

**New Jersey State Board of Education**  
**Minutes of the Virtual Meeting of the New Jersey State Board of Education**  
**February 2, 2022**

**Presiding:** Kathy Goldenberg, President

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

**Present Constituting a Quorum**

Mrs. Mary Beth Gazi

Mrs. Elaine Bobrove

Mr. Jack Fornaro

Mrs. Mary Beth Berry

Dr. Nedd Johnson

Mrs. Fatimah Burnam-Watkins

Mr. Arcelio Aponte

Dr. Ronald Butcher

Mr. Andrew Mulvihill

Dr. Joseph Ricca

**Absent**

Dr. Ernest Lepore

Mrs. Sylvia Sylvia

**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 ensure 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 February 2, 2022, 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 February 2, 2022.

### **Reconvening**

President Kathy Goldenberg reconvened the open meeting at 10:08 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 Meeting**

On a motion duly seconded and carried, the State Board members approved the minutes of the public meeting conducted on January 5, 2022.

### **President's Reports**

President Goldenberg welcomed the viewing audience to the virtual State Board of Education meeting and acknowledged February as Black History Month.

### **Public Testimony**

President Goldenberg stated that the State Board will receive written testimony on Bilingual Education (proposal level amendments). She also stated that the State Board will be accepting written testimony on School District Operations (proposal level notice of substantial change) and Standards and Assessments (Bridge Year amendments) for the month of March.

### **Report of the Permanent Student Representative**

President Goldenberg introduced and welcomed the State Board of Education's new permanent student representative, Miss Maura Baker, a junior at West Orange High School in Essex County. Ms. Baker provided remarks on the NJASC Winter Leadership Conference.

### **State Board Committee Reports**

#### **Policy Committee**

Ms. Elaine Bobrove, chair, Policy committee, stated that the committee met with Department staff on January 12, 2022. She stated they discussed draft regulations that will implement the law that established the five-year pilot program for limited certificates of eligibility (CE) and certificates of

eligibility with advanced standing (CEAS). She further stated the Department presented on the law at the January public meeting and the regulations are on today's agenda at proposal level. Ms. Bobrove stated the committee supports the State Board's consideration of the rulemaking at proposal level today.

Ms. Elaine Bobrove, chair, Policy committee, stated that the committee met again with Department staff on January 19, 2022. She stated they discussed draft regulations that will implement the law that established the Bridge Year Pilot Program. Ms. Bobrove further stated the program allows students in the graduating classes of 2021 and 2022 to delay graduation for one year.

### **Assessment Committee**

Mr. Arcelio Aponte, chair, Assessment committee, stated that the committee met with Acting Commissioner Allen-McMillan and Department staff on January 21, 2022 to discuss the resolution to adopt the proposed New Jersey Graduation Proficiency Assessment (NJGPA) proficiency cut score and the revisions requested by the State Board at the January meeting.

### **Introduction of Senator Teresa Ruiz**

President Goldenberg introduced Senator Teresa Ruiz, former chairwoman of the Senate Education committee and Senate Majority Leader, who had requested time today to share her thoughts on the proposed New Jersey Graduation Proficiency Assessment Cut Scores.

Senator Ruiz stated that she is grateful for the work done on the teacher certification pilot and hopes that on the legislative side they will offer up a residency bill that will help bring more teachers needed into the workforce. She went on to state that unfortunately the courts passed a law a couple of years ago that said New Jersey must provide an 11<sup>th</sup> grade assessment that stems from an outdated statute from 1978 that still speaks to basic skills standards. She further stated that although she understands we are in between a rock and a hard place, she feels we missed an opportunity to create a more robust and creative summative assessment that would help districts. She stated she has concerns about the 725 cut score because she believes it lowers the standards, and approaching expectations indicates that those students are not even at appropriate level to graduate. She further stated she would like to focus on the future of assessments for students because having students sit down to repeat a test is redundant and waste of resources. Senator Ruiz stated that we need to work together toward a creative solution so next year's graduating class can be offered a more robust opportunity than what they are being given this year.

She stated we measure students standards long before they are graduating, and we have an opportunity to pause and change the statute in the future and possibly look at what other states are doing to come up with a more summative peek on the 11<sup>th</sup> grade component. She further stated we also need to look at the portfolio process to ensure it is just as robust since a lot of students will be using that pathway.

Senator Ruiz stated the last time the Department looked at the statistics, 75% of students were in need of remediation courses upon entering their Freshman year of college, and two things she doesn't want to see are students entering college needing to extend their schooling past the fourth year, which costs money, or that the student gets completely disengaged and doesn't graduate. She is hopeful that the Department and State Board reconsider the cut score, but that she here more to discuss the future. Senator Ruiz stated we know this is not the best use of resources and time and is

hopeful we can show students, teachers and families that our resources are getting the best return on our investment in our students.

### **Change in Order of the Agenda**

President Goldenberg announced that she was adjusting the agenda to ensure adequate means are provided for discussion and action today. She stated she is moving item F into the position that Item D is currently and moving Item D. into the position held by Item F.

### **Commissioner's Reports**

#### **New Jersey Career and Technical Education (CTE) Building Pathways for Success**

Acting Commissioner Allen-McMillan stated that the Department is excited to celebrate Career and Technical Education (CTE) Month<sup>®</sup> by highlighting CTE programs in schools throughout the state, as well as the incredible work of New Jersey's approximate 77,000 secondary students. She also introduced Marianne Cappello, Director, Office of Career Readiness who provided a brief presentation about the opportunities for students provided by CTE programs.

#### **Resolution in Honor of Career and Technical Education Month**

The State Board unanimously adopted the following ceremonial resolution recognizing February as Career and Technical Education Month in New Jersey as originally designated by the National Association for Career and Technical Education.

President Goldenberg asked State Board member, Mary Beth Berry, to read the resolution.

#### **Resolution in Recognition of Career and Technical Education Month in New Jersey**

**Whereas**, the month of February 2022 has been designated nationally as Career and Technical Education Month<sup>®</sup> by the Association for Career and Technical Education; and

**Whereas**, teachers, administrators and school counselors involved in career and technical education help more than 149,950 secondary and postsecondary students in New Jersey pursue a range of career pathways; and

**Whereas**, career and technical education programs incorporate rigorous academic core with high-level technical curriculum to deliver an opportunity for students to earn college credit, industry-valued credentials, and work-based learning to be college and career ready; and

**Whereas**, career and technical education prepares New Jerseyans for the jobs that exist today, and equips them with the skills employers will need in the future; and

**Whereas**, the New Jersey Department of Education has continued to implement a variety of career and technical education initiatives including the Early College Model Program, CTE Teacher Pathway Initiative, Building Capacity for Career Pathways initiative, Middle Grades Career Awareness and Exploration Program, and Expanding Pre-Apprenticeship in a New Direction (ExpAND) program; and

**Whereas**, career and technical education offers opportunities for student leadership experiences supporting personal and professional growth through seven state career and technical student organizations currently serving approximately 36,855 students in New Jersey through membership in Future Business Leaders of America (FBLA); National FFA Association; Family, Career and Community Leaders of America (FCCLA); DECA, an Association of Marketing Students; Health Occupations Students of America (HOSA); Technology Student Association (TSA); and SkillsUSA; now, therefore, be it

**Resolved**, that the New Jersey State Board of Education and the Acting Commissioner of Education hereby recognize February 2022 as Career and Technical Education Month in New Jersey and the potential of career and technical education to fully prepare New Jersey's students for postsecondary success.

**Items for Consideration:**

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

**\*A. Appointments**

- Approved the following appointment pursuant to N.J.S.A. 18A:4-32-35 and N.J.A.C. 6A:2-1.1 et seq.:
  - Ms. Kimberly Murray, Director, Office of Special Education; and
  - Ms. Laura Fredrick, Director, Office of Communications.

**\*B. Certification of School Districts**

- There were no districts for certification.

**\*C. State Board of Examiners and Certification**

- Approved for publication in the *New Jersey Register* the new rules at N.J.A.C. 6A:9B, State Board of Examiners and Certification, pertaining to a five-year pilot program for issuance of a limited certificate of eligibility (limited CE) and a limited certificate of eligibility with advanced standing (limited CEAS) in an instructional area for candidates who meet certain requirements pursuant to P.L. 2021, c. 224.

**\*D. Qualified Zone Academy Bonds**

- Approved the readoption without amendments of the rules at N.J.A.C. 6A:25, Qualified Zone Academy Bonds, pursuant to N.J.S.A. 18A:4-15, 18A:7G-26, and 18A:36A-18 and 26 U.S.C. § 54E.

**\*E. Resolution to Establish Proficiency Level Cut Scores Standards for the New Jersey Graduation Proficiency Assessment**

- Adopted the following amended resolution approving the New Jersey Graduation Proficiency Level cut scores for English Language Arts and Mathematics, pursuant to N.J.A.C. 6A:8-4.1. State Board members Dr. Ronald Butcher, Dr. Nedd Johnson and Dr.

Joseph Ricca opposed the amendment to the cut scores. State Board members Dr. Ronald Butcher and Dr. Nedd Johnson opposed approving the final resolution.

**A Resolution Establishing Proficient Level Cut Score Standards for The New Jersey Graduation Proficiency Assessment (NJGPA): Mathematics and English Language Arts**

**Whereas**, according to N.J.S.A. 18A:7C-1, the Commissioner of Education with the approval of the State Board of Education shall establish a program of standards for graduation from secondary school, and such a program shall include, but not be limited to the development of a Statewide test in reading, writing and computational skills to be administered to all secondary school pupils as provided herein, and clear and explicit Statewide levels of proficiency in reading, writing and computational skills to be demonstrated as a minimum requirement for high school graduation; and

**Whereas**, according to N.J.S.A. 18A:7C-6, the State graduation proficiency test shall be administered to all 11th grade pupils and to any 11th or 12th grade pupil who has previously failed to demonstrate mastery of State graduation proficiency standards on said test; and

**Whereas**, the establishment of cut scores was completed for the State graduation proficiency test, called the New Jersey Graduation Proficiency Assessment (NJGPA), in accordance with industry best practices in large-scale assessment to determine the assessments' validity and the theoretically appropriate performance level cut scores; and

**Whereas**, the State Board acknowledges the Department's selection of the respective NJGPA proficient level cut scores; and

**Whereas**, the Department will present to the State Board, by the September meeting of 2022, an analysis from the first administration of the NJGPA test for the board's review of the herein approved cut score. Following the said review, the Department will recommend to either maintain or modify said cut score; and

**Whereas**, the Department will monitor the impact of these tests and proficient level cut scores on the proficiency rates and will report any problems with the same to the State Board; now therefore be it

**Resolved**, that the New Jersey State Board of Education hereby approves the following proficient level cut scores, effective February 2, 2022:

**NJGPA Graduation Ready Cut Scores**

<b>ELA</b>	<b>Mathematics</b>
<b>750</b>	<b>750</b>

**F. Standards and Assessments**

- Discussed the amendments to N.J.A.C. 6A:8, Standards and Assessments, that set forth the requirements for the Bridge Year Pilot Program, pursuant to P.L. 2020, c.41.

**New Business**

There was no new business.

**Public Testimony**

Bilingual Education (proposal level amendments)

**Adjournment**

On a motion duly seconded and carried, the State Board of Education adjourned its February 2, 2022, public meeting at 1:00 p.m.

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