

**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**

May 20, 2009

Presiding: Josephine Hernandez, President

Secretary: Lucille E. Davy, Commissioner

PRESENT CONSTITUTING A QUORUM

Mr. Arcelio Aponte
Dr. Ronald Butcher
Ms. Kathleen Deitz
Ms. Edithe Fulton
Mr. Robert Haney (via telephone)
Mr. Ilan Plawker
Dr. Dorothy Strickland

ABSENT

Dr. Ernest Lepore
Ms. Florence McGinn

CONVENING

Josephine Hernandez, 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 May 20, 2009.

STUDENT SPEAKERS

Devon McRimmon, a sophomore at J.P. Stevens High School in Edison (Middlesex County) shared that students at his school have insufficient time to eat lunch. He stated that as a result of the short lunch periods, students eat junk food which negatively impacts their overall health. He also remarked about the problems with having eight classes each day that are only approximately 35 minutes in length. To remedy this, Devon advocated block scheduling which would allow students more time in the classroom, at lunch and would also provide more preparation time for teachers. President Hernandez and other state board members commended Devon for his

comments and welcomed him as the student representative to the State Board for the 2009-2010 school year.

INTRODUCTIONS

Commissioner Davy recognized Kevin Brennan, Executive County Superintendent of Schools (Warren County), who represented the county superintendents.

Student Recognition Program

The State Board recognized Kayla Conlon, a senior in the North Warren Regional High School (Warren 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 Kayla for her academic and humanitarian efforts.

On behalf of the State Board, President Hernandez congratulated Kayla on her 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 April 15, 2009. State Board members Ronald Butcher and Edithe Fulton abstained from the vote.

PRESIDENT'S REPORT

President Hernandez announced the selection of the State Board Nominating Committee. Dorothy Strickland and Edithe Fulton will be on the committee. Another state board member will be selected shortly. Dr. Strickland will chair the committee.

President Hernandez announced that there will not be public testimony today because of the State Board retreat. Brenda Welburn, executive director for the National Association of State Boards of Education, will facilitate the retreat session.

COMMISSIONER'S REPORTS

Monitoring of School Districts

Commissioner Davy provided an updated list of the results from the second round of districts that have completed the QSAC process. Commissioner Davy stated that two-thirds of the districts achieved high performance status. Fourteen districts that have requested reconsideration were not included on the list because their reconsideration is not yet complete. The final cohort of districts will begin in August. Final results from this year and last year will be posted on the department's website.

American Recovery and Reinvestment Act

Commissioner Davy informed the State Board that districts were given their Title I and IDEA amounts. In addition, the department met with the districts in need of improvement (approximately 30 districts) to provide guidance on how to plan to use the money to best benefit students. Technical assistance sessions will be provided to all districts in June to help them plan the use of the money.

The department has had its second meeting with the federal government accounting office regarding the ARRA funds. Commissioner Davy stated that the federal government is monitoring how the money is being spent in New Jersey. She stated that New Jersey is one of 16 states being monitored. The results will be posted on the department's website.

Budget Adjustments

Commissioner Davy stated that a \$1.6 million dollar adjustment is required in the Governor's proposed budget for next year and this will impact the department in three areas: 1) the \$25 million dollar preschool expansion incentive is being eliminated (this doesn't impact the \$50 million dollar increase slated for increased enrollment and costs next year); 2) a \$5 million dollar reduction proposed for magnet special education aid (the extraordinary aid for districts is still in the budget); and 3) a \$35 million dollar adjustment to debt service aid (this is separate from the grant program and is solely for districts that bond for the full amount).

For fiscal year 2009, Commissioner Davy stated that the June 8 state aid payment to districts will be delayed until July. She stated this deferral will assist the state in closing the budget deficit. The state will pay the interest costs incurred by any districts that have to borrow funds to make payroll.

Finally, Commissioner Davy informed the State Board that the department will be closed on May 26, 2009 as our temporary layoff date. Another day is scheduled in June.

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. **State Special Education Advisory Council**

- Approved the resolution approving the appointments to the State Special Education Advisory Council.

C. **Business Services**

- Discussed the proposed re-codification with amendments as presented by Katie Attwood, assistant commissioner for Business Services, who also highlighted the changes made and comments received since the last discussion.

D. **CCCS/Preschool Expectations**

- Discussed the revised core curriculum content standards as presented by Jay Doolan, assistant commissioner for Educational Standards and Programs, and Janis Jensen, director for Academic Standards.

E. **Controversies and Disputes**

- Discussed the readoption of the controversies and disputes regulations as presented by Donna Arons, special assistant to the commissioner, and Kathleen Duncan, director of the Office of Controversies and Disputes.

F. **Interdistrict Public School Choice**

- Rochelle Hendricks, assistant commissioner of the Division of District and School Improvement shared with the State Board members that legislation is purportedly being drafted regarding this topic. Until the legislation is enacted, Assistant Commissioner Hendricks presented the code without amendment.

G. **Student Residency**

- Discussed the proposed amendments to the readoption of the student residency code as presented by Gerald Vernotica, assistant commissioner for field services, and Pam Castellanos, executive assistant.

H. **Professional Licensure and Standards**

- Approved for publication at proposal level a proposed amendment to waive the state's content knowledge test for qualified experienced out-of-state teachers. This amendment is intended to ease the certification requirements to obtain an out-of-state certificate for experienced out-of-state teachers who have earned the equivalent of New Jersey's standard instructional certificate and who have passed a content knowledge test in their state. As a result, districts will more easily be able to recruit and employ qualified experienced out-of-state teachers particularly in the shortage areas of math and science. The amendment was presented by Jay Doolan, assistant commissioner, and Robert Higgins, director of the Office of Licensure and Credentials. State Board members Ilan Plawker abstained from the vote and Kathleen Dietz voted against the proposal.

WORK SESSION

- The State Board members discussed and identified issues important to them, namely standards and assessments, early childhood, teacher recruitment, preparation and evaluation, and closing the achievement gap. The State Board determined to focus on one priority for the year – to reach out to other state boards and work on creating a northeast or tri-state coalition to probe issues related to improving teacher

preparation, recruitment and evaluation as that encompasses most of the other issues identified.

- Brenda Welburn, Executive Director of NASBE, facilitated the discussion of State Board goals and priorities and recommended as next steps that a committee of the State Board participate in a webinar or conference call to explore what it means to have goals around educator effectiveness and bring those ideas back to the full board.
- Ms. Welburn encouraged the State Board members to remember they are a governing board with statutory responsibilities and an advisory board to the Commissioner, legislature and the Governor. She stated that State Board members represent all parts of the state geographically, demographically and economically, and encouraged State Board members to consider with each agenda whether they are functioning in those capacities.
- The State Board members agreed to remove the expired Strategic Plan from the department's website and post something that better represents the State Board as a vibrant, effective body. The new posting can be discussed during the conference call or webinar.
- Arcelio Aponte, Vice president, identified the following additional issues for discussion: the number of meetings per month, the repeal of the legal committee, whether committees should be consolidated, orientation for new board members, how code is processed.
- Based upon the State Board's discussion, it was determined that State Board Office staff will work with the Commissioner to schedule the new board member orientation session. The committees will be reviewed in light of the State Board's new priority on teacher effectiveness and a decision will be made in July regarding which committees are needed. The State Board Office can pull data on how many legal cases have gone to the Appellate Division and forward to State Board members any Appellate Division decisions rendered from State Board appeals. From this data the State Board can determine whether reviving the appeal process is worth pursuing. The State Board was not in favor of expediting the code approval process.

NEW BUSINESS

There was no new business.

ADJOURNMENT

On a motion duly seconded and carried the State Board of Education adjourned its May 20, 2009 public meeting at 5:45 p.m.

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