

**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**

**April 5, 2017**

**Presiding:** Mark W. Biedron, President

**Secretary:** Kimberley Harrington, Acting Commissioner

**PRESENT CONSTITUTING A QUORUM**

**ABSENT**

Mr. Arcelio Aponte-via teleconference  
Dr. Ronald Butcher  
Mr. Joseph Fisicaro  
Mr. Jack Fornaro  
Ms. Edithe Fulton  
Dr. Ernest Lepore  
Mr. Andrew Mulvihill-via teleconference

**CONVENING**

State Board of Education President Mark Biedron convened the public meeting at 9:00 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 April 5, 2017, 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 Education will now adjourn to executive session to discuss personnel and legal issues. The State Board immediately adjourned to executive session on April 5, 2017.

**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 March 1, 2017. State Board member Arcelio Aponte abstained.

### **PRESIDENT'S REPORT**

#### **Public Testimony**

President Biedron stated public testimony would be held today at 2 pm. He also stated that the topics for the April 5 public testimony session include the Social Emotional Competencies Resolution; amendments to the Charter School regulations, amendments to the Fiscal Accountability, Efficiency and Budgeting Procedures regulations located at subchapter 18 and pertain to Tuition for Private Schools for Students with Disabilities and the Religious Holidays Resolution.

President Biedron stated that public testimony would be held on May 3, 2017 following the monthly public meeting of the State Board. He also stated that the topics for the May 3, 2017 public testimony session include the amendments to the Educational Facilities (Lead Testing) regulations, amendments to the Evaluation of the Performance of School District (NJQSAC) regulations and amendments to the Controversies and Disputes regulations. He further stated that the May 5 public testimony was an Open Topic Public Testimony session meaning that registered members of the public could speak on any educational topic of their choice.

He further stated that registration for the May 3 2017 public testimony session would open on Thursday, April 13, 2017 and close on Thursday, April 27, 2017.

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 grandparents, Kathy and Bill Kapac. Ava spoke to the State Board about her ideas for reducing student stress.

#### **Resolution to Honor April 2017 as School Library Month**

President Biedron presented a resolution to recognize April 2017 as School Library Month. On a motion duly seconded and carried, the State Board approved the following resolution read by State Board member Edithe Fulton:

## **Resolution for School Library Month**

**WHEREAS**, the month of April 2017, has been designated nationally as School Library Month by the American Association of School Librarians; and

**WHEREAS**, the New Jersey State Board of Education envisions that New Jersey students will be effective users of information and ideas as they prepare for their role in a global economy and are able to make contributions to their local, national and international communities; and

**WHEREAS**, school libraries provide materials which reflect the ideas and beliefs of religious, social, political, historical and ethnic groups and their contributions to the American and world heritage and culture; and

**WHEREAS**, the individual growth and development of all students is stimulated and developed through the educational resources and instruction provided by the school library program fostering both excellence and equity in education; and

**WHEREAS**, school librarians teach students to investigate and research, think critically, draw conclusions, make informed decisions, and create and share knowledge in preparation for lifelong learning as well as adult decision making and citizenship; and

**WHEREAS**, it is both fitting and proper that special recognition be given to school library programs and the role of certified school librarians in education throughout the state of New Jersey; now, therefore, be it

**RESOLVED**, that the New Jersey State Board of Education and the Commissioner of Education recognize April 2017 as School Library Month in New Jersey.

### **Resolution in Honor of Assistant Commissioner Susan Martz**

President Biedron presented a resolution to recognize Assistant Commissioner Susan Martz for her 29 years of service. On a motion duly seconded and carried, the State Board approved the following resolution read by President Biedron:

#### **Resolution in Honor of Assistant Commissioner Susan Martz**

**WHEREAS**, Susan Martz has served with distinction as an employee of the New Jersey Department of Education for 29 years having held numerous senior management-level positions, most recently serving as Assistant Commissioner from June 2013 to present, and is being honored for her distinguished tenure of service; and

**WHEREAS**, Susan Martz's expansive career in education focused on enhancing conditions, creating opportunities and improving outcomes for New Jersey's vulnerable and underserved student populations, including students with disabilities and at-risk, limited English proficient, immigrant and homeless students; and

**WHEREAS**, Susan Martz, as Assistant Commissioner of the Division of Learning Supports and Specialized Services, played a leading role in the administration of critical state and federal programs such as bilingual education, student health services, Holocaust education, the Individuals with Disabilities Education Act, Title I and the McKinney-Vento Homeless Assistance Act, and in the implementation of the state's Anti-Bullying Bill of Rights Act; and

**WHEREAS**, Susan Martz, as Director of the Office of Student Support Services, received national recognition for incorporating research-based practices and strategies, integrating State

Standards, and promoting intentional planning with school day staff in New Jersey's Federal 21st Century Community Learning Centers program; and

**WHEREAS**, Susan Martz, as Director of the Office of Student Support Services, successfully redesigned the web-based data system and guidance used by school districts to report violence and vandalism incidents with the goal of improving the climate and culture of school across the state; and

**WHEREAS**, Susan Martz understood and appreciated the critical role of the Department of Education in collaborating with the advocacy community, educational stakeholder groups and other state agencies to coordinate efforts in support of educational opportunities and access for all children; and

**WHEREAS**, the New Jersey State Board of Education acknowledges and is grateful for Susan Martz's passion, determination and dedication to increasing positive youth behavior and improving the effectiveness of school day and afterschool programs and services; and

**WHEREAS**, the New Jersey State Board of Education recognizes and appreciates Susan Martz's sincere manner and affable style that enhanced her unwavering belief in thoughtful cooperation and mutual problem solving for the benefit of all New Jersey's students; now therefore be it

**RESOLVED**, that it is both fitting and proper that the New Jersey State Board of Education express its sincere gratitude to Susan Martz for her leadership, exemplified by the collegial manner in which she worked with all stakeholders to provide challenging, nurturing learning environments for all school children, and be it further

**RESOLVED**, that the New Jersey State Board of Education hereby honors Susan Martz for her esteemed record of service to the New Jersey Department of Education and extends best wishes for success and happiness in her retirement and future endeavors.

## **COMMISSIONER'S REPORTS**

### **New Jersey's System of Accountability and Supports**

Peter Shulman, Deputy Commissioner, Division of Talent and Performance lead a presentation on New Jersey's Systems of Accountability and Supports specifically the intersection of the School Performance reports, the Every Student Succeeds Act plan and the regulations for the Evaluation of School Districts or NJQSAC.

### **ITEMS FOR CONSIDERATION:**

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

#### **\*A. Appointment(s)**

- There were no appointments.

#### **\*B. 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.

<b>Certified School District</b>	<b>County</b>
Butler	Morris
Toms River	Ocean
Knowlton	Warren
Lopatcong	Warren

**\*C. Student Residency**

- Adopted the sunset re adoption with amendments proposed at N.J.A.C. 6A:22, Student Residency, pursuant to N.J.S.A. 18A:38-1 and N.J.S.A. 18A:4-15.

**\*D. Interdistrict Public School Choice**

- Adopted the sunset re adoption without amendments to the regulations pertaining to school choice proposed at N.J.A.C. 6A:12, pursuant to N.J.S.A. 18A:36B-14 et seq. and N.J.S.A. 18A:4-15.

**\*E. Fiscal Accountability, Efficiency and Budgeting Procedures**

- Adopted the sunset re adoption with amendments proposed at N.J.A.C. 6A:23A-16 through 22, pursuant to N.J.S.A. 18A:4-15

**\*F. State Board of Examiners**

- Adopted the following resolution approving the appointment(s) to the State Board of Examiners in accordance with N.J.S.A. 18A:6-34 and 35.

**STATE BOARD OF EXAMINERS APPOINTMENT RESOLUTION**

**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 a 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:

Ms. Fidelia Sturdivant  
Principal, Mildred Barry Garvin Elementary School  
East Orange School District  
Term Expires September 2018

**\*G. Programs to Support Student Development**

- Approved for publication in the New Jersey Register, the notice of substantive change to Chapter 16 pertaining to anti-bullying pursuant to N.J.S.A. 18A:4-15 and 18A:37-15 and 21 and N.J.A.C. 6A:32-7.

**H. Evaluation of the Performance of School Districts**

- Discussed the sunset readoption with amendments pertaining to the Quality Single Accountability Continuum regulations at N.J.A.C. 6A:30 pursuant to N.J.S.A. 18A:7A-10 et seq.

**I. Educational Facilities**

- Discussed the sunset readoption with amendments pertaining to the testing for lead in drinking water proposed at N.J.A.C. 6A:26-12.4, pursuant to P.L. 2016, c. 10.

**\*J. Request for Emergency Aid**

- Adopted the following resolution approving emergency aid for the Educational Information and Resource Center, Camden County, in accordance with N.J.S.A.18A:58-11.

**RESOLUTION FOR EMERGENCY AID**  
**Educational Information and Resource Center**

**WHEREAS**, N.J.S.A. 18A:58-11 permits school districts to receive emergency aid to meet unforeseeable conditions, and

**WHEREAS**, the Educational Information and Resource Center (“EIRC”) provides essential educational services to the districts throughout the State, and

**WHEREAS**, the EIRC is unable to meet its financial obligations to provide these contracted for essential services, which, if disrupted, would negatively impact students and districts, and

**WHEREAS**, the EIRC requires emergency aid to provide essential services to students and school districts, now therefore be it

**RESOLVED**, that the State Board of Education approves the distribution of no more than \$3,323,817 of emergency aid for the EIRC; and it is further

**RESOLVED**, that the Commissioner shall immediately certify to the State Treasurer a payment of \$1,118,600 to the EIRC; and it is further

**RESOLVED**, that the Commissioner, in consultation with the State Board of Education and approval of the State Board President, may approve the release of additional payments to the EIRC on a monthly basis until the end of Fiscal Year 2017 to insure the continuation of essential services.

**WORK SESSION**

There was no work session.

**NEW BUSINESS**

State Board member Joseph Fiscaro offered congratulations to Mr. Kevin Ciak, who was recently elected President of the National School Boards Association.

**ADJOURNMENT**

On a motion duly seconded and carried, the State Board of Education adjourned its April 5, 2017, public meeting at 12:44 p.m.

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