

**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**

March 17, 2010

Presiding: Josephine Hernandez, President

Secretary: Willa Spicer, Deputy Commissioner

PRESENT CONSTITUTING A QUORUM

ABSENT

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

CONVENING

Josephine Hernandez, President, State Board of Education, convened the public meeting 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 March 17, 2010 was called to order.

ADJOURN TO EXECUTIVE SESSION

President Hernandez 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 *N.J.S.A. 10:4-12(b)*, the State Board of Education will now adjourn to executive session to discuss personnel issues.

The State Board immediately adjourned to executive session.

RECONVENING

President Hernandez reconvened the public meeting at 10:10 a.m. 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 *N.J.S.A. 10:4-12(b)*, the State Board will now adjourn from executive session to resume the open session of this meeting.

PLEDGE OF ALLEGIANCE

STUDENT SPEAKERS

Devon McRimmon, the 2009-2010 student representative introduced Tabitha Nicodemus, a junior at Rancocas Valley Regional High School and the 2010-2011 student representative. Ms. Nicodemus discussed the elements that make a school ideal. She highlighted sports activities and having a safe environment as key factors. State Board President Josephine Hernandez welcomed Tabitha to the State Board and thanked her for her comments.

INTRODUCTIONS

Deputy Commissioner Spicer recognized Tim Brennan, Acting Executive County Superintendent of Schools (Hudson County), who represented the county superintendents.

Student Recognition Program

Dr. Brennan introduced two students, Joyce Lecaro and Catherine Inoa, from William L. Dickinson High School and James J. Ferris High School respectively (Mercer County) representing Jersey City Project Lead the Way. 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 February 17, 2010.

PRESIDENT'S REPORT

President Hernandez shared that she and State Board member Dorothy Strickland attended the winter meeting of the Council of Career and Technical Education (CCTE). Various issues were pondered and resulted in rich dialogue regarding the future of CTE. President Hernandez also

reminded the State Board of the need to pin down the retreat and discuss the Board's strategic plan.

President Hernandez congratulated Commissioner Schundler on his confirmation and stated the State Board looked forward to working with him in the future. She also stated that she hoped to have future discussions regarding the Transition Report which contains many issues that are critical to the State Board.

She also announced that public testimony will be held this afternoon at 3:00 p.m. The topic is the Common Core Standards.

COMMISSIONER'S REPORT

Monitoring of School Districts

Deputy Commissioner Spicer reported that the department is proposing a moratorium on the NJQSAC operation for one year to assess how the process is working. 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. Any district still in the process (i.e. they have not reached 80% in all areas) will remain in the process until completed but the department will not start a new cycle.

Ms. Dietz supports this idea. Dr. Butcher asked if the moratorium requires legislative or State Board action because NJQSAC is both law and code. Vice President Aponte asked for information regarding the impact on the state-operated districts and how the assessment will be conducted. Mr. Haney asked if this break had been originally planned or is a new idea and why is a year needed. President Hernandez asked if there were budgetary concerns.

Deputy Commissioner Spicer responded that the state-operated districts would remain in the process since most of them have not achieved the requisite 80%. She also stated this moratorium is a result of the new administration's discussions on the subject. The year review is needed to allow full committees to complete a substantive evaluation of the process. There are no budgetary issues related to the moratorium according to Deputy Commissioner Spicer.

Budget

Commissioner Schundler highlighted the elements of the reform proposal which set the stage for dramatic improvements in the ability to fund expanded educational services in New Jersey. The core reforms in the Governor's budget are in collective bargaining, health benefits cost sharing, the calculation of retirement benefits and proposals to cap state spending for direct state services and cap local spending growth.

- Cap on state spending growth for non-aid to school districts and local governments. If this had been in place in the last 20 years, it would have significantly slowed the growth of state government and resulted in enormous amounts of additional revenues

available for distribution to schools and municipalities. But this did not occur and schools have not benefitted from the additional revenues raised by increasing income and sales taxes as intended. Accordingly, the idea is to cap the growth of state spending that does not directly impact schools and municipalities.

- Settlement costs have exceeded the cost of living rate. From June 2008-2009, the consumer price index rose zero percent. Yet during that same period, it's been impossible for school districts to settle a contract for less than four and a half percent. This demonstrates a total disconnection between cost of living changes and settlements and is a function of the new contract negotiation rules that encourage not settling. There needs to be a connection between the pace of the cost of living increases and the increments received by collective bargaining units.
- Health Care benefits. Districts are facing 26% increase in health care benefit costs premiums. The Governor's proposed cost sharing will create immediate savings for schools because of the cost sharing and create a shared interest between management and employees to find the best policy for the best price. This will also decrease the pace at which cost benefits rise in the districts.
- Calculating retirement benefits. The State pension fund problem isn't that the State hasn't contributed but that benefit costs are rising too quickly. Although the State's failure to make contributions exacerbates the problem, the liability is rising too quickly and the state can't support the structure that is currently in place. The Governor and Legislature offer a plan that will make it more affordable for school districts when they are hiring people but will also increase the solvency of the fund by reducing the legal liability of the fund. Each pensioner will get a little less but they will get something. This plan will avoid bankrupting the pension fund.

Commissioner Schundler concluded that these combined proposals will ultimately result in reducing the cost of hiring new school employees and will allow for smaller classrooms, improve preschools, expand after school programs and have more revenues going directly to school districts.

Transition Report

Commissioner Schundler stated that the Transition Report represents many of the Governor's beliefs. In the immediate future, he wants to reduce the regulatory burdens and report filings on school districts in light of the fiscal condition of the department. The goal is to hold districts accountable for performance and not held hostage to regulations and report filings. The immediate proposal is to put NJQSAC on hold to allow districts to focus on teaching rather than compliance. The Transition Report states that the new administration is looking for "prudent gradual deregulation" with a focus on standards, performance and an approach to evaluations on school districts that appreciates that students learn differently. This is in keeping with President Obama's agenda with the Race to the Top initiative.

Charter Schools

Commissioner Schundler reported that 11 charter schools are opening in September and one will not be renewed in June. Data is being compiled regarding charter school performance to date and will be provided to the State Board in the near future. One recommendation that has been proposed is to allow superintendents to approve charter schools in conjunction with the department's approval which will foster a better partnership between the district and the charter school. This idea is under consideration.

Common Core Standards for Math and Language Arts

Commissioner Schundler stated that the goal is to achieve a better set of core standards, develop core standards and curriculum that is aligned with core standards and develop assessments that are aligned with those core standards. Each of these goals is extremely expensive and there is economy that can be achieved if states work together. It is also an opportunity to intentionally focus on what all American children should know and focus on the core principles. Commissioner Schundler asked State Board member Dorothy Strickland who is a member of the Validation Committee to share her view of the standards and her sense of the direction of the common core standards.

Dr. Strickland shared that this is a major and unprecedented initiative. Dr. Strickland and Dr. Butcher attended a northeast regional conference on the common core standards sponsored by NASBE in February.

Dr. Butcher reported there were approximately 50-60 state board members from the northeast states. The conference allowed the state board members to look at where they are, where they've been and where they hoped to go. One of the speakers, Michael Cohen from Achieve provided the history of how we ended up where we are. The entire conference can be heard on podcast at www.nasbe.org

Dr. Strickland commented on the common standards and the process of creating the standards. There are a group of standards for career and college-ready and also standards indicators for K-12 with implications for pre-K. There are also standards for English/language arts linked to history/social studies and science. Forty-eight states and several territories have signed on to participate in this process. She discussed the various committees and their respective roles, the issues and challenges and implications for curriculum, teacher preparation, professional development, textbooks, and technology. Another issue discussed was formative assessment as a process integrated with instruction. Dr. Strickland clarified that each state must adopt all of the standards but each state can add 15% more. The formal adoption date is not yet known.

Dr. Butcher encouraged everyone to look at what is occurring in Texas in terms of its text books and assessments. He stated that textbook companies tend to favor those states where the State Board of Education adopts the text books to be used. As a result, New Jersey gets text books containing curriculum that is based upon what's going on in Texas and other similar states. However, Texas and Alaska have not signed onto the common core standards. Thus, if 48 states adopt common standards the text book companies will take a hard look at what the 48 states are doing instead of two rogue states and we will have curriculum and text books that are more aligned with what we want to accomplish in New Jersey. In addition, the concept of assessment will be much easier to work on collaboratively with the other states and will save us money because New Jersey spends

an exorbitant amount on testing so we can test to our standards. Dr. Butcher thanked Commissioner Schundler and Deputy Commissioner Spicer for the Learnia presentation at last month's meeting. He concluded by stating that he would be interested in hearing from the public whether the next step should be creating common standards for science. Dr. Strickland confirmed that science would be the next subject.

Code Changes

Commissioner Schundler announced that there are changes he plans to propose on the regulatory equivalency and waiver code (6A:5) which is at second discussion. He hopes the changes will make it easier for school districts to apply for waivers.

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. **Religious Holiday Calendar**

Adopted the resolution pertaining to the annual calendar of religious holidays for the 2010-2011 school year.

C. **High School Graduation Requirements**

Amended the resolution of intent to change the implementation date to be applicable to the 2011-2012 grade nine class instead of 2012-2013. The resolution as amended was defeated.

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

Determined to place this item on hold pending receipt of the Commissioner's proposed changes.

E. **Professional Licensure and Standards – First Discussion**

Discussed the proposed amendments to the regulations pertaining to alternate route instruction candidates. The State Board agreed to expedite the proposed amendments. Robert Higgins, director of the Office of Professional Licensure and Standards, was present to address questions.

WORK SESSION

There was no topic for work session.

NEW BUSINESS

State Board member Edithe Fulton took issue with the comments regarding public employees made during the Governor's budget address. She doesn't believe that teachers were portrayed as taxpayers or pension contributors and this is incorrect and is a misrepresentation of public employees. She would like to further discuss this issue when the Commissioner is present.

ADJOURNMENT

On a motion duly seconded and carried the State Board of Education adjourned its March 17, 2010 public meeting at 12:24 p.m.

Bret Schundler, Commissioner
Secretary, State Board of Education