

**New Jersey State Board of Education
Minutes of the Meeting of the New Jersey State Board of Education
In the Conference Room on the First Floor
100 River View Executive Plaza
Trenton, NJ**

December 7, 2016

Presiding: Mark W. Biedron, President

Secretary: Kimberley Harrington, Acting Commissioner

PRESENT CONSTITUTING A QUORUM

ABSENT

Mr. Arcelio Aponte
Dr. Ronald Butcher
Mr. Joseph Fisicaro
Mr. Jack Fornaro
Ms. Edithe Fulton
Dr. Ernest Lepore
Mr. Andrew Mulvihill
Mr. Peter Simon

CONVENING

State Board of Education President Mark Biedron convened the public meeting at 8:30 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, 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 December 7, 2016, was called to order.

ADJOURN TO EXECUTIVE SESSION

President Biedron 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 December 7, 2016.

RECONVENING

President Biedron 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 November 2, 2016.

PRESIDENT'S REPORT

Public Testimony

President Biedron stated the State Board would be accepting written testimony only today on the amendments found in Fiscal Accountability, Efficiency and Budgeting Procedures regulations and Regulatory Relief Package.

President Biedron stated public testimony would be held at 2 pm on January 4, 2017 following the board meeting. He also stated that the topics for the January public testimony session are the amendments to the Charter Schools, Interdistrict Public School Choice, Student Residency, Fiscal Accountability, Efficiency and Budgeting Procedures (subchapters 16-22) and Fiscal Accountability, Efficiency and Budgeting Procedures (subchapter 18). He further stated that registration for the January 4, 2016 public testimony session would open on Thursday, December 8, 2016 and close on Thursday, December 29, 2016.

President Biedron stated that anyone interested in speaking at or also attending the public testimony session must register so the State Board staff can make proper arrangements for space. He also stated that members of the public should contact the State Board office at 609-984-6024 or check the following website <http://education.state.nj.us/sboe/reg.php> for updates.

Permanent Student Representative

President Biedron welcomed Ava Rybicki the 2016-2017 permanent student representative to the State Board of Education. Ava Rybicki is a senior from Williamstown High School in Gloucester County. President Biedron also introduced Ava's advisor, Mr. David Zane. Ava spoke to the State Board about upcoming student council events.

COMMISSIONER'S REPORTS

State Operated School District Annual Report- Camden Public Schools

Paymon Rouhanifard, Superintendent of the State Operated School District of the City of Camden Public Schools provided his annual report to the State Board of Education. His report focused on three main topics: Student Achievement, Operations and Facilities.

New Jersey Alliance for Social, Emotional and Character Development

Dr. Phillip Brown, Founder and Past President and Dr. William Trusheim, President of the New Jersey Alliance for Social and Emotional and Character Development along with representatives from the North Plainfield High School spoke about New Jersey Schools of Character specifically highlighting the work underway in the North Plainfield High School.

Every Student Succeeds Act (ESSA) Plan Presentation

Jill Hulnick, project manager and Diana Pasculli, facilitator of stakeholder outreach provided an update on the Department's work regarding the Every Student Succeeds Act (ESSA).

ITEMS FOR CONSIDERATION:

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

***A. Commissioner**

- Adopted the organization rules for the State Department of Education at N.J.A.C. 6A:2-1.1 et seq., pursuant to N.J.S.A.18A:4 et.seq and N.J.S.A 52:14B-3(1).

***B. Appointment(s)**

- Approved the following appointments and title changes pursuant to N.J.S.A. 18A:4-32-35 and N.J.A.C. 6A:2-1.1 et seq.:

Appointments

- Karin Garver, Assistant Commissioner/Chief of Staff for the Division of Executive Services
- Christopher Huber, Deputy Chief Legal Officer for the Division of Legal and External Affairs
- Colleen Schulz-Eskow, Director of Government Affairs in the Division of Legal and External Affairs
- Katherine Czehut, Assistant Division Director for the Office of Charter and Renaissance Schools
- Kathryn Whalen, Director, Offices of School Ethics and Compliance
- Vincent Costanza, Co-Administrator, Division of Early Childhood Education and Family Engagement

Title Change

- Ellen Wolock, Co-Administrator, Division of Early Childhood Education and Family Engagement

***C. Certification of School Districts**

- Certified for a period of three years, the following school district(s) recommended by the Commissioner, pursuant to N.J.S.A. 18A:7A-14a and b.

Certified School District	County
Washington Township	Gloucester
Old Bridge	Middlesex
Middletown Township	Monmouth
Oceanport	Monmouth

***D. State Special Education Advisory Council**

- Adopted the following resolution approving the reappointments to the State Special Education Advisory Council for a period of two years, pursuant to N.J.S.A. 18A:4-66.1 and U.S. P.L. 94-142.

**RESOLUTION
TWO REAPPOINTMENTS TO
THE STATE SPECIAL EDUCATION ADVISORY COUNCIL**

WHEREAS, N.J.S.A. 18A:46-2 requires that the Commissioner shall appoint biannually an advisory council for special education with the approval of the State Board which will consist of not fewer than seven nor more than 15 members representative of professionals in the field of special education and parents of children with disabilities; and

WHEREAS, N.J.S.A. 18A:46-2 defines the role of the advisory council as advising in the promulgation of rules, regulations and implementation of N.J.A.C. 6A:14 and the establishment of standards and qualifications for professional personnel and further provides that the council members shall serve without remuneration; and

WHEREAS, the reauthorized Individuals with Disabilities Education Improvement Act (IDEA) of 2004 requires each state education agency to have an advisory panel for special education; and

WHEREAS, the New Jersey Department of Education has established and maintains an advisory panel, known as the State Special Education Advisory Council, for the purpose of providing policy guidance with respect to special education and related services for children with disabilities in the State; and

WHEREAS, the advisory panel consists of members, that are representative of the state population and are composed of individuals involved in, or concerned with, the education of children with disabilities, including: (i) parents of children with disabilities; (ii) individuals with disabilities; (iii) teachers; (iv) representatives of institutions of higher education that prepare special education and related services personnel; (v) state and local education officials; (vi) administrators of programs for children with disabilities; (vii) representatives of other state agencies involved in the financing or delivery of related services to children with disabilities; (viii) representatives of private schools and public charter schools; (ix) at least one representative of a vocational, community, or business organization concerned with the provision of transition services to children with disabilities; and (x) representatives from the state juvenile and adult corrections agencies; and

WHEREAS, a majority of the members of the panel shall be individuals with disabilities or parents of children with disabilities; and

WHEREAS, the advisory panel shall: (i) advise the department of unmet needs within the state in the education of children with disabilities; (ii) comment publicly on any rules or regulations proposed by the department regarding the education of children with disabilities; (iii) advise the department in developing evaluations and reporting on data to the Secretary of the United States Department of Education under Part B Sec. 618 of the Individuals with Disabilities Education Act; (iv) advise the department in developing corrective action plans to address findings identified in federal monitoring reports under this part; and (v) advise the department in developing and implementing policies relating to the coordination of services for children with disabilities; now therefore be it

RESOLVED, that the State Special Education Advisory Council meets the state mandate for an advisory council and the federal requirements for an advisory panel; and be it further

RESOLVED, that the Commissioner recommends that Ms. Mary Ann Comparetto be reappointed for a two-year term effective December 7, 2016

RESOLVED, that the Commissioner recommends that Dr. Dorothy Van Horn be reappointed for a two-year term effective December 7, 2016.

***E. ESEA Unsafe School Choice Option**

- On a motion duly seconded and carried, the State Board approved the following resolution revising the Unsafe School Choice Option (USCO) Policy, pursuant to The *Elementary and Secondary Education Act* (Act) of 1965 SEC. 8532, as reauthorized under the *Every Student Succeeds Act* of 2015.

A RESOLUTION APPROVING REVISIONS TO THE UNSAFE SCHOOL CHOICE OPTION POLICY

WHEREAS, The *Elementary and Secondary Education Act* (Act) of 1965 SEC. 8532, as reauthorized under the *Every Student Succeeds Act* of 2015, sets forth that each state receiving funds under this Act shall establish and implement a statewide policy requiring that a student attending a persistently dangerous public elementary school or secondary school, while in or on the grounds of a public elementary school or secondary school that the student attends, be allowed to attend a safe public elementary school or secondary school within the local educational agency, including a public charter school; and

WHEREAS, to improve student achievement, our schools must provide safe, nurturing environments where students can learn and are valued and respected; and

WHEREAS, the focus of the Unsafe School Choice Option provision of the Act is on working with schools proactively to identify those schools at risk of being labeled persistently dangerous and offer them technical assistance to improve school safety; and

WHEREAS, only minor revisions have been incorporated into the Unsafe School Choice Option policy in New Jersey since its initial approval by the State Board of Education on June 18, 2003; and

WHEREAS, the policy has been revised in accordance with the law to ensure that the criteria used continue to accurately reflect school safety in New Jersey; and

WHEREAS, the Commissioner of Education recommends that the New Jersey State Board of Education approve the revised Unsafe School Choice Option policy for New Jersey; now therefore be it

RESOLVED, that the New Jersey State Board of Education approves the revised Unsafe School Choice Option policy; and be it further

RESOLVED that district boards of education shall fully comply with implementation with the 2016-2017 school year.

***F. State Board of Examiners**

- On a motion duly seconded and carried, the State Board approved the following resolution approving the appointment to the State Board of Examiners in accordance with N.J.S.A. 18A:6-34 and 35.

RESOLUTION

STATE BOARD OF EXAMINERS APPOINTMENT

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 new member to the Board of Examiners; and

WHEREAS, the person whom the Commissioner has recommended has established a reputation for distinguished service in their profession; now, therefore, be it

RESOLVED, that the State Board of Education hereby approves the appointment of the following person:

Eileen Johnson, Superintendent
Ventnor Public Schools
(Type I District)

G. Fiscal Accountability, Efficiency and Budgeting Procedures

- Tabled the discussion of the amendments to the regulations pertaining to Tuition for Approved Private Schools for Students with Disabilities proposed at N.J.A.C. 6A:23A-18, pursuant to N.J.S.A. 18A:36A-12 and N.J.S.A. 18A:4-15.

WORK SESSION

There was no work session.

NEW BUSINESS

There was no new business

ADJOURNMENT

On a motion duly seconded and carried, the State Board of Education adjourned its December 7, 2016, public meeting at 12:17 p.m.

Kimberley Harrington, Acting Commissioner
Acting Secretary, N.J. State Board of Education