

**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**

July 13, 2011

Presiding: Arcelio Aponte, President

Secretary: Christopher D. Cerf, Acting Commissioner

PRESENT CONSTITUTING A QUORUM

Dr. Ronald Butcher
Ms. Edithe Fulton
Mr. Jack Fornaro
Mr. Robert Haney
Dr. Ernest Lepore
Mr. Andrew Mulvihill
Mr. Ilan Plawker
Mr. Peter Simon
Dr. Dorothy Strickland

ABSENT

Ms. Claire Eckert

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 July 13, 2011, 2011 was called to order.

ADJOURN TO EXECUTIVE SESSION

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 on July 13, 2011. President Aponte reconvened the open 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.

CONVENING

President Aponte reconvened the public meeting at 10:20 a.m. on June 1, 2011 and requested a motion to resume the public meeting.

PLEDGE OF ALLEGIANCE

ELECTION OF STATE BOARD OFFICERS

Acting Commissioner Christopher D. Cerf, secretary to the State Board, conducted the annual election of State Board officers. Ernest Lepore, chair, State Board Nominating Committee, presented the slate of officers. On motions duly seconded and carried, the State Board members elected Arcelio Aponte as State Board President and Ilan Plawker as State Board Vice President. Both were elected for a one-year term.

Acting Commissioner Cerf congratulated the elected officers.

President Aponte expressed his gratitude to the members of the State Board for re-electing him President.

Vice President Plawker thanked his colleagues for electing him to a leadership position on the State Board of Education.

President Aponte extended his appreciation to State Board member Ronald Butcher for the support that he provided as Vice President.

Former Vice President Butcher fondly recalled the time he spent as Vice President and previously as President of the State Board. He also thanked his fellow State Board members for their past support.

STUDENT SPEAKERS

Acting Commissioner Cerf introduced Samantha Puja, the new student representative for the 2011-2012 school year. Samantha will be a senior at Bayonne High School (Hudson County) in September. Samantha expressed her excitement at being the new student representative.

President Aponte welcomed Samantha to the State Board as the 2011-2012 student representative.

INTRODUCTIONS

Acting Commissioner Cerf recognized Robert Gilmartin, Executive County Superintendent of Schools (Passaic 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 monthly public meeting conducted on June 1, 2011. State Board members Edithe Fulton and Ronald Butcher abstained.

On a motion duly seconded and carried, the State Board members approved the minutes of the retreat meeting conducted on June 1 and 2, 2011 as amended below to correct a typographical error and to include the principles established by the State Board at its June 2011 retreat. State Board members Edithe Fulton and Ronald Butcher abstained.

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.

Retreat--Next Steps

The Commissioner will review the State Board's guiding and operational principles and provide recommended changes to the Board for their consideration at its July meeting. State Board committees will be aligned to the guiding and operational principles. State Board members will draft a response to the Teacher Educator Effectiveness Task Force Interim Report. The State Board will become more proactively involved with the Legislature in regard to education bills. The State Board will develop public policy statements regarding the State Board's principles included below and beliefs about education in New Jersey.

The New Jersey State Board of Education provide(s) leadership to achieve excellence in New Jersey public education and engage(s) legislators, school administrators, teachers, students, parents, and other stakeholders in formulating policies that enhance education, empower families, and broaden opportunities for students.

In pursuit of this mission, the Board is guided by established principles that are reflected in its work and in its actions.

- The New Jersey State Board puts children first in its decisions and actions.

- The State Board believes all children deserve both the opportunity and the access to a high quality education, pre-k through college, which will lead to their ability to earn a sustainable living.
- The State Board believes public education must provide all students with a world class challenging curriculum and the analytical skills to sustain them in a global economy.
- The State Board believes highly qualified educators are essential to student achievement and all students should be taught by good teachers.
- The State Board believes administrator and administrative actions should be focused on all students being successful.
- The State Board believes the state should leverage its resources to achieve the goals of providing a high quality education to every student.
- The State Board believes school choice is a component of a quality education system.
- The State Board believes parents should be empowered to support the education of their children.

In order to foster these principles, the Board will:

- Operate to ensure its actions are driven by its beliefs.
- Advocate for a supportive educational environment for all students.
- Ensure highly competent teachers will be available to all students and support measures to improve teacher effectiveness, including changes to tenure and assessments tied to student learning.
- Insist that ever classroom provide quality instruction that builds the necessary skills for student achievement.
- Streamline, eradicate or simplify regulatory burdens placed on schools, and hold them accountability for their results.
- Work in collaboration with diverse constituencies with a goal of all students success.
- Use the Board committee structure to align its work to its beliefs.
- Wage war against obstructionists to student success.

PRESIDENT'S REPORT

Public Testimony

President Aponte stated that a public testimony session would not be held today as no items were scheduled for public testimony.

He also stated that the topic for the August 3, 2011 public testimony session include New Jersey Quality Single Accountability Continuum amendments. President Aponte 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>

He further stated that members of the public should check the State Board website <http://www.state.nj.us/education/sboe/meetings/pubtest.shtml> and/or call the State Board Office in mid July to see if additional topics for the August public testimony session are scheduled.

New Jersey Educator Effectiveness Task Force Report

President Aponte stated that State Board members interested in drafting the formal response to the New Jersey Educator Effectiveness Task Force Interim Report should contact the State Board Office. He also stated that the draft response should be completed by the August 3, 2011 monthly public meeting of the State Board.

State Board Office Acting Director

President Aponte stated that while Diane Shoener, director, State Board Office, is on maternity leave, Beth Auerswald will serve as acting director of the State Board Office.

Nomination to the National Association of State Boards of Education (NASBE) Board of Directors for the Northeastern Area Directors

President Aponte stated that Vice President Ilan Plawker has been nominated to serve on the NASBE Board of Directors for the Northeastern Area Directors. He also stated that the Area Directors are elected by a majority vote of the voting states of a particular area and that the election will take place in October during NASBE's annual conference.

Ceremonial Items and the State Board Agenda

President Aponte stated that this year the State Board will be adjusting its agenda and schedule for ceremonial items in order to facilitate the agenda in a more efficient manner. He also stated that ceremonial items will take place at two separate meetings in December and May to honor both students and other honorees typically recognized now at State Board meetings. He further stated that members of the public should contact the State Board office for details.

Resolution to Honor Rochelle R. Hendricks

On behalf of the State Board of Education, President Aponte presented a resolution honoring Rochelle R. Hendricks for her service to the State Board, the Department and to the children of New Jersey.

On a motion duly seconded and carried, the State Board unanimously approved the following resolution read into the record by State Board member Ronald Butcher:

RESOLUTION TO HONOR ACTING DEPUTY COMMISSIONER ROCHELLE R. HENDRICKS

WHEREAS, Rochelle R. Hendricks has served with distinction as an employee of the New Jersey Department of Education from 1987 to the present, having held numerous senior management-level positions, most recently serving as Acting Deputy Commissioner from January 2011 to present and Acting Commissioner of Education from August 2010 to January 2011, and is being honored for her distinguished tenure of service; and

WHEREAS, Rochelle R. Hendricks as Acting Commissioner of Education provided critical leadership in the search for the Newark Superintendent of Schools during the transition period and was actively involved in helping to craft the Governor's education reform plans including the creation and appointment of the Educator Effectiveness Task Force; and

WHEREAS, Rochelle R. Hendricks as Assistant Commissioner of the Division of District and School Improvement played a leading role in promoting collaboration with internal and external partners to ensure that school improvement efforts in the areas of Leadership and Equity and Choice Initiatives are research-based, data-driven and focused on the unique needs of targeted schools and school districts; and

WHEREAS, Rochelle R. Hendricks as Director of the Office of Vocational-Technical Career and Innovative Programs was instrumental in the development of a variety of school change programs and activities like the inter-district school choice program and charter school initiatives that created options for students and parents and improved educational excellence and equity for all of New Jersey's students; and

WHEREAS, the New Jersey State Board of Education acknowledges and is grateful that Rochelle R. Hendricks' passion, determination and personnel crusade of fairness and equal access to education was infused within all aspects of the work of the Department of Education to ensure all of New Jersey's students were afforded the same educational opportunities; and

WHEREAS, the New Jersey State Board of Education recognizes and appreciates Rochelle R. Hendricks's sincere manner and affable style that enhanced her unwavering belief in collaboration, consensus building and mutual problem solving for the benefit of all New Jersey's students; and

WHEREAS, Rochelle R. Hendricks has been chosen by Governor Christopher J. Christie as his selection for New Jersey's first Secretary of Higher Education, now therefore be it

RESOLVED that it is both fitting and proper that the New Jersey State Board of Education express its sincere gratitude to Rochelle R. Hendricks for her leadership exemplified by the collegial manner in which she worked with all stakeholders to provide a challenging, nurturing learning environment for all school children, and be it further

RESOLVED, that the New Jersey State Board of Education hereby honors Rochelle R. Hendricks for her esteemed record of service to the New Jersey Department of Education and extends best wishes for success and happiness in her new endeavors.

COMMISSIONER'S REPORT

National Council on Teacher Quality State Teacher Quality Presentation

Sandi Jacobs, Vice President for Policy at the National Council on Teacher Quality presented the Council's findings regarding its annual review of New Jersey's state teacher policies for 2009. She stated that the overall grade for New Jersey was a D+, while the national average was a D. She also stated that the states should strive to focus on teacher quality and that states should align all teacher policies to support effectiveness in the following areas: Teacher Preparation,

Licensure/Certification, Mentoring/Professional Development, Evaluation, Tenure, Compensation and Dismissal. Ms. Jacobs further provided research results showing that teacher quality is the most important school-level variable in terms of student achievement.

Teacher Educator Effectiveness Pilot

Deputy Commissioner Andrew Smarick and Jessani Gordon, Office of Evaluation provided an overview of the Teacher Educator Effectiveness Pilot program. Ms. Gordon stated that this is a \$1.1 million grant pilot program designed to encourage school districts to participate in an innovative teacher evaluation system. She also stated that the grant funds will be awarded for the 2011-2012 school year to districts and charter schools that offer to work with the Department of Education to develop and implement new educator evaluation systems focused on teacher practice and student performance.

Ms. Gordon stated that the pilot program advances the [recommendations](#) released by Governor Christie's Task Force on Educator Effectiveness in March and includes:

- development of a new teacher evaluation system based on student learning
- measuring student achievement by student growth and school-wide performance
- evaluating teacher practices using new 2011 InTASC Model Core Teaching Standards

She also stated that the limited-competitive project year is September 1, 2011 – September 30, 2012. Applications for the program are due by July 28, 2011. She further stated that there is funding for up to 9 school districts and to train approximately 600 teachers.

Ms. Gordon stated that the Department will also use an external evaluator to collect data on the pilot program and that a State Advisory Team will be formed. Ms. Gordon also stated that currently the Department has received 37 letters of intent from school districts interested in participating in the pilot program.

Alternative High School Assessment

Jeffrey Hauger, Director, Office of Assessments provided an update on the status of the Alternative High School Assessment for the 2010-2011 school year. He stated that this year student could meet the graduation requirements in one of three ways, by passing the High School Proficiency Assessment (HSPA), by taking the Alternative High School Assessment (AHSA), or through the Appeals process. He further stated that the AHSA is administered to students that have not passed the HSPA and is offered three times per year.

Mr. Hauger stated that through the second administration of AHSA, 8,174 students were administered at least one Performance Assessment Tasks (PAT's) in each Math Standard ("complete" set), with 5,010 students passing. He also stated that through the second administration of AHSA, 6,216 students were administered at least two Reading and one Writing PAT ("complete" set) with 2,625 students passing. He further stated that during the February Appeals process 293 out of 586 students passed the Math appeals process and 261 out of 324 students passed the LAL appeals process.

Mr. Hauger stated that during the June appeals process 983 out of 1, 369 students passed the Math appeals process and 319 out of 517 students passed the LAL appeals process. He also stated that the third AHSA testing window is still open and there are students who are enrolled in summer school. He further stated that the HSPA and AHSA/appeals data will be tabulated at the student level in NJSMART and the graduation rate will then be calculated to determine the percentage of students that passed the assessment graduation requirement via HSPA or AHSA/appeals (Fall 2011).

ITEMS FOR CONSIDERATION:

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

***A. Commissioner**

- Adopted the organization structure for the State Department of Education at N.J.A.C. 6A:2-1.1 et seq., pursuant to N.J.S.A.18A:4 et.seq and N.J.S.A 52:14B-3(1).

***B. Appointments**

- Approved a motion to vote on the appointments as a unanimous slate.
- Approved the following appointments pursuant to N.J.S.A. 18A:4-32-35 and N.J.A.C. 6A:2-1.1 et seq.,
- Andrew Smarick as the Assistant Commissioner of the Education Delivery Unit. Acting Commissioner Cerf then stated that he was appointing Mr. Smarick to serve as his Deputy Commissioner.
- David Hespe as the Chief of Staff.
- Bari Erlichson as the Chief Performance Officer/Assistant Commissioner of the Division of Data Research Evaluation and Reporting.
- Barbara Gantwerk as the Assistant Commissioner of the Division of Programs and Operations.
- James Palmer as the Director of the Office of Project Management.
- Justin Barra as the Director of the Office of Communications and Strategic Partnerships.
- Angel Ramos as the Superintendent of the Marie H. Katzenbach School for the Deaf.
- David Corso as the Assistant Commissioner of the Division of Administration and Finance.
- David Joye as the Director of the Office of Budget and Accounting and Grants Management.
- Diane Shoener as the Director of the Office of the State Board of Education.
- Robert Higgins as the Director of the Office of Certification/Induction.
- Cathy Pine as the Director of the Office of Professional Development.
- Mary Jane Kurabinski as the Director of the Office of Literacy.
- Jeffrey Hauger as the Director of the Office of Assessments.
- Ellen Wolock as the Administrator of the Division of Early Childhood Education.
- Laurence Cocco as the Director of the Office of Educational Technology.

***C. 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.

***D. Professional Licensure and Standards**

- Adopted as amended below, the amendments to the Professional Licensure and Standards regulations pertaining to certification for state operated superintendents and districts in need of improvement 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 State Board member Edithe Fulton opposed.

N.J.A.C. 6A:9(o)1.

Such certifications may be issued and appointments may be made in a school district that is listed as a district in need of improvement on the department's [most recent] Annual Yearly Progress report as of July 13, 2011.

***E. Student Transportation**

- Adopted 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.

F. Resolution to Approve Praxis II Tests and Respective Cut Scores – Technology Education and Art

- Discussed the following resolution to approve the new tests and recommended qualifying scores for the Praxis tests required for initial New Jersey teacher licensure pursuant to N.J.A.C. 6A:9-8.1(a)6.

A RESOLUTION ADOPTING NEW PRAXIS II TESTS AND QUALIFYING SCORES FOR TEACHER OF ART AND TEACHER OF TECHNOLOGY

WHEREAS, the New Jersey State Board of Education has required that teacher certification candidates pass tests in specified disciplines in accordance with N.J.A.C. 6A:9-8.1, effective January 5, 2009; and

WHEREAS, the New Jersey State Board of Education has required tests for the certificates for Teacher of Art and Teacher of Technology Education in accordance with N.J.A.C. 6A:9-8.1 and N.J.A.C. 6A:9-11.10; and

WHEREAS, the Educational Testing Service (ETS) has recently established new tests in these subjects to replace the current Praxis II Subject Assessment tests that are in use by the department; and

WHEREAS, the department has participated in national standard-setting studies for the Art and Technology Education tests to determine the validity of and the theoretically appropriate qualifying score for those tests; and

WHEREAS, the New Jersey State Board of Education approves the department's selection of the respective Praxis II tests and initial qualifying scores for those certificates; and

WHEREAS, the department will monitor the impact of these tests and qualifying scores on the passing rates for each subject area and will report any problems with the same to the State Board of Education; now therefore be it

RESOLVED, that the New Jersey State Board of Education hereby supports the department's selection of these two Praxis II Subject Assessment tests; and be it further

RESOLVED, that the New Jersey State Board of Education hereby acknowledges and accepts the department's establishment of the following qualifying scores effective September 1, 2011:

Praxis II Test	Qualifying Score
Teacher of Art	158
Teacher of Technology Education	159

G. Resolution to Approve Interstate Reciprocity Compact from NASDTEC

- Discussed the following resolution to renew NJ membership in the 50 state reciprocity agreement in which members agree to honor other state's certificates, pursuant to N.J.S.A. 18A:26-11 et seq, N.J.S.A. 18A:26-21 and N.J.S.A. 18A:26-14

A RESOLUTION APPROVING THE 2010-2015 NATIONAL ASSOCIATION OF STATE DIRECTORS OF TEACHER EDUCATION AND CERTIFICATION (NASDTEC) INTERSTATE AGREEMENT FOR EDUCATOR LICENSURE

WHEREAS, N.J.S.A. 18A:26-11 *et seq.* recognizes the importance of interstate agreements concerning educational programs and personnel, and N.J.S.A. 18A:26-14 authorizes the Secretary of the Board of Examiners to enter into contracts on behalf of the State with one or more other states for the acceptance of educational personnel, and N.J.S.A. 18A:26-21 requires the specific terms of the contracts to be approved by the New Jersey State Board of Education upon recommendation by the Commissioner and State Board of Examiners; and

WHEREAS, the New Jersey State Board of Education has authorized prior NASDTEC interstate agreements in accordance with N.J.S.A. 18A:26-14 and N.J.S.A. 18A:26-21; and

WHEREAS, the Commissioner and State Board of Examiners recommend that the

New Jersey State Board of Education approve the 2010-2015 NASDTEC Interstate Agreement for Educator Licensure; and now therefore be it

RESOLVED, that the New Jersey State Board of Education approves the 2010-2015 NASDTEC Interstate Agreement for Educator Licensure and authorizes the Secretary of the State Board of Examiners to sign the Agreement on behalf of the New Jersey Department of Education.

H. New Jersey Quality Single Accountability Continuum

- Discussed the amendments to the NJ Quality Single Accountability Continuum regulations at N.J.A.C. 6A:30 pursuant to N.J.S.A. 18A:7-3 et seq.

WORK SESSION

Middle Grades Data Analysis

This item was tabled to a future State Board meeting

NEW BUSINESS

There was no new business.

ADJOURNMENT

On a motion duly seconded and carried the State Board of Education adjourned its July 13, 2011 monthly public business meeting at 3:01 p.m.

Andrew Smarick, Acting Commissioner
Acting Secretary, State Board of Education