

**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**

September 1, 2010

Presiding: Arcelio Aponte, President

Secretary: Rochelle Hendricks, Acting Commissioner

PRESENT CONSTITUTING A QUORUM

ABSENT

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

CONVENING

Arcelio Aponte, 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 September 1, 2010 was called to order.

CONVENING

President Aponte reconvened the public meeting at 10:00 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

STATEMENT FROM THE NEW JERSEY STATE BOARD OF EDUCATION

President Aponte read the following statement on behalf of the State Board of Education.

The State Board of Education enthusiastically welcomes the appointment of Rochelle Hendricks as Acting Commissioner and is committed to providing the necessary guidance and support to enable her to successfully fulfill the duties and responsibilities of her new role. We believe that she along with the many committed and hard working staff members in the department will continue to make excellence in teaching, high student achievement, effective school leadership and accountability top priorities, and that these commitments will continue to be the driving force in the activities of the Department of Education.

Although members of the State Board are very disappointed that New Jersey was not selected as a Race To The Top recipient and extremely concerned about the circumstances surrounding the outcome, the State Board is firmly committed to implementing bold reforms that will provide all of New Jersey's children with a thorough and efficient education and to prepare students to successfully compete in the 21st century. Winning the Race To The Top funds would have allowed us to accelerate reform and improve the quality of education. Not winning the funds, does not weaken our resolve to that end.

The State Board, created by the Legislature, will continue to fulfill its statutorily established responsibility of providing general supervision and control of public education for the State's schools serving over 1.38 million public school children. Further, the State Board will work collaboratively with the Acting Commissioner and other Department of Education staff, and our state's concerned stakeholders to guide and formulate plans, and promulgate the administrative code needed to implement public education law and policy in this State.

The State Board looks forward to the start of the 2010-2011 academic year and wishes all the children of New Jersey and their parents a successful and enriching year.

Acting Commissioner Rochelle Hendricks thanked the members of the State Board for their comments. She also stated that she looks forward to working with the State Board, Department staff and practitioners in the field to advance education reform set forth in the Governor's ambitious education agenda.

STUDENT SPEAKERS

Tabitha Nicodemus, the student representative for the 2010-2011 school year introduced Kelsey Cheek a senior at Oakcrest High School in Atlantic County. She shared her thoughts and insight about the benefits of moving outside of one's comfort zone. State Board President Arcelio Aponte welcomed Kelsey to the State Board meeting and thanked her for her comments.

INTRODUCTIONS

Acting Commissioner Hendricks recognized Trudy Doyle, Executive County Superintendent of Schools (Somerset County), who represented the executive county superintendents.

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 August 4, 2010. State Board member Edithe Fulton abstained.

PRESIDENT'S REPORT

Public Testimony

President Aponte stated that the public testimony session will be held at 3:00 p.m. The topic for consideration will be the Adult Education code, the Professional Licensure and Standards code and the Standards and Assessment code. Additionally, he stated that the public testimony session will also be an open topic session. He also stated that state board members Ilan Plawker, Edith Fulton and Dorothy Strickland will hear public testimony.

Agenda materials

President Aponte stated that materials for the State Board agenda are available to members of the press and the public on the department's website at www.state.nj.us/education/sboe/meetings/agenda.shtml

He also stated that members of the public that wish to become members of the agenda subscribers list to receive advanced copies of the agenda and corresponding materials should call the State Board Office at 609-984-6024.

Retreat

President Aponte stated that the State Board will hold a retreat on Wednesday, October 7, 2010, from 9:00 am to 5:00 pm. He also stated that the location of the retreat was yet to be determined but that members of the public would be notified of the location as well as any changes to the scheduled timeframe, if necessary. President Aponte further stated that the retreat will focus on initiatives for the coming year and provide state board members with an overview of the work currently being conducted by the department.

Retirement Announcement

President Aponte stated that the State Board was recently notified that Richard Vespucci would be retiring as of August 30, 2010 after 30 years in the Department's Public Information Office. President Aponte also stated that Rich was an instrumental figure during State Board meetings and has attended over 350 State Board meetings during his career since 1980. On behalf of the members of the State Board President Aponte congratulated Richard Vespucci for his service to the Department and the children of New Jersey, wishing Richard and his family good luck and happiness during his retirement.

COMMISSIONER'S REPORT

Race to the Top

Acting Commissioner Rochelle Hendricks stated that although she is disappointed that New Jersey did not receive the award, the Department is poised to actualize the reforms outlined in the Race To The Top Application. She specifically stated that the Department would continue to work to: improve our data collection system that measures student learning and teacher effectiveness; improve teacher training and support systems to ensure that the very best teachers are placed where they are needed the most; continue with our initiatives to assist struggling schools; and to develop new school strategies including charter schools and academies designed to create small learning communities in school districts.

Biology Test

Deputy Commissioner Willa Spicer and Sandra Alberti, director, Office of Math and Science Education stated that the Department has administered the Biology end of course test for three consecutive years, conducted much staff development and is poised to make passing this test a graduation requirement. Ms. Alberti also stated that students enrolling as freshman this year will need to pass the test for graduation. She further stated that the Department is considering how to provide students with multiple options to demonstrate competency without changing the content level expectations.

Deputy Commissioner stated that the Department continues to investigate what the outcome will be if students cannot demonstrate the alternatives. President Aponte requested that the Department form a committee with State Board and stake holder participation to look at the data and make recommendations to the State Board at the October State Board meeting.

Algebra I Test

Deputy Commissioner Willa Spicer and Sandra Alberti, director, Office of Math and Science Education stated that New Jersey administered the Algebra I test this past year for the first time as a pilot for all students. Deputy Commissioner Spicer also stated that the Department is preparing guidance for school districts recommending that if a child is at the bottom of the four point scale, the student should repeat Algebra and that at the intermediate points, the student should receive remediation. She further stated that the Department prefers not to count the Algebra test for this year also. President Aponte requested that the Department form a committee with State Board to make recommendations to the State Board at the October State Board meeting. State Board member Kathleen Dietz stated that she would like to serve on this committee.

Financial Literacy Summit

Deputy Commissioner Willa Spicer stated that the Department would be a part of a Financial Literacy Summit on Wednesday, October 13, 2010 at Rutgers University, Busch Campus Center, Piscataway, NJ. She welcomed State Board attendance.

Education Jobs Bill

Acting Commissioner Hendricks stated that Ed Jobs is a new Federal initiative that will provide New Jersey with about \$268 million to save or create education jobs. She also stated that districts will have these funds available for the 2010-2011 school year, and will be able to use

them through September 2012. She further stated that an application, from the Governor, must be submitted to the U.S. Department of Education by September 9, 2010. Included in this application will be the indication as to whether to allocate the grant award among districts through our state's primary elementary and secondary education funding formula, or through each district's relative share of funds under Title 1 Part A for the most recent fiscal year. This determination and the application are forthcoming.

Adequacy

Acting Commissioner Hendricks stated that the Department will not issue the report today and is waiting for advice regarding any current or future litigation.

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 (Combined Amendments)

Discussed the amendments to the Professional Licensure and Standards regulations proposed at *NJAC 6A:9*, pursuant to *N.J.S.A. 18A:1-1, 18A:4-15, 18A:6-34, 18A:6-38, 18A:26-10 and 18A:26-2.7*.

C. State Board of Examiners

Adopted the resolution approving the appointment to the State Board of Examiners in accordance with *N.J.S.A. 18A:6-34 and 35*.

RESOLUTION STATE BOARD OF EXAMINERS

WHEREAS, pursuant to *N.J.S.A. 18A:6-38*, the State Board of Examiners is responsible for issuing, revoking and suspending educational certificates under rules prescribed by the State Board of Education; and

WHEREAS, pursuant to *N.J.S.A. 18A:6-34*, members of the State Board of Examiners are appointed by the Commissioner of Education with the approval of the State Board of Education; and

WHEREAS, the Commissioner, after consulting with members of the education community, has recommended the appointment of a new member to the Board; and

WHEREAS, the person whom the Commissioner has recommended has established a reputation for distinguished service; now, therefore, be it

RESOLVED, that the State Board of Education hereby approves the appointment of the following person to a full term on the State Board of Examiners, which term shall run from September 15, 2010 through September 14, 2012:

Dr. Barbara Gitenstein
President
The College of New Jersey

WORK SESSION

Annual Highly Qualified Teacher Report

Cathy Pine and Carol Albrighton presented the results of the 2009 – 2010 Highly Qualified Teacher Survey. She stated that the survey is the DOE's seventh report to the federal government on the highly qualified status of our teachers. This survey, which is required by the federal government, is collected from the annual Certificated Staff Report and requires all districts to report on the qualifications of all teachers who are teaching in the core content areas.

Ms. Pine stated that 99.8 percent of New Jersey's teachers, teaching in core academic subjects, are highly qualified across all content areas they teach. She also stated that New Jersey continues to narrow the gap in the number of highly qualified teachers between high and low poverty districts.

Alternative High School Assessment (AHSA)

Sandra Alberti, director, Mathematics and Science Education and Mary Jane Kurbinski, director, Office of Early Literacy provided a report that stated several thousand high school seniors in New Jersey could not evidence an ability to read, write and/or do math well enough to meet the State's standards for graduation. Therefore, as in past years, the state provided struggling students with multiple opportunities to provide such evidence. Ms. Alberti stated that the findings that resulted from the extensive data collected and the portfolio information the Department reviewed is disturbing.

Ms. Alberti stated that to ensure that struggling students get the help they need to graduate high school, the Department of Education is proposing to implement four new policies, each of which already has authorizing legislation.

1. The Department must guarantee that students get help before they fail high stakes tests. The statute requires that local district provide remediation for students after they fail the HSPA in their junior year. (N.J.S.A. 18A:7C-3) Most school districts comply with this law. The Department is going to compel yet wider compliance by requiring that students who fail the 8th grade test also receive immediate remedial services (N.J.S.A. 18A:7C-6.2). Under all circumstances, the Department will require that remedial plans be implemented for students in the 9th grade who were not proficient on the state achievement test at the end of 8th grade.

2. To ensure that intervention plans are not allowed to collect dust, districts will be required to keep a complete record of progress for each of these at-risk students. To assure that parents are informed and that the communication system in the school is working for the benefit of the students, the Department will require that all information about the student be recorded and that a portfolio be opened for each student, whether he or she is a freshman or a senior. The Department will require that a diagnostic test be administered at the beginning of the school year and that the results be recorded, that interventions be planned and delivered, and that a student's progress or lack thereof be noted. In addition, all test scores will need to be carefully collected so as to be available to inform local and/or state decisions about the students' education plan. The portfolio process will be monitored as part of the regular NJ QSAC review but, because the students' future is so clearly tied to the actions of the adults, the state will also do some spot monitoring each year.
3. Students' unique situations must be appreciated. Students who do not reach proficiency in the 8th grade or the 11th grade are not all alike. First, although the state will provide an annotated list of the available diagnostic instruments, local districts will have to choose the most appropriate one to use with a child and decide what constitutes success. The Department will identify for districts those intervention programs that are well reviewed in the literature but local districts will have to choose. To establish accountability, the Department will set up a timeline for a district's working with students that presses districts to help students prove or improve their skills as quickly as possible. Our goal is to address problems early, and avoid having students not graduate because no one paid appropriate attention to their needs.
4. Our policy for students who come to high school without English language fluency needs review. Second-language students often have difficulty reaching proficiency on their language arts exam. They do show growth, however, through the year. The Department has established a committee to look at the question of whether we should provide a high school diploma to students who have only two or three years in this country and do not yet exhibit high level language mastery, but do appear to be making rapid progress in their language skills. The Department expects to make a report on this topic in the next few months.

Ms. Alberti stated that the expectation is that every student will graduate from a New Jersey High School with those skills necessary to keep his or her options open—ready for college and careers. She also stated that it will take several years to accomplish this goal, and so the Department set a more modest goal for the first year:

1. By April 2011, the department will seek to have fewer than 2,000 seniors unable to show evidence of reading, writing and math competence on the HSPA or the AHSA.

2. By June, 2011 the department will seek to have fewer than 1,000 students unable to show evidence of reading, writing and math competence through submission of alternate assessment information.

NEW BUSINESS

National Association of State Boards of Education Elections

State Board members indicated their support for candidates for the offices of President-elect and Northeast Area Director to be submitted by President Aponte for the upcoming NASBE President and Board of Directors Elections.

ADJOURNMENT

On a motion duly seconded and carried the State Board of Education adjourned its September 1, 2010 public meeting at 2:45 p.m.

Rochelle Hendricks, Acting Commissioner
Acting Secretary, State Board of Education