

**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 5, 2012

Presiding: Arcelio Aponte, President

Secretary: Christopher D. Cerf, Commissioner

PRESENT CONSTITUTING A QUORUM

Dr. Ronald Butcher
Ms. Claire Chamberlain
Mr. Joseph Fisicaro
Mr. Jack Fornaro
Ms. Edithe Fulton
Mr. Andrew Mulvihill
Mr. Ilan Plawker
Mr. Peter Simon
Dr. Dorothy Strickland

ABSENT

Mr. Mark Beidron
Mr. Robert Haney
Dr. Ernest Lepore

CONVENING

State Board of Education President Arcelio Aponte 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 New Jersey Open Public Meetings Act.

The 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 5, 2012, 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 *N.J.S.A. 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 September 5, 2012.

RECONVENING

President Aponte reconvened the open meeting at 10:30 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

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 1, 2012 as amended to acknowledge Mr. Ilan Plawker's attendance. State Board members Peter Simon and Claire Chamberlain abstained.

PRESIDENT'S REPORT

Chief of Staff Departure

On behalf of the State Board of Education, President Aponte congratulated David C. Hespe on being selected President of Burlington County Community College.

Public Testimony

President Aponte stated that a public testimony session would be held following today's meeting. He also stated that the following topics are scheduled for testimony: Charter Schools, Interdistrict Public School Choice, NJQSAC and Educator Effectiveness Evaluation System and Open Topic. He further stated that Open Topic means that members of the public may present testimony before the State Board on any educational topic of their choice.

President Aponte stated that at this time public testimony would not be held on October 3, 2012 because there are no topics scheduled. President Aponte also stated that members of the public should contact the State Board office at 609-984-6024 or through the following website <http://education.state.nj.us/sboe/reg.php> for updates.

2012-2013 NJ Permanent Student Representative

President Aponte introduced Kenny Patrone the permanent student representative to the State Board for the 2012-2013 school year.

COMMISSIONER'S REPORTS

Tenure Bill Update

Pete Shulman, Chief Talent Officer, Division of Teacher and Leader Effectiveness presented an overview of The Teacher Effectiveness and Accountability for the Children of New Jersey (TEACHNJ) Act legislation signed by Governor Christie on August 6th. He stated that any new teacher, principal, assistant principal, or vice principal hired after the effective date of the law must complete four years of employment to be eligible for tenure under the following evaluation requirements:

- To earn tenure, a new teacher must complete a district mentorship program during his/her first year of employment. After completion of this program, the teacher must be rated either effective or highly effective in two of the three subsequent years.
- To earn tenure, a new principal, assistant principal, or vice principal must be rated either effective or highly effective in two annual summative evaluations within the first three years of employment, with the first effective rating on or after completion of the second year.

He also stated that if any tenured teacher, principal, assistant principal, or vice principal is rated ineffective or partially effective in two consecutive years, that employee will be charged with inefficiency.

Mr. Shulman outlined the new process for tenure proceedings and explained the role of the arbitrators and the time and financial limitations set forth in the law. He also stated that the law requires Professional Development aligned to evaluations to be provided to all teaching staff and that every school must convene a School Improvement Panel that will oversee the mentoring and evaluation of teachers. He further stated that all identifiable information related to personnel evaluations will be confidential and not accessible to the public.

Mr. Shulman stated that the deadline for districts to adopt educator evaluation rubrics for teachers and principals, assistant principals, and vice principals is December 31, 2012 and testing and refinement of the evaluation rubrics must commence by January 31, 2013. He also stated that districts must implement the evaluation rubrics by school year 2013-14.

Mr. Shulman stated that a school district's evaluation rubric shall not be subject to collective bargaining, and no collective bargaining agreement entered into by the school district after July 1, 2013 may conflict with provisions of the law.

Charter School Conversion Regulations

Evo Popoff, Chief Innovation Officer, Division of Charter Schools, School Choice, Technology Turnaround and Amy Ruck, Director, Office of Charter Schools presented an overview of Nonpublic Charter School Conversions regulations that the Department will be proposing in October at Second Discussion Level.

Education Transformation Task Force

Dave Hesse, Chief of Staff provided a presentation on the final report of the Education Transformation Task Force. Mr. Hesse stated that the report recommended 428 regulatory and 46 statutory changes that focus on student outcomes rather than compliance with regulations. He also stated that the Task Force report addressed additional steps to strengthen the state's new

school accountability system. He further stated that the changes create greater freedoms for successful schools and educators to craft their own path for success while being more prescriptive when schools persistently fail.

Mr. Hespe stated that the Task Force also recommended the Department consider the following three areas to strengthen accountability: 1) Create a unified accountability system as an alternative to QSAC to make it school-based in focus and consistent with the new NCLB framework. 2) Consider more intensive interventions for Priority and Focus Schools that prove unwilling or unable to turn around after several years of state support. 3) Develop a new process for returning state-operated districts to local control in a manner that maintains stability and ensures ongoing state support for schools that are persistently failing.

Mr. Hespe and State Board members discussed the tentative schedule for review of these recommended changes to the Administrative Code. President Aponte stated that state board members would have conference calls to discuss the plan for reviewing the various chapters to be amended.

ITEMS FOR CONSIDERATION:

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

A. Appointments

- Approved the following title changes and appointments pursuant to N.J.S.A. 18A:4-32-35 and N.J.A.C. 6A:2-1.1 et seq.:

Title Changes:

- Barbara Gantwerk, Assistant Commissioner, Division of Student and Field Services;
- Meghan Snow, Director, Office of STEM.

New Appointments:

- Kimberley Harrington, Director, Office of Academic Standards;
- Mary (Mamie) Doyle, Director, Office of Recruitment and Preparation;
- Amy Ruck, Director, Office of Charter Schools;
- Jessani Gordon, Director, Office of Interdistrict Public School Choice and Nonpublic Schools.

***B. Certification of School Districts**

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

Certified School District/County		Certified School District/County	
Edgewater	Bergen	North Brunswick Twp.	Middlesex
Franklin Lakes	Bergen	Old Bridge Twp.	Middlesex
Ho-Ho-Kus	Bergen	Piscataway Twp.	Middlesex
Little Ferry	Bergen	South Plainfield	Middlesex
Lyndhurst	Bergen	Woodbridge Twp.	Middlesex

Midland Park	Bergen	Middletown Twp.	Monmouth
North Arlington	Bergen	Monmouth Reg. HS	Monmouth
Northern Valley Reg. HS	Bergen	Boonton Town	Monmouth
Oakland	Bergen	Boonton Twp.	Morris
Oradell	Bergen	Dover	Morris
Ridgefield Park	Bergen	Hanover Twp.	Morris
River Dell Reg.	Bergen	Kinnelon	Morris
Saddle River	Bergen	Lincoln Park	Morris
Woodcliff Lake	Bergen	Morris Plains	Morris
Wyckoff	Bergen	Mount Arlington	Morris
Cinnaminson Twp.	Burlington	Mountain Lakes	Morris
Berlin Borough	Camden	Randolph Twp.	Morris
Cherry Hill	Camden	Riverdale	Morris
Eastern Camden Co. Reg.	Camden	Barnegat Twp.	Ocean
Gloucester City	Camden	Brick Twp.	Ocean
Laurel Springs	Camden	Eagleswood Twp.	Ocean
Oaklyn	Camden	Manchester Twp.	Ocean
Lower Cape May Co. Reg.	Cape May	Ocean Twp.	Ocean
Lower Twp.	Cape May	Pinelands Reg.	Ocean
Middle Twp.	Cape May	Plumsted Twp.	Ocean
Sea Isle City	Cape May	Point Pleasant Beach	Ocean
Fairfield Twp.	Cumberland	Southern Reg.	Ocean
Livingston	Essex	North Haledon	Passaic
Montclair	Essex	Passaic Co. Vocational	Passaic
South Orange-Maplewood	Essex	Wanaque	Passaic
Clearview Reg.	Gloucester	Oldmans Twp.	Salem
Kingsway Reg.	Gloucester	Salem Co. Vocational	Salem
Bayonne	Hudson	Upper Pittsgrove Twp.	Salem
East Newark	Hudson	Cranford	Union
West New York	Hudson	Linden	Union
N. Hunterdon/Voorhees Reg.	Hunterdon	Mountainside	Union
South Hunterdon Reg. HS	Hunterdon	Summit	Union
Stockton	Hunterdon		
East Windsor Reg.	Mercer		
Lawrence Twp.	Mercer		
Cranbury Twp.	Middlesex		
Dunellen	Middlesex		
Highland Park	Middlesex		

***C. Resolution to Approve Appointments to the State Special Education Advisory Council**

- Approved the resolution to appoint two members to the State Special Education Advisory Council.

**RESOLUTION
TO APPROVE APPOINTMENTS TO
THE STATE SPECIAL EDUCATION ADVISORY COUNCIL**

WHEREAS, N.J.S.A. 18A:46-2 requires that the Commissioner shall appoint biannually an advisory council for special education with the approval of the State Board which will consist of not fewer than seven nor more than 15 members representative of professionals in the field of special education and parents of children with disabilities; and

WHEREAS, N.J.S.A. 18A:46-2 defines the role of the advisory council as advising in the promulgation of rules, regulations and implementation of N.J.A.C. 6A:14 and the establishment of standards and qualifications for professional personnel and further provides that the council members shall serve without remuneration; and

WHEREAS, the reauthorized Individuals with Disabilities Education Improvement Act (IDEA) of 2004 requires each state education agency to have an advisory panel for special education; and

WHEREAS, the New Jersey Department of Education has established and maintains an advisory panel, known as the State Special Education Advisory Council, for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State; and

WHEREAS, the advisory panel consists of members, that are representative of the state population and are composed of individuals involved in, or concerned with, the education of children with disabilities, including: (i) parents of children with disabilities; (ii) individuals with disabilities; (iii) teachers; (iv) representatives of institutions of higher education that prepare special education and related services personnel; (v) state and local education officials; (vi) administrators of programs for children with disabilities; (vii) representatives of other state agencies involved in the financing or delivery of related services to children with disabilities; (viii) representatives of private schools and public charter schools; (ix) at least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and (x) representatives from the state juvenile and adult corrections agencies; and

WHEREAS, a majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities; and

WHEREAS, the advisory panel shall: (i) advise the department of unmet needs within the state in the education of children with disabilities; (ii) comment publicly on any rules or regulations proposed by the department regarding the education of children with disabilities; (iii) advise the department in developing evaluations and reporting on data to the Secretary of the United States Department of Education under Part B Sec. 618 of the Individuals with Disabilities Education Act; (iv) advise the department in developing corrective action plans to address findings identified in federal monitoring reports under this part; and (v) advise the department in developing and implementing policies relating to the coordination of services for children with disabilities; now therefore be it

RESOLVED, that the State Special Education Advisory Council meets the state mandate for an advisory council and the federal requirements for an advisory panel; and be it further

RESOLVED, that the Commissioner recommends that Ms. Mary Ann Comparetto be appointed for a two-year term effective September 5, 2012

RESOLVED, that the Commissioner recommends that Dr. Tekelah Sherrod be appointed for a two-year term effective September 5, 2012.

D. Educator Effectiveness Evaluation System

- Discussed the proposed repeal of N.J.A.C.6A:32-4.3, 4.4, 4.5 and 4.8 and proposed new chapter of regulations pertaining to educator effectiveness set forth at N.J.A.C. 6A:10, pursuant to N.J.S.A. 18A:4-15.

WORK SESSION

There was no work session.

BOARDS OF REVIEW

State Board member Ronald Butcher stated that he is sitting on two Board's of Review. He stated that one petition filed was by Franklin Township to eliminate the send/receive relationship with Delsea Regional and another petition filed by the South Hunterdon Regional School District. He further stated that he is advising the State Board members of these two petitions given the recommendations of the Education Transformation Task Force and discussions about district consolidation.

NEW BUSINESS

There was no new business.

ADJOURNMENT

On a motion duly seconded and carried, the State Board of Education adjourned its September 5, 2012, public meeting at 1:05 pm.

Christopher D. Cerf, Commissioner
Secretary, State Board of Education