

New Jersey State Board of Education
Minutes of the Virtual Meeting of the New Jersey State Board of Education
August 4, 2021

Presiding: Kathy Goldenberg, President

Secretary: Angelica Allen-McMillan, Ed.D., Acting Commissioner

Present Constituting a Quorum

Dr. Ronald Butcher
Mrs. Mary Beth Gazi
Mrs. Elaine Bobrove
Mr. Jack Fornaro
Dr. Ernie Lepore
Mr. Andrew Mulvihill
Dr. Nedd Johnson
Mrs. Sylvia Sylvia

Absent

Mr. Arcelio Aponte
Mrs. Mary Beth Berry
Dr. Joseph Ricca
Mrs. Fatimah Burnam-Watkins

Convening

State Board of Education President Kathy Goldenberg convened the public meeting at 9:06 a.m. 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 (Department), 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 August 4, 2021, called to order.

Adjourn to Executive Session

President Goldenberg 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 Education will now adjourn to executive session to discuss personnel and legal issues. The State Board immediately adjourned to executive session on August 4, 2021.

Reconvening

President Kathy Goldenberg 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 July 14, 2021. Dr. Ronald Butcher and Mrs. Mary Beth Gazi abstained.

President’s Reports

President Goldenberg welcomed the viewing audience to the virtual State Board of Education meeting.

Public Testimony

President Goldenberg stated that the State Board would accept written public testimony on the readoption with amendments of Education for Homeless Children and Students in State Facilities. She also stated that the topic for September written testimony will be Open Topic and the readoption of School District Operations.

Report of the Permanent Student Representative

President Goldenberg introduced and welcomed the State Board of Education’s the new permanent student representative, Miss Maura Baker, a rising junior at West Orange High School in Essex County. Ms. Baker provided remarks on how students are responding to the idea of going back to school in the United States and around the world.

State Board Committee Reports

Policy Committee

Ms. Elaine Bobrove, chair, Policy Committee, stated that the Policy Committee met with Department staff on July 21, 2021. Ms. Bobrove was unable to give a report due to technical issues.

Charter Committee

Vice president Andrew Mulvihill, chair, Charter Committee, stated that the committee met with Department staff on July 26, 2021 and July 30, 2021 to discuss the readoption of the Charter School

regulations which is on the agenda today. He stated they are recommending the State Board readopt the regulations without amendment. He also stated that he had outreach from the Charter community as they had suggestions for certain regulations, they thought could be amended to assist them in how they operated their schools. He further stated they determined that it was best for the Department to engage the Charter community from a policy perspective on those issues.

He stated that three suggestions raised: 1) the need to reserve seats under the regulations for incoming 9th graders and how that can affect the formulas when applying for expansion; 2) residency and that students that attend Charter schools do not seem to have the same level of rights of review when their residency is challenged; and 3) transparency regarding when Charters schools are going to open. He stated there are comments that are produced by the district and those comments are typically not made available to the Charter school, and the Charter community is asking that they have an opportunity to review those comments.

Vice President Mulvihill stated that the charter community asked the Department to incorporate these changes via policy. He also stated that the committee will have a follow up meeting in late September and that he is appreciative that the Department is willing to engage in this way. He further stated that when he joined the State Board, he heard all about the achievement gap and how the poor children in the inner cities were not getting the same level of education as the more affluent children. He stated that charter schools started to take off and the achievement gap was wiped out, and the children in the Newark charter schools are doing better than the state average, which is a miracle. He stated school choice is very important and we have something that is working very well, and he hopes the Department and the State Board will recognize these wonderful achievements and do everything they can to foster more of this by supporting the schools that are doing so well for the students of New Jersey.

Commissioner's Reports

Honoring New Jersey Department of Education Retiring Employees

Acting Commissioner Allen-McMillan acknowledged two employees who made the momentous decision to retire.

- Krista Bruehl, Marie Katzenbach School for the Deaf, Division of Student Services, September 1989 – August 2021, 32 years of service.
- Steven Hoffmann, Office of Fiscal Accountability and Compliance, Division of Field Services, June 2001 – August 2021, 20 years of service.

Acting Commissioner Allen-McMillan thanked them for their dedication, commitment and contributions over the years and wished them the best of health and happiness in retirement.

Items for Consideration:

**Items scheduled for a vote are marked with an asterisk.*

***A. Appointments**

- There were no appointments.

***B. Certification of School Districts**

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

Districts	County
Robbinsville	Mercer
Monmouth Beach	Monmouth
Woodland Park	Passaic
Rahway	Union

C. Resolution to Adopt Proficient Level Cut Scores for Dynamic Learning Maps for English Language Arts, Mathematics (grades 3-8 and 11), and Science (grades 5, 8 and 11) and ACCESS/Alternate ACCESS for English Language Learners (ELLs) Assessments (grades K-12)

- Discussed proficiency level cut scores for the Dynamic Learning Maps English Language Arts, Mathematics (grades 3-8 and 11), and Science assessments (grades 5, 8, and 11) pursuant to N.J.A.C. 6A:8-4.

D. Resolution to Adopt Proficient Level Cut Scores for ACCESS/Alternate ACCESS for English Language Learners (ELLs) Assessments (grades K-12)

- Discussed proficiency level cut scores for ACCESS for ELLs assessments (grades K-12), pursuant to N.J.A.C. 6A:8-4.

E. Resolution to Adopt New PRAXIS Tests and Qualifying Scores for the PRAXIS Tests and EdTPA

- Discussed new PRAXIS tests and qualifying scores for the PRAXIS tests for math, middle school math and middle school science and the qualifying scores for the EdTPA, pursuant to N.J.A.C. 6A:9B-8.2, 8.3 and 8.7.

***F. Charter Schools**

- Adopted the regulations pertaining to N.J.A.C. 6A:11. Charter schools, pursuant to N.J.S.A. 18A:36A-18 and N.J.S.A. 18A:4-15.

G. Education for Homeless Children and Students in State Facilities

- Discussed the readoption with amendments pertaining to the rules at N.J.A.C. 6A:17, Education for Homeless Children and Students in State Facilities, pursuant to N.J.S.A. 18A:7B-1 et seq., 18A:7F-43 et seq., and 18A:38-1.d and 19, and the Elementary and Secondary Education Act of 1965, as amended by the Every Student Succeeds Act of 2015 (P.L. 115-141).

New Business

There is no new business.

Public Testimony

The State Board accepted written testimony on Education for Homeless Students and Students in State Facilities.

Adjournment

On a motion duly seconded and carried, the State Board of Education adjourned its August 4, 2021, public meeting at 11:24 a.m.

Angelica Allen-McMillan, Ed.D., Acting Commissioner
Acting Secretary, N.J. State Board of Education