

**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**

October 3, 2012

Presiding: Arcelio Aponte, President

Secretary: Christopher D. Cerf, Commissioner

PRESENT CONSTITUTING A QUORUM

Dr. Ronald Butcher
Mr. Mark Beidron
Mr. Joseph Fiscaro
Mr. Jack Fornaro
Ms. Edithe Fulton
Dr. Ernest Lepore
Mr. Andrew Mulvihill
Mr. Peter Simon
Dr. Dorothy Strickland

ABSENT

Ms. Claire Chamberlain
Mr. Robert Haney
Mr. Ilan Plawker

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 October 3, 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 October 3, 2012.

RECONVENING

President Aponte reconvened the open 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

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 September 5, 2012. State Board member Ernest Lepore abstained.

PRESIDENT'S REPORT

Public Testimony

President Aponte stated that a public testimony session would be held following today's meeting. He also stated that the following topic is scheduled for testimony: Charter Schools Conversion Regulations.

President Aponte stated that public testimony would be held on November 7, 2012 and that the State Board would receive comments on the Professional Licensure and Standards amendments. 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. Kenny expressed views from the students on the following issues: The teacher Tenure and evaluation laws and Charter Schools.

COMMISSIONER'S REPORTS

Art Exhibit

Commissioner Cerf stated that the artwork on display in the conference room was created by Department of Education staff or members of their immediately families. He also stated that he hoped members of the State Board would take a few moments to enjoy the art and read the artist statements. He further stated that many of our staff members are well-rounded and talented in many areas beyond their official roles here at the department.

The exhibit will remain on display through the end of October.

Teacher of the Year

Chief Talent Officer Peter Shulman introduced Lauren Marrocco, a fourth grade teacher at the Edward J. Patten Elementary School in Perth Amboy, the newly named 2012-13 New Jersey State Teacher of the Year. He said Ms. Marrocco has taught at Patton Elementary for the entirety of her 10 year teaching career.

President Aponte congratulated Ms. Marrocco on being chosen as the state Teacher of the Year from among the 21 County Teachers of the Year.

Representatives from the following organizations and companies presented Ms. Marrocco with these items: New Jersey Education Association - a one-year lease on a new car and a \$500 clothing allowance; and Educational Testing Service - a half-year sabbatical.

Mr. Shulman also stated that SMART Technologies will provide Ms. Marrocco's with a SMART package for her classroom.

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, the following school districts recommended by the Commissioner, pursuant to N.J.S.A. 18A:7A-14a and b.

Certified School District/County	
Rancocas Valley Reg.	Burlington
Lawnside	Camden
Westville	Gloucester
Freehold Borough	Monmouth
Red Bank Borough	Monmouth

***C. Resolution for Clinical Nursing Service Providers for Medically Fragile Students**

- Approved the resolution to adopt the Department of Human Services directory of clinical nursing service providers for medically fragile students.

RESOLUTION TO ADOPT THE DEPARTMENT OF HUMAN SERVICES DIRECTORY OF CLINICAL NURSING SERVICE PROVIDERS FOR MEDICALLY FRAGILE STUDENTS

WHEREAS, the Legislature recently enacted P.L.2012, c.5, which addresses the unique needs of medically fragile students while attending school; and

WHEREAS, the Legislature found and declared that medically fragile students who require clinical nursing services while attending school should expect and receive the same level of care they receive at home; and

WHEREAS, in order to address the often inadequate quality of care medically fragile students receive while attending school, and to guarantee the health and safety of medically fragile students receive while attending school, the Legislature declared that providers of clinical nursing services for such students must meet the same qualifications as providers of clinical nursing services approved by the State's Medicaid and NJ FamilyCare programs; and

WHEREAS, the Legislature defined "provider of clinical nursing services" to mean an agency that provides clinical nursing services and is approved to provide private duty nursing under the Medicaid or FamilyCare programs; and

WHEREAS, *N.J.S.A. 18A:40-3.3* already mandates that special education students and those with specialized medical needs requiring specialized care shall have that care rendered by an appropriate provider as appointed by the State Board of Education; and

WHEREAS, because the Legislature has determined that the qualifications for providers of clinical nursing services be the same as those required for providers of private duty nursing as approved by the State's Medicaid and NJ FamilyCare programs; and

WHEREAS, the Department of Human Services maintains a directory of private duty nursing service providers approved and enrolled to participate in the State's Medicaid and NJ FamilyCare programs; and

WHEREAS, the Commissioner of Education recommends appointing as appropriate providers of clinical nursing services for medically fragile students while attending school, those providers of private duty nursing approved and enrolled to participate in the State's Medicaid and NJ FamilyCare programs as indicated through the Department of Human Services directory available at <http://www.njmmis.com/providerdirectory.aspx>; now therefore be it

RESOLVED, for the purpose of meeting its statutory obligation and ensuring that appropriate providers are appointed to meet the needs of medically fragile students, the State Board of Education hereby approves the hiring, by local district boards of education, only of providers of clinical nursing services who appear on the Department of Human Services directory of providers of private duty nursing as approved and enrolled to participate in the State's Medicaid and NJ FamilyCare programs;

AND BE IT FURTHER RSEOLVED, that pursuant to P.L.2012, c.5, the State Board of Education shall allow a provider chosen by the parent or guardian of a medically fragile student to render such clinical nursing services to the student, but only if the cost to the school district remains neutral. Such requests shall be submitted to the Department of Education, along with a certification from the school district stating that the cost is neutral;

AND BE IT FURTHER RESOLVED, that, in the event of a dispute regarding the neutrality of the cost of a provider chosen by the parent or guardian of a medically fragile student, such a dispute shall be resolved by the Bureau of Controversies and Disputes in accordance with the procedures set forth in N.J.A.C. 6A:3-1.1 et seq. Upon a finding by the Commissioner of Education that the cost of a provider chosen by the parent or guardian of a medically fragile student remains neutral to the respective school district, the decision setting forth such a finding shall be submitted with the request for allowance;

AND BE IT FURTHER RESOLVED, that pending the outcome of a dispute regarding the cost of a provider chosen by a parent or guardian of a medically fragile student, all necessary clinical nursing services shall be rendered by the provider otherwise offered by the district consistent with this resolution.

***D. Educator Effectiveness Evaluation System**

- Approved for publication in the New Jersey Register 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.

***E. Fiscal Accountability, Efficiency and Budget Procedures**

- Approved for publication in the New Jersey Register, the proposed new rules pertaining to employee health benefits set forth at N.J.A.C. 6A:23A, pursuant to P.L. 2011, c.78.

F. Charter Schools

- Discussed the proposed new regulations pertaining to nonpublic charter school conversion set forth at N.J.A.C. 6A:11, pursuant to N.J.S.A. 18A:36A-4.1

G. Professional Licensure & Standards

- Discussed the amendments to the regulations pertaining to teacher licensure and standards proposed at N.J.A.C. 6A:9, Professional Licensure and Standards 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.

H. Qualifying PRAXIS Scores and Adoption of New Test for School Administrators

- Discussed a resolution to adopt Qualifying scores and a new Praxis test required to license new school administrators.

RESOLUTION

ADOPTING A NEW TEST AND QUALIFYING SCHOOL FOR SCHOOL ADMINISTRATORS

WHEREAS, the State Board of Education has required that candidates for chief school administrator certification pass a test of content knowledge directly related to the functions of school administrators in accordance with N.J.A.C. 6A:9-12.4; and

WHEREAS, the Educational Testing Service (ETS) has developed a new School Superintendent Assessment for entry-level superintendents to assess knowledge respective to the job responsibilities; and

WHEREAS, the department has identified the new ETS School Superintendent Assessment as the most appropriate and rigorous test to assess a candidate's content knowledge respective to competent professional practice for New Jersey school administrators; and

WHEREAS, the Department of Education has determined, through standard setting studies completed in conjunction with ETS and New Jersey school administrators, that the School Superintendent Assessment is valid and that the recommended initial qualifying score is fair and appropriate for entry level New Jersey superintendents; and

WHEREAS, the Department of Education will annually evaluate the impact of qualifying scores on the available pool of superintendents and report on the same to the State Board of Education; now therefore be it

RESOLVED, that the State Board of Education hereby supports the department's selection of the new School Superintendent Assessment for entry level school administrators; and be it further

RESOLVED, that the State Board of Education hereby acknowledges and accepts the department's establishment of *a qualifying score of 160* out of a possible 200 for that assessment.

WORK SESSION

World Language Model Programs

Cheri Quinlan, the coordinator for World Languages, International Education & Gifted and Talented programs, shared an overview of the Model Programs for World Languages initiative along with the supervisors who represent the four districts that were named model programs in May 2012. Each supervisor provided a short overview of the world languages program in their district. The World Language Model Program Resource Centers and Supervisors are:

District	Type of Program	Supervisor
Englewood Public Schools	Immersion Programs	Mercedes Gil
Fair Haven Public Schools	K-8	Ellen Spears
Princeton Public Schools	K-12	Priscilla Russel
West Windsor-Plainsboro Regional School District	K-12	Carol Meulener

NEW BUSINESS

There was no new business.

ADJOURNMENT

On a motion duly seconded and carried, the State Board of Education adjourned its October 3, 2012, public meeting at 2:45 pm.

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