

**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 6, 2011**

**Presiding:** Arcelio Aponte, President

**Secretary:** Christopher D. Cerf, Acting Commissioner

**PRESENT CONSTITUTING A QUORUM**

Dr. Ronald Butcher

Ms. Claire Eckert

Mr. Jack Fornaro

Ms. Edithe Fulton

Dr. Ernest Lepore

Mr. Andrew Mulvihill

Mr. Ilan Plawker

Mr. Peter Simon

Dr. Dorothy Strickland

**ABSENT**

Mr. Robert Haney

**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 April 6, 2011 was called to order.

**ADJOURN TO EXECUTIVE SESSION**

Vice President Aponte 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 *NJSA 10:4-12(b)*, the State Board of Education will now adjourn to executive session to discuss personnel and legal issues.

The State Board immediately adjourned to executive session.

### **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. Tabitha introduced Nicholas Acosta a senior at Burlington County Institute of Technology in Burlington County. He shared his thoughts about funding provided to schools that allows for the expansion of curricula and opportunities for extra-curricular activities. State Board President Arcelio Aponte welcomed Nicholas to the State Board meeting and thanked him for his comments.

### **INTRODUCTIONS**

Acting Commissioner Cerf recognized Margaret Nicolosi, Executive County Superintendent of Schools (Camden County) who represented the executive county superintendents. Ms. Nicolosi is also assigned to perform the duties of the Executive County Superintendent of Schools in Burlington County and further serves as their Executive County School Business Administrator.

### **STUDENT RECOGNITION**

The State Board recognized the Christopher Price (Camden 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 Christopher for his outstanding accomplishments in academic programs, leadership abilities and contributions to the community.

On behalf of the State Board, President Aponte congratulated Christopher 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 March 7, 2011. State Board members Ronald Butcher, Claire Eckert and Andrew Mulvihill abstained. On a motion duly seconded and carried, the State Board members approved the minutes of the public meeting conducted on March 16, 2011. State Board

members Ronald Butcher, Claire Eckert, Edithe Fulton, Andrew Mulvihill and Peter Simon abstained.

## **PRESIDENT'S REPORT**

### **Public Testimony**

President Aponte stated that a public testimony session would not be held today at 3:00 p.m. because no one registered to speak. He also stated that registration for the May 4, 2011 public testimony session will open on Friday, April 15, 2011. He further stated that the topics for the May 4, 2011 public testimony session include Special Education, Professional Licensure and Standards (Alternate Route for Superintendent Certification amendments) and Student Transportation.

President Aponte stated that the May 4, public testimony session will be an Open Topic session meaning that members of the public may present testimony before the State Board on any educational topic of their choice. He also stated that information on public testimony is available by contacting the State Board office at 609-984-6024 or through the following website <http://education.state.nj.us/sboe/reg.php>

### **Meeting of the State Board of Career and Technical Education**

President Aponte thanked Judy Savage, Director NJ Council of County Vocational Schools, Dr. Thomas Bistocchi, Superintendent, Union County Vocational Technical Schools and Diane Shoener, Acting Director, Office of the State Board for their work in planning the annual meeting of the State Board of Career and Technical Education. State Board members offered their appreciation for the visit and the programs offered by the school district.

### **Retreat**

President Aponte stated that the State Board would hold a follow up retreat on June 1 and 2, 2011. He also stated that the retreat will begin the afternoon of June 1, 2011 here in the first floor conference room immediately following the regularly scheduled monthly public business meeting and continue on June 2, 2011.

### **NASBE Board of Directors**

President Aponte stated that State Board members interested in serving on the NASBE Board of Directors should contact the State Board office for information.

### **Financial Disclosure Forms**

President Aponte reminded State Board members to file Financial Disclosure Forms. He stated that instructions and information related to the Financial Disclosure Documentation is available at the following website: <http://www.state.nj.us/ethics/disclosure/financial/>

## **Assessment Consortia**

President Aponte stated that he signed the Memorandum of Agreement (MOU) along with Acting Commissioner Cerf to join the Partnership for the Assessment of Readiness for College and Careers (PARCC). He also stated that the MOU would be signed soon by Governor Christie. He stated that choosing to join one of the Consortia will move New Jersey from a participating state to a governing state and will give New Jersey more decision making authority on major policies and operational procedures. He also stated that New Jersey will receive a small amount of funding for implementation after formally joining the Consortia.

## **New Jersey Educator Effectiveness Task Force**

President Aponte stated that State Board members should submit their comments on the interim report of the NJ Educator Effectiveness Task Force to the State Board office by June 1, 2011.

## **Committee Reports**

President Aponte invited reports from the various committees of the State Board. Ronald Butcher, chair of the Legislative/Code Committee stated that State Board member Ilan Plawker attended the Senate Education Committee meeting on March 10, 2011. State Board member Ilan Plawker stated the Senate Education committee considered the following bills: S-1797 which allows students eligible for special education programs and services for autism or other developmental disabilities to bring a medically recommended service dog to school; and S-2244 which requires school buses transporting certain disabled persons to use flashing lights and establishes penalties for drivers who fail to yield.

President Aponte also stated that he would be meeting with State Board committee chairs during today's lunch break.

## **Adult Education funding meeting**

President Aponte stated that he would be attending a meeting in Newark with Mr. Dennis Bone on Thursday, April 14, 2011 to discuss Adult Education funding. He also stated that various members of the Department staff as well as Adult Education stakeholders would be in attendance.

## **Resolution to Recognize April 2011 as School Library Month**

President Aponte presented a resolution to recognize April 2011 as School Library Month. On a motion duly seconded and carried, the State Board approved the following resolution read by State Board member Ronald Butcher:

### **RESOLUTION TO RECOGNIZE APRIL 2011 AS SCHOOL LIBRARY MONTH**

**WHEREAS**, the month of April 2011, has been designated nationally as School Library Month by the American Association of School Librarians; and

**WHEREAS**, school libraries are integral to a quality education; and

**WHEREAS**, school library programs provide access to a wide variety of educational materials such as books, magazines, electronic databases and the technology needed to utilize these resources; and

**WHEREAS**, the full potential of school library programs is dependent upon professional school librarians using their unique training and knowledge to assist teachers and instruct students in effectively using this wide range of information resources in authentic learning activities that meet state and national educational standards; and

**WHEREAS**, learning to use information and ideas effectively and ethically is essential as New Jersey's youth prepare for a future characterized by change; and

**WHEREAS**, school library programs provide a learning environment designed to enhance reading motivation and establish the information literacy skills necessary for lifelong learning; and

**WHEREAS**, school library programs and school librarians contribute to the individual growth and development of all students while fostering both excellence and equity in education; and

**WHEREAS**, it is both fitting and proper that special recognition be given to school library programs and the role of school librarians in education throughout the state of New Jersey; now, therefore, be it

**RESOLVED**, that the New Jersey State Board of Education and the Commissioner of Education recognize April 2011 as School Library Month in New Jersey.

**National Association of State Boards of Education (NASBE)/Council for Chief State School Officers (CCSSO) Conference Update**

Christopher Emigholz, Director, Office of Legislative Services and his staff summarized the highlights from the joint Legislative Conference held in Washington D. C. on March 27-29, 2011 including the status of the reauthorization of the Elementary and Secondary Education Act (ESEA). During the conference, attendees engaged with Congressional members on various education issues as well as engage with Education Secretary Arne Duncan during an extended work session on accountability and teacher effectiveness issues.

**COMMISSIONER'S REPORT**

**Alternative High School Assessment**

Jeff Hauger, Director, Office of State Assessments provided a report of the statewide performance of students that took the New Jersey Alternative High School Assessment in English for 2010.

## **Executive Order 58**

Acting Commissioner Cerf stated that Governor Christie signed Executive Order 58 creating the Education Transformation Task Force to conduct a top to bottom review of education regulations that are hurting the performance of our public schools. He also stated that the goal of the Task Force will be to rethink the way New Jersey delivers public education for its students, with a focus on delivering greater flexibility to principals and teachers throughout the state.

He further stated that the Task Force is charged with completing a comprehensive and thorough review of all current administrative regulations that affect public education, and providing recommendations to the Governor that further the goals of: increasing quality of instruction and academic achievement for students; improving teaching and educator effectiveness within schools; improving the safety and well-being of students; and sensibly eliminating or reforming those regulations that are found to be unnecessary, overly burdensome, or not conducive to an efficient and flexible classroom environment.

## **Statewide Status of Preschool Implementation**

Ellen Wolock, Director, Office of Preschool Education provided a presentation on the statewide status of preschool implementation. She provided an overview of the state-funded preschool programs including the total enrollment, the classroom and program quality standards that are required to be in place and the classroom and overall program quality evaluation results. She also provided an update of key initiatives currently underway in the Division.

## **ITEMS FOR CONSIDERATION:**

On motions duly seconded and carried, the State Board of Education took the following action:

### **\*A. Appointments**

- Approved the appointment of Carly Bolger as Director of the Office of Charter Schools pursuant to NJSA 18A:4-32-35 and N.J.A.C. 6A:2. State Board member Ronald Butcher abstained.

### **\*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. Programs to Support Student Development**

Discussed the readoption with amendments pertaining to the regulations proposed at NJAC 6A:16, pursuant to NJSA 18A:4-15, P.L. 2001, c.(246), NJSA 18A:36-5.1, NJSA 18A:17-46, NJSA 18:36-5.1, NJSA 2A:4A-60, NJSA 18A:37-2.1, NJSA 2C:33-19, NJSA 18A:37-1 through 5, NJSA 18A:38-25 through 31, NJSA 18A:25-2, 20 USC Section 1400, Section 504 of the Rehabilitation Act of 1973, P.L. 107-110 (Title IV, Part A, Subpart 4, Section 415, and Title IX, Part E, Subpart 2, Section 9532), NJSA 18A:37-13 et seq., NJSA 2A:4A-60, NJSA 18A:36-19a, 20 USC Section 1232g, 34 CFR Part 99, 20

USC Section 1232h, 34 CFR Part 98, 45 CFR Section 160, 42 CFR Part 2, *NJSA* 18A:40A-7.1, N.J.S.A. 18A:36-19.

**D. Special Education**

Discussed the readoption without amendment of the Special Education Code pursuant to N.J.S.A. 18A:46-1 et seq.

**WORK SESSION**

**NJ Professional Development Policies & Programs Research**

Dan Mindich, a doctoral researcher from Stanford University and Department staff members Cathy Pine and Eileen Aviss-Spedding presented a report on professional development policies and strategies in New Jersey. Mr. Mindich stated that New Jersey was one of four states chosen to be case study sites as part of a three year study on teacher professional learning in the United States and abroad recently completed by a team of researchers from Stanford University.

**NEW BUSINESS**

There was no new business.

**ADJOURNMENT**

On a motion duly seconded and carried the State Board of Education adjourned its April 6, 2011 public meeting at 2:50 p.m.

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Christopher Cerf, Acting Commissioner  
Acting Secretary, State Board of Education