Robert Haney shared that the code committee met to consider the re adoption of the equivalency and waiver code. He stated that the committee generally agreed with the department's recommendation to readopt without amendment. He shared his thought that the second appeal process that is permitted under subsection 1.7(b) is unnecessary. The question was submitted to the deputy attorney general who advised that the purpose of that subsection was to allow a member of the public who is affected by the implementation of the waiver to challenge the waiver. Dr. Butcher recommended that the State Board considers in the future allowing waivers for licensing requirements in the case of reciprocity.

Career and Technical Education Committee– Chairperson Dorothy Strickland visited Bloomfield Technical School and met with the superintendent and principal and others. Dr. Strickland stated that this school was a good example of what 21<sup>st</sup> century skills are supposed to represent and how technology can be infused into the curriculum.

Other Reports – State Board member Plawker shared his visit of two schools in Bergen County (the Academies in Englewood and Dwight Morrow High School) with Acting Commissioner Schundler and Senator Loretta Weinberg. They had an opportunity to see the integration of the programs which had been separate in years past. Mr. Plawker was struck by the change in student behavior which reflected a more academic atmosphere.

They also visited the Teaneck Community Charter School which was quite impressive. He recommended that traditional high schools may want to consider incorporating charter school programs as separate programs within the high schools.

Vice President Aponte requested an update on the number of charter school applications received this year, the number of schools targeted to open during the next academic year, the number of applications rejected and why they were rejected. Deputy Commissioner Spicer responded that there were approximately 11 charter schools opened this year. Dr. Butcher requested a longitudinal review (i.e. how many have started and how many are closed). State Board member Dorothy Strickland requested a report that expands beyond New Jersey for use as general background information.

## **COMMISSIONER'S REPORT**

Deputy Commissioner Spicer offered the apologies of Acting Commissioner Schundler who was unable to attend the meeting because he was called away by the Governor to attend a discussion on the recent budget decisions.

- **Career and Technical Education Program**

Deputy Commissioner Spicer shared that New Jersey is one of five states that has a grant to develop “green education” in New Jersey. In addition, the CTE committee has revised the biology curriculum to include a segment on agriculture that meets the requirements of biology. Thus, students can take agriculture and pass the end of the year biology exam. This achieves the goal of tying together academic and vocational aspects so students can take both into the real world.

- **Monitoring of School Districts**

This spring marks the final phase of first round of QSAC – all districts will have completed the evaluation process by the spring of this year. It’s a good time to evaluate how things have gone over the past three years. Acting Commissioner Schundler invites State Board members to serve on a committee to review QSAC and determine next steps. Dr. Butcher asked if there is a better way to more efficiently monitor districts that have a proven record of performance. Deputy Commissioner Spicer responded that the entire evaluation process is up for review so this issue can be included in that discussion.

- **Moratorium on Code Adoption**

Deputy Commissioner Spicer announced that the Governor has imposed a moratorium on code adoption and thus no action will be taken to adopt code until the moratorium has been lifted which is scheduled for April 18, 2010. All expiring code will be extended.

State Board member Haney is unsure whether the Governor has authority to prohibit the State Board from adopting code. He does not believe the Governor’s executive authority extends to directing the State Board to adopt resolutions on its agenda. It was his understanding that the State Board would proceed with its agenda but any

adoptions/proposals would not be implemented through the administrative process for 90 days. President Hernandez and Dr. Butcher agreed with this concern. Dr. Butcher stated that the authority of the State Board comes from the legislature and thus the State Board's agenda is established by the President in conjunction with the Commissioner. Mr. Aponte recommended that in the future any changes to the State Board's agenda be approved first by the State Board President. Mr. Plawker stated any delay is problematic and achieves nothing.

Vice President Aponte stated that he was disappointed that the State Board was not involved in any discussion about the Governor's Transition Report. He had hoped that at minimum, the State Board could have met with the Education Transition Team Chairperson, Susan Cole, to discuss what the State Board has achieved over the past few years.

- **Graduation Requirement Code**

Deputy Commissioner Spicer announced that the financial literacy requirement is scheduled to go into effect this September. This is a new 2½ credit course. The implementation of this requirement needs to be delayed because the current financial situation in local districts is not ideal at this moment. In addition, the legislature also passed legislation to do the same thing with an additional provision for six pilot districts. The pilot districts would work on developing the course and then expand the course to other districts. The department would like to propose an amendment next month that postpones the full implementation of the financial literacy part of the code for two years to allow the pilot districts to work.

A good number of districts have already applied to be pilot districts. The department would like to expand the pilot districts from six to nine (three in North, Central and South Jersey) to do the pilot work. The department will provide a stipend of \$500.00 to teachers who will develop the course.

Ms. Dietz expressed agreement with the proposed delay. Dr. Butcher expressed concern regarding the impact on the delay on the students. He stated this course is long overdue. He asked if the delay had to apply to all districts or whether the delay could be limited to districts that are having financial difficulties. Mr. Plawker similarly expressed concern about the delay and asked if assistance in developing the curriculum can be obtained from the private sector. Vice President Aponte commented that it is troubling to make decisions based upon a lack of resources. However, local districts are making these types of decisions daily. The State Board, however, must make decisions based upon educational quality for students.

Ms. McGinn asked how many districts are unable to develop the course because of financial reasons. Deputy Commissioner Spicer responded that no one has made such a claim because it's a mandate. However, meeting the mandate may be a hardship. Dr. Strickland asked if there is a single specified curriculum that will be developed from the pilots. Deputy Commissioner Spicer responded that there should be a variety of options that are generated from the pilots. President Hernandez agreed that the State Board's role is to create good educational policy. She suggested seeking creative solutions such as making a course like this a dual-enrollment course with a local community college.

Dr. Butcher suggested that the item be placed on the agenda for next month for further consideration.

Vice President Aponte asked if Acting Commissioner Schundler can provide an update at next month's meeting on the impact of the budget on the department and information on the Acting Commissioner's response to the Governor's Transition Report and whether the recommendations will be pursued shortly, in the long term or will the State Board be part of a discussion to plan for the upcoming years.

### **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. **Regulatory Equivalency & Waiver – First Discussion**

- Discussed the readoption without amendment to the equivalency and waiver code. Acting Director Kim C. Belin was present to answer questions.

### **WORK SESSION**

#### **Learnia (Formative Assessment Initiative)**

Timothy Peters, director of the Office of Assessments, introduced Gregory Gray, Implementation Manager at Pearson, who provided a demonstration of Learnia, a web-based assessment tool that supports learning and evaluates whether the students are making progress toward meeting standards. Mr. Tony Trongone, District Supervisor of Curriculum and Instruction at Cherry Hill Public Schools, presented how Cherry Hill uses Learnia. Edward P. Ward, III, Technology Supervisor, Camden Public Schools, described the implementation of Learnia in Camden.

### **NEW BUSINESS**

President Hernandez wants to set retreat dates. Also public testimony will be held today at 3:00 p.m. The topics are: Standards and Assessments and Content of Common Core State Standards.

### **ADJOURNMENT**

On a motion duly seconded and carried the State Board of Education adjourned its February 17, 2010 public meeting at 1:26 p.m.

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Bret Schundler, Acting Commissioner  
Secretary, State Board of Education