

**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 21, 2010

Presiding: Josephine Hernandez, President

Secretary: Willa Spicer, Deputy Commissioner

PRESENT CONSTITUTING A QUORUM

Mr. Arcelio Aponte
Dr. Ronald Butcher
Ms. Kathleen Dietz
Ms. Edithe Fulton
Mr. Robert Haney (via telephone)
Dr. Ernest Lepore
Mr. Ilan Plawker
Dr. Dorothy Strickland

ABSENT

Ms. Florence McGinn

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 April 21, 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 10:20 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 shared his concerns regarding the negative impact of the budget cuts in his school district. State Board President Josephine Hernandez and other State Board members thanked Devon for his commitment and courage on speaking out on his views.

INTRODUCTIONS

Deputy Commissioner Spicer recognized Richard Stepura, Executive County Superintendent of Schools (Cumberland County), who represented the county superintendents.

Student Recognition Program

Mr. Stepura introduced George Linen, Jr. from Bridgeton High School (Cumberland County). On behalf of the State Board, President Hernandez congratulated George on his 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 March 17, 2010.

PRESIDENT'S REPORT

President Hernandez shared the Nominating Committee will convene next month to receive nomination of officers for next year.

COMMISSIONER'S REPORT

Deputy Commissioner Spicer announced that the Commissioner had to meet with the Governor regarding the defeated school district budgets and therefore is unable to attend the meeting.

Deputy Commissioner Spicer also introduced Cathy Lindenbaum from the PTA.

Alternative High School Assessment (AHSA)

Deputy Commissioner Spicer reported that in the past, 96% of children who took the former SRA test passed. She stated that this was an inflated figure so the test scoring process was changed, not the test. The test was scored by groups of teachers and professional scorers at regional centers rather than in classrooms. The results from the last December administration of the new AHSA test were that 90% of the students did not pass the language arts section and only 35% of students passed the math section. There are concerns in the disparity of the results. Timothy Peters, director of the Office of Standards and Assessments, Sandra Alberti, director, Office of Math and Science Education and Mary Jane Kurbinski, director, Office of Literacy were present to answer questions.

Dr. Peters reported that none of the students failed the test because the process is still underway. All students who did poorly in December will be able to retake the test in April. There was no discrepancy between the former and new tests in terms of the body of knowledge assessed. But there were unintended consequences in using a new scoring rubric. Ms. Kurbinski shared that the department met with the teachers and administrators who were responsible for teaching the students and who administered the test. As a result of this meeting, the department will provide additional training to teachers in terms of on demand writing and writing as a whole. The department is also exploring ways to give students one-on-one assistance (i.e. using technology for on-line courses) with ongoing assessment.

In fairness to the students the department will ensure that scoring process is identical to the scoring for regular testing. Marginal papers will be re-read by a third scorer. A summer program is being considered as well as administering the test again in the summer. A letter will be sent next week to ask the children who have passed all their courses successfully, attended remediation regularly and who agree to attend summer school be permitted to participate in the graduation ceremony. However, they will receive a blank diploma. The Department cannot demand this; it is a local decision.

State Board member Ronald Butcher recommended that the State Board pass a resolution that can be included with the letter encouraging districts to cooperate so these students can participate in graduation. State Board President Hernandez stated that she would like the department to share the data with the State Board as the process develops particularly if the data is troubling.

Monitoring of School Districts

Deputy Commissioner Spicer provided an update on the department's desire to delay starting the next round of monitoring. Based upon information received, legislative action is needed to achieve this delay. The department will look into this and report back to the State Board.

Reciprocal Licensing

Deputy Commissioner Spicer stated that the Commissioner is looking at the certification regulations regarding teacher reciprocal credentialing between other states.

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. **Professional Licensure and Standards – Proposal Level**

Approved for publication in the *New Jersey Register* the proposed amendments to the Professional Licensure and Standards code pursuant to N.J.A.C. 6A:9, permitting direct acceptance of credits from two-year, regionally accredited colleges.

C. **Special Education – First Discussion Level**

Discussed the proposed amendment to the Special Education Code to implement new federal requirements regarding revocation of consent by parents of students with disabilities. State Board voted in favor of expediting the State Board review process. Assistant Commissioner Barbara Gantwerk and Roberta Wohle were present to answer questions.

D. **Regulatory Equivalency & Waiver – Second Discussion Level**

Amended the proposed amendment to N.J.A.C. 6A:5-1.4(a)1.

E. **Student Transportation – Adoption Level**

Adopted the amendments to the Student Transportation regulations. Acting Assistant Commissioner Y'utse Thomas and Dot Shelmut, acting director of the Office of Student Transportation, were present to answer questions.

F. **Controversies and Disputes – Adoption Level**

Adopted the amendments to the Controversies and Disputes code. Kathleen Duncan, director of the Office of Controversies and Disputes, was present to answer questions.

G. **Standards and Assessment – Proposal Level**

Approved for publication in the *New Jersey Register* the proposed readoption with amendments to the Standards and Assessment regulations. Janis Jensen, director of the Office of Academic Standards, was present to answer questions.

WORK SESSION

Deputy Commissioner Spicer provided an update on the Race To The Top application results. New Jersey fared well over all but did not have the requisite support from the union. 392 districts signed the memorandum of agreement and thus NJ scored low in the area of community support. The department plans to have further talks with the teachers' unions. But, regardless of

the results of those discussions, the department intends to move forward with the next application. NJ scored very high on the standards, common core and curriculum and assessment processes and therefore, the next application will be strengthened in those specific areas, but not changed significantly. The department will keep the section on data in hopes that NJ will win the contest on longitudinal data grant. The under-performing schools section will be included and also not changed substantially.

For the next application which is due June 1, the department will seek support from colleges, universities and businesses. In addition, the department will invite a number of districts who might be interested in entering into new relationships such as a school that contains a charter school, academies or magnet schools within it.

NEW BUSINESS

There was no new business.

ADJOURNMENT

On a motion duly seconded and carried the State Board of Education adjourned its April 21, 2010 public meeting at 12:49 p.m.

Bret Schundler, Commissioner
Secretary, State Board of Education