

## **Public Notice**

### **Education**

#### **State Board of Education**

#### **Notice of Receipt of Petition for Rulemaking**

#### **School Turnaround and Improvement**

#### **Definitions**

#### **N.J.A.C. 6A:33-1.3**

Petitioner: Marcella Simadiris.

**Take notice** that on August 6, 2021, the Department of Education (Department) received a petition for rulemaking from the above petitioner, requesting the Department amend N.J.A.C. 6A:33-1.3, as proposed for readoption with amendments (see 53 N.J.R. 984(a)).

The petitioner specifically requests the Department adopt amendments to the definition for “school performance reports,” as proposed for amendment. As part of the readoption of N.J.A.C. 6A:33, the Department proposed to amend the existing definition of “school performance reports,” which are annual Department reports released for every school in New Jersey. The proposed amendments reflect the changes made in the Department’s school accountability system regarding the metrics and descriptors for identifying schools in need of support and improvement based on the requirements of ESSA. The Department proposed to delete language stating the reports “set specific school- and subgroup-performance targets for both language arts and mathematics, and detail the school’s annual progress toward meeting the targets.” The Department also proposed to amend other language in the definition. The existing definition states that the reports include a range of data, “including progress toward closing achievement gaps, comparison to peer schools with similar demographics, growth over time as

measured through Student Growth Percentiles (SGP) on State tests and additional college- and career-readiness data points.” The Department proposed to replace the language with “on student achievement, progress toward annual targets, and additional college- and career-readiness data points in accordance with the school report cards required by ESSA.” The Department further proposes to delete the statement that the reports support school districts’ and schools’ engagement in performance management by setting performance goals, identifying strengths and weaknesses, and developing local plans to focus on low-performance areas.

The petitioner’s request seeks to maintain the statement that the reports support school districts’ and schools’ engagement in performance management by setting performance goals, identifying strengths and weaknesses, and developing local plans to focus on low-performance areas.

**Full text** of the requested amendments is as follows (the Department of Education’s proposed additions are indicated in boldface **thus** and deletions are indicated in brackets [thus]; the petitioner’s requested additions to proposal are indicated in italicized boldface ***thus***):

#### Subchapter 1. General Provisions

##### 6A:33-1.3 Definitions

The following words and terms shall have the following meanings when used in this chapter unless the context clearly indicates otherwise.

...

“School performance reports” means annual Department **school** reports [released for every school in New Jersey] that [set specific school- and subgroup-performance targets for both language arts and mathematics, and detail the school’s annual progress toward meeting the targets. The report includes] **include** a range of data[, including progress

toward closing achievement gaps, comparison to peer schools with similar demographics, growth over time as measured through Student Growth Percentiles (SGP) on State tests,] **on student achievement, progress toward annual targets**, and additional college- and career-readiness data points **in accordance with the school report cards required by ESSA**. [The reports support school districts' and schools' engagement in performance management by setting performance goals, identifying strengths and weaknesses, and developing local plans to focus on low-performance areas.] *The reports support school districts' and schools' engagement in performance management by setting performance goals, identifying strengths and weaknesses, and developing local plans to focus on low-performance areas.*

...

In accordance with N.J.A.C. 1:30-4.2, the Department shall subsequently mail to the petitioner, and file with the Office of Administrative Law, a notice of action on the petition.