



John Migueis <john.migueis@gmail.com>

Direct Teaching Methods and Grading

John Migueis <john.migueis@gmail.com>

Tue, Nov 11, 2025 at 8:33 AM

To: "Feltre, Dr. Kim" <kfeltre@bhpsnj.org>

Cc: boe <boe@bhpsnj.org>, Crystal Marr <cmarr@bhpsnj.org>

Now onto the bhea contract....

The original quote I used about the Board having "sole jurisdiction and authority to determine the methods, means, and personnel by which operations are to be conducted" came from NJEA stock clause - I think I got a link to the BHEA contract later on (not sure its been a little busy) in any case....

The **actual language in Article 28** – Board Rights and Responsibilities states that the Board:

"retains and reserves unto itself all powers, rights, authority, duties and responsibilities conferred upon and vested in it ... by the laws and Constitution of the State of New Jersey and of the United States,"

and that such powers are "limited only by the express terms of this Agreement."

The language actually makes my point clearer

It means the same exact thing.....the Board keeps every power granted to it by law including those under N.J.S.A. 18A:11-1 and 18A:33-1 unless specifically restricted by contract.

SO the Board continues to hold authority over curriculum adoption, instructional policy, and governance consistent with State Board rules.

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John Migueis <john.migueis@gmail.com>

Direct Teaching Methods and Grading

John Migueis <john.migueis@gmail.com>

Tue, Nov 11, 2025 at 7:52 AM

To: "Feltre, Dr. Kim" <kfeltre@bhpsnj.org>

Cc: boe <boe@bhpsnj.org>, Crystal Marr <cmarr@bhpsnj.org>

Hi Dr. Feltre,

Thanks for the thorough response- and you are correct on the language as I was incorrectly referring to the older statute (and I will correct that publicly) **however the main points in the revised laws still remain as does board authority.** I'll go step by step

The **state** Board holds the broad authority

N.J.S.A. 18A:4-10:

"The general supervision and control of public education in this state, except higher education, and of the state department of education shall be vested in the state board, which shall formulate plans and make recommendations for the unified, continuous and efficient development of public education..."

N.J.S.A. 18A:4-15:

"The state board shall make and enforce, and may alter and repeal, rules for its own government and for implementing and carrying out the school laws of this state under which it has jurisdiction."

Both these sections give the state board supervisory authority over every single aspect of education including curriculum, graduation requirements, testing and instructional standards. For example the State Board adopts N.J.A.C. 6A:8 – *Standards and Assessment for Student Achievement and*

N.J.A.C. 6A:9B – *State Licensure Code* (sets teacher qualification standards tied to instructional delivery).

LOCAL BOARDS are clearly an extension of the state board and have **the same powers** and have full discretion in using those powers as long as they do not contradict state Boards:

"...to make, amend and repeal rules, not inconsistent with this title or with the rules of the state board, for its own government and the transaction of its business and **for the government and management of the public schools and public school property of the district and for the employment, regulation of conduct and discharge of its employees...**"

"**for the employment, regulation of conduct and discharge of its employees**" is where the local board has its authority in connection to local oversight.

The primary body of employees in our District (or any district) are teachers, this provision inherently empowers local boards to adopt rules and policies that connect to how instruction is delivered, evaluated, and managed as long as those rules align with State Board standards.

It does not read

for the government and management of the public schools and public school property of the district and for the employment, regulation of conduct and discharge of the Superintendent

This is further enforced in 18A:33-1

Each school district shall provide, for all children who reside in the district and are required to attend the public schools therein and those who reside therein or elsewhere and are entitled or permitted to attend the schools of the district pursuant to law, suitable educational facilities including proper school buildings and furniture and equipment, convenience of access thereto, and courses of study suited to the ages and attainments of all pupils between the ages of five and 20 years, either in schools within the district convenient of access to the pupils, or as provided by article 2 of chapter 38 of this title, **but no course of study shall be adopted or altered except by the recorded roll call majority vote of the full membership of the board of education of the district.**

The Superintendent duties are also clear:

18A:17-20(b)

Any superintendent of schools ... shall be the chief executive and administrative officer of the board or boards of education employing him and shall have **general supervision over all aspects, including the fiscal operations and instructional programs**, of the schools of the district ... under rules and regulations prescribed by the State board."

The Superintendent's role is to carry out what the State and Local Boards decide - they can inform but they **are not the decision makers on policy- especially instruction** otherwise there would be no need for a Board vote on curriculum or text books for example.

This is important and what really bothers me about the approach the NJSBA and two BOE members have in there "do whatever the Administration wants" - the BOE is directly accountable to the public - the very people District are meant to serve. To attempt to sever their authority or dilute it, waters down the legally codified impact families have.

As for evidenced based practices, I couldn't agree more. I have seen no evidence in all my time in this District that this has actually been followed. See my prior email on direct instruction.

[Quoted text hidden]



John Migueis <john.migueis@gmail.com>

Direct Teaching Methods and Grading

Feltre, Dr. Kim <kfeltre@bhpsnj.org>

Tue, Nov 11, 2025 at 6:30 AM

To: John Migueis <john.migueis@gmail.com>

Cc: boe <boe@bhpsnj.org>, Crystal Marr <cmarr@bhpsnj.org>

Good Morning Mr. Migueis,

Thank you for your email, but upon researching your assertions, I have found some inaccuracies to your claims.

The full language under **(N.J.S.A.18A:11-1)** General mandatory powers and duties reads

The board shall--

- a. Adopt an official seal;
- b. Enforce the rules of the state board;
- c. Make, amend and repeal rules, not inconsistent with this title or with the rules of the state board, for its own government and the transaction of its business and for the government and management of the public schools and public school property of the district and for the employment, regulation of conduct and discharge of its employees, subject, where applicable, to the provisions of Title 11, Civil Service, of the Revised Statutes; and
- d. Perform all acts and do all things, consistent with law and the rules of the state board, necessary for the lawful and proper conduct, equipment and maintenance of the public schools of the district.

L.1967, c.271.

I am uncertain how from this language one arrives at the Board “makes, amends, and repeals rules for the instruction of schools.”

As per 18A:12-24.1 Code of Ethics for School Board Members

c. The Board will confine my board action to policy making, planning, and appraisal, and will help to frame policies and plans only after the Board has consulted those who will be affected by them.

d. The Board will carry out my responsibility, not to administer the schools, but, together with fellow board members, to see that they are well run.

The statute governing the role of the Superintendent is 18A:17-20. Superintendent ; general powers and duties

18A:17-20. a. Any superintendent of schools, who has acquired tenure in the position of superintendent as of the effective date of P.L.1991, c.267 (C.18A:17-20.1 et al.), shall have general

supervision over the schools of the district or districts under rules and regulations prescribed by the State board and shall keep himself informed as to their condition and progress and shall report thereon, from time to time, to, and as directed by, the board and he shall have such other powers and perform such other duties as may be prescribed by the board or boards employing him.

He shall have a seat on the board or boards of education employing him and the right to speak on all educational matters at meetings of the board or boards but shall have no vote.

b. Any superintendent of schools who has not acquired tenure in the position of superintendent as of the effective date of P.L.1991, c.267 (C.18A:17-20.1 et al.) but who holds tenure during the term of his employment contract pursuant to section 5 of P.L.1991, c.267 (C.18A:17-20.2), shall be the chief executive and administrative officer of the board or boards of education employing him and **shall have general supervision over all aspects, including the fiscal operations and instructional programs, of the schools of the district** or districts under rules and regulations prescribed by the State board and shall keep himself informed as to their condition and progress and shall report thereon, from time to time, to, and as directed by, the board and he shall have such other powers and perform such other duties as may be prescribed by the board or boards employing him.

He shall have a seat on the board or boards of education employing him and the right to speak on all matters at meetings of the board or boards but shall have no vote.

L.1967, c.271; amended 1991,c.267,s.2.

With regards to the BHEA contract, I'm not sure what you are referring to as Article 23 is Staff Administration Liaison/Professional Committee. Article 28 is Board Rights and Responsibilities and reads:

ARTICLE 28

BOARD RIGHTS AND RESPONSIBILITIES

28.01 The Board hereby retains and reserves unto itself all powers, rights, authority, duties and responsibilities conferred upon and vested in it prior to the signing of this Agreement or which may hereafter be conferred upon it and vested in it by the laws and Constitution of the State of New Jersey and of the United States.

28.02 The exercise of the foregoing powers, rights, authority, duties and responsibilities of the Board, the adoption of policies, rules and regulations, and practices in furtherance thereof, and the use of judgment and discretion in connection therewith, shall be limited only by the express terms of this Agreement, and then only to the extent such terms hereof are in conformance with the Constitution and laws of the State of New Jersey and of the United States.

No where in this article do I see or interpret that the Board has "sole jurisdiction and authority... to determine the methods, means, and personnel by which operations are to be conducted."

I appreciate the community's engagement and the conversation around grading and assessment practices. It is important that we all have accurate information about how decisions are made in New Jersey public schools.

One thing we know to be true, is that we are all working toward the same goal: the success of our students. The separation of roles in public schools is intentional because it ensures strong governance practices. The Board sets policy direction - the what and they why - and the Superintendent and administration implement it - the "how". This provides a balance that maintains compliance with statute and law, protects professional integrity, and keeps the focus on what matters: educating our students.

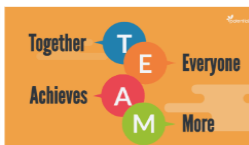
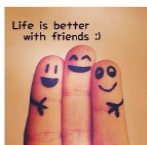
The goal of this structure is not to limit dialogue or collaboration, but rather to make sure that decisions about teaching and learning are informed by research, aligned with standards, and that the governance and policy making bodies can provide the oversight and feedback of these decisions.

It is the intent of the administration to work collaboratively with the teachers, students, Board, and parents to ensure that any changes made to the grading system are fully informed and created through thoughtful and collaborative structures, not dictated by any single stakeholder group.

Thank you,
Kim



Kim T. Feltre, Ed.D.
Superintendent of Schools
345 Plainfield Ave
Berkeley Heights, NJ 07922
908-464-1718



Who Owns the Learning?

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Note: Please do not reply all to this message as that would constitute a quorum.



John Migueis <john.migueis@gmail.com>

Direct Teaching Methods and Grading

John Migueis <john.migueis@gmail.com>

Fri, Nov 7, 2025 at 4:45 PM

To: boe@bhpsnj.org

Good Afternoon,

I wanted to follow up with some clarity on the question of whether the Board of Education can require teaching methods

Under **New Jersey law (N.J.S.A. 18A:11-1)** BOE's are allowed to "make, amend, and repeal rules for the management, government, and instruction of the schools."

The BOE can in fact standardize instructional expectations (**including grading systems and teaching models**) as part of its authority.

The BHEA Contract affirms this.

Article 23 – Board Rights and Responsibilities - the BOE has "sole jurisdiction and authority... to determine the methods, means, and personnel by which operations are to be conducted."

Teachers retain have freedom as to how they deliver lessons **within those guidelines**.

The BOE should actually take steps to fix the problem of indirect teaching methods and, if you want, grading equity although I don't see that as the main issue.

Like if you really wanted to change things for the better- you have the ability **and responsibility** to do it.

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John Migueis,