
Committee Meeting

of

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

"Cami Anderson, State District Superintendent of Newark Public Schools has been invited to speak on the topic of her One Newark Plan and also the sale of the 18th Avenue School"

LOCATION: Committee Room 11
State House Annex
Trenton, New Jersey

DATE: January 6, 2015
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Senator Ronald L. Rice, Co-Chair
Assemblywoman Mila M. Jasey, Co-Chair
Senator M. Teresa Ruiz
Senator Samuel D. Thompson
Assemblyman Ralph R. Caputo
Assemblywoman Eliana Pintor Marin
Assemblywoman Sheila Y. Oliver
Assemblywoman Betty Lou DeCrocce
Assemblywoman Donna M. Simon



ALSO PRESENT:

Amy Tibbetts
Executive Director

Rebecca Sapp
Executive Assistant

Meeting Recorded and Transcribed by
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SENATOR RONALD L. RICE (Co-Chair): Good morning.

First of all, let me say, on behalf of the Joint Committee on the Public Schools, Happy New Year to everyone; I hope it's a prosperous and healthy new year. I hope there is some sanity in this year -- a lot more than last year -- and I hope the weather remains good throughout.

I also want to say that this is a meeting of the Joint Committee on the Public Schools and, by statute, we're responsible for oversight in the public schools in New Jersey. The Joint Committee means that it consists of members of both houses of the Legislature and both parties. We don't do legislation as a Committee, we don't pass legislation; but we can write and recommend.

We have a statutory and fiduciary responsibility to the taxpayers in the State of New Jersey, and to our children, and to parents, and educators, and everybody who is involved with the system. I will say a little bit more about that responsibility once we get started.

Before I enter remarks onto the record, I'm going to take a roll call, and then I'm going to give my members a chance to say hello, since we have not been together since last year.

So why don't we do a roll call?

MS. TIBBETTS (Executive Director): Senator Ruiz.

SENATOR RUIZ: Here.

MS. TIBBETTS: Senator Rice.

SENATOR RICE: Here.

MS. TIBBETTS: Senator Thompson.

SENATOR THOMPSON: Here.

MS. TIBBETTS: Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: Here.

MS. TIBBETTS: Assemblywoman DeCroce.

ASSEMBLYWOMAN DeCROCE: Here.

MS. TIBBETTS: Assemblywoman Jasey.

ASSEMBLYWOMAN MILA M. JASEY (Co-Chair): Here.

MS. TIBBETTS: Assemblywoman Simon.

ASSEMBLYWOMAN SIMON: Here.

MS. TIBBETTS: Assemblywoman Pintor Marin, sitting in for Assemblyman Wimberly.

ASSEMBLYWOMAN PINTOR MARIN: Here.

SENATOR RICE: Okay. A quorum is established.

Let me just start to my left with Assemblywomen Simon -- and just maybe you want to bring greetings before we get started -- and we'll work our way around to Senator Thompson.

ASSEMBLYWOMAN SIMON: Sure, just briefly.

Happy New Year to everyone. I'm looking forward to a productive 2015 on this Joint Committee. I know we do a lot of great things.

I thank you again, Chair and Co-Chair, for our Joint Committee meeting regarding South Hunterdon and school consolidation; I thought it was extremely successful. And I look forward to listening to today's testimony and learning more about One Newark.

Thank you.

ASSEMBLYWOMAN DeCROCE: Thank you, Mr. Chairman, and Happy New Year to everyone here today, and Happy New Year to my colleagues. I look forward to working with you in year 2015.

And I'm sure working together we can accomplish great things here for our children in New Jersey and for the school systems throughout the state. So I look forward to this Joint Committee meeting, and working hard and working together to do what's best for the State of New Jersey.

So thank you so much.

ASSEMBLYWOMAN PINTOR MARIN: Good morning.

Thank you, Senator Rice, for allowing me to fill in for Benjie Wimberly today. I look forward to hearing today's testimony, and I want to wish everybody a very Happy New Year. And I'm happy to be here, and looking forward, for 2015, to working with my colleagues.

ASSEMBLYMAN CAPUTO: Thank you again, Senator Rice and Assemblywoman Jasey. I'm very pleased that we've arrived at this very important time to discuss some very urgent issues that affect the Newark Public School system. And I want to thank everyone for their cooperation in bringing this hearing to a moment of clarity, hopefully.

Happy New Year, everyone.

ASSEMBLYWOMAN JASEY: Thank you to my Co-Chair, and I want to thank everyone who is in the audience; I see a lot of familiar faces. I know of the interest. Having had two public hearings on this issue in Newark, I know how important this is to the students, the parents, and the members of the Newark community.

I'm glad that you all arrived safely; it was a little treacherous this morning. But I think the fact that you're all here shows your commitment.

I welcome this opportunity and look forward to a vigorous discussion of what is going on so that we can move forward.

And to my colleagues and to everyone in the audience, a Happy New Year.

SENATOR THOMPSON: Thank you, Mr. Chairman.

Again, we have some great public schools here in New Jersey; some great public school systems. And then we have some that are much more challenged. And, of course, there is no greater challenge than what we face in the City of Newark. So today we're going to be looking at that, and we want to join with the Superintendent and all of us to do everything we can to provide the best education possible for all of the children.

Thank you.

SENATOR RUIZ: Good morning, everyone; good morning, Chairmen and colleagues. Happy 2015. I hope that when we get done today the snow has cleared our path, the way 2015 will clear a better path for our students in the City of Newark and all of our students in the State of New Jersey.

I am confident that and hopeful that we will get a clearer picture of what is truly happening when we begin to ask questions and get direct answers from our Superintendent. And perhaps that will allow us to engage in a better conversation -- to move in a better direction. I think oftentimes for some of us -- or for all of us who live in the City of Newark, what we see is an entirely different photograph than what sometimes gets portrayed. And so it's clearly important for us to have an open and honest discussion about where we are today, where we're moving forward, and if in fact we can make things better.

SENATOR RICE: Thank you very much.

We're going to get started, but before we do that I'm going to read my opening statement into the record. And I also want to indicate to those who have traveled to be here and those who are participating in terms of observation, that the only speaker today will be the Superintendent of the Newark Public Schools -- the State-appointed Superintendent. There will be an opportunity, subsequent to this meeting, for the public to come and give comments and testimony as to what's really going on.

There also may be a need -- given the number of issues and questions that need to be raised -- that probably there will be a need to have the Superintendent come back to respond to some of the issues and questions that we've been trying to get answers to for over a year.

I also want to go on the record by indicating that the Joint Committee on the Public Schools and the State Board of Education are, by statute, responsible for the oversight of the State Public School Districts. I think that's an important statement because it seems as though we've been -- some of us -- negligent in that responsibility, which is a statutory responsibility.

The Joint Committee on the Public Schools was enacted under Title 52:9R, and the Committee is authorized, empowered, and directed to conduct a continuing study of the system of free public schools, its financing, administration, and operations, and to make recommendations for legislative action, as is deemed practicable and desirable, for the maintenance and support of a thorough and efficient system of free public schools.

And so with that being said in the record, I'm hoping that the Superintendent and all her assistants who are here today, who I saw come

in, understand the statutory responsibility of this Committee -- but also understand your own statutory responsibility. And I'm saying that to you because, on the record, I want to read this comment.

A failure on the part of the members of this Committee, and those of us in the Legislature, not to get answers to questions when there are problems throughout the State of New Jersey in various school districts - - and we've been trying to get them here, as legislators. And not just in education; those of us who are legislators -- Senator Thompson, you know -- we try to get information on other issues impacting New Jersey taxpayers, and folks are not responding. That could very well be looked at as a challenge to those of us who are elected officials. It could be a charge alleged that it's our malfeasance or misfeasance in the respective office. Those are very serious charges, and as Co-Chair of this Committee -- whether my members like it or not -- I'm not going to let us be charged in that fashion by the public or anyone else who wants to challenge our abilities to get something done.

And so over the course of the year, for the record, there have been numerous articles, allegations, and concerns raised by the media, parents, local government officials, and students regarding issues plaguing the Newark Public Schools; for which this Committee is responsible for investigating, getting factual information, determining if the allegations and concerns are real, and recommending a course of action to be taken to resolve the issues. That's what we've been trying to do for the last year.

Superintendent Cami Anderson, I'm glad to see you here. But, to be quite frank, we have invited you on several occasions to appear before the Joint Committee on the Public Schools to provide information on the

One Newark Plan and the sale of the 18th Avenue School building. Each time your office or you conveniently found reasons not to appear or respond in writing, with your staff citing that you have a *protocol* and *process* for attending meetings and committing your responses in writing. And hopefully you can tell us what that protocol is when it comes to the Legislature, okay? And so hopefully that will get explained.

This hearing is necessary -- for those who are here and to the Superintendent and to the Commissioner -- newly appointed Commissioner of Education -- to determine the problems that are associated with the fiscal problems in the City of Newark Public School District that we continue to hear about, that we know that the District is facing -- a \$53 million budget deficit, for example, and other issues. It's important because of the need to have information on the lack of accountability and transparency in the operations and handling of the Newark Public School District's affairs, and the implementation of programs such as the One Newark Plan that we're hearing so much about that we believe should never have been implemented in the first place, according to a lot of different sources and information we have -- based on other people independently making those recommendations.

And we need information on the closing of the Newark Public School buildings, the awarding of contracts and the hiring of consultants, the Superintendent's executive staff salaries and salary increases that have been awarded, and the sale of the 18th Avenue School building to the Friends of TEAM Academy and Pink Hula Hoop, LLC. The use of EDA funding that a lot of my members don't hear about: \$25.5 million --

something in the area of that -- funds to purchase the Newark Public School buildings.

And so there are a lot of issues here that need to be addressed. And they are not issues that you can come in here and tap dance on, or give us the sweetness of. They are serious questions.

So with that being said, I know that there is a PowerPoint presentation. And I'm asking you, Superintendent -- I'm not asking, I'm telling you -- that this Committee, since we do Chair it, and it took so long to get you here -- you're only going to have about 5 minutes to do that presentation, because we've heard that presentation -- some of us -- at the State Board meetings. We've heard it and seen it online when you went to Washington and kind of put down our kids who traveled down there. We've heard it in the District, and we've read about it on more than one occasion, I can assure you. And so what we need to do is have the PowerPoint, but there are a lot of questions related to what you have to say that you need to answer, one way or the other.

I did ask, for the record, for subpoena power. If this meeting was not being presented today, if you were not here, I was going to continue to pursue that. If the questions are not answered, or we can't get information when we send for it -- we will be requesting what people who have done OPRA are not getting -- then I'm going to continue to pursue that subpoena power. And I would work with the President of the Senate and my colleagues, and fighting if I have to, to get that power because it's something that may become necessary. Hopefully, that's not the case here.

But I just wanted to set the stage and be honest with everybody about where we're coming from, Commissioner, Superintendent, and those who are here to listen, and to my colleagues.

With that, let me turn it over now to Assemblywoman Mila Jasey, our Co-Chair. And I know that Speaker Oliver is en route, coming down.

Thank you very much.

ASSEMBLYWOMAN JASEY: Thank you, Senator.

I didn't realize we were going to do our opening statements. I have a very brief opening statement that I would like to read into the record.

As the Senator has referenced, the Joint Committee on the Public Schools is charged by statute with oversight of all of our State's public schools. As Co-Chair, I believe that this charge is particularly important in the State take-over districts -- especially in Newark, due to the ongoing lack of accountability to the Legislature, the community, and this Committee.

The One Newark Plan has created a situation where siblings are attending different schools, creating transportation and scheduling problems for families, generating complaints from special ed students and families, and calling into question compliance with State and Federal laws and guidelines.

The design and implementation of the One Newark Plan was done without authentic input and engagement of the Newark community. And while you report to the Department of Education and the Commissioner, and were appointed by the Governor, your duty and

responsibility is to be accountable to the children, families, and Newark community at large who rely on your vision and leadership.

Now in your fourth year as Superintendent, in a District in which regular public schools are underperforming and there is financial instability, we do have a lot of questions. But technically, although I no longer represent the citizens of Newark, I do, indeed, represent its children and every other child of this State as a member of this Legislature and as a lifelong advocate for children.

As a member of this Committee, the Assembly Education Committee, and the Higher Ed Committee, I'm compelled to require answers to our questions about what is going on in the Newark Public Schools and what is the impact upon teaching and learning.

Two years later, the Renew Schools have not improved; the transportation policy has disrupted families and lives -- and, quite honestly, I haven't seen any data about how that's going, only anecdotal information. Special education students and English Language Learners are not being served according to the statutes. And the tension between the regular public schools and the public charter schools continues to grow.

As Senator Thompson said, New Jersey schools are among the best in the nation. And Newark students and their parents deserve schools that live up to this reputation. And it is our collective obligation to put the best teachers in front of our most challenged students.

And with that, I would ask you, Superintendent, to come up and begin your presentation.

Someone should have explained to you -- there are two mikes. The smaller mike is recording for the record; the mike with the red light is

the mike that you should turn on when you're speaking so that everyone in the room can hear.

And, again, we'll ask you to keep it to about 5 minutes.

UNIDENTIFIED MEMBER OF AUDIENCE: (off mike)
Stopwatch.

SUPERINTENDENT CAMI ANDERSON: Good morning.

First of all, I just wanted to extend my gratitude to the Co-Chairs. I very much appreciate your statutory responsibility and respect the role that you play. And I really appreciate the opportunity to dig in on what are absolutely very serious issues. So thank you for the opportunity. And to all of the other Assembly people and Senators who have taken an interest in our issues -- thank you as well, in advance, for your time. So I appreciate it.

I will try to be brief; I can't promise 5, but I will get as close as possible, because I do think it's critical to establish some facts before we dive in to what may or may not be disagreements.

SENATOR THOMPSON: Actually, Madam Chair, I think we should permit the Superintendent to have the time she needs. You may have heard her presentation before, but I have not. And I would like to hear what she has to say, so let's give her the time she needs.

SENATOR RICE: She can have all the time she wants as long as she comes back. And I respect what you're saying, Senator, but you and I have ridden this horse before on not just the School Board, but on other issues. And I've sent information, over and over, to every member of this Committee, Republicans and Democrats who are not on the Committee--

SENATOR THOMPSON: I know, but I want to hear the other side of the -- I want to hear the other side.

SENATOR RICE: I understand it, but I just want to keep the record clear. Because we're not here to harm her and we're not here to buffer her -- for the Governor or anyone else. We're here to look at this District's problems. If not, it's going to turn out like a Bridgegate, I can guarantee you.

So go ahead, Superintendent.

SUPERINTENDENT ANDERSON: So I'm going to speak briefly about what the facts were when I arrived in Newark, and then the first two waves of our actions -- some of the data and some of our successes. And I am also going to dive into our challenges, because I also agree with Senator Ruiz that we have to be frank about what we're doing well and where we need to improve.

To begin with, I think it's been aptly discussed -- the challenges that existed prior to my arrival can be summarized as *poor performance* and *declining enrollment*. So if you look at this chart, the percentage of K-8 schools in Newark that could be described as *poor*, which means low proficiency and low growth, was about 75 percent the first year that I was here. Graduation rates were just under 60 percent, and part of that was playing out in terms of our enrollment challenges -- which you see in the right chart -- where an increasing percentage of students were enrolling in charter schools. The granting of those charters and the decision to scale charters predate my tenure, although I am happy to talk more about why I support it, with certain conditions around equity. And so the projections that you see on the right, as has been pointed out, caused some very serious

and real fiscal issues -- that are not due to the incompetence of our administration, but rather to the notion that the money follows the kid. So the increase in charter enrollment, that was projected well before my arrival, created a scenario where about \$30 million of additional revenue each year was leaving the District for charter payments, because families were dissatisfied and enrolling in charters. So this was a pre-existing condition, if you will, when I came to Newark.

The other challenge we face in Newark -- and one that I hope to work with this legislative body and the Commissioner's Office -- are the state of our buildings are in incredible disrepair. There's been underinvestment, and that underinvestment over many, many years has created a great deal of financial hardship on our operating budget, and also on the conditions where our children attend school. So this simply shows you that a good number of our schools were built before 1925, and that's created challenges financially, as well as in terms of equity and what our students experience.

And the other challenge we found is what we call the *concentration of need effect* -- and I've talked very publicly about this. I am a supporter of charters and magnets; and also we face an issue that, as those types of schools expanded, in the absence of a universal enrollment system we saw widening inequity in terms of the number of students with disabilities, the percentage of students on free lunch, and the percentage of English language learners in the traditional public schools. This also holds true, by the way, for private pre-K providers. So as the sort of non-Newark Public Schools' portfolio grew -- private pre-K providers, magnets schools, charter schools -- the concentration effect, or the percentage of students in

significant need was going up substantially while more money was leaving, and while we were experiencing overall enrollment decline. So these were the facts, as it were, when I arrived, and had been a long time coming. And so we were faced with some really tough -- brutal facts, as they say.

So we dove in with three guiding principles: excellence, efficiency, and equity. Some of our first moves were the first cohort of our Renew Schools, which we can talk more about; a contract with the Newark teachers union that put a focus on performance, but also on teacher input into evaluations and checks and balances -- because we believe that if you increase accountability for teachers, you also have to increase their ability to have input and see the system as fair.

We created new high school models; we took great care, in my first three years -- and this is still true -- to achieve what has amounted to almost \$150 million in cuts over my three years, while maintaining the per-pupil cost at the school. And we did that by having the Central Office take more of a haircut than the resources that are closest to our kids -- which is what we obviously care about the most.

And we lasered in on equity. We immediately -- my first year -- went into a universal enrollment for high schools, because students with disabilities, and our poorest students, English language learners had fewer choices than some of our other young people. And you saw disproportionality in our magnets, so we launched an enrollment system. We began to work on least-restrictive environment for our students with disabilities. I'm a lifelong special educator, and I believe passionately that lots of young people benefit from inclusive environments -- although some, certainly, need additional resources. And we began to revise our discipline

policies. We, just like a lot of folks in the country, were disproportionately suspending and disciplining African American and Latino boys, and my first year we began to work on revising that fact so that we could reverse some of the disproportionality there.

We worked hard on those reforms, but we realized that in my second year the charters were starting to become over a third of the market. So basically with all of the enrollment projections -- again, this decision or these decisions predated me -- that the charters were going to be a third of the market. And so we realized that no matter how hard or fast we worked to reform Newark Public Schools so that we could compete on a level playing field, that that wasn't going to be enough; that we needed to expand our work with the charters so that we could ensure equity -- that we had to broaden our vision, and that we needed to bring them into the fold and really create a focus on equity.

So our next round of reforms around One Newark, which people sometimes interchangeably put with the enrollment system -- it's much bigger than that. We launched our second and third cohorts of Renew. We had a fierce focus on contract implementation. We developed School Snapshots so that we can compare apples to apples. There was a lot of talk about what kind of students were in what schools, facilities quality; and we created, with the input of families, one-stop shopping so people could compare schools across type.

We also did a long-term comprehensive facilities plan -- that was much more thorough than previously -- to look at what was going to happen to our buildings over 10 years, as opposed to just looking year after year.

And we continued to achieve our budget cuts by keeping the money closest to the kids as sacred as possible, and trying to assume some of the cuts that were necessary disproportionately at Central Office, so that the money closest to the kids would remain intact as much as possible.

On equity, we expanded the universal enrollment system -- which we had been using for high schools for two years -- to all K-8s. And we got charters to sign memorandums of understanding -- 85 percent of the charters signed onto the memorandum that required them essentially to stop using waiting lists or to use them in a sparing fashion, so we did not have so much transferring going on; to accept all students, and to participate in one-stop shopping. The multiple lotteries were creating tremendous inequities and lack of transparency in the system. And we felt that the status quo was unfair and also lacked transparencies for families.

The universal enrollment process -- we can, again, obviously talk more about this. I just wanted to give some facts. Of the individuals who applied from Newark, 92 percent received a match; so those who don't receive a match, it's almost always because they only preferenced Science Park or a magnet, for example. That's a very high match rate, by any national standard. Seventy-four percent of applicants got one of their top 5 choices; about 15,000 individuals participated. Some of those were kids who were going into the 9th grade, so they had to apply anyway. And about 5,500 were those-- If you were happy with your school placement, and your grade was not changing -- in other words, you were in 3rd grade and you wanted to stay in your 4th grade, you didn't have to do anything. This process was exclusively for individuals who were either in transitioning grades -- so let's say, 9th grade or kindergarten, or for people who were

unhappy where they were. And so we had 5,500 (*sic*) students in search of new options.

There's been a lot of discussion about the distance that students travel, as well as the siblings who are split. The actual percentage of students who live within a mile of their school, under universal enrollment, is the very same percentage as those who did previously.

UNIDENTIFIED MEMBER OF AUDIENCE: Not true.

SUPERINTENDENT ANDERSON: Just like in prior years, some families made different choices. So there may be a family that says, "I want my kid to go to an all-girls school, and I'm willing to drive across town." Or they may be a family that says, "If I get a coveted seat at one of the schools, say, Lafayette or Anne Street, I'm going to take it." We preferenced in our system neighborhoods, because we believe in neighborhood schools, and we believe that this is a critical principle to uphold. But some families made other choices.

As far as the siblings attending schools -- that is also the percentage of siblings that were united prior to universal enrollment -- is the exact same percentage that were united post-universal enrollment.

UNIDENTIFIED MEMBER OF AUDIENCE: Not true.

SUPERINTENDENT ANDERSON: --is the exact same percentage that was united post-universal enrollment. The preferencing system does preference first, geography, and then siblings.

Now, for every family that has a situation where that was not the case -- which I know you all have heard -- that's frustrating, and we acknowledge that. But I do want to make sure that the facts are clear that that percentage has not changed. Which doesn't mean that the actual -- for

the individual families for whom that is true, that's a reality that's challenging for them, and we certainly acknowledge that.

ASSEMBLYWOMAN JASEY: Excuse me, Superintendent.

I'm going to ask that the audience be respectful and not talk--

UNIDENTIFIED MEMBER OF AUDIENCE: (off mike) But she can't lie--

ASSEMBLYWOMAN JASEY: Excuse me.

UNIDENTIFIED MEMBER OF AUDIENCE: (off mike) She's lying; that's the bottom line. She's lying.

SENATOR RICE: Excuse me.

UNIDENTIFIED MEMBER OF AUDIENCE: I'm getting out, but she's lying. You all need to stop her.

SENATOR RICE: Yes, Donna. You can stay, Donna, but this is--

UNIDENTIFIED MEMBER OF AUDIENCE: No, I'll be in the hallway until she's finished.

SENATOR RICE: All right.

Let me say this to the audience. Many people who come here are used to local government. You don't really get a chance to go before the Federal legislators or the State. This House is different -- a different type of government. And we would ask you to just listen and take notes. There will be ample opportunity at subsequent meetings for you to have conversations with us, and to even send us any information that you think we need to know about; or even your responses, in writing, to what you hear.

But if, in fact, anyone is speaking an outburst in here, I'm going to personally ask you to leave. We don't play here like they do in local government. If we ask you to leave, you will leave. And I'm just not trying to be arrogant, but this is a very important hearing for those of us who are trying to get this record right.

With that being said, you may continue, Superintendent.

SUPERINTENDENT ANDERSON: Thank you.

So I want to just make sure that -- there a few themes that I have seen misreported, if you will. We certainly do have some challenges that we can talk through -- and I am happy to be very frank about those. But I also want to use this opportunity to correct some things that I think have been just misreported and we have not been able to sort of get ahead of it. And I think this is an opportunity to communicate it.

So the first piece is that there was-- People have communicated that One Newark was about massive closures. And I believe that we worked in tandem with the hard facts that I stated earlier to try to prevent as many closures as humanly possible; and to achieve what we needed to financially by doing a variety of things that would preserve neighborhood schools and cut down on the number of closures that were actually necessary -- given our budget constraints and given the charter growth, and also just the declining enrollment.

So the actual school closure, basically, was limited to one school that completely closed. There were three big things that we did, and I just want to make sure that we communicate that, because I think this has been misreported and misunderstood, and that's partly on us and our inability to kind of break through some of the misinformation.

So the first is, we asked ourselves, “How can we manage our facilities and our budget constraints?” So remember earlier I shared how old they are, how crumbling they are, declining enrollment, \$30 million going out the door. “How can we embrace that reality” -- well, not embrace, but understand that reality -- “but also make sure that we have a fierce commitment to improving student outcomes?” And so basically what we did -- we took three of our K-8s that were in very crumbling buildings and where there was dwindling enrollment, and we consolidated our early childhood classrooms and made them Early Childhood Centers. And we did that for two reasons: Number one, we were able to get other monies -- Federal monies from Head Start to rehab those buildings; and the other is that lots of early childhood educators will tell you having seven classrooms in one building allows for greater quality. You can put more infrastructure, a family worker -- so we did that for efficiency and for building reasons. So those were three of our K-8s. They weren’t closed; that was misreported. They were transformed into Early Childhood Centers. And I’m pleased to say that our enrollment in Early Childhood Centers is up quite a bit -- which is a huge impact on the lives of kids. When they’re in school early, they do better.

The second thing we did is, we broke up several of our comprehensive high schools into smaller learning communities. And we had a number of our high schools -- Shabazz, Weequahic, and West Side, primarily -- where the buildings were built for almost 2,000 students, and by my second year the enrollment was hovering around 550, which was unsustainable. So what we did is we incubated other high schools elsewhere -- District schools, not charters, per se -- and we brought those great things

back to the comprehensives to try to fill up the buildings so that we could preserve history, preserve the beautiful names of those schools, and also bring them back. So if you have 2,000 kids in a building, you can invest in the infrastructure in ways that you cannot when you only have 550.

So that was the second thing we did, and we renewed 19 schools. And the Renew Schools process -- we can talk more about them, Co-Chair -- I actually think has been tremendously successful. It's been an opportunity to breathe life and to revive some of our lowest performing schools. And we are very cautiously optimistic about some of the early results that we're seeing there, as well as the community engagement there.

The second thing we did is, we asked ourselves the tough question: How do we stop-- We were paying rent -- and again, this predates me -- we were paying-- We have leases all over town for various parts of our organization, including our Central Office, that costs the District between \$5 million and \$7 million a year -- while we have all this excess capacity. So we tried to force ourselves to say, "How do we use our space better?" And that led us to close Dayton Street School -- which is in a part of the city that is being depopulated and, again, this is part of the city's master plan -- to use it as our data center. We moved Miller because the actual building was condemned -- literally condemned -- so we moved it, but we didn't close it. We leased Burnett Street School, which is also part of the city's master plan. That whole neighborhood is going to be essentially rebuilt; and the building itself was also condemned. We sold 18th Avenue, which we can talk, obviously, much further about, given the fiscal and legal liabilities. And we used-- As a result of those movements, we were able to use Newark Vocational as a staging ground for where we're

going to move our space; got rid of two leases; and actually used Newton as an Adult Learning Center, where we were previously paying rent at Washington Street.

All of those are a lot of details, but what I want to communicate is that those were not closures -- they were adjustments that we were making because we were facing huge fiscal challenges. And rather than just outright close things, we actually took the tough steps of moving things around, repurposing things, and trying to sunset as many leases as possible so that, over time, we can maximize NPS-owned space and not continue to pay leases while we're maintaining overhead for things that are unoccupied.

And the final thing we did was, we really looked hard at neighborhood schools -- we ran all of the preferencing data for charters. And if we had done nothing -- if One Newark had not proceeded, if we had done absolutely nothing and we just ran the data about who was demanding charters, and we looked at charter waiting lists -- then we would have had to close five K-8 schools in the South Ward over the next five years; five. Now, we didn't think that was acceptable. I don't think that's acceptable, the community didn't think that was acceptable. So we went to the charters and we said, "Listen, instead of just buying buildings downtown and building downtown, why don't you go to the neighborhood where there's a lot of demand?" And we asked them to do three things: participate in universal enrollment and take your fair share of neighborhood -- any neighborhood kid who wants to get in, and all students with disabilities; number two, keep the name of the school. So maintain the

name of the school so that we preserve history. And number three, be part of sharing promising practices so that we can lift all boats.

And I'm pleased to say that TEAM, North Star, and Newark Legacy took that challenge -- even though it wasn't their original plan. And as a result of them taking on neighborhood schools, it prevented us from having to go down the path of closing that many schools in the South Ward.

I personally, and our team, do not believe-- I believe in charters and I believe in choice, and I believe in innovation. But I don't believe in that at the expense of equity or neighborhoods thriving. And that's why we made those difficult decisions, and we worked closely with the charters to take that approach.

So a couple of things. I want to particularly talk about the universal enrollment -- conceptions with that -- quickly. Universal enrollment has a -- it preferences neighborhood first; it preferences sibling unification-- Actually, I misspoke. It preferences sibling unification first, neighborhoods second, students with disabilities third, and students who are on free lunch fourth. And we're actually the only system in the country to have achieved that -- to basically put equity at the core of our enrollment system. And that was a very big deal, and we did that because our administration believes that, as we grow new options, we cannot have a situation where we have *haves* and *have nots*. That's just going to be another form of inequity, and that's not something that we support.

A couple of successes, and then I will happily, Senator, respect your time and answer whatever questions you have for me.

In terms of Early Childhood -- we've increased the enrollment of Early Childhood over 1,000 students, thanks to the hard work of people like Senator Rice and others who have fought for years for equitable funding. We have a very generous and terrific system for Early Childhood; the challenge is that we weren't reaching every kid. So when I first started, only about 70 percent of the families that were eligible for universal pre-K, if you will, were enrolled. And now we're getting closer to around 90 percent. So the enrollment has increased by about 1,000.

We were also able to secure a \$7 million Head Start grant, and with that comes facilities monies so that we can upgrade some of those K-8s, that I was discussing earlier, that were crumbling, basically; and also money to further invest in family support and community outreach. The Head Start is wonderful in its ability to expand the quality of services in Early Childhood.

As far as K-8, we define schools as *good* and *on the move*. Good is high proficiency, high growth; and we're happy to say that across the charter and the traditional public school sector we have six more schools we can describe as good. Now, of the 100 schools, I would submit to you, that is absolutely not enough -- but it's six more than we had three years ago. The number of schools on the move -- which means they're growing, but they have not necessarily attained a proficiency breakthrough, which is common in turnarounds. The proficiency breakthrough -- the best in the country happened in year three -- the very best in the country. And so we've doubled the number of schools that are on the move. And the first generation of Renew Schools saw significant scale score gains in reading and/or math; and in six of the eight, in both. So eight of the eight in one or

the other, and six of the eight in both -- in their second year. And we're optimistic that we'll see even more growth, which is commensurate with national research, in the third year.

High school grad rates -- we're proud to say that we've had a 9 percent increase overall. The State actually gives us credit with a bigger increase, but we use a more cutthroat methodology, because we want to make sure that those diplomas are audited every year. We achieved that, not by dumping kids; 500 more kids actually received a diploma. So lots of people increase their grad rates often by discharging students; we did it by keeping more students and getting more to graduate. We also did it by increasing the percent that passed the HSPA exam -- which is still not rigorous enough, and we care about things like ACT and PARCC even more. But that is-- Our grad rates are both about the total number of kids, as well as the rigor that we're helping them to attain.

And we've maximized the tools in Teach NJ that lots of people in this room fought very hard for. And I'm proud to say that last year we retained 95 percent of our *highly effective* and *effective* teachers, and we were able to exit 40 percent of our ineffective teachers. And those include individuals who we've given many opportunities to grow. We obviously believe in growth. Lots of teachers begin *partially effective* and *ineffective*, and become terrific, and some don't. So these retention measures hopefully show you that we value our teachers; and the fact that we've retained the best, and we've been able to very systematically and professionally exit the ones who are struggling is, indeed, I think a success.

So with that, I sort of conclude my opening piece, and I'm happy to answer any additional questions that those members of the Chamber (*sic*) have.

ASSEMBLYWOMAN JASEY: Thank you, Superintendent.

What we're going to do is, I'm going to start with a couple of questions that you may or may not be able to answer; but I want to put them on the record so that you can send the answers to the Committee when you have them. And then I will go from member to member and ask you to ask one question; I'd ask the Superintendent to try to limit your answer to 3 to 5 minutes so that we get as many questions in as possible. And then we'll go for a second round.

One request that I have, from the Joint Committee, is that we'd like to see a report from the Newark Public Schools, and Commissioner Hesper from the other State-run districts, following the administration of PARCC -- to be completed by October 2015 -- which includes implementation issues, resolutions of those issues, suggestions, results, and data concerning the number of students participating, the number of students who didn't-- And I can give you this in writing.

COMMISSIONER DAVID C. HESPE, Esq.: Yes, I was about to say -- that would be great, Assemblywoman.

ASSEMBLYWOMAN JASEY: I'll give it to you.

How many were taken online, versus paper and pencil; and accommodations for special ed students. Clearly, that's not a question you can answer now, but it is something we would like to see.

COMMISSIONER HESPE: For each of the four, Assemblywoman?

ASSEMBLYWOMAN JASEY: Yes.

COMMISSIONER HESPE: Okay.

ASSEMBLYWOMAN JASEY: Yes, thank you.

The one question I'm hoping that you could comment on today is that, in 2013, you launched the *Attend Today, Achieve Tomorrow* campaign with the goal of cutting absenteeism by 50 percent. At the same time, attendance counselors were eliminated from the District. The NPS website says there were 300,000 absences during the 2012-2013 school year. Did the Attend Today, Achieve Tomorrow campaign meet the benchmark of a 50 percent reduction in absenteeism? What was the cumulative number of absences for 2013-2014? And how do attendance and tardiness rates compare under One Newark with previous years, and have you analyzed those figures in relationship to the distance children are traveling or the change in schools that they've made?

SUPERINTENDENT ANDERSON: Thank you for that question.

So the Attend Today, Achieve Tomorrow goal was never intended to be achieved in one year -- so I just want to clarify that. That would be, I think, impossible based on what I know of, sort of, national numbers. Between the 2012-2013 and 2013-2014 school year, attendance is basically constant. I can give you the -- I'm happy to submit specifics, but I would also point out a couple of things: Number one, our ability to audit and clean attendance data was vastly improved, so the number of students we were tracking increased. So without getting too technical, lots of districts can report attendance and the number of students they're counting is lower than it should be for a host of reasons -- because you can

put someone on long-term absence, etc. So we're tracking more kids, bottom line. Not because we have more; it's just that our data is cleaner. And even with tracking more kids we have basically remained constant, with a couple of breakthrough performers where we saw schools really take leaps forward. We're not satisfied with that; I do believe that it's important to improve the quality of data. So I don't actually think our attendance is constant; I actually think it's slightly better. I just think we're counting more accurately. But that is something that I can show you, through the numbers.

As far as the attendance counselors, you know, we-- The money that was held back centrally for the attendance counselors-- Again, we feel that that which is done closest to the school is most effective. So we formed attendance teams and student support teams at every single school. And those resources we were able to keep closer to the school. It's been my experience-- You know, again, I've been in this for a number of times, and I even had a Principal say this to me -- that if schools believe that attendance is the "Central Office's" responsibility, it never serves to improve attendance. And so what we did is we took those resources and kept them closer to the school, and trained each of our schools to create student support teams that monitor attendance. That has basically kept us steady, but it's also increased some breakthroughs; and we're hopeful that this year we'll see even more progress.

ASSEMBLYWOMAN JASEY: Thank you.

And in addition, when you're sending the numbers, can you give us numbers on first-day attendance versus prior years.

SUPERINTENDENT ANDERSON: The first day-- Sure.

ASSEMBLYWOMAN JASEY: First-day attendance and attendance a week later.

SUPERINTENDENT ANDERSON: Yes. I can tell you that, again, the first-day attendance was fairly consistent with past years, which, again, is not good enough. But I think it's important to note the way that we report attendance, as opposed to doing percent present -- which most districts report 90 percent present; it sounds pretty good, right? But actually the way we report it is more harsh -- or paints us in a harsher light, but I think it's more accurate -- and that's basically we report, every month, the percentage of students who have been absent for -- that we call *chronically absent, periodically absent, reasonably absent, and 100 percent present*. And that paints a much more difficult and tough picture. And we did that because we could celebrate that this year on the first day of school we had 90 percent attendance -- which we did. But I feel like that masks the broader picture of some of the attendance challenges that we have.

ASSEMBLYWOMAN JASEY: Thank you.

Colleagues? I'm going to start over here.

Assemblywoman DeCroce.

ASSEMBLYWOMAN DeCROCE: Yes, thank you.

One area of education that has always been a concern of mine, from day one when I served on Education and now on the Joint Committee, is special education. The question that I'm going to ask you to provide to the Joint Committee is a comparison from 2012 to 2013, 2013 to 2014, and now into 2015, how many of the classified students -- say, for instance, in 2012 -- were mainstreamed into 2013? I want to see how many have been brought each year in, so we have a picture from 2012 until today -- the

number that was there in 2012, and how many are now over here in the mainstream.

With that being asked, I'd also like to know when a student leaves special ed -- classified student leaves and is mainstreamed into the system, does their performance record follow them to the mainstream teacher? Because I think that's not happening. I happen to know a teacher who works in Newark and, supposedly, I've been informed that it's not; and that the mainstream teacher does not have all the background on the student who has learning disabilities. So I think that's imperative that we take a look at that, and that that's something that, if it's not happening, needs to be corrected. But I'd like to see the statistics from you first before I judge that. So I'd look forward to hearing that information.

Thank you.

SUPERINTENDENT ANDERSON: Can I ask a clarifying question?

ASSEMBLYWOMAN JASEY: Yes.

SUPERINTENDENT ANDERSON: When you say *mainstreamed*, can you tell me what you mean by that? A student has been declassified?

ASSEMBLYWOMAN DeCROCE: Yes, they've been declassified.

SUPERINTENDENT ANDERSON: Okay. So you're not necessarily speaking of a student who is being served in a less-restrictive environment? You're talking about someone who's actually--

ASSEMBLYWOMAN DeCROCE: Who's been actually classified in, and is in a contained class; or goes to the resource room.

SUPERINTENDENT ANDERSON: So what I'm trying to-- There's one -- there are two things that-- I just want to make sure I give you what you're asking. One is, if a student has an IEP, and during their annual or their triannual -- I'm sure you know this--

ASSEMBLYWOMAN DeCROCE: Right.

SUPERINTENDENT ANDERSON: --that it's determined that they no longer require an IEP, right? That's one set of data. And there's a student who still has an IEP, but is now operating in a more inclusive environment, if you will.

ASSEMBLYWOMAN DeCROCE: Right.

SUPERINTENDENT ANDERSON: And so I'm just trying-- You want the first, right?

ASSEMBLYWOMAN DeCROCE: Yes.

SUPERINTENDENT ANDERSON: Okay.

ASSEMBLYWOMAN DeCROCE: I'd like that to start--

SUPERINTENDENT ANDERSON: Okay.

ASSEMBLYWOMAN DeCROCE: --and then, you know-- If you could provide both to show us the difference, I'd appreciate that.

SUPERINTENDENT ANDERSON: I can tell you that the number of students in Newark and in New Jersey who are declassified -- who are deemed, through an annual or triannual to no longer be in need of an IEP, is very small, and not commensurate with national norms. And I don't think that's a good thing for kids, and we're working on it. But we've been trying to work on it in a measured manner so that we don't end up in a circumstance where a student -- where teachers feel like they are not

prepared to work with all young people. But the percentage of students, just as a matter of fact--

SENATOR RICE: Excuse me; would you just send the information in writing, through the Chair.

SUPERINTENDENT ANDERSON: Sure, no problem. Sorry, I was trying to--

ASSEMBLYWOMAN DeCROCE: And just if I could just make one comment.

I think it's important for the children, because if a teacher doesn't know the problem, and they've been mainstreamed, they're going to end up back -- going backwards and not learning. So I think this is an area that-- My colleagues know I have always stressed my concern -- and not for anything, I have personal knowledge of learning disabilities. So I know, and it's a lot greater of a problem, yes, across the state. But we're here today talking about Newark, so right now I'm just talking Newark.

Thank you. (applause)

ASSEMBLYWOMAN JASEY: Thank you, Assemblywoman.
Senator Ruiz.

SENATOR RUIZ: Thank you, Chairwoman.

So I want to go through my question slowly to be sure that I'm understanding the entire process.

Have you publicly shared the algorithm that's used for the selection process when an applicant goes in to log in? Has that been shared publicly and, if so, could you please share that with the Committee?

SUPERINTENDENT ANDERSON: Yes, and sure.

SENATOR RUIZ: Okay. And then, has this algorithm been tried elsewhere, or are we the first ones using it, in the City of Newark?

SUPERINTENDENT ANDERSON: The algorithm is -- the process has been tried elsewhere.

SENATOR RUIZ: No -- the algorithm itself. Who developed it, and has it been used elsewhere?

SUPERINTENDENT ANDERSON: Yes. It was developed by some economists who have implemented it in Denver, New Orleans, Washington--

SENATOR RUIZ: So they've used the exact same matrix?

SUPERINTENDENT ANDERSON: Not the same preferencing structure, necessarily. We added preferencing students with disabilities. Oh, I'm sorry; I should have also clarified New York. So New York, Washington, Denver, New Orleans; and the algorithm is simply an equation, if you will.

SENATOR RUIZ: Right.

SUPERINTENDENT ANDERSON: It's not-- But the preferencing structure is dictated by what the District shares out. But the process has been implemented in a number of districts around the country. We added the preference around students with disabilities, but other districts have not.

SENATOR RUIZ: And I guess that's where I'm confused -- with the students with disabilities. Because I've heard you say publicly that the purpose of this was so that it would be a free and open landscape to anyone who was applying. When you go and you apply, you don't self-indicate what type of student you are in that process. So I'm wondering,

when does the District become aware that you are an ELL student, or that you are a student with an IEP?

SUPERINTENDENT ANDERSON: Yes.

SENATOR RUIZ: At what point, and can you manually override this algorithm?

SUPERINTENDENT ANDERSON: Absolutely. So, two things: One, we actually do a sort of all of our students, and we separate out any students who are English language learners and any students with disabilities. Then we actually go through in both--

SENATOR RUIZ: So I've applied, right?

SUPERINTENDENT ANDERSON: Yes.

SENATOR RUIZ: You don't know that I'm an ELL student--

SUPERINTENDENT ANDERSON: No, we do it before the application goes up. So even right now, we know exactly how many students, as a raw number and as a percentage, are students who have--

SENATOR RUIZ: You have that information; I understand that. But I'm selecting my eight top schools. I log in. When you get my -- when the computer does whatever it does and it selects my first choice, at what point do you become aware that I'm an ELL student? After there's a print, and you start going line by line by line to say -- or does it match up with another program?

SUPERINTENDENT ANDERSON: No, what we do-- So that's what I was trying to explain. We know well before the application goes up, and before anyone chooses -- we know who are all the students with disabilities. So let's take Bruce Street School for the Deaf. There are certain students with disabilities -- or, for example, JFK School, where

they're in need of a highly specialized environment. All of those families get letters that say, "You're going to be assigned JFK, or Bruce Street School for the Deaf, because this is the only school in Newark that has those services." So that happens before the application goes up.

Then there is a group of students who could be served in a variety of circumstances--

SENATOR RUIZ: That happens to every student with an IEP?

SUPERINTENDENT ANDERSON: Last year, absolutely. I'm happy to provide you with the--

SENATOR RUIZ: Well, I just-- I'll let you finish, and then I'll tell you what my issue was with a parent.

SUPERINTENDENT ANDERSON: Okay. I'm not sure-- I mean, I will submit to you right now that we definitely, I'm sure, in individual circumstances, did not implement what I'm going to say with 100 percent fidelity; absolutely not. But I'm also -- I'm going to share with you what we did, and we did this so carefully because it's so important. Does that mean we didn't have some families slip through the cracks? I'm sure we did, and so I will just be honest with you. But I do want to tell you what we did, because we took this very seriously given the needs of our students with disabilities, and given the legal mandates.

So the first thing we did is we took out anyone who we thought was -- any student with a disability who was in need of what we would call a *specialized environment*. And if you look at our -- even at our guidebook, and even at our application, we asterisked and starred that everywhere, and we sent letters to all those families basically saying that we believe in choice, but we also want to be straightforward with you that there are certain

students who need specialized services that we can't offer everywhere. And that's the language we use in our guidebook, it's the language we use in our letters. And we outreached to all those families. They were deemed ineligible, if you will, for--

ASSEMBLYWOMAN JASEY: Superintendent, I'm going to ask if Senator Ruiz-- Is this the question you want answered?

SENATOR RUIZ: Well--

ASSEMBLYWOMAN JASEY: Because--

SENATOR RUIZ: Not really, but--

ASSEMBLYWOMAN JASEY: All right. (laughter)

SUPERINTENDENT ANDERSON: I'm sorry; I thought I was--

SENATOR RUIZ: Okay, so I understand--

ASSEMBLYWOMAN JASEY: Let her re-ask the question.

SENATOR RUIZ: I understand what the process is; I guess I should just share with you my story.

So a parent goes through this process. They selected their top school because the school has a great reputation. I guess he or she was never notified via letter what schools would be the best matches for their student. The child and the parent shows up at a school, which then some Administrator or a teacher said, "We would love to have you, but we don't have the best program allotted for your child." And then we had to navigate that process for them again.

So this is where -- where my opening remarks are-- You know, I don't want to be combative, but I am so angry and disappointed because my month of September was walking families through this process. So I

don't know what is it that you see at 2 Cedar Street that is entirely different than me.

I had a call from an ombudsperson down at the enrollment center just two weeks ago for a transfer, and the woman was hectic. And I said, "Please put the staffer on the phone," which then the staffer said, "I'm not allowed to speak to anybody." I'm a State Senator. At least give me the courtesy to take the phone and say to me, "Let's figure this out, and I'll help you." (applause)

Anyway, I'm sorry that I digressed.

I guess the other question would be -- and you're not going to have the answer to this -- since the goal was to take all students and give them the best opportunities, I would like to see the difference between ELL placements the year before we did the One Newark Plan, to ELL placements in this current cycle; and how many schools that never had an ELL placement before have current ELL students in their schools, and special ed students as well.

And for an internal process, I would hope that 2 Cedar is doing independent audits to be sure that IEPs are being met. Because you stated yourself: You try, but a lot of things slip through the cracks. And it is January; so is anyone looking at anybody's file to be sure that a child landed in a place where they're going to get the best outcome for them?

SUPERINTENDENT ANDERSON: We absolutely are.

I do want to apologize for whatever happened when you made that call, and just reiterate to the Committee: When it comes to individual student issues, we do take that very seriously. I think we can agree that a lot of those individual issues happen every year, regardless of the enrollment

system. And we take each and every one seriously. And we do just want to invite you, to the extent-- We've tried very hard to be responsive to anyone, not just Senators -- but including-- And so I apologize if you had that experience. We do take individual family concerns very seriously.

And we take the notion-- What I was trying to communicate -- and I apologize if I wasn't doing it well -- what I was trying to communicate is that we didn't just throw students with disabilities into the algorithm. That is absolutely, 100 percent not at all what we did. And we monitor, on a monthly basis, not just the compliance issues around special education, but also the placement decisions that we make.

ASSEMBLYWOMAN JASEY: Thank you. I think if you can send that information to the Committee, we'll distribute it to everyone.

SUPERINTENDENT ANDERSON: No problem.

SENATOR RICE: Before you go-- Excuse me, Co-Chair. Before you go to the next speaker, would you make a note of this, because I heard the Senator very -- I understand her frustration. But whether you know it or not -- and I believe you do -- that for over one year members of this Committee -- and the Senator is also on the Education Committee, which she Chairs -- have tried to communicate with the Board of Education. That's Republicans and Democrats from both houses. We got nothing back in writing, even though we sent it the right way -- we e-mailed it, we overnighted it, we certified it. We don't even get a note saying that you're not going to attend. What we do get -- when they talk to the \$140,000-some person, whose name is Hamilton -- is that we have a protocol here for talking to people and setting up meetings. And so that's frustrating.

You need to go back and get your house in order. We are New Jersey State legislators. (applause) Under statute, we have a fiduciary responsibility. I want to emphasize that, if nothing else comes through clear today, okay? We're not going to be disrespected, and you're not going to subordinate the Legislature and the State of New Jersey as long as I'm here. If I'm the only one who calls you out, that's what's going to happen.

And so that needs to be clear to my Republican colleagues, etc. We will not be subordinated, and you can't allow that to happen to us. I won't allow it, and I will fight my colleagues on that.

I'm sorry. (applause)

ASSEMBLYWOMAN JASEY: Thank you, Senator.

Senator Ruiz has a follow-up question.

SENATOR RUIZ: If you can, in that-- The following thing is -- and I know that there are privacy issues that I want to comply with -- but it would be wonderful for this Committee to see a spreadsheet of each applicant. It can be named Applicant *A*, with their 1 through 8 choices, and it can be *A, B, C, D, E, F, G*. And then give us what the outcome is so that we can look at the data and see how the percentages were really matched: Did the child have an opportunity to go to the 1? Were there special circumstances?

Is that something that you will be able to provide to the Committee?

SUPERINTENDENT ANDERSON: Obviously, I will need to consult with counsel on FERPA. But whatever we're able to provide--

SENATOR RUIZ: We're not looking for names or the schools. It would just be so that we can see what--

SUPERINTENDENT ANDERSON: Yes, I'll consult with counsel on whatever we can share -- we would happily share.

ASSEMBLYWOMAN JASEY: Thank you.

Assemblyman Caputo has been waiting.

ASSEMBLYMAN CAPUTO: I've been waiting a long time.
(laughter) Some people out there know how long.

Superintendent Anderson, I think you know, before I ask any questions, I think there's a huge disconnect between whatever intent you have about improving the Newark schools and what has actually happened on the ground.

Members of this Committee and other members of the Legislature have attended hearings in Newark. And from my experience in Newark as a teacher, and also when I worked with the Department of Education -- I also served as a County Superintendent -- I have never seen such discontent in over 30 years with the parents, with the educational process being so disrupted. In fact, years ago it was the Commissioner, because of a smaller concern that occurred at this point, asked for a major look at the Newark Public Schools. And maybe that's what we need. We need to have a group of educators and other interested parties with expertise to go in and actually see what's occurring in the schools, in terms of all the areas -- curriculum, facilities, etc. And to really measure and evaluate some of the reforms that you've put in place.

I think, basically, the secrecy-- And, you know, these are complicated issues. And if the members of the Committee are having a difficult time understanding some of these educational terms, etc., and the

moves of the Board of Education, you can imagine how the parents -- what they're facing.

Even in terms of the algorithm that was used, where children were given placement, there should have been some kind of interception at a level -- once the schools that were offered to individual parents for their children -- there would be counseling. Now, let me ask that first question: Was there instruction in terms of proper placement for their individual child before they made a choice? Do we leave this choice strictly by familiarity with a community, or was it done because someone at the Board of Education or at the local school level assisted a parent in assigning a child -- aside from the special ed kids -- to what school would be more appropriate for them to choose? Did that ever occur?

SUPERINTENDENT ANDERSON: Yes. We provided a great deal of information -- school fairs, school walk-throughs, walk-through check lists for parents to consider, every school had an open house. There was a trained enrollment specialist at every school; family engagement specialists were present and on-hand to assist where desired.

ASSEMBLYMAN CAPUTO: So why was there such trouble? I mean, somebody has to explain to this Committee why there was such trouble, and discontent, and frustration with parents who had to send their kids to two or three different schools because their school was closed. And why did this occur? I mean, somebody was not paying attention; otherwise, I don't believe -- these people have better things to do than to come to board meetings and community meetings to talk about these issues.

And you should have been directly involved in that, rather than hiding in your tower. (applause)

SUPERINTENDENT ANDERSON: So a couple of things that I just want to make sure that I communicate.

I think there were a lot of individuals who were extremely satisfied, and I don't have to tell you all this -- usually those individuals don't come and say thank you. So there were a lot of folks -- and I have people in every-- And I am--

ASSEMBLYMAN CAPUTO: There are winners and losers in every game.

SUPERINTENDENT ANDERSON: Right. But what I'm trying to communicate is, I, on a weekly basis, am in schools with teachers, with families. And for every person who communicates their frustration, is someone who hugs me and says thank you. So I respectfully offer that there are a number of people who felt elated that this kind of transparency and fairness-- In the past, when we didn't have one-stop shopping -- in the past there was extreme frustration that the only way to be enrolled in a public school effectively was to know someone.

ASSEMBLYMAN CAPUTO: Well, it seems to me--

SUPERINTENDENT ANDERSON: And so-- And the second thing, though -- I do want to acknowledge, sir, that there-- When I've experienced the frustration -- and believe me, I have. I was at the enrollment center every other day, working cases, talking to families. So respectfully, I wasn't hiding. And when I heard frustration, almost three out of four families who came to me frustrated -- it was because they were literally desperate to get into-- There are 1 in 4 schools in Newark that are highly chosen; 1 in 4.

ASSEMBLYMAN CAPUTO: Okay.

SUPERINTENDENT ANDERSON: Now, so the-- Whenever I heard that level of frustration -- and people just like coming back three, four times, which, to be honest with you, I understand 100 percent -- it was because they didn't get those 1 in 4 seats. And what I think we can do to work together is make it 2 in 4 and 3 in 4 -- do you see what I mean? It's that frustration, that angst, that anger. The universal enrollment didn't create it; what it created was a scenario where people felt that they had a shot to get that coveted seat. And it shouldn't be a case where we only have coveted seats for 1 in 4 kids. And whenever I have difficult conversations with families, it's because of that. It's because they're desperate. And they know what we know, which is only 1 in 4 schools are actually cutting -- living up to the expectations, and so--

ASSEMBLYMAN CAPUTO: Well, we could get into the progress of your Renew Schools--

SUPERINTENDENT ANDERSON: Our urgency is to try and fix that.

ASSEMBLYMAN CAPUTO: --lack of progress.

SUPERINTENDENT ANDERSON: But I would also finally say -- and will also end by owning one very significant thing. In our-- We were overwhelmed by the demand, and so our first day at the enrollment center was not our finest hour. And we were overwhelmed by the number of individuals who were seeking new choices -- overwhelmed. And that day, I do not think we served families well, and I believe that we recovered and learned from that, and we put in place--

ASSEMBLYMAN CAPUTO: But Superintendent, let me just interrupt you.

SUPERINTENDENT ANDERSON: Sure.

ASSEMBLYMAN CAPUTO: I mean, I've worked with over -- hundreds of superintendents when I worked in the Department of Education. And number one is visibility of an Administrator; number two, you have to communicate with your Board, whether it be an advisory or it be elected. You have to communicate with the community and know what the kids want. You can't do this with a group of consultants that you've hired to make decisions about Newark people who they know nothing about, or have no respect for them. (applause)

And the fact is, they're getting paid huge amounts of money, and I don't know what they're producing. And I think it needs to be further looked into.

The other thing I want to bring out to your attention is, you have a memorandum of understanding with the Policy Design Committee. Can you tell me what that's about?

SUPERINTENDENT ANDERSON: The Policy Design Committee is a group of individuals that we engaged to advise us around transfers and enrollment issues.

ASSEMBLYMAN CAPUTO: Well, who are these people who are going to make decisions about these kids?

SUPERINTENDENT ANDERSON: First of all, they're advisory, so we are ultimately accountable--

ASSEMBLYMAN CAPUTO: Well, that's not what the memorandum-- What does the memorandum of understanding say? It says you're going to give this power to them.

SUPERINTENDENT ANDERSON: It does not.

ASSEMBLYMAN CAPUTO: It doesn't?

SUPERINTENDENT ANDERSON: No.

ASSEMBLYMAN CAPUTO: I'd like to have a copy of that MOU.

SUPERINTENDENT ANDERSON: No problem. You will not find--

ASSEMBLYMAN CAPUTO: Did you share that MOU with the Board of Education?

SUPERINTENDENT ANDERSON: The Policy Design Committee? I'd have to look, but my understanding is that--

ASSEMBLYMAN CAPUTO: Who did you share it with?

SUPERINTENDENT ANDERSON: Plenty of people, I'm sure. We did share it with the School Advisory Board.

ASSEMBLYMAN CAPUTO: I see. But no one seems to know about it. (laughter)

ASSEMBLYWOMAN JASEY: Assemblyman.

ASSEMBLYMAN CAPUTO: Yes?

ASSEMBLYWOMAN JASEY: Are you done?

ASSEMBLYMAN CAPUTO: I'll pass. I've got a hundred other questions, which I'll hold for another meeting.

ASSEMBLYWOMAN JASEY: We'll come back to you.

Assemblywoman Simon.

ASSEMBLYWOMAN SIMON: Thank you.

I wanted to say thank you for attending today. This is an important meeting and we have a lot to cover.

You had indicated, in a couple of articles and publicly, that you spend quite a bit of time on reaching out to the community -- teacher brown bags, coffee klatches with families, classroom visits, even grocery store visits. So we know that you have put effort into reaching out to the community, yet the relationship among school districts, city leadership, and other stakeholders remains strained. Can you share with us what you see as the long-term prospects for creating relationship-building and constructive working relationships with those groups and key leaders in Newark?

SUPERINTENDENT ANDERSON: Sure. So, I mean, I regard-- Obviously, my first-- I work for the students, I work for families, and I work for people who represent the students and families. What we have tried to do is create forums for those who we serve directly to get input. So again, I personally-- We have a student leadership initiative that I enjoy attending. We have teacher forums where I get a lot of good feedback about how our curriculum is or isn't working, or how they're experiencing their principal. We have administrative training days that I often chair myself, and we have family forums that are open to any families that come. And in those forums, primarily what I hear are concerns about their actual school: the curriculum, PARCC, the new standards, safety issues, walking to and from school, teacher quality -- I mean, not surprising, right? Families are very focused on whether or not they have a good teacher. So that has been a commitment of mine from the beginning, and will continue to be a commitment of mine, because I feel like it's imperative to get feedback from those who you are responsible for serving; otherwise, you can't do an effective job. And those conversations have always felt very

productive -- not always easy, but it's something that I'm deeply committed to and I will continue doing.

I think there have been other forums that became so political, in the midst of the campaign, that they didn't feel productive. They weren't about issues or policies; they were about personalities and personal attacks, and they did not feel-- And reasonable people can disagree on a lot of issues -- charters, universal enrollment -- and I do feel that there-- At the height of the campaign season, which is not unique to this year, it was difficult in certain political forums to have real dialogue -- good, bad, or ugly. I'm not looking for agreement -- just discussion on the issues where kids' lives are at stake.

As far as moving forward, I will continue to, one, respect the offices people hold; two, improve and deepen whatever communication that we need to; and three, find common ground, because I think there are a lot of issues where there is common ground. And I believe lots of folks know I've been at this for a long time. This is a personal passion; its not-- I didn't come here to do anyone's bidding or execute anyone's plan. I came to do what I thought was right for kids. And so I think if we can get back to a place -- now that the campaign is over, I know that every legislator in Newark has the same passion. And when you share passions and values, then I do believe common ground can be found; and I will continue to try. To the extent, you know, that I've made mistakes or there are things that I can do better, I will continue to own that too.

ASSEMBLYWOMAN JASEY: Thank you, Superintendent.

ASSEMBLYWOMAN SIMON: Thank you.

ASSEMBLYWOMAN JASEY: Assemblywoman Pintor Marin, followed by Speaker Oliver, and then we'll move over to Senator Thompson.

UNIDENTIFIED MEMBER OF AUDIENCE: (off mike) She's rolling out the One Newark today.

ASSEMBLYWOMAN JASEY: Excuse me.

UNIDENTIFIED MEMBER OF AUDIENCE: As she sits here, she's rolling it out.

ASSEMBLYWOMAN JASEY: Excuse me.

SENATOR RICE: Donna.

ASSEMBLYWOMAN JASEY: Excuse me.

SENATOR RICE: Donna.

UNIDENTIFIED MEMBER OF AUDIENCE: I'm leaving.
But as she sits here--

SENATOR RICE: Donna, Donna--

UNIDENTIFIED MEMBER OF AUDIENCE: --she's sending applications home.

SENATOR RICE: Donna, Donna--

UNIDENTIFIED MEMBER OF AUDIENCE: So she's lying.

SENATOR RICE: Donna, don't do that here. This is the last time I'm telling you. I love you, but don't do it.

UNIDENTIFIED MEMBER OF AUDIENCE: I understand that. I made very good questions, but she is rolling it out right now.

SENATOR RICE: That's all right; let her roll out, and you're going to roll out. (laughter)

ASSEMBLYWOMAN JASEY: Assemblywoman.

ASSEMBLYWOMAN PINTOR MARIN: Thank you, Chairwoman.

Thank you. Good morning.

So I just want to actually-- I'm interested in seeing what the algorithm is, because with that 92 percent match that you showed us in your presentation -- 92 percent match, is that with the majority of students getting within their first and third choices? Or does that 92 percent match coincide with anywhere from there first to eighth choice?

SUPERINTENDENT ANDERSON: Ninety-two percent is a match at all; and the actual numbers are-- So you're correct; 92 percent means they received a match at all. So it could be anywhere in the 8 that they preferenced; 74 percent in their top 5. And I think the number is around -- just under 50 in their top 3.

ASSEMBLYWOMAN PINTOR MARIN: Okay. Because I just want to go off on something. I know that I've experienced this in my State office, where I've had parents who were matched anywhere from their seventh or eighth choice. And some of them are undocumented, and they have the fear of coming out and-- I've tried to sit with them and make copies of the information that they're giving me, and I have even spoken to some people in your District Office.

So here's the problem. When you have matches 1 through 8, as you know, the city is huge. They might have been matched, or not. The problem is that I have parents who are not sending their kids to school right now because if you're in the neighborhood where I live -- right? -- your nearest shuttle is Miller Street, which is virtually impossible to get to by public transportation. So these parents were paying for taxicabs or finding

a way for their kids to get there. So they were faced with either, “I pay rent, I feed my child -- or I don’t send my kid to school and I can do both.”

I don’t know where these parents are; there’s more than one, there’s more than two, there’s more than three. I don’t know where they’re sending their kids. I don’t think that their kids are currently in school, because there is no way that these parents are able to financially get these kids to their designated schools that they were allotted, when they live very, very close to their local school. That’s a problem. (applause)

SUPERINTENDENT ANDERSON: I agree.

ASSEMBLYWOMAN PINTOR MARIN: I’m sorry, I’m angry because if we’re talking about choice, or we’re talking about financial discrepancy -- we’re talking about-- Kids are kids.

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN PINTOR MARIN: And if these parents are not-- Now, some of them don’t even speak English; some of their kids -- they’re not in school. What’s going to happen? Have you been able to track any of these kids who, all of a sudden, they’re not reporting to their allotted schools? Do we know where they’ve gone?

SUPERINTENDENT ANDERSON: Yes. So, a couple of things. One, it is absolutely a problem when families keep their students home because they didn’t get the school they wanted. And, as you know, this has been a challenge in Newark for many years, especially--

ASSEMBLYWOMAN PINTOR MARIN: It’s not about--

SUPERINTENDENT ANDERSON: Especially -- but if I may, if I may. This is important, because-- It’s important, because people misinterpret that universal enrollment created this challenge.

ASSEMBLYWOMAN PINTOR MARIN: But it did.

SUPERINTENDENT ANDERSON: The challenge-- Respectfully, the challenge in the Ironbound is long-standing. Every single year -- you can go back to meetings that you presided over where this was discussed. Every year, prior to my arrival, there was a group of parents who do not get what they want in the Ironbound because it's overcrowded, and because the number of parents who want seats exceeds the number of seats available. That was true, well before. And lots of families, unfortunately and in ways that are heartbreaking, made the choice to keep their kids home. This has been true for many years.

So there are several things that we have done to try to address that. And so I just think it's very important, and we have to be very careful of saying that families in the Ironbound are choosing to keep their kids home because of the new system.

ASSEMBLYWOMAN PINTOR MARIN: It's not just-- I mean, I know what I'm talking about in my local office.

SENATOR RICE: It's not-- Excuse me.

SUPERINTENDENT ANDERSON: I think it's important; we have to deal with facts, so I think that's critical.

ASSEMBLYWOMAN PINTOR MARIN: I'm not saying that it's--

SENATOR RICE: Go ahead.

SUPERINTENDENT ANDERSON: I think that's critical.

ASSEMBLYWOMAN JASEY: In the interest of dealing with facts, I think that what we need here is to see, in writing, what was going on

prior to One Newark; what is going on now; and to compare them. We're not going to fix this.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

ASSEMBLYWOMAN JASEY: The purpose of this hearing is to ask the questions. And I think a lot of these questions are going to require follow-up and more information. So in light of that purpose, and to respect everyone's time, I'm going to ask that questions be asked, and that you ask for information in writing so that we can move through.

ASSEMBLYWOMAN PINTOR MARIN: Yes.

ASSEMBLYWOMAN JASEY: Because some members have not yet had a chance to ask a question.

ASSEMBLYWOMAN PINTOR MARIN: So if we can have, in writing--

SUPERINTENDENT ANDERSON: Madam Co-Chair, may I--

ASSEMBLYWOMAN PINTOR MARIN: --if there's a process of-- If those parents who were slated to go to a certain school -- if these kids are not at that school, what's the process? What is it that 2 Cedar Street is doing to follow up with parents? And I know that this is not just happening in one ward; it's happening throughout.

SENATOR RICE: Exactly.

ASSEMBLYWOMAN PINTOR MARIN: What is the process that's going on, and where are these kids, and what is going to happen to them when they start to reenroll back into the District?

Now, if I can just move on to--

SUPERINTENDENT ANDERSON: Can I just make sure I'm clear on the question, Madam Co-Chair?

ASSEMBLYWOMAN JASEY: Yes, for clarification--

SUPERINTENDENT ANDERSON: Let me just make sure I'm clear on the question.

ASSEMBLYWOMAN JASEY: For clarification, could you clarify the question?

SUPERINTENDENT ANDERSON: Because I want to make sure that I-- What I don't want to do is be in a position to promise something I can't deliver, and then people to wonder why. So I want to make sure I'm clear, respectfully.

So what we do around students who applied, and got a match, and didn't enroll -- we can answer that. So that's the -- basically what school systems call *no shows*; it happens everywhere. So *X* number of students apply, *Y* number get a seat, and *Z* number appear. And your question is, what do we do to address those students who we have not seen but we know went through the process, right?

ASSEMBLYWOMAN PINTOR MARIN: No, they've appeared; they just financially can't send their kids back to school again. They've appeared; they have gone to school.

SUPERINTENDENT ANDERSON: Okay.

ASSEMBLYWOMAN PINTOR MARIN: They have gone to school, and now they cannot any longer attend school because they don't have a way of getting there.

SUPERINTENDENT ANDERSON: You mean they were there, and now they've dropped off?

ASSEMBLYWOMAN PINTOR MARIN: Yes.

SUPERINTENDENT ANDERSON: Okay. So I can answer that question. What I do want to just let you know-- As far as how many students actually wanted Anne Street -- I'm just using it as an example -- or Lafayette, and then didn't get it and kept their kids home -- because we did not have a centralized enrollment process, we can't answer that question. So what would happen in the past is, people would show up and they would form lines, they'd bring tents. But I want to-- It is very critical to understand that the demand for the 1 in 4 schools that are disproportionately in the Ironbound has always exceeded the supply. It has always exceeded-- And we have heard heart-wrenching testimonials for years from families that choose to keep their kids home. The challenge is -- I can compare, for example, this year to last year because we now have a centralized enrollment process -- it's unknowable, other than folks can look at tapes to hear these heart-wrenching stories that go back for a long time. Which is why I'm grateful to all the legislators here who advocated for building Elliott Street, and who advocated for building--

ASSEMBLYWOMAN JASEY: All right; thank you.

SUPERINTENDENT ANDERSON: The only way to solve that is to add more seats.

ASSEMBLYWOMAN JASEY: Thank you, Superintendent. Thank you. Then give us the numbers that you have, and give the process that can be followed by these parents so that when the parents come to legislators' offices and talk to them -- or they become aware of them, but they're afraid to come forward and complain about it -- they know how to advise them.

Would that answer your question?

ASSEMBLYWOMAN PINTOR MARIN: Yes.

ASSEMBLYWOMAN JASEY: Okay.

SUPERINTENDENT ANDERSON: We will; and then, in the meanwhile, I do want to reiterate-- And hopefully, Assemblywoman Pintor Marin know this. To the extent that we do know who they are, we have folks who are trained--

ASSEMBLYWOMAN JASEY: Then put that in the report.

SUPERINTENDENT ANDERSON: --bilingual, can go to people's houses--

ASSEMBLYWOMAN JASEY: Thank you; thank you, Superintendent.

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN JASEY: Speaker Oliver.

ASSEMBLYWOMAN OLIVER: Yes, thank you, Assemblywoman Jasey.

Superintendent Anderson, first of all, I too am glad that you were given the latitude to be here today. You've heard frustration from many legislators sitting here. I'm a life-long resident of this state; I have been an activist since I was a teenager. You arrived just recently, and never in my entire life experience have I seen a leader of a publicly funded institution adopt an attitude that they do not have to engage with the people who they serve in a public institution. (applause) Never in my lifetime.

And I don't know-- You know, I understand your constraint, because you're a State-appointed Superintendent. So I know you report directly to the Governor; I understand that. But it has been frustrating for

me as one legislator and leader in a community who knows a whole lot about the Newark Public School system; knew a lot about it before you were even born.

It disturbs me that you have negated the life experience and wisdom of countless numbers of professional educators in your system. And you've adopted an attitude-- You know, I used to tell kids -- because I spent time in public school districts as well -- I used to tell young people, "Attitude, not aptitude, determines your altitude." And that is something that has gotten in your way.

So much time has passed; I'll speak specifically now, being an Essex County legislator very involved with families, children, and social institutions in the City of Newark. I have-- I've been in this Legislature for 10 years. Since you arrived in Newark, you've got a group of Essex legislators who are very committed to the Newark community. I served as a legislative leader for four years; I've served on committees that are integral to the operation of the schools in Newark.

I have interfaced with you; this is probably the third occasion during your tenure as a Superintendent in Newark. The first time, you extended an invitation to Essex legislators to meet with you at 2 Cedar Street. We arrived there; you weren't in the room. A cadre of your staff was in a meeting room. You were escorted in, and after 15 minutes I gathered my belongings and walked out of there because we were told not to ask any questions. We were told let you finish, and at the end questions could be asked. And then one of your aides abruptly -- after you finished your dog and pony -- said. "The Superintendent has to be at another meeting. I'm very sorry."

Our time is just as valuable as your time. (applause) Other stakeholders in Newark -- their time is just as valuable.

You know, I used to have a secretary who taught me the concept, "You're not the sharpest tool in the shed. There are other sharp tools in the shed as well." And I think that is why you have encountered the difficulty in your leadership in Newark, because you make assumptions that you're smartest tool in the shed.

I spent seven years as a member of a Board of Education -- President, Vice President. I chaired personnel. I tell people the best education I ever acquired -- and I've spent time in Ivy League institutions -- but the best education I acquired was working on the ground with parents, cafeteria aides, custodians, working with teachers, secretaries in the office, ancillary community groups. And I cannot understand how you can be an effective leader, Superintendent, if whenever someone says something offensive to you or you feel that they have disrespected -- that you walk away.

Let me tell you something. I've worked in the public sector most of my professional career. And one of the elder mentors that I had said to me, "You have to learn to develop an alligator hide. If you don't have the ability to have an alligator hide, that's not the job for you." You have to-- People have the right -- freedom of speech -- to say anything they want to say. They have the ability to voice their opinions in any way that they would want. As a school leader, as Superintendent of the largest school district with a budget comparable to some states in this country, you have an obligation to just deal with it. It comes with the turf.

You can't block yourself out; you can't walk off of a stage in a public meeting. You sit there and deal with it. As a School Board President, I dealt with it. Parents would come every week and scream at me about a number of different issues. And I had to exert my leadership and bring us to a place where we could communicate.

Now, I also believe one of the difficulties you have had in Newark -- you think that you have recruited a good cabinet for yourself, but your cabinet doesn't have the ability to do the type of communication that I'm describing to you.

Now, I just felt it necessary to say that to you. You know, I know that you're like-- This is your second contract year that you've had -- second contract. You've been in the District three years, you're on a second term. You know, I don't know if it's too late; if it's too little, too late. Because you've formed opinions-- You know, I had to chuckle when you said a dialogue couldn't be had because it's politics going on. I tell people, when you put your feet on the floor in the morning, that's a political act. Politics are always going to be in an environment. And I know, as an elected-- I was very offended when there were Newark elections going on that every attempt we, as the Joint Committee on the Public Schools, had to try to communicate with you and to meet with you, or to outreach to your staff, that we'd get back, "Well, no, there's an election going on; we can't communicate." Now, you may not have been able to control that, Superintendent. Everybody reports to someone in a hierarchy. So I understand you may not have been able to control that. But you need to understand that that is what has developed a lack of support for yourself. Because at some point in all of our professional

careers, we've got to stand up and make decisions about who we are, what we're going to represent, and the core system that we're going to believe. I heard you talk a lot about core values and bringing that to the District. As a professional, you're going to have to make a choice where you stand.

Now, something that I-- We don't have time to cover a lot of what needs to be covered today. But that I felt was very important for me to communicate to you. (applause)

The second thing I would like to say to you -- I remember about two-and-a-half years ago reading that because of the budget constraints of the District, you had to lay off -- tell me if this is accurate -- approximately 117 attendance officers. And when I heard that information, I would hear you publicly talk about the absenteeism rates in the District; how children weren't able to be brought up to grade level because of their chronic absenteeism. But then we lay off dozens of attendance officers.

I ran a nonprofit in Newark, and I know what occurs in terms of the socioeconomic conditions many of our families live in. We need a strong social support network for families in Newark, as we do in every other major city across the country. You don't gut out the social support network in a system like Newark and anticipate that we're going to have great improvements.

I've been very disturbed through the years of your leadership with the massive amounts of money that have been given in contracts to outside consultants. I have been very disturbed that we have an Administration that is capping superintendents' salaries from one end of this state to the other, yet you have a cabinet that got 40, 50, 60, 70 percent salary increments (*sic*). And when I look at the professional

backgrounds of some of these employees, many of them -- this is their first and second job they've had in their careers. I don't understand how you justify giving someone a raise from \$131,000 to \$175,000; \$140,000 to \$175,000; a Deputy Chief of Staff -- \$115,000; \$126,000 to \$141,000; \$160,000 to \$175,000; \$162,000 to \$173,000. But we can't afford to keep attendance officers working, and cafeteria people, and classroom aides? I don't understand that, Superintendent. And I find it extremely frustrating.

We can't talk out of two sides of our mouths; we cannot. I'm very concerned about some of the decisions that you have made in terms of the appropriation of the resources that we do have. Newark is the butt of everyone's angst, from one part of this state to the other, because of the amount of State aid that we appropriate. And then when we hear that we are paying salaries to people who don't even have 15 years of experience -- I mean, how do you justify that, Superintendent?

I think that there are jobs in this country -- within this state -- where people carry broader responsibility and have to effectuate broader outcomes. And people are-- People who go into this field -- I call it a labor of love. It's not to earn what a corporate CEO would make down the street in PSE&G. And if that is the climate that has been created within the Newark Public Schools, then we are really doomed as we move forward in the future.

The other thing I'm going to have to comment on -- and I'll get off my soapbox, Madam Chairwoman, in a moment. But I was irate when that meeting was held at that church on Martin Luther King Boulevard. And because three principals engaged with the community, voiced their opinions -- which they have a right to do under their First Amendment

freedom of speech rights -- that within 48 hours they were kicked to the curb and brought down to the rubber room. That was wrong -- that was wrong. And I think that from public response, you learned that that was wrong.

I don't know where we're going; everyone says you're tone deaf. We're tone deaf to you because of a history that's been built up during your tenure of leadership.

So I just want to close with: There are a lot of other sharp tools in the shed, there are a lot of other people with a great deal of experience and expertise in public education.

The last thing I'll close with -- I made it my business to come down to NJPAC for a community meeting you hosted. A lot of people were there; you had just announced you were going to close Weequahic High School. A lot of people came out -- alumni associations, etc. Our late, dear beloved Clem Price was there as a support person for you. And I sat amongst that crowd and I watched the dynamics of how that meeting was staged. I watched your interaction with the community. When people walked into NJPAC, they were told by your staff that if they wanted to ask a question, they had to write it down on an index card; and then they turned in the index card. I wrote a question on the index card and turned it in. We never got to the portion of the meeting where you were going to go through the index cards and answer questions.

I told Clem Price that night, "Clement, if you want to be of some help to Cami Anderson, begin by telling her not to make assumptions about who is sitting in the room." Because the night that I was there, you talked to the adults who were in that room -- some of them have Ph.D.s,

some of them have long corporate histories, and they're community and civically engaged -- you talked to them like they were a group of kindergarten children.

Superintendent, we're not going to move on until you make a decision that your attitude, and not your aptitude, is going to determine your altitude. (applause)

ASSEMBLYWOMAN JASEY: Thank you, Speaker.

Would you like to respond briefly? Because Senator Ruiz has a question.

SUPERINTENDENT ANDERSON: Yes, I did want to just say one thing, and just a couple of factual things that I think are critical. Again, we can disagree, but I do want to make sure that the facts are at least out there.

First of all, certainly I deeply respect your expertise and your activism and the fact that-- You know, we all stand on shoulders of people like you who are trailblazers in this state and the country. And I believe that; that's real, that's my heart, and to the extent that that has not been communicated in my attitude or what not -- that's definitely never been intentional.

You know, this would not be the appropriate time; we can have a conversation offline, but it's very interesting to me what people do and don't know about my journey here, and who I believe I work for and what I am willing to fight for. And you smirked when I said something; I smirked when you said that I can't hack conflict. So I think if you knew my background, and my journey, and you walked a mile with me, in a week you would find that as funny as a lot of the people who think that I actually sort

of thrive in conflict and where people don't agree. Because I think that's where the real work is -- around tough conversations of race, and class, and among people who totally disagree, hashing through issues that are complicated.

So that is who I am. And I knew who you were way before I came here, because I'm a student of history and of trailblazers -- of which you are one. So to the extent that that has not been communicated in my approach -- that is not intentional.

And, you know, not a topic for this Committee, but something I would like to share -- people know what they know. And that's partly on me as well. If those facts about who I am and my journey here -- what governs my actions, who does or does not make me do what I do, for better and for worse-- The decisions I have made, notwithstanding some of the sort of appearance stuff, have been based on values. And boots on the ground, as you put it, is where I'm happiest, and that is where I spend most of my time.

ASSEMBLYWOMAN JASEY: Thank you, Superintendent.

SUPERINTENDENT ANDERSON: With that said, there are a couple of just factual things, if I may--

ASSEMBLYWOMAN JASEY: Very quickly, yes.

SUPERINTENDENT ANDERSON: If I may -- you know, the salary piece, I certainly understand your concerns. I would want to enter, for the record, a communication as to the number of individuals who make above a certain amount and how my cabinet compares to the last two Superintendents. Newark is a very big District; it cannot be compared in how we compare to other districts. The number of individuals who make

over a certain amount of money -- which I understand is difficult regardless of circumstances, so the point about that in any circumstance is not withstanding. I do hear you on that. But I do want to correct the record -- that we do not have a more highly paid or top-heavy cabinet than other comparable size districts, or than other Superintendents who have sat in this chair; we do not. And that doesn't negate the Assemblywoman's point that that's still difficult in times of austerity. But we are not bloated as compared to other size (*sic*) districts.

The other point I would like to make with regard to the principals: There is no rubber room in Newark. There is-- People can be reassigned to Central pending the results of investigations; it's happened several times. The notion that the people in the excess pool are sitting in some room is inaccurate; it's incorrect. It wasn't the case in the principals, and I just want to make sure that that is known; and would extend an invitation to a longer dialogue and to let the Assemblywoman know that I hear your concerns, and I appreciate your feedback.

ASSEMBLYWOMAN JASEY: As a follow-up to that, could we have a list of those consultants, their background, and for members -- for personnel who were previously employed by the District, who are without placement -- where they are, where they've been placed--

SUPERINTENDENT ANDERSON: Sure.

ASSEMBLYWOMAN JASEY: --and what happened with them, and what function they're serving.

I would like to now move on to Senator Ruiz. And how much does it cost to have them there -- because I know one of the questions my

colleague has is about budget. But before we go to the budget question, I want to go to Senator Ruiz for her question.

SENATOR RUIZ: Assemblyman Caputo, I think you started talking about this earlier, and then Assemblywoman Pintor Marin-- You keep repeating that the One Newark Plan is not what has caused this distress. And so before I get into my questions, the way I see it -- and I'm going to be very simplistic on the issue here, so that I understand it.

You constantly say we're aiming for 100 great schools, right? You've used the number -- we have 20 great schools.

SUPERINTENDENT ANDERSON: Good.

SENATOR RUIZ: Good?

SUPERINTENDENT ANDERSON: Yes.

SENATOR RUIZ: Okay -- good. Right? So how do we sell a system to families, to say, "Hey, we're launching this new initiative. We have this many schools, we have this many students." And just by circumstance, looking at those numbers, you're never going to get them matched. Instead of focusing on improving those community schools, I don't know how this One Newark Plan-- Because I watched an interview three times over the weekend. And you kept insisting that the One Newark Plan was there to preserve community schools. In writing, if you could provide that -- because maybe that's just philosophical. I don't understand how that tangibly resonates through this plan.

We talked about principal autonomy, and I have to tell you that I am a firm believer -- a phenomenal Chief Academic Officer of a building with supports and a team in place breeds tremendous outcomes for students. You talk about principal autonomy, and yet when principals

strike their budgets and chart out whatever course that they want for their students in the year, and it gets approved mid-year, someone comes in and scoops up a teacher because they're needed in a Renew School or somewhere else, or we're short-staffed with ESL. And I'm saying to myself, "Well, that doesn't sound like principal autonomy." That sounds like the District Office didn't have a long-term plan of what was needed in all those other schools. And now because this school is doing well, you're trying to assess -- "not really necessary, so let's move that person out."

To the Speaker's point, there's always this insistent, counterintuitive-- Like, something is said, and then the reality is something entirely different. So it's very difficult for all of us to understand what the premise is. Because if someone said to strike your budget -- you're within your core, you're meeting your benchmarks, you're doing well -- why does the District go in after the students have had access to this human being and they get lifted out and moved into a different school?

SUPERINTENDENT ANDERSON: So respectfully, what's also difficult is, in a system of 43,000 students, 8,000 employees, there is also going to be an anecdote. So what I'm speaking-- I think it is undeniable, and I would invite you to talk to any principal who you know in the District, it is undeniable that the amount of say that--

SENATOR RUIZ: I talk to all of them often. (laughter)

SUPERINTENDENT ANDERSON: Yes, and I will guarantee you-- I know, and I will guarantee you that even those who have been in the system for a long time will tell you unequivocally that their ability to select their staff through mutual consent and retain them has absolutely gone up three-, four-fold in my tenure. Does that mean that once in a while

we have a circumstance where two people go out on family medical leave act -- which has been significantly overused in Newark Public Schools -- and we have to make a mid-year adjustment? Of course it does. But it's difficult; I mean, everyone can find an anecdote and make it the example. But respectfully, the notion that principals have more say over who they can recruit, select, hire, retain, and place in their districts is so much greater than it was four years ago. And that is across the board. And it's difficult; you know, any anecdote can be made to be an example.

And I have to say, on the 100 great schools piece again, you know, respectfully, part of the challenge has been that the charters are able to go and say, "Look, we're doing this much better." And unfortunately, the numbers ferret that out in many instances. And here we are struggling to say, "We're doing all these things to level the playing field." We negotiated a breakthrough contract that mimics some of the conditions that some of our charter partners had. We worked tirelessly to get \$100 million committed from the SDA so we can level the playing field on facilities. We're working with all the other unions to try to make sure that we retain our best and exit those who are on our--

SENATOR RUIZ: Except for the fact that--

SUPERINTENDENT ANDERSON: If I may, if I may. We have-- Every school that is great has five ingredients. And from the day I hit the ground, those five ingredients: an excellent leader, excellent teachers, resources and facilities, technology, and engaged parents. And those five things -- that's all we think about every single day.

SENATOR RUIZ: Except for the fact--

SUPERINTENDENT ANDERSON: And the goal is--

SENATOR RUIZ: Okay.

SUPERINTENDENT ANDERSON: And the goal is--

SENATOR RUIZ: Thank you.

SUPERINTENDENT ANDERSON: --the goal is--

ASSEMBLYWOMAN JASEY: Thank you, Superintendent.

SENATOR RUIZ: I get what you're saying, except for one thing.

SUPERINTENDENT ANDERSON: The goal is-- But I just need to make sure that this is clear.

SENATOR RUIZ: Superintendent, I understand what you're saying, because I've heard this--

SUPERINTENDENT ANDERSON: We have to fight back.

SENATOR RUIZ: I have heard this before. And what I'm telling you is, please understand what I'm hearing on a daily basis. You're sitting here saying that, yes, you are reinforcing and supporting the principals; that they have the best -- greater autonomy than anything else. And they still don't have a contract.

UNIDENTIFIED MEMBER OF AUDIENCE: Right.

SUPERINTENDENT ANDERSON: So -- agreed.

SENATOR RUIZ: No, so that you understand -- so that you understand. And listen: You and I, two years, three years ago had this conversation about supervisors, right?

SUPERINTENDENT ANDERSON: Right, and I--

SENATOR RUIZ: About not sitting at a table. And I don't want to get into this whole "they said, he said," whatever it is--

SUPERINTENDENT ANDERSON: But you are getting into it.

SENATOR RUIZ: No, except for the fact that I'm asking you -- the same way the Senate President and Senator Ron Rice and myself sent you letters -- to sit down and in good faith negotiate the cafeteria workers' contract, and sit down in good faith and negotiate the principals' contract. (applause)

And I'm going to move on; I will move on. And you can respond in writing to any of those things.

SUPERINTENDENT ANDERSON: But respectfully, we are--

SENATOR RUIZ: I'm going to move on to another principal issue.

SUPERINTENDENT ANDERSON: May I correct the record, please?

We are sitting down in good faith.

SENATOR RUIZ: Good.

SUPERINTENDENT ANDERSON: And any good negotiation doesn't happen in public, right? And we are-- I want to assure this Committee, as well as the Senator, that my personal time numbers in the hundreds of hours -- not hundreds of minutes -- on both of these contracts.

ASSEMBLYWOMAN JASEY: Then I think the--

SUPERINTENDENT ANDERSON: And we are putting faith -- a good faith effort.

ASSEMBLYWOMAN JASEY: I think what I would suggest then, Superintendent--

SUPERINTENDENT ANDERSON: Sure.

ASSEMBLYWOMAN JASEY: --is that there will be a need for a follow-up meeting. We have so many questions to ask; they have built up over the past year.

SUPERINTENDENT ANDERSON: Sure, no problem.

ASSEMBLYWOMAN JASEY: Clearly, we're not going to get to all of them. But in fairness to my members, I want to allow them to at least ask a few of their questions.

So I'm now going to move to--

SENATOR RUIZ: Can I just--

ASSEMBLYWOMAN JASEY: Sure; okay.

SENATOR RUIZ: You don't have to answer, but this speaks to the principal issue.

ASSEMBLYWOMAN JASEY: Just put it out there.

SENATOR RUIZ: September rolls around. Barringer High School has an issue with the lack of leadership that's instituted, okay? (applause) I start getting phone calls. Now, things are going to happen. For people who don't understand, when you have a principal in place in enough time before universal enrollment happens, they're setting up their schedules, they're getting their budgets in order, they're doing whatever-- They know what their school is going to look like in September.

This One Newark Plan prevented some of those mechanisms in place. Leadership change? I'm not questioning you on any of that. Things happen. What I am questioning you about is: September, the building was burning, and you were not in the building. (applause)

I had a meeting with the County Superintendent in October with parents. And I sat there with the County Superintendent and asked

him to go in and visit the school. He listed all of a number of things that he had been working on with the Department of Education. I followed all of my information to the Department of Education. I'm talking about simple things -- desks, no one (indiscernible) (applause) and ordered the desks.

So all this happens; interestingly enough, within the span of four days after I called the Department of Education, a new Assistant Superintendent gets appointed to Barringer, okay? (laughter) Now we start getting more information, because the person has a greater understanding. After five, six schedules of students not knowing where they're going to go, vacancies still occur at the school; ESL classrooms that sit there with more students than what the capacity is (indiscernible) for.

My final question with Barringer is: It is what it is. I'm talking, Superintendent, and I'd like for you to listen to this question, because this is the one I'm going to ask for you to respond to in writing.

Whatever happened, happened. But it's January; what's happened to the learning loss of those students, and how are we going to make up for that? (applause)

ASSEMBLYWOMAN JASEY: Thank you.

In writing? Thank you.

Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: I think that Senator Ruiz brings out an important point. For those children who tried to attend these schools -- especially the high schools -- and they didn't make it into class because there was no seat or because there were no accommodations, we would like to know what happened to those kids, where they are and what

they're doing -- because they're at-risk to begin with. And now they go to a school that's not ready for them, so we have a difficult problem.

ASSEMBLYWOMAN JASEY: And that would be in writing.

SUPERINTENDENT ANDERSON: We will submit to this body our accelerated and additional minutes plan for all students. And I think it's important, for the record, to state that my Administration, and me personally, were present and working on this issue 24/7. So respectfully, the notion that we got on it because the Department got involved is not accurate--

ASSEMBLYMAN CAPUTO: Okay.

SENATOR RUIZ: But it took a really long time

ASSEMBLYMAN CAPUTO: I have more-- Chair, I have more questions; I have another question.

SUPERINTENDENT ANDERSON: --is not accurate, and I'm happy to share in writing what our findings and our action plan -- that date back from the summer. And so this has been a challenging launch, and we do not dispute that. And we will share what our remediation plan-- We take it very seriously. I take responsibility for the rough launch.

ASSEMBLYWOMAN JASEY: And I think part of what you need to take from--

SUPERINTENDENT ANDERSON: But I will not accept that we did not take it seriously. We did, we did.

ASSEMBLYWOMAN JASEY: Superintendent, I think part of -- much of what you need to take from the questions that members are asking is: We represent the people. And people call our offices; they stop by our offices--

SUPERINTENDENT ANDERSON: Understood.

ASSEMBLYWOMAN JASEY: --they e-mail us. And so--

ASSEMBLYMAN CAPUTO: Everybody has got it wrong.

ASSEMBLYWOMAN JASEY: --without information, this is what we know.

SUPERINTENDENT ANDERSON: Understood.

ASSEMBLYWOMAN JASEY: And so this is the reason for the meeting.

ASSEMBLYMAN CAPUTO: Let me finish.

ASSEMBLYWOMAN JASEY: Assemblyman.

ASSEMBLYMAN CAPUTO: How many teachers in the Newark District are now teaching outside their fields in which they are certified? I'd like to know an answer to that. And how do you plan to stop this, if there is a violation of State law and regulations?

The other question or statement I'd like to make: The Committee is aware that in September 2013 you eliminated the positions of Subject Matter Supervisor and Department Chairs in the high schools. This has resulted in many high school teachers being evaluated by individuals who do not have an expertise in that area. For example, this Committee received information that an individual with a General Supervisor certification and Graphic Arts certification -- not math -- will be evaluating mathematics teachers at various high schools. Is this true?

SUPERINTENDENT ANDERSON: We are-- I don't know the answer to your first question; I can certainly look into it. We have certified qualified administrators who have been highly trained on our specific evaluation system and I feel confident that they're doing a good job.

ASSEMBLYMAN CAPUTO: But Superintendent, let me tell you this. It's my experience that if a department chair is eliminated where they worked with teachers, on a fulltime basis almost, on curriculum and also on in-service training, etc., those test score are going to go down without those people there. Those people have kept the standards in those high schools by working with teachers in that curriculum area specifically. And in the absence of that expertise, you have falling test scores, which we're all interested in that. That's all we're doing in this State is worrying about test scores. So in terms of measuring success, we're not helping the cause if we don't have those individuals.

SUPERINTENDENT ANDERSON: And we can submit to you the assessments that we use. But it's not accurate that -- students' mastery of English language arts and math in high school has steadily climbed on my tenure. But we still think it's not good enough, so we will share those results with you.

We have a lot more to do in high school; I agree with you, sir. But the notion that students are obtaining less mastery in the core content area is not borne out by the data.

ASSEMBLYMAN CAPUTO: Well, we look at the elementary level of Renew Schools -- that's not the case. In most cases, those schools -- the test scores have been lower.

SUPERINTENDENT ANDERSON: That is true, they are low.

ASSEMBLYMAN CAPUTO: Lower than when we started.

SUPERINTENDENT ANDERSON: Not accurate.

ASSEMBLYMAN CAPUTO: I have a report that verifies that.

SUPERINTENDENT ANDERSON: And you know, just because a report is out doesn't mean it's accurate. I mean, we have--

ASSEMBLYMAN CAPUTO: Well, you know what? I think we have to do something here, and I'm going to go back to my original statement, because it's not new. I think the Newark school system needs a visit.

SENATOR RICE: Yes.

ASSEMBLYMAN CAPUTO: I think the Commissioner is here-- (applause)

SUPERINTENDENT ANDERSON: We welcome visitors.

ASSEMBLYMAN CAPUTO: And this would be under his authority--

SUPERINTENDENT ANDERSON: We welcome visitors.

ASSEMBLYMAN CAPUTO: --as it was done at other times. You know, this is a back-and-forth process between what's right, what's wrong, what's missing, what isn't happening. The only way to determine the validity of what people are saying is to go in and measure, and ask the proper questions to the individuals who are in the system. That means everyone. That means teachers, parents, administrators, and the Board, and also the Superintendent, and to come up with a very, very empirical report on what is occurring in those schools -- rather than having an argument. I think we ought to entertain that. I don't know if you want to answer that. Commissioner, but I think it's something that has to be done.

SENATOR RICE: Before--

ASSEMBLYWOMAN JASEY: Go ahead.

SENATOR RICE: Before the Commissioner answers, let's deal with the Superintendent, because I'm not sure how much this Commissioner can do, as much as I respect him. And it's not just in Education; we've been having this problem with other Departments as well; it may have to be independent stuff that we're looking at.

So why don't we stay focused on Superintendent Anderson right now, who was invited here. There are still a lot of questions to be dealt with; we haven't gotten to 18th Avenue yet and that fiasco. We haven't even really gotten in depth with the IEPs as they relate to charter schools. And the question of whether we're going to get to them today, I'm not sure. But she may have to come back.

So why don't you go ahead and direct the questions; and I know that Senator Thompson hasn't had a chance to speak at all yet. He's been very patient, and he's my friend. But as soon as you finish, would you please--

ASSEMBLYWOMAN JASEY: All right. I'm going to ask Senator Thompson to ask his question, and then I'm going to allow Assemblywoman DeCroce and Assemblywoman Pintor Marin to finish with their follow-up questions, because Senator Rice has not had a chance to ask his questions yet.

Thank you.

And I'm also going to ask the audience to please keep it down because it's distracting from here when you make comments on what's being said. Thank you.

SENATOR THOMPSON: Thank you, Madam Chair.

Superintendent, you came into Newark about four years ago. You inherited a very dysfunctional system. The graduation rates were dismal; many of the children were not receiving the education that they needed. A tremendous challenge faced you.

Obviously, major changes were needed in order to get a system that functioned properly. You've taken a good deal of efforts in that direction to try to achieve that. There are over 45,000 students in that District. If you're making major changes, there is no question when you're dealing with 45,000 children and their parents there are going to be some people not pleased with anything you do no matter what it is.

And I commend you on the steps you have taken. Newark isn't out there yet, still has a ways to go. But you are trying to get there. Now, it is very important, in trying to achieve these things you're doing, that you work with the legislators who are representing Newark and so on. You have a tough bunch here, I'll tell you.

Do you have a Legislative Liaison?

SUPERINTENDENT ANDERSON: We do.

SENATOR THOMPSON: You do?

ALL: Never met him. (laughter)

ASSEMBLYMAN CAPUTO: It might be you.

SENATOR THOMPSON: I gather from my colleagues' responses here that that liaison is not that functional. Perhaps you should have a talk with him, or you need to give them more authority or whatever. For example, when Senator Ruiz says that they tell a Senator, "Oh, we can't talk you," no, that's not acceptable. And that Legislative Liaison can be a great deal of aid and assistance to you in resolving a lot of the problems that

you're seeing coming up right here. If they have somebody that they -- our staffer can call and discuss their constituents' problems with them, and get to some kind of resolution or understanding on it, I think that will alleviate a lot of the problems that you are encountering here and the disagreements.

Quite frankly, as legislators, we don't need to talk to you, the Superintendent, every time we call down there. In fact, we don't want to have to call down there; we have staffers we like to have take care of these matters. So if you have somebody who can assist in resolving these issues as they come up, a lot of things-- An individual called, and they have a problem with their kid -- their problem is not reflective of the problems in the system as a whole. But we can get the impression it is unless somebody there can get that answer and get back to us; things get blown out of proportion.

So that's one of my basic recommendations to you, is that you have a little talk with your Legislative Liaison -- and whether you need to give him a little more authority or so on to reach out to these people, etc., to resolve the problems that the legislators have, I think that that could go a long way toward curing one of these problems you're hearing.

Speaker Oliver spoke of your attitude. And I've seen it on TV and so on, etc. But I also have seen what you've been subjected to -- some of these things. The Chair here has done a good job of keeping our audience under control here and, unfortunately, at a number of the meetings that I've seen that you were at they did not do that good of a job. And I can understand some reaction to that, although you do need a little thicker skin, maybe, as the Speaker says there. But it's understandable.

So again, if you work on those things, I think we can get a lot of misunderstandings out of the way. And working cooperatively with the Legislature we can achieve the things that we need for the kids in Newark. Your heart's in the right place; there's no question. You want to get -- you want to have a first-class education for every kid in Newark, and you're doing your darndest to accomplish that. And that also is the goal of the legislators here. So they want to work cooperatively with you, and they can be great allies. And I think you can be a great ally with them too. So I just recommend everybody get together and work together.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you, Senator.

Assemblywoman DeCroce.

ASSEMBLYWOMAN DeCROCE: Thank you.

Just two clean-up items that I would like to talk a little bit more about. And Assemblyman Caputo brought it up -- about the certification of teachers teaching areas that they are not certified in.

I'm going to give an example that was told to me. For instance, a history teacher is teaching math. A history teacher who is certified in teaching history is teaching math and not certified in math. So that's a specific example there. So in that area, looking at it that way, I think that's what we're looking for. Am I correct, Assemblyman?

ASSEMBLYMAN CAPUTO: It's wider than that.

ASSEMBLYWOMAN DeCROCE: Okay. But there's a direction; there's a starting point.

Consultants -- we've heard an awful lot about that here. There was requests for information on the consultants. In order for us to really

understand, I think you need to have a spreadsheet of the consultants, when they were initially contracted under memorandum of understanding, and the purpose -- the description showing the purpose of the memorandum of understanding, and the amount paid to date overall from the beginning of when they were initially contracted for. I think the spreadsheet has to be specific, because I've been given a number of 100 consultants within Newark for the school system. So I don't know if that's accurate, so that's why I'm asking for this. If we see each one -- and when it started, and where it is, and for what purpose, and how much has been paid overall -- that would give us a better picture.

And I think that's what we all want. We all want to understand this, we all want to know. If there is a consultant who is there, who is needed, who's going to help Newark, fine. But if a consultant is there just to have a consultant because somebody knows somebody, they need to go.

So I think that needs to be specific for your sake, for our sake, but most of all, for the children's sake in Newark.

Thank you.

ASSEMBLYMAN CAPUTO: Very good.

ASSEMBLYWOMAN JASEY: Thank you, Assemblywoman.

Assemblywoman Pintor Marin.

ASSEMBLYWOMAN PINTOR MARIN: Yes. I just have a few questions with regards to budget, because I know that it is something that a lot of us have brought up here.

And sitting on the Budget Committee, I know that Assemblyman Ralph Caputo just said what is the true sentiment of not only

some of our colleagues within the caucus, but also our colleagues from across the aisle when it comes to Newark and how much it is allotted in State money.

So how many instructional staff people do we have in what's called the *Educators Without Placement*?

SUPERINTENDENT ANDERSON: I don't know, off the top of my head right now.

ASSEMBLYWOMAN PINTOR MARIN: Can you get that to us in writing?

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN PINTOR MARIN: Also, what is the value of the current pool? And if you don't-- Please submit it to us in writing.

And my understanding, from being a part of the previous Budget, is that there is about \$12 million budgeted for the Educators Without Placement pool.

SUPERINTENDENT ANDERSON: No.

ASSEMBLYWOMAN PINTOR MARIN: So how much was it, then?

SUPERINTENDENT ANDERSON: It definitely wasn't \$12 million, but I can clarify what that is.

ASSEMBLYWOMAN PINTOR MARIN: Okay, can you let us know how much -- I guess, correct me if I'm wrong. How much it was budgeted for? And will you be over this year for what you had previously allotted?

SUPERINTENDENT ANDERSON: We can submit that. I want to -- two seconds on the Educators Without Placement sites.

The way that we tried to implement principal autonomy was to allow principals to choose their teachers. Those who were not chosen, sometimes it's because we had an excess number for grade level -- and they were perfectly good teachers -- but often it was because they weren't chosen. So if we have fewer 3rd grade teachers, we may have an excess of 3rd grade teachers; but also they weren't selected. We did place those individuals in schools, and I think the challenge that we faced, and we face it every year, is how much to force-place teachers. So if someone has been in the pool for two or three years, and they have not been selected and/or remain in that pool-- So we did do force placing this year in order to balance the budget. I don't think that's good for kids, but we had to do it.

ASSEMBLYWOMAN PINTOR MARIN: So right now you don't remember how much was allotted for the EWP pool?

SUPERINTENDENT ANDERSON: I can give the whole picture, but just so you know -- it was a larger number, it's gotten smaller and smaller. And the reason it's gotten smaller is because we have force-placed teachers into positions in order to balance our budget. I don't think that's a pro-kid approach, but we had to do it to balance our budget. I also don't think it's going to help us compete with charters, but it is what we had to do to balance our budget.

ASSEMBLYWOMAN JASEY: Okay. That could be indicated in the spreadsheet.

ASSEMBLYWOMAN PINTOR MARIN: Yes, in the spreadsheet.

ASSEMBLYWOMAN JASEY: All right.

ASSEMBLYWOMAN PINTOR MARIN: Also, some of the latest numbers for the -- the charter school numbers that were revised came out. And my understanding is that I think they had an uptick in the numbers that they had. Now, that's going to affect your budget, am I correct?

SUPERINTENDENT ANDERSON: Every year, we get a projection from the Department based on the growth -- approved growth plans of the charters -- which we have nothing to do with, although we really advocated, obviously, vociferously for what we wanted and what we thought was good. And then we budget accordingly, and then we get an actual. I think we do have a slight discrepancy between what the Department initially told us and what we budgeted, but we tend to budget somewhere in the middle. So I don't think the discrepancy is going to end up being significant, but I am happy to provide you with whatever that is.

ASSEMBLYWOMAN PINTOR MARIN: Okay. Can you provide us with what the actual number was that you had budgeted for and what the new numbers are telling you that you need to replace them?

SUPERINTENDENT ANDERSON: Sure.

ASSEMBLYWOMAN PINTOR MARIN: And I guess my next question would be the transportation cost. My understanding is, I think that at one of the School Board meetings it was announced that it was \$1.8 million.

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN PINTOR MARIN: Or a little less, a little more -- whatever. Now, has that -- is that going to be budgeted again

for next year? Are you going to budget-- Because I'm assuming, due to these transportation hubs that were also created, that's probably-- Between the schools and some of the staff on there, that is an increase. And sometimes it might be overtime, sometimes it might be more bodies, sometimes it might be creating more bus routes that you discovered. So do you have any idea of how you're going to be doing that and moving forward; what that's going to look like in cost?

SUPERINTENDENT ANDERSON: Yes. We can provide-- That \$1.8 million is what we budgeted -- we have a monthly report, I happen to know this. We do look at ridership, percent on time, demand, etc.; and we're happy to provide that. We're actually coming in less because we were able to combine routes and move locations that we had originally allocated; but also anticipate that with more word of mouth -- our on-time ratio is about 90 percent -- we're starting to see another round of demand.

So we believe that \$1.8 million is going to end up being about right. You probably also know, Assemblywoman, from your work, that we spent almost \$25 million on special education busing; and we are doing a deep study on that. Our hope is to find-- That is just a lot of money, and we're hoping that we can increase the amount of transportation to all students by finding additional efficiencies in that overall busing budget. And we're working hard to do that, through the budgeting process, to see if we can't even expand our busing offerings by finding efficiencies within the overall busing budget.

ASSEMBLYWOMAN JASEY: Thank you, Superintendent. If you could put that in writing for us, we'd appreciate it.

ASSEMBLYWOMAN PINTOR MARIN: I guess before I close off, my only theme is, and some of the questions that I'm asking are -- I'm a little disappointed that some numbers -- we don't have some of the accurate numbers right now -- is that, moving forward, a couple of us, I know-- Assemblywoman Sheila Oliver, you touched upon some of the salaries that are being paid, some of the positions that have been created, some of the new things that have come about that are costing more money; and that we continuously hold this pool of educators that, even though they're being placed -- whether they're being paid out of school-based budgets, or whether they are being paid out of the Central Office budget -- whatever it is, I think that there is plenty of room-- You know, we talk about closing schools; we talk about facilities that are in need of repair, that we don't have money; we talk about facilities that are too big to house the number of students that we currently have. But in all the things that we keep seeing and we keep hearing about, and even-- And I will say this -- even when I was on the Board and I would question a lot of these things -- it doesn't seem to make sense to me, when we're spending money on certain issues and then we're looking -- constantly looking for money in other parts, that we shouldn't be looking for money to cut in some of these areas -- like you said, special ed busing, so on, and so forth -- when we don't even have some special ed students who currently have aides, or we don't have them placed correctly in certain schools.

So it's just very frustrating to me when we keep hearing about some of the money, and some of the cuts, and some of this, some of that. But then, on the other side, we're talking about how much money we're spending, how many new things, transportation costs, EWP pools, charter

school revision, this-- And it doesn't seem to stop. So it's kind of like we're saving on one side, but yet we're letting it go on the other side.

And to me, it just doesn't make sense; it doesn't make sense that we keep spending in certain areas that we don't-- I mean, how are we going to make up, in Central Office staff, when we cut secretaries -- low level positions -- who are people who live within our community and who can barely pay their rent? And then we're talking about higher costs of people who are being hired, who you said are comparable to other districts? But yet, you have people who are making almost as much money as a BA for the whole District.

Honestly, to me it's frustrating, and I don't understand how we're going to keep moving forward. And how I have to sit here at the Budget Committee, come July or June, and really say to my colleagues across the aisle, "Hey, guys, this is why Newark really needs this amount of money, because we're really hurting for money."

I don't know how much we're going to keep fighting, and how much we're going to keep winning on our side when we're asking for money; and yet, these are the things that are coming out.

SUPERINTENDENT ANDERSON: So if I may, just a couple of quick things, and I will happily submit additional responses.

One is, the increase in charter payments -- the only response to that would be capping or eliminating charter growth, which I think, for whatever it's worth, is a mistake -- but that isn't even my call. So those payments are going to continue to go up.

If you laid off my entire cabinet, you'd save \$3 million; my entire cabinet.

ASSEMBLYWOMAN OLIVER: It would pay for buses.

SUPERINTENDENT ANDERSON: So the notion that somehow that's going to close our budget gap is not accurate. And the idea that the amount of-- The ratio of school aides to students, whether they're overall or students with disabilities, is tremendous. And I'm happy to share our analytics on that.

So respectfully, I do think that we have-- And \$25 million on special education busing that isn't accurately working -- to me, that's not about more money, it's about making sure--

ASSEMBLYWOMAN PINTOR MARIN: Well, I don't think special ed, right now, is accurately working in the District; I really don't.

SUPERINTENDENT ANDERSON: I don't disagree with you. But what I'm saying is that I think we have to accept that there are additional efficiencies we have to find. And I think it's not accurate or helpful to assume that those can be made up by just freezing salaries of senior staff. Those are real serious conversations we need to have.

ASSEMBLYWOMAN JASEY: I think the Assemblywoman's point was that on the legislative side we're going into Budget season; it's going to be a very difficult Budget year. And in order for us to fight for Newark or any other district in the State, we have to be able to counter and answer these questions. Whether they're based on fact or not, they're out there, and--

SUPERINTENDENT ANDERSON: Understood.

ASSEMBLYWOMAN JASEY: And so we need to clear it all up.

And so I'm going to ask that we move on. Speaker Oliver wants--

ASSEMBLYWOMAN OLIVER: Brief; very brief.

ASSEMBLYWOMAN JASEY: --to ask a brief question, and then Senator Rice would like to ask.

ASSEMBLYWOMAN OLIVER: Very brief.

You described how you had failing schools; that the best tactic and strategy you employed was to close schools, consolidate, invest. And, you know, we have grown charter all across the state. And one of the reasons our charter law was created was to be an experimental laboratory -- to utilize the best practices that could be cultivated in a public education system; and when we found success, to replicate that success in other schools.

All I've heard in the past couple of years is, "The school isn't working," "It's terrible," "The scores are low," "Let's close it," "Transfer those students." What are you doing, as Superintendent, to take the valuable lessons that have been learned at KIPP and at other charter schools, and begin to cultivate and develop that and create a new school climate? Because at the end of the day, when I'm long gone, when you're long gone, when everyone sitting here is long gone, there will continue to be a public education system in this State, and there will continue to be a Newark Public School system. It seems to me that the challenge represented is not just focusing in on Renew Schools, and expanding the charter base. What are we going to do about improving, and bringing innovation, and bringing strong leadership to the existing schools? Because the reality is, Newark will never be able to create the wide breadth of choice

-- I don't care how much parental demand there is -- we will not be able to build capacity as you are describing.

Tell me what you're doing to save, recreate, and help the public school system across the board in the City of Newark? (applause)

SUPERINTENDENT ANDERSON: Yes, thank you for the question.

So the Renew Schools-- Remember, they are traditional schools. But I guess I would just offer three examples, and I will put the rest in writing. But I think it's an important question.

The first is, just really looking at the five ingredients of every high-performing school, and working every single day to try to get those five conditions in every school, regardless of type. And those five things, again: being a great leader -- and we've done a ton to progress on that, and I would love to add a collective bargaining agreement to the list -- but we've done a ton on that; mutual consent for principals to be able to select and choose best-in-class teachers -- we've done a ton of work on that; the right materials -- so we have new adoptions and curricula across the board, new assessments. Many of them have been tried and piloted in charter schools; many joint trainings, summer retreats -- where we have people on our side training them; they have people on their side training us. Walk-throughs, school partnerships, resources, engaged families, door knocking, organizing. The reason why there is so much energy in the Renew Schools, which I--

ASSEMBLYWOMAN OLIVER: I didn't like the \$1 million that was spent out of the Zuckerberg money for the surveys, though.

SUPERINTENDENT ANDERSON: The surveys?

ASSEMBLYWOMAN OLIVER: You said door knocking.

SUPERINTENDENT ANDERSON: Oh, well that--

ASSEMBLYWOMAN OLIVER: Yes, I didn't like that.

SUPERINTENDENT ANDERSON: For the record, that was-- I'm not talking about that; I'm talking about-- That piece predated me. What I'm talking about is when we hire principals now for any school -- whether it's a Renew School, a new high school, Weequahic -- one of the core things we hire them for is the ability to organize, and communicate with parents, and go out and bring parents in. So there are five things-- Every great urban school has five ingredients -- you know this -- and this is what charters have done well. They've created the conditions where those five things are true.

ASSEMBLYWOMAN OLIVER: So you've satisfied me; you have a game plan to start replicating what you've learned.

My last question; and then my Chairman is going to really get chagrined here -- we have to move on.

You spoke about how we have expanded access to Early Childhood. And we're all pleased about that; we're all big supporters of Early Childhood education -- both sides of the aisle. And I heard you say that you had gotten Federal money that enabled you to do that. And those of us in Newark who have knowledge of the system -- we know that one of our biggest providers of Head Start in Newark, after a 30-, 40-year history, was defunded. Did the Newark District acquire some of the funding that had previously been appropriated to the Newark Preschool Council? And if you did, how much of that money was appropriated to you?

SUPERINTENDENT ANDERSON: We have nothing to do with how the Federal system works.

ASSEMBLYWOMAN OLIVER: I understand that.

SUPERINTENDENT ANDERSON: So they-- You would actually have to ask them the specifics, but here's what I do know. And I just want to make sure that this is crystal clear.

ASSEMBLYWOMAN OLIVER: I just want to know -- did you get some of the funding?

SUPERINTENDENT ANDERSON: It doesn't work that way.

ASSEMBLYWOMAN OLIVER: It doesn't?

SUPERINTENDENT ANDERSON: So again, I'm not-- Let me careful. I'm not an expert on Head Start funding--

ASSEMBLYWOMAN OLIVER: So--

ASSEMBLYWOMAN JASEY: Do you want to answer that in writing?

ASSEMBLYWOMAN OLIVER: So when Newark Preschool was defunded--

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN OLIVER: --the Feds put an RFP out--

SUPERINTENDENT ANDERSON: And we responded to the RFP.

ASSEMBLYWOMAN OLIVER: That's what I'm asking.

SUPERINTENDENT ANDERSON: Yes, we responded to the RFP. But what I'm saying--

ASSEMBLYWOMAN OLIVER: Yes. Did you get approved and were you awarded money?

SUPERINTENDENT ANDERSON: We were awarded money through the Head Start RFP process, yes.

ASSEMBLYWOMAN OLIVER: How much money were you awarded?

SUPERINTENDENT ANDERSON: Seven million.

ASSEMBLYWOMAN OLIVER: Okay.

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN OLIVER: That's the question I was asking.

SUPERINTENDENT ANDERSON: Sorry. What I was trying to articulate is, the way that the process works is they decide every year, independent of who else is interested, whether someone is going to be re-upped. So the notion that we--

ASSEMBLYWOMAN OLIVER: That's not the question I was asking.

SUPERINTENDENT ANDERSON: Got it.

ASSEMBLYWOMAN OLIVER: I was trying to figure out--

SUPERINTENDENT ANDERSON: Yes, we responded to the RFP.

ASSEMBLYWOMAN OLIVER: --how did we benefit. Because you were only able to expand because you got a piece of the Head Start money.

SUPERINTENDENT ANDERSON: Well, the other thing to know, though, that I think is important, is when someone is defunded, whoever it is--

ASSEMBLYWOMAN OLIVER: I got it.

SUPERINTENDENT ANDERSON: --those seats will be run by the Federal government for a year, and then the money will--

ASSEMBLYWOMAN OLIVER: I know Joyce Rookwood well, over in District 2.

SUPERINTENDENT ANDERSON: And then it will be gone, but--

ASSEMBLYWOMAN OLIVER: I got it; got it, got it.

SUPERINTENDENT ANDERSON: I want to make sure that folks understand that in the absence of NPS applying for those Head Start monies--

ASSEMBLYWOMAN OLIVER: Right.

SUPERINTENDENT ANDERSON: --what would have happened is, the Feds run it for a year and then it's not like an entitlement. The money goes back to the Central pot of Head Start. So that's what I was trying to explain. It's not a zero--

ASSEMBLYWOMAN OLIVER: I know; I used to-- I know. Please, trust me.

SUPERINTENDENT ANDERSON: I'm sure you do; I just want to make sure that everybody was aware.

ASSEMBLYWOMAN JASEY: Thank you.

ASSEMBLYWOMAN OLIVER: And just in closing-- My last closing-- So we've expanded Early Childhood. Now, we had a history -- dating back to Governor Whitman -- that we did not have capacity, after the Abbott decision was handed down, to provide pre-K to everybody.

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN OLIVER: And that is when we began a system in New Jersey of contracting with private nonprofits, etc., etc. During your tenure as Superintendent, have we seen an expansion of that

network? Are we appropriating the same level of funding to that nonprofit network as we have, you know, dating back a decade?

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN OLIVER: Or has the District switched gears and begun to become a provider itself?

SUPERINTENDENT ANDERSON: Both; and I can provide you with you those details. We do believe-- So my position on Early Childhood is similar to my position on charters. Provided they're committed to equity, and they're excellent, and they're community-based, then we are supportive. We should not be a monopoly.

And I understand the rich history of individuals who have started and run very high-quality Early Childhood centers; I think that's a great thing for a host of reasons.

ASSEMBLYWOMAN OLIVER: Sure

SUPERINTENDENT ANDERSON: And so as far as-- We want diversity of offerings, and we want to make sure they're community based. We want to make sure that they serve all neighborhoods, we want to make sure that everyone has equity.

ASSEMBLYWOMAN OLIVER: So the answer is, we haven't taken any money off the table as it relates to our commitment to Early Childhood.

And what I would ask, respectfully, through our Chairs, if you could submit to us an identification of the agencies that NPS contracts with to provide Early Childhood education.

SUPERINTENDENT ANDERSON: Sure.

ASSEMBLYWOMAN OLIVER: The amounts of those contracts, and the durations of those contracts.

SUPERINTENDENT ANDERSON: And I just want to point out one thing, just because it's hard to explain this in writing. The Head Start piece -- we have the Abbott monies that many people in this room fought hard for. That's one piece of money.

ASSEMBLYWOMAN OLIVER: Yes.

SUPERINTENDENT ANDERSON: That, sort of, mix of seats on the Abbott side hasn't changed demonstrably and, in many instance, we've gone to the high-quality folks and asked them to grow -- in addition to us adding seats. On the Head Start side, there are some community-based providers that, right now, are having to make choices as to whether or not they're going to apply to be a provider, join a consortium--

So I just want to be clear that some folks might be impacted by that, which is not us -- so I will try to make that clear in our submission. But do hear our commitment to diversity, as well as to those private providers that have been community-based and high-quality for a long time.

ASSEMBLYWOMAN OLIVER: Yes.

SUPERINTENDENT ANDERSON: We want nothing but to preserve that kind of diversity and community-based asset.

ASSEMBLYWOMAN OLIVER: Right -- because you'd never have the capacity to do it yourself.

SUPERINTENDENT ANDERSON: And there are other benefits too.

ASSEMBLYWOMAN OLIVER: Yes.

ASSEMBLYWOMAN JASEY: Thank you; good questions.

Assemblywoman DeCroce, did you have a last-- Who did?

All right; Assemblywoman Simon, then Senator Ruiz, then Senator Rice. And we have to move on quickly.

ASSEMBLYWOMAN SIMON: Okay. Just to piggyback off Speaker Oliver's comment about Head Start. First of all, I applaud you for being honest, and going out to RFPs to make sure that we secured that money for the Head Start program.

And I know you're a grantee on-- If you can provide -- maybe not today, but in writing -- if you can provide some details about the grant and how it's going to be used, where the children will be served, and possibly discuss the increasing educational opportunities for the most disadvantaged students in Newark -- that would be very appreciated.

ASSEMBLYWOMAN JASEY: Thank you Assemblywoman.
Senator Ruiz.

SENATOR RUIZ: On the same Early Childhood program -- I think it's this week that the One Newark Plan includes the private providers in the enrollment plan. Is that accurate? So now, a parent who has a 3-year-old will have to go through the process online; they can't go to a private provider directly?

SUPERINTENDENT ANDERSON: The second round of universal enrollment, part 2, currently is K-12. We are working with the pre-K providers to add them to the mix for all the same reasons. But that will not occur until round 2 because we have a lot of work to do with--

SENATOR RUIZ: When is round 2? Because they were under the impression it was happening now. I have some parents who are reaching out to me because they have to get-- They're in the 2-and-a-half

phase -- the child will be 3 years old -- and they want to know what are the next steps to enrolling their child in an area of their choice. Because to me, where we really had huge choice was in our pre-school providers. So a parent could pick a place where a grandparent was nearby, pick a place they thought was best, or pick a place that was close to their work environment -- whatever it was -- that was suitable for them.

So the questions are, when will that start? The other thing that they have asked me is -- because they're trying to do their due diligence -- is that they need an ID. I don't know how someone who is not in our system-- If we can just make that very clear to parents who have kids who-- I don't know how a parent of a 3-year-old acquires an ID number so they can start that process. But I'm more interested in -- I mean, you can give it in writing -- the timeline, and why-- Because, you know, all of this other stuff doesn't really make clear sense to me. But this one, when we talk about choice, our families have had it for a very long time. And to have them sit there and go through this process and have an algorithm select-- It's of severe concern. We're a very transient community. If everything were to work out well, we'd still have parents who move in in May and June; if they move across the way from a child development center, and that place is full, I don't know what happens to that 3-year-old. Is there going to be a transportation plan for that section of the program as well? Because that's hugely concerning.

ASSEMBLYWOMAN JASEY: Thank you, Senator.

Senator Rice.

SENATOR RICE: Thank you very much.

Do you need a five-minute break, Superintendent?

SUPERINTENDENT ANDERSON: I'm good.

SENATOR RICE: You're good?

SUPERINTENDENT ANDERSON: I'm good.

SENATOR RICE: Okay.

First of all, let me just go over a couple of things that were raised, and then we're going to talk about 18th Avenue -- the sale.

But I want to deal with the principals first. Those of us who live in Newark and been there all our lives, we have relationships like anyone else and like any of our colleagues. So people are going to talk to us whether you like it or not. And so, we kind of know those folks who just talk for the sake of talking, those who have personal agendas, versus those who are serious and have objections and objectivity because their lives are being impacted.

And some of those human resource pieces happen to be principals. You said these wonderful things about asking your principals. Well, we can ask your principals a lot of things; they're not going to respond in sincerity, because they make it very clear to us that they're very fearful of the environment that you have created up there -- an environment that you created that's connected to the environment that the Christie Administration has seemed to project publicly.

Now, we can't control that. But some of the people sitting here, and others, are in those schools every day. Even when I went to visit a school unannounced, along with a couple of other local government officials, I know that we were told to wait. But I told them, I said, "The only reason we're waiting is primarily because they had to call downtown." And they did. And about 15 minutes later two people came from

downtown, all making big salaries. One was an assistant to the assistant Superintendent, and one was the special assistant to the assistant to the assistant Superintendent. (laughter)

And so we know we're not going to get all the information that way.

We also know that the public, and organizations, and others have been OPRAing information -- which, by law, they have a right to. Some they don't; but most of the stuff that has been OPRAed -- they don't get it. They get some, but they don't get others. And so that needs to stop before I find a way to figure out how to hold the people at the Board responsible for violating a law that we passed a long time ago. And I was here when we did all that OPRA stuff. And so that needs to be said.

Now, on the other side, Senator Thompson said that we should all get along, because your heart's in the right place. Well, let me say, for the record, there are those of us -- and me personally -- who believe your heart may be in the right place, but your agenda is not. And it may not be your control; it may be from where you (indiscernible). (applause)

Please, don't do that here; not here. This is not the Council.

And it's based on a history of research I've done personally, and the relationship of the privatization movement that goes back to 1955 -- which I am not going to discuss. And so I know about Eli Broad, and Pershing, and all these relationships. I started out when Cory came to town. And, by the way, I'm a former investigator.

With that being said, let's talk about what's talking place. The closing of schools is always argued -- in these slick documents that the privatization people put out -- is that if the students aren't learning, we

close the school. Well, the school, to me, is a structure; that's what it is. Now, we have SDA money and we're supposed to build new schools and fix the structures. But the notion, and what's being sold to the parents -- the school is not working, so we are shutting it down. What's not working is not the school; what's not working is the resource people and the funding that's supposed to be provided to that school.

And so this notion of shutting down schools -- which has taken place in the privatization movement throughout the country, including where you come from, New York, okay? -- bothers us tremendously, because most parents aren't aware of what's taking place. And they bring individuals like yourself and others in -- Christopher Cerf and others -- and we're supposed to be naïve about what's taking place.

So within your structure, this whole charter school stuff -- you said you inherited it; and some you did. But you inherited it because they brought you here to make sure that we reached the goals they wanted. And in the meanwhile it created a whole lot of chaos and confusion.

So when you talk about special needs and IEPs, there are a series of questions that I'm going to raise on the record. But you probably won't respond to them today, and so I'm going to ask you to respond to them in writing. And if you can respond to them, then you respond to them today, okay?

But question number one: As part of the One Newark universal enrollment, when we started this stuff, can you tell us how the struggling students were being referred -- or have been referred, identified, evaluated, and determined to be eligible for special education programs and services? And for the students with disabilities, the SWD students who relocate or

transfer to Newark, what is the process for enrollment, given that these students have current Individualized Education Programs -- the IEPs that we're talking about now -- and require placement in comparative programs in a timely manner? And that's under our statute, by the way; 14-16A (*sic*) N.J.A.C. All right?

Is there a centralized location for these SDWs' registrations and transfers into the District? What staff would be responsible for this? Can you tell us who that staff is, and who they are, and their capabilities?

Has the list of projected NPS special education programs in their respective school locations for the 2015 -- now we're talking about 2015, going into 2016 -- school year been developed? We need to know that, and get copies of it. And if so, what data was utilized in doing so?

Is there a projected list of special education programs and related services -- and I'm talking about, for example, speech, counseling, transportation, occupational therapy, physical therapy, assistive technology, nursing services, feeding clinics, etc. -- which is currently available to the parents of the SDWs who have enrolled in One Newark charter schools?

ASSEMBLYWOMAN JASEY: May I interject?

SENATOR RICE: Sure.

ASSEMBLYWOMAN JASEY: If it's helpful, we'll provide these in writing.

SENATOR RICE: Oh, I intend to provide them in writing, and I intend to get an answer.

Will One Newark charter schools -- are One Newark charter schools required to offer to arrange special education programs that are normally offered? In other words, will all the same programs and services

be delivered as delineated in each student's respective IEP? Because, under the statute, that's supposed to be done. And what's happening is, I'm told that a lot of times these IEP students are sent to charter schools, and as a result of that they're declassified. And yet the parents are told they don't need the programs, etc. And then oftentimes the way they get rid of these students is just get them out for other reasons, and they come back to a district. But the program that was laid out, that they carried, doesn't come back with them. So we need to know that, because I believe that's a lot of things that the people you have dealing with this IEP stuff aren't capable of doing in our District -- for a lot of reasons.

Will One Newark charter schools service special education low incident in population? Example -- auditorally impaired autistics who are cognitively impaired, deaf, blind, orthopedically impaired, traumatic brain injury, or multiply disabled? If so, are these respective schools located in barrier-free locations? How are the staff certified, trained, and deemed qualified to meet the needs of these and other special education populations?

See, we don't get enough information about where our kids are going on the charter side. And so it's important that we have this information.

There are only a couple more -- about three more.

A number of SDW students are projected to attend non-Newark Public Schools -- One Newark schools. What is the projected financial loss for the District as related to the special education Medicaid initiative reimbursement -- SEMI; S-E-M-I, SEMI? Got that? Okay.

Is there an identified data management system for the purpose of tracking the amount and the quality of special education programs and services which would be utilized under the One Newark Plan?

And lastly, parents have been told, and I've been told that special education resources and classes -- the RCIs -- and resource pull-outs -- RCOs -- reprogrammed to be available in every school, in every grade for SDWs. Take into account the number of NPS students who are currently in need of IEP-mandated services for these same supports -- and I'm not receiving them -- how does the Newark Public Schools plan to better ensure that the children will receive these and other special education services under the One Newark Plan?

So you kind of have an idea, hopefully, where we're coming from, Commissioner, because everybody wants charter, but you don't want to service our kids. All right? So that's on that piece, and we'll get that to you in writing, again, to make sure that you understand the questions.

Now, on the budget side, before we go into the buildings. There was a lot of talk about the budget, but no one talked about or raised the question, what is your deficit? Because the last deficit I have was something like a \$53 million budget deficit. And what I can say to you, Commissioner, because you've been around a long time, the first State takeover Superintendent, Beverly Hall, left the District hanging for over \$100 million; that was documented and mismanaged. Whatever happened to the money, that money never came back into the District. And when Superintendent Marion Bolden came in, she worked with that deficit and got the District back on the positive side in terms of moving it and creating opportunities. And, in the meanwhile, we come back with another State

Superintendent, and we have a \$53 million deficit, and then questions are raised about cutting back on services, or what's happening here, or how the charter schools are sucking up more.

So can you tell us, Superintendent, what our deficit is that the Newark Board of Education -- the projected deficit? And, number one, how do you intend to fix it; but, first of all, how did we get there?

SUPERINTENDENT ANDERSON: I mean, it's not a deficit; it is--

Sorry -- does this go off after a certain amount of time?
(referring to PA mike)

ASSEMBLYMAN CAPUTO: You got it.

ASSEMBLYWOMAN JASEY: Yes.

ASSEMBLYWOMAN OLIVER: You have to push the button.

SUPERINTENDENT ANDERSON: I should have gotten a tutorial; apologies.

It's not a deficit, Senator Rice. What we face every year -- you all know the funding formulas as well as anyone -- and our available resources have remained relatively constant under my tenure.

But there are three things that make that constant funding in need of significant cuts. And that is, number one, the growth of the charter sector so that every student who leaves, the resources go with them. And, number two, the increased costs that we all are facing around health care and other human resources. And, number three, just basic COLA -- cost of living adjustments.

So in other words, we're not running a deficit; we've balanced our budget every year. We've been very transparent about that; I want to

make sure that's clear. What we are having to do, however, is find about \$30 million worth of operating cost cuts, annually, as a result of -- between \$30 million and \$40 million, actually -- as a result of those three things I described. But that's different than a deficit.

SENATOR RICE: You know, on the charter side, you indicated that the money follows the child and that's why it's different than a deficit, etc. Then I've been asking the State, over and over, to put a moratorium on charters -- you know, you keep saying you have no control over it, but we do have control over it, Commissioner -- it was never recommended by people in your office. We have legislation to request that, which means that the money wouldn't be following the kids into new charter schools when we haven't fixed the ones that are failing yet.

We always talk about SKIP -- which is part of the network in which the Superintendent and others come from -- and we may talk about North Star, and maybe one other, bigger. But when it comes to the smaller charter schools that are failing -- it's been documented -- or a change in test scores, we still have not moved on those at all. But yet, our children are still being transitioned to those schools; and, as you said, the money follows. I think that needs to be looked at; I don't expect a response from you now, because I think there are some other things that have to be done and I'm not sure if you are going to do them. I'm being honest, and we'll talk about that in a moment.

So if you would just make a note on that, that we need the information on how do we slow this charter stuff down. There's no mandate that we do it; that's someone's goal.

On the other side of this -- can you tell us a little bit-- You mentioned this MOU -- memorandum of understanding -- with the LEAs. Can you talk-- Tell us what that is, and how that's set up, and what it's intended to do.

SUPERINTENDENT ANDERSON: Sure. So I stated earlier that I am, and remain, a supporter of charters, provided that three things are true: one, that as we begin new things, it doesn't concentrate students in greatest need of support in the traditional schools more. So I'm talking about English Language Learners, students with disabilities, students living below the poverty level. So that's one. Two, provided neighborhood schools are preserved. I wouldn't, for example, be in favor of a charter movement where we built 10 charters schools downtown and, as a result, 5 neighborhood schools had to be closed. So that's number two. And number three, provided we're all measured by the same yardstick.

So in a city like Newark, we have a lot of debates -- charters kick kids out; yes they do, no they don't. And we didn't have any data to have those conversations. How many students started on September 1, and how many students finished on June 30? We didn't have any data across the board. So the memorandum was our-- Because we are not the governing body of charters, it was our ability to try to create some mutual accountability between the charters and the traditional system so that we don't end up replicating cycles of inequity.

And so the MOU, basically, asks the charters to commit to, number one, participating in universal enrollment so that they can take in anyone who preferences them, regardless. Because when everybody was running their own lottery it was quite difficult to stop that concentration

effect. Number two, it asked them to share promising practices. This gets back to Assemblywoman Oliver's -- in the spirit of we're all in this together, it should be cooperation, not competition -- because we're talking about children's lives. So that's the second piece. And the third piece -- it asked them to share their data, within the confines of the law, so that we could sort of compare apples to apples in ways that have not happened in the past. So we believe, in our administration, that we should embrace innovation and quality wherever we find it, but that we should not do it at the expense of inequity and we should be fierce on making sure that this innovation lifts all boats. And so that's the spirit of the memorandum, and we were proud to say we got a lot of the charters to sign onto it. Even though we have no jurisdictional authority, they did it, I believe, because they have every interest -- just like we do -- in lifting all boats. We're not going to call it a success if we have 10 better schools while 80 get worse. That's not systemic success, it's not respectful to the community, and it's not good for kids.

SENATOR RICE: Can you, for the record, tell us what is the PDC?

SUPERINTENDENT ANDERSON: The PDC?

SENATOR RICE: Yes, the Policy Development (*sic*) Committee.

SUPERINTENDENT ANDERSON: Oh, this is the one that you shared -- yes.

SENATOR RICE: The design committee.

SUPERINTENDENT ANDERSON: Yes, that's the group of individuals who look at-- We have two different groups -- one group of

School Advisory Board members, community members, and families; and one group of charter partners. They have both been in existence to basically do three things. Number one, to take a look at all the policies that we're recommending regarding enrollment; number two, to advise us on any transfer policies and other action that we would take on behalf of young people; and number three, to sort of monitor the quality of implementation. And both of those groups have been invaluable.

We are the ultimate decision maker; there is nothing in the MOU that implies-- We're responsible, we're accountable, but we believe if we're asking charters to give -- to basically participate in a system, they should have input. We also believe that families and other stakeholders have the same right. And not only that, but that they, in some ways, know things that we don't. So they are able to point out how transfers are playing out on the ground or how a particular map of a transportation system could be improved. And so both of those groups have met regularly and have provided invaluable input into our process.

SENATOR RICE: Would you provide, through the Chair, this Committee with a copy of the MOU and a copy of the names and identification of the people in both of those groups?

SUPERINTENDENT ANDERSON: Yes.

SENATOR RICE: And then you say, "We're held accountable, we're in charge," more or less. When you say *we*, what do you mean, *we*?

SUPERINTENDENT ANDERSON: Our Administration, my Administration.

SENATOR RICE: So does that mean that, under this MOU, that the Newark Public Schools is the system administrator? Is that what you're saying?

SUPERINTENDENT ANDERSON: That's correct, sir.

SENATOR RICE: Okay, how does that work?

SUPERINTENDENT ANDERSON: What do you mean?

SENATOR RICE: Can they get rid of you? Can they decide they don't want you to be the administrator anymore, and select someone else?

SUPERINTENDENT ANDERSON: Prior to the MOU--

SENATOR RICE: Yes.

SUPERINTENDENT ANDERSON: --right? -- they ran their own lotteries. They didn't have to do anything with-- We could be the system administrator every day and again on Tuesday, but we wouldn't have the charters participating. Their participation-- So before -- remember, before we did this the charters all ran their own independent lotteries on their own. So KIPP had their own, North Star had their own, and we had nothing to say about that at all.

So we can continue -- we will always be the system administrator for the traditional public schools; what the MOU allows is for us to be the system administrator for everyone, which really ensures, and is fierce on, equity. That is currently voluntary; that was always voluntary. So the fact that we got them to agree to this MOU was new, but they can elect not to sign the MOU and run their own lotteries just like they used to. So we actually thought it was a tremendous win to get them to sign on

because, in the absence of that MOU, they govern their own lottery process in accordance with State policy.

SENATOR RICE: So it's not foreseeable that the Newark Public Schools can be removed as the system administrator, and then the LEAs -- I call it the *private side*; you keep calling it the *public*. But you know, those other folks over there can't become the system administrator and still run these programs.

SUPERINTENDENT ANDERSON: Newark Public Schools will always be the system administrator for traditional Newark Public Schools.

SENATOR RICE: Okay.

SUPERINTENDENT ANDERSON: The reason why we engaged in the MOU -- and this is an important point -- the whole reason we did that was to become the system administrator for everyone so that we could create greater equity and consistency across the city. They did that voluntarily, and we did that through a lot of hard work and influence, and beating the drum about equity -- which a lot of them have been beating the drum about as well.

So they can elect to go back to where they were, which is running their own lottery, but we will always -- Newark Public Schools will always be the system administrator for traditional schools.

SENATOR RICE: Was a waiver required for any of this?

SUPERINTENDENT ANDERSON: A waiver from what?

SENATOR RICE: Senator.

SENATOR RUIZ: The current statute requires charters to conduct lotteries; and so that's not happening right now under the One Newark Plan.

SUPERINTENDENT ANDERSON: Oh, I see, what you mean.

SENATOR RUIZ: So were you offered a waiver from the Department so that they don't have to -- obliged to current governance structures?

COMMISSIONER HESPE: Yes, I'm not following along. You mean in terms of using a weighted lottery? Did they receive a waiver? Because those are available--

SENATOR RUIZ: I'm in the process of trying to rewrite the 1995 law so it's modernized. And there is inherent language in there that speaks to a *lottery system* that has to be conducted.

Now, this is a different thing. I don't know if the interpretation through regs is that one takes care of the other. But charters are required to conduct a lottery. Now it's happening in a different avenue, so I guess my question was, were you offered a waiver, or is it being interpreted differently because it's in an algorithm and that suffices as the lottery system.

COMMISSIONER HESPE: The Department approved the use of universal enrollment for the charter schools.

SENATOR RUIZ: Okay.

ASSEMBLYMAN CAPUTO: Ron, let me just ask--

Yes, Commissioner--

COMMISSIONER HESPE: Sure.

ASSEMBLYMAN CAPUTO: When the MOU was provided to your office or to counsel, did counsel review this and give you an opinion that it was perfectly legal under the regulations?

COMMISSIONER HESPE: We've referred to a couple of MOUs; just to be crystal clear, which one are you referring to?

ASSEMBLYMAN CAPUTO: The one that we're talking about. (laughter)

COMMISSIONER HESPE: Regarding the--

ASSEMBLYMAN CAPUTO: You're in the same room I am.

COMMISSIONER HESPE: --charter schools?

ASSEMBLYMAN CAPUTO: Right, yes. The one we're talking about.

COMMISSIONER HESPE: Yes, you actually referred to a MOU regarding PSA--

ASSEMBLYWOMAN OLIVER: The ability of the Newark school system to oversee the process by which children are enrolled in charters within the City of Newark. That's the question we're asking.

COMMISSIONER HESPE: The Department approved that, yes. Just-- There's a--

ASSEMBLYMAN CAPUTO: But that's not what I asked. Did counsel review it? Who reviewed it in the Department? Did the AG look at it? Did the local counsel-- Who agreed to this MOU?

COMMISSIONER HESPE: We would have to find that out for you, Assemblyman, because I was not here when that was approved.

ASSEMBLYMAN CAPUTO: That's what I'd like to know.

SENATOR RICE: Just find out and send it, through the Chair.

COMMISSIONER HESPE: Right.

SENATOR RICE: Okay?

ASSEMBLYMAN CAPUTO: End of questions, sir.

COMMISSIONER HESPE: Okay. Thank you.

SENATOR RICE: All right, going back, on the budget side again -- I know that Assemblyman Bramnick, Senator Pennacchio, myself, and others are very much concerned about roughly \$22,000 being spent for, over a year, monthly, meals and lunches. Can you explain that? Because we have this budget problem that you said is not a budget problem; the money is following the kids; and meanwhile, we can't fix anything. And it just seems to be a lot of confusion about who's right or wrong in terms of what's being projected to the public, but also what's being articulated to my colleagues in the Legislature who don't live in that District. And that's why you have some people coming here trying to defend what you are doing -- I guess because the Governor asked them to do that (laughter) -- but most of us are more objective about what we read. So can you explain that \$22,000?

SUPERINTENDENT ANDERSON: Yes, I will be happy to provide more written response. We have-- Just like any district, we have a policy about food and when we purchase food. The vast majority of the resources that are spent on food are school-based -- for family meetings and other such things. Our policy, and the percent of money we spend on food is commensurate with reports by the Council of Great City Schools, if not less. So I'm happy to provide you with those comparables.

We do buy food; the majority of it is done on a school-based fashion, in school-based events. We govern it with policy like anyone else.

And the amount of money -- raw money and percentage is commensurate, if not lower, than similar-sized districts. But we do what any district does on this front -- we've applied due diligence, and both the raw number and the percent has gone down. So I don't believe we are overspending there, and I think some of the facts there need to be corrected. And I appreciate the opportunity to submit that to you in writing.

SENATOR RICE: I'm requesting that you do submit it.

SUPERINTENDENT ANDERSON: Yes.

SENATOR RICE: And I will share it with my colleagues, and then we'll analyze it further.

Moving on. Not the traditional grass root folks that you always claim are yelling at you at the meetings, but people who represent our community, and live in our communities -- there's an alliance out there of experienced people, knowledgeable people, intellectuals, etc., who actually did an analysis of what you claimed was going to be your benchmark as it relates to these Renew Schools and others. And it's very disturbing, because I was looking at a research document from New York that talked about what has to go into these kinds of things if, in fact, they are to be successful. And I'm almost sure you're aware of that, since a lot of your stuff comes from New York and you connect with them quite a bit.

And there was also a report out of Detroit that said some of the same things, in terms of research documents. But can you explain to us, from your perspective -- because we have our own -- why is it that the scores on these Renew Schools -- 13th Avenue -- are worse than they were before you put the program in? For example, 13th Avenue -- which is in my ward -- they were at 18.3 percent, which is really bad in terms of the testing

scores and stuff that we do, you know, the LALs, etc. And now, after going through your 50 percent you say you're going to make, we didn't even get to 50 percent. In fact, 13th became 17.3 percent, roughly.

And you can go across the board with Camden, and Chancellor, and Cleveland, and Dayton, Newton, etc., etc., etc., and with the exception of maybe one or two of those schools, you are going to see the same thing. Can you explain to us, from your perspective, what's going on? Because clearly -- there are some of us who are somewhat clear on what's going on that hasn't taken place.

SUPERINTENDENT ANDERSON: So a couple of things.

There are a lot of folks who used to use 13th as an example, who I think would say that school is in far, far, far better shape than it was three years ago.

With regard to the report -- you know, we have a formal response, which I'm happy to share. We don't agree with the methodology that was applied or the expansive conclusions that were drawn by that report; I mean, bottom line.

So three things I would just want to point out: Number one, the data regarding NJASK, in particular -- which I'm sure this group has wrestled with -- is very difficult to draw longitudinal conclusions on percent proficient, given that the test has been changed every single year. So percent proficient is challenging, and there are plenty of facts to back that up. So we have focused on skill scores -- which is imperfect as well, but a more accurate measure and one where we have seen not just growth, but significant growth. So percent proficient to me is not the most accurate

picture of performance; and it's especially not now, using a measure that has not remained consistent in those three years.

The second piece is, at no point do we take into account student need. I think it's very dangerous to report data without taking into account student need, because if you have a school where 70 percent of students are proficient on day one, that will not show up in percent proficient data. And reporting data that way, in my opinion, just incents schools to skim and do all the things that I believe you and I share in common that they shouldn't be doing -- which is not serve all kids.

So the Renew Schools have served an increasingly needier student population as defined by poverty and students with disabilities. The percent proficient data masks that. Even more dangerously, it provokes the kind of skimming and selectivity that I think we have a shared interest in stopping. So that doesn't reflect the increasing student need.

The third thing is it doesn't reflect growth measures. So things like SGP have not been released so that we can give schools credit for moving our most struggling kids -- which are the kids who reside in our Renew Schools.

The fourth thing it does not do is account for mobility. That's not a cohort analysis. So you can have 30 percent of 500 kids one year, a different 500 kids the next year who are much needier. So that's the fourth problem.

And the fifth problem is, there are lots of other measures, including school climate, school culture, discipline, out-of-school suspensions, family satisfaction -- that were excluded. So the bottom line is

we don't agree with the analytics; we don't think they tell the whole picture.

SENATOR RICE: Let me just--

SUPERINTENDENT ANDERSON: We are -- just one quick second -- we are optimistic, and I think you will find a high level of family satisfaction in the Renew Schools. And we are cautiously optimistic that will translate into greater results. But we think that using percent proficient as evidence of flat lining is just inaccurate.

SENATOR RICE: Well, we can use proficiency, or we can use scores.

SUPERINTENDENT ANDERSON: Yes.

SENATOR RICE: Now, are you familiar with the *High School Choice in New York City* report?

SUPERINTENDENT ANDERSON: Not specifically; no, I don't think so.

SENATOR RICE: It was done by the Research Alliance for New York City Schools.

Well, anyway, you look at that report; you look at Detroit -- and I know things are a little bit different; this is New York, etc. But you indicated that, number one, we're going to change things because we're going to just shut our schools down, and sell them to charters, and stuff like that; do Renew Schools; and just transfer kids all over the place that we can't get to. And, therefore, we're going to align the student better. So low achievers should be doing better or doing just as well as high achievers because there will be choice, and choice will be to get to some of the high achieving schools. And if we don't have high achieving schools, we're going

to make them high achievers. And that's what the Senator was talking about -- how we can just fix the schools we have.

But there's a fallacy in there. So do you have any way of-- I mean, you indicated that 50 percent is your goal, but then -- you seem to be contradicting yourself saying, "Well, there are no ways of measuring that makes any sense." And the reason I'm raising that is because what is obvious to many of us who live in these communities -- long before you got here; and the State's not paying attention to us. And it's not just Newark, it's other districts -- Paterson, Jersey City, East Orange, Camden, it doesn't make a difference -- is that when you start talking about high-achieving schools-- First of all, when you did the One Newark Plan, there's no way the parents can even know about the choices they have or had for high-achieving schools. Number one, it's the way we communicate; there was no marketing scheme. And so when you look at it, I don't know what is a high-achieving school.

And so these decisions that are made when they -- "choice," -- they really had no choice -- was mostly based on variables such as the neighborhood they live in, where their friends go to school, and what they thought was high-achieving. But when you look at it you find out that even when they make the choice decision, the school they choose is a low-achieving school. So you wind up right back in the same state -- with low achievers.

And so it has a lot to do with education factors too. And that's why it was advisable that the One Newark Plan not go forward. And we knew that was advised by a lot of different people. And if I have to

subpoena that stuff, eventually I will -- but I'm not going to get into that right now -- because I think someone needs to go in there and take a look.

But can you tell me -- is there any measurement anywhere you believe we can measure? Because there's no way of dealing with this measurement, and shifting schools, and doing Renew Schools, and all the kinds of things you're doing if you're not going to deal with those variables that are in that community. And that becomes important.

And (indiscernible) message, I don't know. But parents don't know what a high-achieving school really is. The way it's promulgated, is that -- it's framing. It's the framing that the privatization movement uses as part of their strategy -- and I can document that. You say that public schools are bad, and then what happens is people who hear *public schools* -- they think *bad*, even though it may be a good school they think *bad*. Government is *bad* -- they think *bad*.

So you say, "Okay, you can go to the public school or the charter school." But then you come back and tell us that charter schools are public schools. But when you sell it, it's public schools *or* charter schools, and all the documents that come in -- it's claiming these charter schools are very wonderful, and most fail throughout the country.

Anyway, people's mindset is that that's a better location. They don't know what a good achieving school is; they don't know that the school right across the street from them, where the kids have been gang banging outside, is one of the highest performing schools around. They don't know that.

So how do you address that, where we can take away this myth, and parents will know what's a high-achieving school? Because when you

talk *charter*, you keep talking the same schools. In Newark, when you talk charters, we keep hearing about TEAM -- they're buying more land. And we're going to get into this property stuff in a moment. Then we hear about North Star; but TEAM more so, for special reasons. But you don't hear about the schools that the Fredrica Beys have; we hear about problems they have, but not about what the school is doing. We don't hear about the Marion Thomases and how they're really performing, or the Libertys, etc. Some of them should have been shut down, but they got funded anyway.

And then we wind up with politicians on stage next to some of the people in these churches who oversee these schools; and they're never looked at where they should be looked at and handled, Commissioner.

So tell me -- how do we get a message to the folks as to what's high achieving? And then the question is going to become -- going back to the Assemblywoman and the Senator -- how do we get our kids there?

SUPERINTENDENT ANDERSON: Well, two things. One, I mean, we do have a marketing plan. I think -- I believe that we can have excellent traditional schools alongside charters. There were a lot of people who thought Newark should go the route of New Orleans; I didn't agree with that, and I didn't agree to that. I believe that we can compete and have great public schools of all varieties, and that is my passion.

So the first piece is, we do have a marketing plan. And I'll tell you, it's not helped by reports-- Families on the ground are excited about Renew Schools. Enrollment in places like Camden Elementary is up for the first time in a very long time. And so one thing is, we do have a marketing plan; it's been challenging, and I hope we can work together on this. When people suggest that places like Camden and 13th aren't better off, a) I don't

think that's true; and *b*) it doesn't help our cause to say that we can't fight back and win. I think that traditional schools can. I believe in it. And I believe that schools that have collective bargaining agreements can compete and win. That's my passion.

So the first thing is, I hope we work together on that, because the fact that the folks who are not excited about the charter movement spend a great deal of time talking about how our schools haven't gotten better -- which is inaccurate -- isn't helping us get out of this self-fulfilling prophecy that you're describing. So that's one thing.

In terms of measurement -- we've offered our best option on that, which you can see on our website. And they're called Family Friendly Snapshots. We've worked with -- we had an advisory group of parents, we previewed it at our Title I family conference. It basically allows you to look at schools, and it takes into account three things: Number one, it takes into account student need. So we categorize the schools according to poverty level, etc., so that you're not comparing apples to oranges. The second thing it does is it looks at growth. So we took-- The State did a wonderful thing in giving us the SGP so we can look at how kids are progressing. And the third thing it does is it has a high focus on mobility. Because if you have a 100 percent of your kids reading at grade level, but you did that by turning over 20 percent of your student body -- that's not a victory. So our snapshots focus on need, they focus on growth, and they focus on mobility. And we believe that those are important measures that will start to change the conversation and level the playing field. And that's different than just talking about percent proficient -- which I believe is going to keep us in that spiral that you're talking about.

I would like to see a level playing field. I would like us to be the first system to show that -- that we can have excellent schools of all flavors; and that we're not going to tolerate failure, whether its in a charter or a traditional school. And I think we can do that.

SENATOR RICE: Can you send us the methodology you used to get to your conclusions and things of that magnitude?

SUPERINTENDENT ANDERSON: Sure.

SENATOR RICE: Because there are some of us who are academically intelligent as well as have common sense. And we know that methodology is important, because methodology makes assumptions when you go into these hypothetical situations. And I know people like myself -- we understand how that works. We can read for ourselves.

SUPERINTENDENT ANDERSON: Sure.

SENATOR RICE: One other question before we shift to the Pink Hula Hoop stuff.

The enrollment team structure for this -- with the MOUs and stuff of that magnitude; I guess that's what the enrollment team is for, right?

SUPERINTENDENT ANDERSON: I'm sorry?

SENATOR RICE: The staffing that's an enrollment team -- that I think another person is going to be hired -- when we started the deal with the MOUs and the LEAs and stuff like that. In other words, you have here \$115,000 for Gabrielle Ramos, who is the Executive Director of Student Enrollment.

SUPERINTENDENT ANDERSON: Yes.

SENATOR RICE: And you have these other folks here -- who's paying for that?

SUPERINTENDENT ANDERSON: So the Enrollment Team is the Newark Public Schools' Enrollment Team -- which, pretty much, every district in the country has. We do.

SENATOR RICE: Yes, my question is--

SUPERINTENDENT ANDERSON: We're the system administrator for Newark Public Schools.

SENATOR RICE: I've got people with an 80 percent increase-- I have a salary here for a person who was formerly making \$75,000; she now makes \$135,000 -- which is a \$60,000 increase, which is 80 percent. That's on the list here. This is your staff and your team, allegedly.

But then in the meanwhile, I have another team here with a Gabrielle Ramos making \$115,000; I have a Lauren Buller, \$95,000; and two others; and I believe there's going to be an additional hire -- if you didn't hire yet -- analyst.

What do they do, because didn't we get rid of people who were supposed to address enrollment and counseling and stuff like that?

SUPERINTENDENT ANDERSON: I mean, again, I offered earlier to share our cabinet structure and how it compares to other similar-sized districts. The team that you're describing doesn't just do enrollment; but a big function they have is enrollment. And most systems of our size have a team of people who conduct enrollment and are charged with really serious student ID issues, and--

SENATOR RICE: Okay, all right. So once again, do just what you said. You send us a breakdown -- and don't complicate it, now, because

we don't like complication -- of these teams and who's making what, and what they do besides what you claim they are doing.

But also, don't forget to send us a list of all these consultants, because a lot of money is passing through our District by way of consultants -- that we never really got in-depth on the discussion with. And I think you know that, Commissioner, and that needs to be looked into. We're going to have that conversation again.

The Assemblywoman has a question to add to mine.

ASSEMBLYWOMAN JASEY: I think another part of that question is, what's the source of payment? Is it the Newark Public Schools, or is it some other entity?

COMMISSIONER HESPE: Yes, we'll break that out.

ASSEMBLYWOMAN JASEY: Thank you.

SENATOR RICE: Okay.

Let me move over to Pink Hula Hoop.

Oh, I'm sorry; yes, Assemblywoman.

ASSEMBLYWOMAN DeCROCE: I have a question.

I'm kind of where he was at, but shifting a little bit here. Initially, when I came into the Legislature and I was in a hearing, we had a Board of Education member here from Newark who spoke before us. And part of the problem that was presented to us was that the communication between you and the Board of Education -- there was a problem; that you didn't meet with them. And one of the questions that came about was, well, when you came into the meeting -- or if you went into the meeting -- there was a lot of background that people were unhappy, so it was hard to get dialogue to take place.

I have to say, both Chairs have been very good today controlling conversations taking place here.

My question at that time was, to the Board of Ed member, have you ever gone into executive session with the Superintendent to discuss personnel issues and matters, so that the Board itself could discuss some of the problems and get to the center of what was taking place and what needed to be done -- so that they could get to know you that way, in a surrounding where conversation could take place? Has that ever happened?

SUPERINTENDENT ANDERSON: Definitely. There's a lot of work that happens outside of the confines of the one public meeting, of course, that happens every month, right? There are committees, there's e-mails, there's--

ASSEMBLYWOMAN DeCROCE: I'm not talking about committees.

SUPERINTENDENT ANDERSON: You're talking about executive session? Absolutely.

ASSEMBLYWOMAN DeCROCE: I'm talking about--

SUPERINTENDENT ANDERSON: Absolutely.

ASSEMBLYWOMAN DeCROCE: --when there's a Board of Ed meeting--

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN DeCROCE: --and the entire Board has convened--

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN DeCROCE: --if they adjourn into executive session to take you in to discuss issues that have concerns--

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN DeCROCE: --so that they can understand some of the problems. Has that taken place?

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYWOMAN DeCROCE: Okay, thank you.

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN PINTOR MARIN: Superintendent, when was the last time you participated in a Board meeting?

SUPERINTENDENT ANDERSON: In a public Board meeting?

ASSEMBLYWOMAN PINTOR MARIN: Both -- business and public. Because those are usually your two meetings a month.

SUPERINTENDENT ANDERSON: I don't know, I would have to look. The public meeting I haven't been to in quite some time; the business meeting, there have been a couple that I have missed.

ASSEMBLYWOMAN PINTOR MARIN: I mean, when we sit here, we're talking about families, and dialogue, and buying into Renew Schools, and community meetings. And I feel that if I was a Superintendent, just like when I first came to the Legislature, I made myself available to looking across the aisle, and to sitting here, and at times listening to colleagues say what they feel. And I might feel that I disagree with them. But at least I show up, I go-- Don't you feel that if you're the Superintendent of the largest district, and you're imposing some great changes, some plans -- you're really just remodeling every-- Don't you think that one of the first things as, at times, controversial, as heated-- Don't you think it's one of the most important things to participate in a Board of Ed

meeting, when it's a forum for parents, for Board members, for students -- anyone and everyone participate?

SUPERINTENDENT ANDERSON: I absolutely -- absolutely spend a great deal of time, as you know, in all kinds of dialogues -- including with folks who don't agree with me --- Board members and family members.

ASSEMBLYWOMAN PINTOR MARIN: But I'm talking about public meetings.

SUPERINTENDENT ANDERSON: Right. And I'm saying that I have actually-- My communication around that, which I understand-- The public meetings had gotten to a point -- and I understand that there's a disagreement here -- that felt as if we were making no progress on the issues, good, bad, or hard; none.

ASSEMBLYWOMAN PINTOR MARIN: And just--

SUPERINTENDENT ANDERSON: And so-- If I may; if you ask the question I would love to be allowed to answer it. I think any meeting, as Assemblywoman Oliver pointed out, is going to have controversy, it's going to have disagreements, it's going to have people leveling personal attacks. That's part of the job; I agree 100 percent. My experience has been, in Newark and otherwise, that that's a small percentage, and most people want to have a conversation. It doesn't have to be easy. And that, I think, is extremely productive. When it became-- Extremely productive, including when people vehemently disagree with my point of view. And listening to that is critical to doing my job.

My concern in the public meetings has been -- when the ratio becomes 90 percent about everything but the task at hand, and when there

is literally almost zero decorum, than that, to me, feels like it's not a productive conversation and it really isn't honoring of the residents.

But I respectfully enter into the record that having rigorous conversations where I listen and hear people who disagree with me is absolutely part of my job. I just -- that particular meeting had gotten to a point where that sort of exchange of views on content -- good, bad, or ugly, like I said -- was not happening.

The Commissioner and I have worked closely with this Board administration to hammer out a fiscal transition plan that includes Board development and my own participation. And I have been following that plan. And I spend a good chunk of time with our team making sure that we try to communicate as much as possible with our Board members, whose opinions I do respect deeply.

ASSEMBLYWOMAN PINTOR MARIN: But I think that you-- I just don't understand how-- A Superintendent in any other school district will go to the meetings -- no matter what it is. I sat through Board meetings, as you know, where there were 600, 700 people out there.

SUPERINTENDENT ANDERSON: And so have I, as you know.

ASSEMBLYWOMAN PINTOR MARIN: And I think that it would be--

SENATOR RICE: You're getting paid.

ASSEMBLYWOMAN PINTOR MARIN: Right. And as I sat there, it was my diligence -- it was my oath that I took to comply with what was there. And it is two meetings per month that you sit through. It is two meetings that there are people who sign up ahead of time; there are two

meetings that you fully execute and say what your plan is. Whether it's a little loud, whether you have to take people out, whether it is-- It is part of your job as being Superintendent of the largest school district, in the midst of such controversy, for you to attend a Board meeting. That is where the most fundamental pieces of the puzzle can be put together.

It is about buy-ins; it is about-- You talk-- We're here all the time; we're talking about, "Oh, people don't like this," or "People aren't happy," "Families are not--" And you're saying one thing, and this is what we're hearing -- but it all starts at the same level. It all starts about what your plan is -- buying in. You have to make these community families buy into whatever you're trying to sell them. And that's the main problem. There is no sell factor for Newark Public Schools.

SENATOR RICE: Assemblywoman.

You understand there is a lot of frustration up here. And not just from people from the District; our colleagues on both sides, who are paying attention, who never see a New Jersey public education system function like this in any district. And so you need to respond.

Let's go over here. What I want to ask you--

ASSEMBLYMAN CAPUTO: One thing; one little one.

SENATOR RICE: Go ahead, and then we're going to do Pink Hula Hoop.

ASSEMBLYMAN CAPUTO: Commissioner -- Superintendent; we just promoted you.

Superintendent, you stated earlier in this testimony that there are no principals in the City of Newark who are in the rubber room, or whatever you call it. Am I correct?

SUPERINTENDENT ANDERSON: No, I didn't say that. I said there is no rubber room.

ASSEMBLYMAN CAPUTO: There is no rubber room.

SUPERINTENDENT ANDERSON: And that people can be assigned to Central Office pending the results of investigation.

ASSEMBLYMAN CAPUTO: They *can* be, but they're--

SUPERINTENDENT ANDERSON: They can be

ASSEMBLYMAN CAPUTO: But they're not.

SUPERINTENDENT ANDERSON: No, I didn't say that. I said there's not a rubber room where they're--

ASSEMBLYMAN CAPUTO: But some of them are not. In fact--

SUPERINTENDENT ANDERSON: Yes.

ASSEMBLYMAN CAPUTO: Do we have anybody here who is in the rubber room? Stand up.

There's a Principal who says he's in the rubber room.

ASSEMBLYWOMAN OLIVER: There are two.

ASSEMBLYMAN CAPUTO: That's contrary to what you're telling us.

SUPERINTENDENT ANDERSON: So I'm obviously not going to get into personal (*sic*) matters. It's not contrary, so let me be clear. Because I--

ASSEMBLYMAN CAPUTO: Well, it's in conflict--

SUPERINTENDENT ANDERSON: No, let me clear, because I take my integrity very seriously.

What I said was there is no rubber room, right?

ASSEMBLYMAN CAPUTO: Where--

SUPERINTENDENT ANDERSON: The rubber room --
excuse me, sir; please.

ASSEMBLYMAN CAPUTO: Sure.

SUPERINTENDENT ANDERSON: This is very important.

The rubber room in New York was an actual location -- a large
location where hundreds of individuals reported--

ASSEMBLYMAN CAPUTO: Well, where are these principals
without schools? Where are they?

SUPERINTENDENT ANDERSON: People are reassigned to
Central locations--

ASSEMBLYMAN CAPUTO: Where are they?

SUPERINTENDENT ANDERSON: --depending on the
department, and depending -- that's commensurate with their resources.

ASSEMBLYMAN CAPUTO: Are they in schools? Are they all
in schools?

SUPERINTENDENT ANDERSON: The vast majority are.

ASSEMBLYMAN CAPUTO: No, no.

SUPERINTENDENT ANDERSON: The vast majority--

ASSEMBLYMAN CAPUTO: Are they all in schools?

SUPERINTENDENT ANDERSON: No, sir. The vast
majority are.

ASSEMBLYMAN CAPUTO: Where are the ones who are not
in schools?

SUPERINTENDENT ANDERSON: It depends on their
license.

ASSEMBLYMAN CAPUTO: Where are they?

SUPERINTENDENT ANDERSON: It depends on their license, sir, and it depends on--

ASSEMBLYMAN CAPUTO: If they're not in schools, where are they?

SUPERINTENDENT ANDERSON: It depends on their license, and it depends on the reason why they've been reassigned to Central Office.

ASSEMBLYMAN CAPUTO: Well, that's the key.

SUPERINTENDENT ANDERSON: So people--

ASSEMBLYMAN CAPUTO: They're at Central Office.

SUPERINTENDENT ANDERSON: No, it depends, it depends, sir. It depends.

ASSEMBLYMAN CAPUTO: Well, some of them are at Central Office.

SENATOR RICE: Assemblyman.

SUPERINTENDENT ANDERSON: May I clarify, please? Because this is important, and I just want to make sure that we don't go into personnel matters. But it is important for the purposes of integrity.

What I'm trying to communicate is this. In any big system, the Superintendent has the right and the responsibility to remove individuals pending the results of an investigation or to remove individuals if there are concerns. Some of those individuals -- a small number -- are not in schools and they're not doing any work related to schools because of concerns.

Hang on.

The vast majority are in schools, even if they were not selected. And others are in Central Office serving in different administrative capacities or teaching capacities.

ASSEMBLYMAN CAPUTO: Cami, I understand what you're saying, but that's not the impression you gave this Committee.

Now, you see, as we keep asking questions, different responses come out that leave the first impression completely erroneous to what you're saying now.

SUPERINTENDENT ANDERSON: The vast majority--
Respectfully, sir--

ASSEMBLYMAN CAPUTO: I mean, we need--

SENATOR RICE: Here we are-- Through the Chair, now; the Chair is taking prerogative here.

I think the question was raised before to provide that information.

SUPERINTENDENT ANDERSON: Yes.

SENATOR RICE: Let me raise it again. If X number of people are removed from the system, it is clearly clear to us that you know who they are.

SUPERINTENDENT ANDERSON: Yes; I'll provide that.

SENATOR RICE: And you also know where they are.

SUPERINTENDENT ANDERSON: Absolutely.

SENATOR RICE: And so we want a list of who they are, and where they are, and what they are doing.

SUPERINTENDENT ANDERSON: Not a problem.

SENATOR RICE: Okay; period.

SUPERINTENDENT ANDERSON: Fine.

SENATOR RICE: Commissioner, you got that?

COMMISSIONER HESPE: We have that, Senator.

SENATOR RICE: Because I know what's going to happen. We're not talking about a personnel matter; we're not talking litigations. So don't try to throw that stuff at us. You can bring the Attorney General in, because I know you are all good for that. But the reality is that someone has to give us the responses. Because there is an integrity problem, and there is a credibility problem in the City of Newark, the largest district, whether you like it or not. And sometimes when there is a serious integrity problem and credibility problem, sometime you can't just fix it; it's just too far gone.

But let's talk about Pink Hula Hoop right now, okay? That's what we're going to talk about.

So first of all, Superintendent, could you tell us about the sale of the 18th Avenue School building? Because there's been a lot of discussion in the community, for those who may not know. I believe that the media has spoken about it -- probably the best article was done by the Braun's *Ledger*; and that information from us, who actually lives in the District with other folks.

Can you tell us about this sale, and the relationships -- what you know about the relationships? How did it wind up with Pink Hula Hoop?

SUPERINTENDENT ANDERSON: I can certainly tell you about the rationale from the District standpoint, and the process that we followed.

We have an excess capacity. We have more buildings than we have students. That challenge has created an increasing fiscal strain on the District. And 18th Avenue was contemplated to be closed several times before my arrival, for three reasons: number one, declining enrollment; number two, performance; and number three, the quality and the condition of the building.

It had been looked into several times. Our Administration estimated that it would cost about \$8 million to conduct improvements and about \$21 million in what we call FICA replacement costs. It cost us about \$600,000 a year to run the school when it was occupied with enrollment that was headed south of 500; and about \$180,000 to keep it vacant. This is true in a number of buildings in our District. And so we have disrepair, under-enrollment, and that puts a huge fiscal strain to keep every building open with smaller and smaller numbers of students, with lots of fiscal legal liability.

So we thought the facility was irreparable by NPS, given the amount of money that it would have taken to bring it to standard. We felt that we should conduct a fair and transparent process to begin to address some of the concerns that come along with vacant buildings, or dwindling buildings -- which we did. We posted it, we reached out to other educational institutions. We received a bid, and we got fair market value.

The commitment that I made when I started this work was that when it came to charters that we would always, when it came to leases and sales, get fair market value -- some of our buildings are more valuable than others, given their disrepair -- and that we would do so by the book, which we did -- posted, reached out to various organizations. We received

one bid and we ended up closing with a price that was very competitive to fair market value. Some would argue we got more than we deserved; others, less; but certainly within the zone of what would be considered fair market value, especially considering the building had \$8 million worth of repairs and over close to \$1 million of environmental remediation that needed to happen, that we were going to have to start doing soon.

And we know that the statute requires it to be under educational use, so we, of course, did due diligence about the Friends of TEAM and the sort of commitment and track record they have in the community.

So bottom line -- when it came to that, number one, it was a drain and cost-prohibitive to the District; number two, we conducted a fair and transparent process, by the book; number three, we actually got a solid amount of money for it, and definitely within the realm of fair market value; and number four, we ensured that the sale was within statute according to educational use, with an institution and an organization that has a track record in Newark.

SENATOR RICE: Can you send us a list of the “people you reached out to?”

SUPERINTENDENT ANDERSON: Sure.

SENATOR RICE: And the timeframe that they were reached out?

SUPERINTENDENT ANDERSON: Yes.

SENATOR RICE: In terms of making certain-- And what newspapers, and dates that this stuff was advertised, as to the use?

SUPERINTENDENT ANDERSON: Yes, sir.

SENATOR RICE: Because there are those of us -- and myself, in particular-- I've looked at a lot of documents that are public record, and it seems to me that this is a very complicated or complex deal that was -- in the way it was sold. And there was no way that certain people could respond if they had an interest, the way it was done. And so there are a lot of questions that are germane to this.

Do you happen to know -- I guess, by now you do -- but Timothy Carden, and Hannah Richman, and I know you know Commissioner Cerf -- and maybe Ms. Rosen. Do you know those folks?

SUPERINTENDENT ANDERSON: Yes.

SENATOR RICE: Okay.

SUPERINTENDENT ANDERSON: I'm not sure if I know the second person, actually.

SENATOR RICE: You're not sure you know who?

SUPERINTENDENT ANDERSON: I'm not sure I know the second person.

SENATOR RICE: Hannah Richman? Okay.

Well, let me ask you a question. Do you know about the relationships with these people, and TEAM, and KIPP Pride 2, and the sale of the building -- in terms of their business relationships, versus the nonprofits?

SUPERINTENDENT ANDERSON: Senator, what I can tell is that the process we conducted was based on the four things that I shared with you. The decisions that we underwent had to do with fiscal and legal liabilities; they had to do with trying to make sure that we were doing the

right thing for kids; a transparent process -- and that's how we conducted the 18th Avenue sale.

SENATOR RICE: Did you have any conversation with Timothy Carden or any of those parties or principles prior to this 18th Avenue sale or bids going out?

SUPERINTENDENT ANDERSON: When it comes to the sale of any buildings, we're bound to procurement processes just like anyone, and we knew that it was extremely important to follow them in this case. And the fact that we got fair market value should tell you that we stuck to-- My core principles around space -- which I've been on the record saying and I've stuck to -- had to do with two things: one, fair market value -- and all of our leases and this sale upheld that; and two, a transparent process in accordance with policy. And we have done both.

SENATOR RICE: Do you know whether or not Newark Public Schools got permission to close 18th Avenue from the Essex County Superintendent of Schools? That's before it was closed, at the end of 2011-2012, because that's required.

SUPERINTENDENT ANDERSON: Yes--

SENATOR RICE: Because I've been trying to get that in writing, and it seems as though, if it is, no one wants to share that.

SUPERINTENDENT ANDERSON: Yes, and we can provide that.

SENATOR RICE: And it was (indiscernible) no longer use for, okay?

And let me just go back. So prior to May 13, 2013 -- which is when the Newark Public Schools actually advertised the sale of the 18th

Avenue School -- did the Newark Public Schools unofficially inform other charter schools or corporate entities of an intention to sell that property during that period of time?

SUPERINTENDENT ANDERSON: So we can provide you with a timeline of outreach. The school had been vacant for quite some time, and that particular school's closure had been contemplated multiple times, even prior to my arrival, for a host of reasons.

So the notion of 18th, and the significant disrepair of the building as well as the enrollment challenges, are pretty well documented for quite some time.

SENATOR RICE: Were you aware, or your team -- I suspect you have consultants or someone -- staff -- working with you. Were you aware of the fact that the 18th Avenue School, prior to the sale of that -- that Timothy Carden had an interest in it, and corporations -- one by the name of Kingston Educational Holdings -- but he also had an interest in the TEAM Charter School and Friends of TEAM Charter School?

SUPERINTENDENT ANDERSON: I mean, again, Senator, my job and my--

SENATOR RICE: My question is, did you know that?

SUPERINTENDENT ANDERSON: My responsibility is to make decisions based on the four things I said. That would not have any impact--

SENATOR RICE: Would your legal team know that? Someone had to do a search on the property, or read whatever documents there.

SUPERINTENDENT ANDERSON: I can inquire--

SENATOR RICE: Okay.

SUPERINTENDENT ANDERSON: But again, our commitment was to--

SENATOR RICE: I hear you.

SUPERINTENDENT ANDERSON: --uphold the processes.

SENATOR RICE: I hear you; I just want to make sure it stays on record the way you're saying it, okay?

Okay.

When the bids were advertised to sell 18th Avenue School on May 15, 2013, had either the former Commissioner of Education Cerf or the Essex County Superintendent given permission to you to actually sell or lease that property? Because the question was, was it done before and we couldn't find documents for it?

COMMISSIONER HESPE: Yes, the Department actually approved both the long-range facility plan and the selling of that property -- the closure of that property. So we did that. We can get you that documentation; I'm a little surprised that you weren't able to get it, Senator.

SENATOR RICE: That was 2013; yes, 2013.

COMMISSIONER HESPE: In the-- Yes.

SENATOR RICE: But there was movement on the building--

COMMISSIONER HESPE: For School 18; right.

SENATOR RICE: Yes, but the building closed prior to that.

COMMISSIONER HESPE: I'm not--

SENATOR RICE: And it had to have permission to do that.

COMMISSIONER HESPE: We did approve the closure of that school and the sale of that school.

SENATOR RICE: And I want all the permission-- Get -- through the Committee -- all of the dates, times, documents, signatures of who approved what, what Commissioner at the County, the State, etc.

COMMISSIONER HESPE: Okay.

SENATOR RICE: On all those dates.

COMMISSIONER HESPE: That is available; we did check into that. So I know that was done.

SENATOR RICE: Right. And don't be backdating anything.

COMMISSIONER HESPE: We would never do that, Senator.
(laughter)

SENATOR RICE: Yes, sure -- tell me everything. I've been around a long time, okay?

COMMISSIONER HESPE: So have I, Senator. I have never seen that.

SENATOR RICE: Now, let me ask you this, Superintendent Anderson. Do you think the time between the resolution to sell 18th Avenue School -- which was May 13, 2013 -- and the receipt of the bids -- which was May 29, 2013 -- was adequate notice to bidders to review the bids and to do due diligence on the property for the purpose of making the bid?

SUPERINTENDENT ANDERSON: Again, we followed the 20-day piece that is required. The building, and the notion that it was vacant and available, was known for-- The building was vacant for over a

year. Our outreach was extensive; we can provide you with documentation of that.

SENATOR RICE: Okay. Did you receive, or people on your staff or office -- pursuant to the bid format that was set up -- the financial statements of Friends of TEAM Charter School, and did you review them to ascertain if the Friends of TEAM Charter School had a financial qualification to purchase 18th Avenue School? Because I can't find any documents on that. I can track a lot of stuff, and I have a lot of stuff I've tracked, but we can't find that information.

SUPERINTENDENT ANDERSON: Well, with regard to the specifics of the actual sale and all the due diligence that was done-- Again, my role is to make sure that we're following the transparency principles, that we're making decisions that are fiscally sound.

SENATOR RICE: Yes, that's not my question. My question is--

SUPERINTENDENT ANDERSON: And so our--

SENATOR RICE: --following-- Now, hang on. Through the Chair.

My question-- Yes, follow the transparency process. But I'm talking about accountability as well, and what you know and don't know.

And the question was whether or not you received, pursuant to the bid format, financial statements -- like you require in a lot of transactions, like when you're closing -- financial statements of Friends of TEAM Charter School, and whether or not you reviewed them to ascertain if the Friends of TEAM Charter School had the financial qualification to purchase 18th Avenue School, which was required.

SUPERINTENDENT ANDERSON: Right. And what I was going to say is that once it got down to the specifics that are required during closing, we were represented by counsel, they were represented by counsel. And there are a great deal of minutia and action steps that occurred after my obligation to ensure that we were making good decisions.

So a great deal of work occurred, just like in most transactions -- lawyer to lawyer -- to which I was not personally involved. My role was to ensure that we were following the processes set forth, and that we were making the decisions for the kids of Newark -- and following protocol.

SENATOR RICE: Okay. Let me go back and ask this question again and add another entity to it now, okay?

Were you and your team aware-- It seems to me your lawyer should be telling you everything; hopefully, something you remember. But did you know, or your team know that Timothy Carden had an interest in Kingston Educational Holdings -- which I mentioned before -- TEAM Charter School, Friends of TEAM Academy; but then another corporation, that was shortly incorporated, known as Pink Hula Hoop? Were you aware of that?

SUPERINTENDENT ANDERSON: Senator Rice--

SENATOR RICE: Yes.

SUPERINTENDENT ANDERSON: --my role was to make sure that we were following the transparent process--

SENATOR RICE: Okay; that's like pleading the Fifth, okay?

ASSEMBLYWOMAN OLIVER: Right.

SENATOR RICE: Somebody should know.

Well, here's the deal, okay? Through the Chair, send us-- The transaction is public information.

SUPERINTENDENT ANDERSON: Yes.

SENATOR RICE: And someone needs to send us all the documents that are required by the biz specs, all the transactions -- the contracts that were done, etc. Because it's obvious that something is not right here, and that's the concern that we have with the integrity of our District and the things that are going on that are being ignored.

And I also find it very interesting that the Attorney General doesn't want to look into it, from the State side, and we haven't gotten an audit yet, Commissioner. And that's why I was telling you, Assemblyman Caputo, that I'm not sure if we're going to get what we need to get our District back in shape.

And nobody's trying to do harm to anybody, but these kids are losing and suffering up there. And my conversation with the Senate President was clear and still clear. Someone needs to answer these questions to us, because we have fiduciary responsibility by statute. And someone needs to go into there and audit the District. If we can look at a bunch of cars getting jammed up on a bridge -- and that's all we were looking at -- but it winds up leading to something much worse; which I'm concerned about. Don't tell me that our kids in our District, just because it's Newark -- it's Newark today, and Jersey City tomorrow, and Paterson, Camden the next day -- that it doesn't warrant an independent, subjective, and objective look. And so I'm not going to even--

COMMISSIONER HESPE: Clearly, Senator, that's what we're here to do. And as we approach our fifth hour, we've been doing this. And we have probably a hundred question we're going to answer.

SENATOR RICE: Now, hang on; hang on a moment.

COMMISSIONER HESPE: So I think the dialogue back and forth, and information is pretty great here, Senator.

SENATOR RICE: Commissioner, hang on a moment. Commissioner, you're coming through the Chair. You've been here long enough -- you're coming through the Chair. Hang on.

COMMISSIONER HESPE: Will do.

SENATOR RICE: The reason why I'm cutting the questions off -- because I'm going to send this list to you again. And since you opened your mouth, and I told you I wasn't trying to get you involved in stuff that she needed to be answering, let me say this to you.

COMMISSIONER HESPE: I am here, Senator.

SENATOR RICE: Let me say this to you, okay?

I sent you, as the Acting Commissioner, a letter raising these concerns. And I sent it to every State Senator and Assemblyperson, raising these concerns and requesting, respectfully, answers to the questions which we're entitled to by law.

COMMISSIONER HESPE: Right.

SENATOR RICE: And nothing happened.

COMMISSIONER HESPE: I believe we did respond to part of that.

SENATOR RICE: Then when I spoke to you verbally on it, you told me, "You didn't get answers yet? I thought that the

Superintendent was answering.” I said, “No.” You said you would make it happen. It did not happen until this date. Just like we could not get a conversation, or anyone to get the Superintendent before this Committee until this date -- when I asked for subpoena power. And that’s why I’m not letting that power go without a fight, if we don’t get answers.

COMMISSIONER HESPE: And that’s what we’re trying to do today, Senator.

SENATOR RICE: And I will go to whatever authority I have to make sure that we get answers; because either it’s right or it’s wrong. And I’m being honest about that.

And then I sent a letter, August 27, 2014, since I couldn’t get anything from you -- and I didn’t mean to bring you into this -- I sent it to the Honorable John J. Hoffman, Acting Attorney General; and it went to the Honorable Marc Larkins, who is independent -- he’s the State Controller -- requesting that they go into that District and investigate what’s going on there based on all these different allegations, from One Newark, as well as Pink Hula Hoop, and to give us a fiscal forensic audit on that District.

COMMISSIONER HESPE: And I guess--

SENATOR RICE: And that has not happened. And I’m saying to this Committee -- whether you support me or not -- I’m going to continue to ask for that, because it has to be independent because I don’t believe that the new Commissioner has the wherewithal -- maybe the will -- but the wherewithal or even the fortitude to do it right.

COMMISSIONER HESPE: Well, Senator, let me just say--

SENATOR RICE: So I'm going to just leave it. We'll send you those questions.

COMMISSIONER HESPE: Well, Senator, I do think you should allow me the opportunity to respond to that.

SENATOR RICE: Yes, you can respond.

COMMISSIONER HESPE: I think over the last five hours we've demonstrated that we want to have this dialogue with you. We're not shirking away from our responsibility to answer your questions.

SENATOR RICE: You did for a whole year.

COMMISSIONER HESPE: We've agreed to answer at least 50 additional questions. And we will keep this conversation going, Senator, because we do think the Joint Committee needs information. This is very complicated material. I think in the last five hours we demonstrated how complicated these issues are, and it's going to take a lot of back-and-forth with information. But we've committed to doing that and, hopefully, over the last five hours you've seen our good faith effort to work with you on answering and getting you that information, Senator. I think we're-- This really was an effort on our part to get you the information you're looking for.

SENATOR RICE: Well, Commissioner, let me say I appreciate the effort. But I've been trying, along with others, to have this effort a year ago. It shouldn't have gotten this far -- that's number one, okay?

Number two -- let me just say this. The contract that she received, that was renewed -- from my perspective it shouldn't have been done; I had that conversation. Because I wanted to go before the Board, who has the responsibility-- The State Board has the responsibility. I'm

going to hold them accountable. Under the statute they have one; they have powers too.

COMMISSIONER HESPE: They do.

SENATOR RICE: They can't just rely on the Commissioner, and relationships. And I wanted to raise these questions before we renewed the contract. So if we're going to give a contract, at least we would have had answers, etc. It was not done. So I'm relying on you now, as the Commissioner, to give us responses. And none of this takes forever; it needs to be worked on, because everything that we're talking about should already be in the computer and documented. We closed 18th Avenue. Those documents-- They filed documents at the County. Whatever letters came from the State, approving or not approving, they should be there regardless of who signed them.

So yes, you have an opportunity-- And I'm glad you were here today. You know, I'm not happy the way you had to come in here, but the fact that you are here, and we'll expect you to come back -- both of you, if we have additional questions -- we'll have additional questions. So that's all I'm saying to you, okay?

COMMISSIONER HESPE: But Senator, we're--

SENATOR RICE: I'm going to turn this over to the Co-Chair now.

COMMISSIONER HESPE: Okay.

SENATOR RICE: Because my members have some questions.

ASSEMBLYWOMAN JASEY: Thank you, Senator Rice.

I'm going to ask Speaker Oliver if she would like to finish up, and then if there are additional questions beyond that, I think we might need to take a break. So members, think about that, all right?

COMMISSIONER HESPE: Assemblywoman, I think we are just about at the end of our time on this. And given that we have 50-- Maybe we could just add the additional questions to that list of questions we have to get back? This is going to be a relationship that's going to be exchanged.

ASSEMBLYWOMAN OLIVER: Excuse me, Commissioner.

COMMISSIONER HESPE: I'm sorry.

ASSEMBLYWOMAN OLIVER: The Chair has recognized me.

COMMISSIONER HESPE: Okay; my apologies, Assemblywoman.

ASSEMBLYWOMAN OLIVER: Right.

COMMISSIONER HESPE: Right.

ASSEMBLYWOMAN OLIVER: This is our process.

And let me say this to you, Commissioner Hesse--

COMMISSIONER HESPE: Sure, Assemblywoman.

ASSEMBLYWOMAN OLIVER: -- and to you, Superintendent Anderson. If you are feeling angst, I always say walk in the other person's shoes. And we have sought to have discussions with the State-appointed Superintendent, with the Commissioner, and the Commissioner who preceded you. This represents, today, the first opportunity the members of the Joint Committee on the Public Schools have been given the respect as a Joint Legislative Committee to exchange with you.

So when you are feeling angst that we've been here four hours, perhaps if, going back a year or a year-and-a-half ago, there had been responsiveness, we would not have had to be here for four hours. But the clock is irrelevant to me as an independent legislator; and I know it's irrelevant to other members as well. And it is irrelevant to the people we represent. We have a right to work, and we're here working today.

COMMISSIONER HESPE: My point, Assemblywoman, wasn't--

ASSEMBLYWOMAN OLIVER: So let me just put that on the record, and now let me just ask a couple of direct things.

And I will ask Commissioner -- I mean, I will ask Superintendent Anderson -- does 18th Avenue School represent the first time in modern NPS history that a school building has been sold?

SUPERINTENDENT ANDERSON: I do not know the answer to that question, but I believe there have been previous sales.

ASSEMBLYWOMAN OLIVER: All right. I would ask, respectfully, that you submit to this Committee an identification of property owned by the Newark Public Schools that have been sold in the past 10, 15 years -- or, quite frankly, during the period of time that it's been a State takeover district. And if you could identify what those buildings or facilities were, the cost at which they were sold, and who they were sold to. That's number one.

I think that the thing that makes this so contentious -- and we're going to gather information here -- is the fact that 20 days -- yes, that's the period by which our public contracting law says you have to do

your thing, etc., etc. We're concerned about public reporting of the opportunity to acquire and purchase a building.

Now, those of us who have been involved and engaged in government -- we know that there can be open processes under the public contracting law, and there can be subliminal, under-the-radar public bidding situations. But Senator Rice has asked for an identification of who the outreach was made to, who else knew about this prior to a public notice being on page 68 of the *Star-Ledger*. That's what we're asking here.

Now, the thing that is troubling for many of us with this transaction is the fact that we know that the District has developed a close working relationship with TEAM Charter School; we know that. We also know that there has been a history or a prototype of similar transactions -- in terms of the transference of assets of a school district to a private business entity -- because that's the Rosen model in the City of New York. We know that that has happened. And I'm sure when the Newark Public Schools decided to, maybe, go down this road, I'm sure there was discussion. I'm as sure as I was born on July 14 that discussion was had with cities that had done this in other places.

The Kingston Educational Holding -- to see them emerge, and subsequently see a corporation created within 24 hours end up being the owner and possessor of this property is what is troubling to many of us. And what is more troubling is that our New Jersey Economic Development Corporation ends up in the middle of the deal providing capital to some of the entities that are involved in this. And I would venture to say -- because I wasn't born yesterday -- I would venture to say that not every "stakeholder" who was outreached to was told on that phone call, "If you

have interest, perhaps the New Jersey Economic Development Authority can come to the table to help put the money together to make this happen for your organization.” That’s what we’re trying to get to the meat of. And trust me, nobody was born yesterday, okay? Nobody was born yesterday. That is what is troubling to us.

And I heard about under-enrollment, Superintendent, at 18th Avenue. I heard that there was a lot of work that needed to be done there. You needed new furniture and fixtures, FICA -- I heard all of that. But let me tell you, \$8 million worth of school improvements is a drop in a bucket. And I’ve observed a lot of appropriations to school districts around this state for emergency repairs, etc. So an \$8 million figure sure doesn’t make me bat an eye that that’s what it would take to bring that building into code.

The situation was -- and you said it earlier -- there’s great interest amongst parents; they want choice; there aren’t enough seats available. In my opinion, 18th Avenue School represented the opportunity to help TEAM grow and expand -- and I don’t have a problem with that. I have no issue with charter schools. I believe in choice as well. But what I do have an issue with is untoward advantage given to one educational operator or entity over and beyond another. And that is what is creating the angst amongst some of the members of this Committee.

If we’re going to be open, transparent, nobody’s hiding anything, all takers, everybody come to the table -- kumbaya -- let’s not cut side deals with business entities and people we have relationships with. And that is what makes Pink Hula Hoop stink. And we weren’t born yesterday.

ASSEMBLYWOMAN JASEY: Thank you, Speaker.

Are there any other questions from members? (no response)

All right. Seeing none, I would like to thank Superintendent Anderson for coming today; and I would like to thank Commissioner Hesper for doing that.

And what I would like to know as quickly as possible is -- you can give us a timeframe for giving us the answers to the many questions posed. And we will certainly provide you, in writing, any or all of the questions that were posed today.

COMMISSIONER HESPE: Assemblywoman, Senator, maybe if I could just spend a minute with you afterwards, we can establish a process for actually doing that?

ASSEMBLYWOMAN JASEY: All right, that's fine.

COMMISSIONER HESPE: So we're all on the same wavelength.

ASSEMBLYWOMAN JASEY: Yes, you can come forward and talk to our Executive Director.

COMMISSIONER HESPE: I'll come on back. All right, very good.

SUPERINTENDENT ANDERSON: Thank you very much for your time; I appreciate the opportunity. Thank you, Senator Rice, as well.

ASSEMBLYWOMAN JASEY: Thank you very much. Get home safely.

SUPERINTENDENT ANDERSON: Thank you.

(MEETNG CONCLUDED)