

**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**

**December 1, 2010**

**Presiding:** Arcelio Aponte, President

**Secretary:** Rochelle Hendricks, Acting Commissioner

**PRESENT CONSTITUTING A QUORUM**

Ms. Edythe Fulton  
Mr. Robert Haney  
Dr. Ernest Lepore  
Mr. Ilan Plawker  
Dr. Dorothy Strickland

**ABSENT**

Dr. Ronald Butcher  
Ms. Florence McGinn  
Ms. Josephine Hernandez

**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 December 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**

## **STUDENT SPEAKERS**

Acting Commissioner Hendricks recognized Tabitha Nicodemus, the student representative for the 2010-2011 school year.

## **INTRODUCTIONS**

Acting Commissioner Hendricks recognized Lester Richens, Executive County Superintendent of Schools (Burlington County), who represented the executive county superintendents.

## **STUDENT RECOGNITION**

The State Board recognized the Luke Capritti (Burlington 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 Luke for his outstanding accomplishments in academic programs, leadership abilities and contributions to the community.

On behalf of the State Board, President Aponte congratulated Luke on his achievements.

## **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 November 3, 2010. State Board member Robert Haney abstained.

## **PRESIDENT'S REPORT**

### **Public Testimony**

President Aponte stated that the public testimony session scheduled for today is cancelled as no one registered to speak.

### **State Board Agenda Subscribers Renewal**

President Aponte stated that pursuant to NJSA 10:4-19, current subscriptions for paper copies of the public meeting agenda expire on December 31. Information regarding the subscription renewal can be found on the state board section of the department's website at ([www.state.nj.us/njded/sboe/meetings](http://www.state.nj.us/njded/sboe/meetings)). President Aponte also stated that subscription renewals will be accepted until December 17.

### **Resolution to Honor Kathleen Dietz**

On behalf of the State Board of Education, President Aponte presented a resolution honoring Kathleen Dietz for her eight years of service on the State Board and to the children of New Jersey.

On a motion duly seconded and carried, the State Board approved the following resolution read by State Board member Edithe Fulton:

## **RESOLUTION TO HONOR KATHLEEN DIETZ**

**WHEREAS**, Ms. Kathleen Dietz has faithfully served as a member of the New Jersey State Board of Education since 2002 and is being honored for her dedication to the children of New Jersey; and

**WHEREAS**, Ms. Dietz contributed significantly to the work of the State Board through her service on various committees that examined critical issues in public education related to policy development, international education, career and student health and safety; strategic planning; and

**WHEREAS**, Ms. Dietz, through her role as a member of the Legal Committee, was an effective resource in reviewing legal appeals from Commissioner's decisions and in assisting the committee's formulation of recommendations in each case; and

**WHEREAS**, Ms. Dietz, as the international education liaison, consistently advocated for the provision of high quality programs aimed at ensuring and enhancing viable global education opportunities for all of New Jersey's students; and

**WHEREAS**, Ms. Dietz presented a thoughtful, balanced, approach to policy development centered on a belief of what's in the best interest of our children and our schools; and

**WHEREAS**, the State Board of Education recognizes Ms. Dietz's contributions to education in New Jersey through her personal qualities as a forward-looking policymaker and advocate for children and educators; and

**WHEREAS**, Ms. Kathleen Dietz after many years of service has resigned as a member of the New Jersey State Board of Education; now therefore be it

**RESOLVED**, that it is both fitting and proper that the New Jersey State Board of Education and the Commissioner of Education extend their sincerest gratitude to Ms. Kathleen Dietz for her commitment to the children of New Jersey by devoting her time and energy to the State Board in the development of public education policy in New Jersey; and be it further

**RESOLVED**, that the New Jersey State Board of Education and the Commissioner of Education extend best wishes for health and happiness to Ms. Kathleen Dietz and her family.

### **Deputy Commissioner Resignation**

President Aponte and Acting Commissioner Hendricks honored Deputy Commissioner Willa Spicer who is retiring from her position in December. President Aponte stated that Ms. Spicer has been a key figure at State Board meetings since joining the Department in 2007. President Aponte also stated that Ms. Spicer led the Department through the revision of the Core Curriculum Content Standards and most recently the adoption of the Common Core. President Aponte further stated that Ms. Spicer was integrally involved in improving student assessments

and specifically the Alternate High School Assessment. President Aponte offered congratulations to Ms. Spicer on behalf of the members of the State Board of Education.

Acting Commissioner Hendricks also offered her sincerest thanks and congratulations to Ms. Spicer for her hard work, dedication and inspiration to the profession and to the students.

Ms. Spicer thanked the members of the State Board and the Acting Commissioner for the recognition and invited the members of the State Board to attend the festivities scheduled at the Department in her honor on December 10, 2010.

### **Other Announcements**

President Aponte congratulated State Board member Ilan Plawker who won re-election to his sixth term as city councilman of Englewood Cliffs.

President Aponte congratulated State Board member Ernest Lepore on the recent publication of his article Speech and Harm, published in the New York Times on November 7, 2010.

President Aponte stated that he recently met with Senator President Stephen M. Sweeney and Senator M. Teresa Ruiz, to discuss issues impacting education. President Aponte stated that a meeting will be planned in the coming months between the State Board and members of the Senate Education Committee.

### **COMMISSIONER'S REPORT**

#### **Innovation Award**

Acting Commissioner Rochelle Hendricks stated that with the leadership of State Board President Arcelio Aponte the City of Newark's Department of Economic and Housing Development's Prisoner Reentry Initiative won a 2010 "Innovation in Governance" Award from the New Jersey League of Municipalities and New Jersey Department of Community Affairs for its successful efforts to place ex-offenders re-entering society into jobs and to reduce recidivism.

#### **Superintendent of the Year**

Acting Commissioner Hendricks introduced Dr. Mark J. Raivetz, Superintendent of Haddon Township Public Schools as the 2010-2011 Superintendent of the Year.

On behalf of the State Board of Education, President Aponte congratulated the Superintendent of the Year.

#### **Adequate Yearly Progress (AYP)**

Assistant Commissioner Barbara Gantwerk provided a summary account of the required annual Adequate Yearly Progress (AYP) report, part of the federal No Child Left Behind legislation that aims to have all students achieving at grade level by 2014. She stated that AYP is primarily based on the results of the New Jersey state assessments given to students in grades 3 through 8 and grade 11, She also stated that should a school fail any of the components, it cannot pass AYP standards.

Assistant Commissioner Gantwerk stated that for the 2009/2010 school year, the data shows 209 additional schools did not meet AYP standards for two years in a row, bringing the total number of Schools in Need of Improvement to 657. She also stated that 18 more school districts are now in Districts in Need of Improvement status, bringing the total number to 57 of the state's 627 districts.

### **Early Childhood Portfolios**

Deputy Commissioner Willa Spicer stated that the Department is initiating a First Grade Portfolio Pilot project. She also stated that the project provides portfolios to 120,000 first grade students in NJ. She further stated that this initiative is designed as a means to collect the best writing of children from first through third grade to examine their reading and writing development.

Deputy Commissioner Spicer stated that the portfolios are neither mandated nor required, but will prompt young students, their teachers and their families to think and talk more about their progress in learning to read and write in the critical early years of elementary school. She also stated that when the students reach third grade, the hope is that there will be a celebration of reading and writing, where children can review their accomplishments. She further stated that the cost of the portfolios was assumed under the Reading First Grant and that the Department is looking for foundation support to maintain the program for future years.

### **State Fiscal Stabilization Fund (SFSF)**

Acting Commissioner Hendricks stated that the Department recently participated in federal monitoring of the State Fiscal Stabilization Fund. She also stated that the Federal monitors were very pleased and that the report will likely show no findings and possibly just one recommendation that the Departments has already addressed. She further stated that the three LEAs visited (Newark, Jersey City, and Kearny) were very organized and provided all of the necessary documentation.

Acting Commissioner Hendricks stated the report would be shared with the State Board when it becomes available.

### **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 School Districts**

- Certified for a period of three years, those school districts recommended by the Commissioner, pursuant to N.J.S.A. 18A:7A-14a and b.

**\*C. Standards and Assessment**

- Adopted the renewal of rules pertaining to the Standards & Assessment code pursuant to N.J.S.A. 18A:7A-10 through 14, N.J.S.A. 18A:7A-49, 18A:7C, 18A:7E-2 through 5, 18A:7F-46, 18A:35-4.2, 18A:35-4.7, and 18A:59-5.

**\*D. Professional Licensure and Standards (Two- Year Transcripts)**

- Tabled consideration to approve this proposal for publication in the New Jersey Register until a future board meeting.

**\*E. Adult Education Programs**

- Approved for publication in the *New Jersey Register* the readoption and recodification with amendments of *N.J.A.C.* 6:30, pursuant to N.J.S.A. 18A:1-1, 18A:4-15, 18A:7C-1 et seq., 18A:27-2, 18A:48-1, 18A:49-1 through 8, 18A:50-12, 13, and 14, and the Adult Education Act, 20 U.S.C. §§ 1201 et seq.

**F. Student Transportation**

- Discussed the amendments pertaining to the Student Transportation regulations at *N.J.A.C.* 6A:27, pursuant to P.L.2010, c.65, the School Choice Law and P.L.2010, c.69, the Educational Stability Law.

**WORK SESSION**

**NEW BUSINESS**

State Board member Edithe Fulton asked when the charter school report would be presented to the State Board members. Ms. Fulton also expressed interest to the Acting Commissioner in participating on any committees or programs designed for training further teachers.

Acting Commissioner Hendricks stated that the questions regarding the charter school report and the list of active committees will likely be ready by the January Board meeting.

**ADJOURNMENT**

On a motion duly seconded and carried the State Board of Education adjourned its December 1, 2010 public meeting at 12:55 p.m.

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