

**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 6, 2006**

**Presiding:** Arnold G. Hyndman, Ph.D., President

**Secretary:** Lucille E. Davy, Acting Commissioner

**PRESENT CONSTITUTING A QUORUM**

Mr. Arcelio Aponte  
Dr. Ronald K. Butcher  
Ms. Debra Casha  
Ms. Maud Dahme  
Ms. Kathleen A. Dietz  
Dr. Ernest Lepore  
Mr. Edward M. Taylor

**ABSENT**

Ms. Josephine E. Hernandez  
Rev. Frederick LaGarde, Jr.  
Dr. Thelma Napoleon-Smith

**CONVENING**

Arnold G. Hyndman, president, State Board of Education, convened the public meeting with the reading of the resolution pertaining to the public session of the State Board meeting as it complies with the Open Public Meetings Act.

**WHEREAS**, 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, and

**WHEREAS**, 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, now therefore be it

**RESOLVED**, that by adopting this resolution the State Board of Education states its intention to convene a public meeting to conduct the state's business on September 6, 2006.

**ADJOURN TO EXECUTIVE SESSION**

President Hyndman 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 matters.

The State Board immediately adjourned to executive session.

### **RECONVENING**

President Hyndman reconvened the public meeting 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 *NJSA 10:4-12(b)*, the State Board will now adjourn from executive session to resume the open session of this meeting.

### **STUDENT SPEAKERS**

John Blakeslee, the 2006 State Board student representative and a junior from Holmdel High School (Monmouth County), introduced the student guest speaker.

Rashad Bates, a student from Vineland High School South (Cumberland County), spoke to the State Board about the benefits of attending high school. He also spoke about how high school can help you plan your continuing education.

President Hyndman, on behalf of the State Board, thanked Rashad for his presentation.

### **APPROVAL OF MINUTES OF THE MEETINGS**

On a motion duly seconded and carried, the State Board members approved the minutes of the meeting conducted on August 2, 2006 and August 16, 2006. State Board members Debra Casha and Maud Dahme abstained from voting on the minutes of the August 2 meeting. State Board member Edward Taylor abstained from voting on the minutes of the August 16 meeting.

### **PRESIDENT'S REPORTS**

#### **September Work Session and Public Testimony Session**

President Hyndman stated that the September work session will be held on September 20, 2006 at 1:00 p.m. at the Department of Education. The items for discussion will be the Reading First Grant Update and the Report on Literacy Initiatives and Policies in New Jersey.

President Hyndman also stated that the September public testimony session will be held on September 20, 2006 at 3:00 p.m. The topics for consideration will be the amendments to NJAC 6A:17, Students at Risk of Not Receiving a Public Education, NJAC 6A:30, Evaluation of the Performance of School Districts and the amendments to NJAC 6A:19, Career and Technical Education Programs and Standards. Additionally, he stated that the September 20 public testimony session will be an open topic session.

#### **State Board of Education Policy Retreat**

President Hyndman announced that the State Board of Education will hold its annual policy retreat on October 4-5, 2006 at the Trenton Marriott at Lafayette Yard in Trenton, New Jersey. President Hyndman further stated that the specific details of the policy retreat will be announced in the near future through a public notice.

**Public Testimony**

President Hyndman stated the State board Office is currently working to enhance the public testimony registration process using an on-line system. The on-line system which will be available soon will allow members of the public to register on-line for public testimony. President Hyndman also stated that the on-line system will allow members of the public to submit comments to the State Board Office prior to the public testimony session. President Hyndman further stated that new information regarding this initiative will be posted on the department’s website as it becomes available.

**COMMISSIONER’S REPORTS**

**Highly Qualified Teacher Results**

Jay Doolan, acting assistant commissioner, Division of Educational Programs and Assessment, provided a report of 2006 survey results of the Highly Qualified Teacher Initiative in New Jersey. Mr. Doolan stated that 96 percent of New Jersey’s teachers, teaching in core academic subjects, are qualified in one or more content areas. Mr. Doolan also stated that New Jersey has narrowed the gap in the number of highly qualified teachers between high and low poverty school districts and is showing progress in ensuring a more equitable distribution of highly qualified and experienced teachers in our special-needs school districts.

**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 Districts**

- Certified for a period of seven years the following school districts as recommended by the county superintendent of schools pursuant to the Public School Education Act of 1975, *NJAC 6A:30*, Evaluation of the Performance of School Districts, and the *Manual for Evaluation of Local School Districts*.

<b>Cape May County</b>	<b>Hunterdon County</b>
Avalon	Lambertville
<b>Cumberland County</b>	<b>Morris County</b>
Cumberland County Vocational	Mendham Township

**C. Religious Holiday Calendar**

- Adopted the revised resolution pertaining to the annual calendar of religious holidays for the 2006-2007 school year as established at *NJAC* 6A:32-8.3(j), pursuant to *NJSA* 18A:36-14-16.

**The List of Religious Holidays Permitting Pupil Absence From School**

**WHEREAS**, according to N.J.S.A. 18A:36-14 through 16 and N.J.A.C. 6A:32-8.3(j); regarding pupil absence from school because of religious holidays, the Commissioner of Education, with the approval of the State Board of Education, is charged with the responsibility of prescribing such rules and regulations as may be necessary to carry out the purpose of the law; and

**WHEREAS**, the law provides that:

1. Any pupil absent from school because of a religious holiday may not be deprived of any award or of eligibility or opportunity to compete for any award because of such absence;
2. Pupils who miss a test or examination because of absence on a religious holiday must be given the right to take an alternate test or examination;
3. To be entitled to the privileges set forth above, the pupil must present a written excuse signed by a parent or person standing in place of a parent;
4. Any absence because of a religious holiday must be recorded in the school register or in any group or class attendance record as an excused absence;
5. Such absence must NOT be recorded on any transcript or application or employment form or on any similar form; and
6. The Commissioner, with the approval of the State Board of Education, is required to:
  - (a) prescribe such rules and regulations as may be necessary to carry out the purposes of this act; and
  - (b) prepare a list of religious holidays on which it shall be mandatory to excuse a pupil. The list, however, is to be a minimum list. Boards of education, at their discretion, may add other

days to the list for the schools of their districts;  
and

**WHEREAS**, the district board of education has the right to add any bona fide religious holiday to the list for its own schools; now therefore be it,

**RESOLVED** that the State Board of Education adopts the following list of religious holidays for the 2006-2007 school year:

<b>September 1</b>	Day of Ascension (Isra and Miraj) (Islamic)
<b>September 7</b>	First Consecration of the Guru Granth Sahib ji, the Sikh Scripture
<b>September 7</b>	His Holiness Sakya Trizin's birth date (Buddhist)
<b>September 7</b>	Ganesha Chaturthi (Hindu)
<b>September 14</b>	The Exaltation of the Holy Cross (Eastern, Greek, Russian Orthodox)
<b>September 19</b>	The Night of Power 9 (Laylatul Qadr) (Islamic)
<b>September 23</b>	Feast of Trumpets (World Wide Church of God, United Church of God and Global Church of God)
<b>September 23 - 24</b>	Rosh Hashanah (Jewish New Year)
<b>September 24</b>	Ramadan begins
<b>[September 24]</b>	
<b><u>October 24</u></b>	Eid-ul-Fitr (Last Day of Ramadan) (Islamic)
<b>September 30 - October 2</b>	Dussera (Hindu)
<b>October 2</b>	Yom Kippur (Day of Atonement) (Jewish) aya Dashami (Hindu)
<b>October 2</b>	Day of Atonement (World Wide Church of God, United Church of God and Global Church of God)
<b>October 7 – 8</b>	Sukkot (Feast of Tabernacles) (Jewish)
<b>October 7 -13</b>	First Day through Seventh Day Feast of Tabernacles (World Wide Church of God, United Church of God and Global Church of God)
<b>October 14</b>	Last Great Day (World Wide Church of God, United Church of God and Global Church of God)
<b>October 14</b>	Shemini Atzeret (Eighth Day of Sukkot) (Jewish)
<b>October 15</b>	Simchat Torah (Rejoicing of the Law) (Jewish)
<b>October 20</b>	Birth of the Bab (Baha'i)
<b>October 20</b>	Joint-Sovereignty of Guru Granth and Guru Panth declared to Guide the Sikh people
<b>October 20</b>	Guruship of Guru Granth Sahib ji declared by 10 <sup>th</sup> Guru (Sikh)
<b>October 20 - 23</b>	Deepavali (Hindu)
<b>October 31</b>	Reformation Day (Protestant, Lutheran)
<b>November 1</b>	All Saints Day (Roman Catholic, Protestant & Lutheran)
<b>November 2</b>	All Souls Day (Roman Catholic)
<b>November 12</b>	Birth of the Baha'u'llah (Baha'i)
<b>November 15</b>	Guru Nanak Dev ji's birth date (Sikh)
<b>November 24</b>	Guru Tegh Bahadur dev ji's Martyrdom (Sikh)
<b>December 8</b>	Feast of the Immaculate Conception (Roman Catholic)
<b>December 8</b>	Bodhi Day (Buddhist)

<b>[December 15]</b>	First Day of Hanukkah (Jewish)
<b><u>December 16</u></b>	
<b>December 25</b>	Christmas (Roman Catholic, Protestant, Eastern, Greek and Russian Orthodox)
<b>December 26</b>	Kwanzaa
<b>December 31</b>	Eid-ul-Adha (Day of Sacrifice) (Islamic)
<b>January 1</b>	New Year's Day
<b>January 5</b>	Guru Gobind Singh ji's birth date (Sikh)
<b>January 6</b>	Feast of the Epiphany (Roman Catholic, Eastern, Greek and Russian Orthodox)
<b>January 6</b>	Christmas (Armenian)
<b>January 14</b>	Makara Sankranti (Hindu)
<b>January 21</b>	Muharram (New Year) (Islamic)
<b>January 29</b>	Day of Ashurah (10 <sup>th</sup> Day) (Islamic)
<b>February 16</b>	Maha Shivaratri (Hindu)
<b>February 18</b>	New Year (Chinese, Korean and Vietnamese)
<b>February 19</b>	Bright Monday (Eastern, Greek and Russian Orthodox)
<b>February 20</b>	Shrove Tuesday
<b>February 21</b>	Ash Wednesday (Roman Catholic, Protestant)
<b>February 25</b>	Lent (Eastern Orthodox)
<b>March 4</b>	Holi (Hindu)
<b>March 4</b>	Purim (Jewish)
<b>March 14</b>	Sikh New Year/Holla Mohalla
<b>March 19</b>	Chandramana Yugadi
<b>March 21</b>	Feast of Naw-Ruz (Baha'i and Iranian New Year, also Persian New Year and Heritage Day)
<b>March 27</b>	Rama Navami (Hindu)
<b>March 30</b>	Chandramana Yugardi (Hindu)
<b>April 2</b>	Passover (World Wide Church of God, United Church of God and Global Church of God)
<b>April 2</b>	Lord's Evening Meal
<b>April 3</b>	First Day of Feast of Unleavened Bread or Passover (World Wide Church of God, United Church of God and Global Church of God)
<b>April 3 - 4</b>	First Two Days of Pesach (Passover) (Jewish)
<b>April 5</b>	Holy Thursday (Roman Catholic, Protestant, Lutheran, Eastern, Greek and Russian Orthodox)
<b>April 6</b>	Good Friday (Roman Catholic, Protestant, Lutheran, Eastern, Greek and Russian Orthodox))
<b>April 9</b>	Rama Navami (Hindu)
<b>April 9 - 10</b>	Last Two Days of Pesach (Passover) (Jewish)
<b>April 11 or 12</b>	Birthday of the Prophet Muhammad (Islamic)
<b>April 14</b>	Souramana Yugadi (Hindu)
<b>April 14</b>	Khalsa formation day and Vaisakhi
<b>April 21</b>	First Day of Ridvan (Baha'i)
<b>April 24</b>	Memorial Day (Armenian)
<b>April 25</b>	The 11 <sup>th</sup> Panchen Lama's birthday (Buddhist)
<b>May 2</b>	The 12 <sup>th</sup> Day of Ridvan (Baha'i)
<b>May 2</b>	Buddha's birthday (Buddhist)

<b>May 23</b>	Declaration of the Bab (Baha'i)
<b>May 23 – 24</b>	Shavuot (Feast of Weeks) 2 days (Jewish)
<b>May 25</b>	Ascension Day (Eastern Orthodox, Greek and Russian Orthodox, Roman Catholic & Protestant)
<b>May 27</b>	Day of Pentecost (World Wide Church of God, United Church of God and Global Church of God)
<b>May 29</b>	Ascension of Baha'u'llah (Baha'i)
<b>June 16</b>	Guru Arjun Dev ji's Martyrdom (Sikh)
<b>June 26</b>	His Holiness the 17 <sup>th</sup> Gyalawa Karmapa's (Ugyen Trinley Dorje) birth date (Buddhist)

**D. Programs to Support Student Development**

- Readopted with amendments the Programs to Support Student Development regulations 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. State Board member Ronald Butcher abstained.

**E. Finance and Business Services**

- Readopted with amendments the Finance and Business Services regulations proposed at *NJAC 6A:23* pursuant to N.J.S.A. 18A:1-1; 18A:4-14; 18A:6-27; 18A:7B-12; 18A:7F; 18A:7G; 18A:17-9,10, 31, 32, 34-37, 45; 18A:18A; 18A:19; 18A:20; 18A:21; 18A:22; 18A:23; 18A:24; 18A:29-3; 18A:33-1,2,3; 18A:36A; 18A:36B-8; 18A:38-7.8, 7.9, 8, 19, 20, 21; 18A:39; 18A:46; 18A:54; 18A:58; 18A:69.

**F. State Board of Examiners**

- Adopted the resolution approving the appointments to the State Board of Examiners in accordance with *NJSA 18A:6-34* and 35.

**RESOLUTION  
STATE BOARD OF EXAMINERS**

**WHEREAS**, pursuant to N.J.S.A. 18A:6-38, the State Board of Examiners is responsible for issuing, revoking and suspending educational certificates under rules prescribed by the State Board of Education; and

**WHEREAS**, pursuant to N.J.S.A. 18A:6-34, members of the State Board of Examiners are appointed by the Commissioner of Education with the approval of the State Board of Education; and

**WHEREAS**, the Commissioner, after consulting with members of the education community, has recommended the appointment of the following individuals; and

**WHEREAS**, the individuals recommended have established reputations for distinguished service; now, therefore, be it

**RESOLVED**, that the State Board of Education hereby approves the appointment to the State Board of Examiners, for a term of two years each, of the following persons:

Dr. Herman J. Saatkamp, Jr.  
College President

Dr. Adam C. Pfeffer  
Superintendent, Type II District

And be it **FURTHER RESOLVED**, that the State Board of Education hereby approves the appointment to the State Board of Examiners, for a term of one year, to fill an unexpired term of office, of the following person:

Priscilla T. Vimislik  
High School Principal

**G. Educational Facilities**

- Approved for publication in the *New Jersey Register* the readoption of rules pertaining to Educational Facilities proposed at *NJAC* 6A:26 pursuant to P.L. 2000 c. 72; N.J.S.A. 18A:1-1, 18A:4-15; 18A:6-9; 18A:6-27, 18A:7A-11; 18A:7A-46.1 et seq.; 18A:7f-34; 18A:7G-1 through 13, 15, 20, 26, and 31 through 37; 18A:18A-16, 18, 36 and 39; 18A:17-49 et seq.; 18A:20-1.1 et seq.; 18A:20-4.2; 18A:20-36; 18A:21-1 through 5; 18A:22-18 through 20; 18A:22-27 through 30 and 39; 18A:24-1 et seq.; 18A:33-1 seq.; 18A:46-1 et seq.; 18A:54-21; 18A:55-2; 40:55D-31; 47:1A et seq.; 52:27D-130; 18A:76-15.

**H. Comprehensive Maintenance Plans**

- Approved for publication in the *New Jersey Register* the readoption of rules pertaining to Comprehensive Maintenance Plans proposed at *NJAC* 6A:26A pursuant to N.J.S.A. 18A:7G-9.

**I. Students At Risk of Not Receiving A Public Education**

- Discussed amendments to the regulations pertaining to Students at Risk of Not Receiving a Public Education proposed at *NJAC* 6A:17 pursuant to *NJSA* 18A:38-1, 18A:7B-12, 18A:7B-1 et seq. and 18A:7F-1 et seq.

## **NEW BUSINESS**

Debra Casha, former chair, State Board Legal Committee, thanked the State Board members that served on the legal committee during her tenure as chair for their service in this area. Ms. Casha also expressed her appreciation to the Legal Committee staff.

## **LEGAL CASES**

There were no legal cases.

## **ADJOURNMENT**

On a motion duly seconded and carried the State Board of Education adjourned its September 6, 2006 public meeting at 11:55 a.m.

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Lucille E. Davy, Acting Commissioner  
Acting Secretary, NJ State Board of Education