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# *Committee Meeting*

of

## JOINT COMMITTEE ON THE PUBLIC SCHOOLS

*“Invited guests will have the opportunity to speak on the topic of the One Newark Plan and other issues involving the Newark Public Schools”*

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

**DATE:** March 10, 2015  
10:00 a.m.

**MEMBERS OF COMMITTEE PRESENT:**

Senator Ronald L. Rice, Co-Chair  
Assemblywoman Mila M. Jasey, Co-Chair  
Assemblyman Ralph R. Caputo  
Assemblyman Benjie E. Wimberly  
Assemblyman David W. Wolfe



**ALSO PRESENT:**

Amy Tibbetts  
*Executive Director*

Rebecca Sapp  
*Executive Assistant*

*Meeting Recorded and Transcribed by*  
The Office of Legislative Services, Public Information Office,  
Hearing Unit, State House Annex, PO 068, Trenton, New Jersey

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**SENATE**

Hon. Ronald L. Rice  
Co-Chair

Hon. Diane B. Allen  
Hon. Nilsa Cruz-Perez  
Hon. Christopher "Kip" Bateman  
Hon. Linda R. Greenstein  
Hon. M. Teresa Ruiz  
Hon. Samuel D. Thompson

**ASSEMBLY**

Hon. Mila M. Jasey  
Co-Chair

Hon. Ralph R. Caputo  
Hon. Betty Lou DeCroce  
Hon. Sheila Y. Oliver  
Hon. Donna M. Simon  
Hon. Benjie E. Wimberly  
Hon. David W. Wolfe

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**MEETING NOTICE**

**TO: Members of the Joint Committee on the Public Schools**

**FROM: Senator Ronald L. Rice, Co-Chair  
Assemblywoman Mila M. Jasey, Co-Chair**

The Joint Committee on the Public Schools will hold a meeting on Tuesday, March 10, 2015 in Committee Room 11 on the Fourth Floor of the State House Annex, beginning at 10:00 a.m. Invited guests will have the opportunity to speak on the topic of the One Newark Plan and other issues involving the Newark Public Schools.

**The public may address comments and questions to Amy Tibbetts, Executive Director, at 609-847-3365, or by email at [Atibbetts@njleg.org](mailto:Atibbetts@njleg.org)**

Issued February 18, 2015

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**SENATOR RONALD L. RICE (Co-Chair):** Good morning. We're getting ready to get started, so I'm going to ask people to take their seats.

To the person next to you -- just turn and say, "Hello, good morning; good day." Introduce yourself.

First of all, good morning. My name is Ronald L. Rice, New Jersey State Senator, Co-Chair of the Joint Committee on the Public Schools. This is an official meeting of our Committee. I want to thank those of you who have come to this Committee meeting, and thank those of you who are going to be testifying or providing information to us.

I'll also give my members an opportunity to introduce themselves and say hello, as we always do. Many of our members aren't here today; this is a very busy time of the year for us. I know that Appropriations -- Budget and Appropriations, on the Senate side, is meeting up in Bergen County, and a couple of our members are on that Committee. I know that other things are happening in the districts. It's also an election year for the Assembly members of the Legislature, in both houses; and therefore there's always district business to be taken care of, etc.

But, on the record, I want everyone to know that. And we're taking testimony. The last meeting we had we invited Ms. Cami Anderson, who is the State-appointed Superintendent of the Newark Public Schools -- one of the take-over districts. Newark, as you know, has been taken over for over 20 years by the State -- which means that the failure of the kids not to learn is not the failure of the workers; it's really the failure of the State, since we dictate what happens up there. And we're trying to get answers to the new pathways and directions.

The same thing, as you know, is occurring in Paterson and Jersey City. Camden, New Jersey, is the newest take-over district, and I know that it's going to take some time before we take a look at that. We'll look at it, but it will take some time before there's even any consideration about a debate on local versus State control. And so I think that's important, for the record, and we'll remind you, every time we talk about Newark, or Jersey City, or Paterson, of the same history.

I also want to say to you that I took a delegation to the U.S. Department of Education in Washington, D.C., to Secretary Arlene Duncan's office and met with Congressman Payne and some people there. And we let them know that there are some real serious problems in New Jersey as education's being addressed, particularly in the urban communities and the take-over districts. That was really the focus -- the take-over districts. And to be quite frank, the target of the conversation was about Newark and the things that the State is not doing and, for some reason, refuses to do.

I know Assemblyman Wolfe can concur with me; we go back quite a few years. In the past if there were allegations made of mismanagement or allegations of any type, whether founded or not -- we didn't know -- we asked the State to go take a look and they would take a look. For some reason, we can't get the State to take a look or audit the books. And the greatest concern that I have personally -- as one of the Co-Chairs, and one who represents the district -- is that we're going to wind up reading the paper, and it's going to wind up being the North Bergens and the Hudson Counties, and the stuff that you see coming out -- the Menendez office, and the Bridgegates -- and this Committee is trying to

avoid that. We're just trying to figure out: are our dollars going to the classrooms, are workers and everybody being treated fairly, are the kids getting what's due them, etc. And so that's why this continuous meeting on Newark is important. We also set the groundwork for the other takeover districts, because once we can figure out what's happening here, it kind of let's us know what's happening in other districts -- because the actors come from the same group of Senators, if you will.

With that being said, we're going to, first of all, ask for a roll call.

MS. TIBBETTS (Executive Director): Senator Rice.

SENATOR RICE: Here.

MS. TIBBETTS: Assemblywoman Jasey.

ASSEMBLYWOMAN JASEY: Here.

MS. TIBBETTS: Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: Here.

MS. TIBBETTS: Assemblyman Wimberly.

ASSEMBLYMAN WIMBERLY: Here.

MS. TIBBETTS: Assemblyman Wolfe.

ASSEMBLYMAN WOLFE: Here.

SENATOR RICE: Okay. I'm going to ask my members to take a moment or two to say hello to you and make any comments they have. But naturally, we'll start with the Co-Chairlady, and then we'll rotate to my right to Assemblyman Wolfe, who's the former Chair of this Committee. And then we'll go to Assemblyman Wimberly; and any other member who comes in will have an opportunity to introduce themselves.

ASSEMBLYWOMAN JASEY: Thank you, Senator Rice.

And I want to first thank everyone who made the trip to Trenton today to testify. We're very much looking forward to your testimony.

I was privileged to accompany Senator Rice to Washington, D.C. And we will be following up with the people who we met with there to see if, in fact, they're able to uncover any Federal intersection of the issues that we talked about when we were there -- so that they would have jurisdiction.

If I may be allowed to, Senator Rice, I would like to read into the record a letter that I was given by the teachers at Science Park High School. I think it's important to put this on the record because I think they capture-- It's a picture of what's happening in Newark. It's specifically about PARCC, but I think it also touches on other issues.

So I'm going to read it quickly, with your permission.

SENATOR RICE: Sure.

ASSEMBLYWOMAN JASEY: Okay. And it starts, "To whoever will listen." (laughter)

"We are teachers at Science Park High School in Newark, New Jersey, and we are deeply disturbed by the 30 days of disruption being forced on our school. In the coming weeks, like the rest of New Jersey, we will be forced to administer the PARCC exam. We recently saw the schedule: Three weeks of testing in March, followed by three weeks of testing in May. This total does not include the additional week of make-up testing following each of the three-week periods. This total does not include the days of mandatory test prep to familiarize students with the exam's very specific computer interface. This total does not include the

thousands of hours of training of teachers and administrators to plan, schedule, and execute this exam.

“We honestly believe that the State of New Jersey, by forcing us to administer this time-devouring test, is engaged in behavior destructive to the educational well-being of our students. We believe that the 30 days of disruption could just as easily be called the 30 days of destruction.

“Science Park High School is a Blue Ribbon School. We, like many teachers in Newark and throughout New Jersey, have dedicated huge parts of our lives to making certain that our students receive an excellent education. We come in early, we stay late; we give up our weekends. We wouldn’t change our dedication because we love what we do. We love the students we teach. Our love forces us to say something.

“We do not believe that parents and Administrators who work for the State of New Jersey understand the destructive impact this testing will have on our ability to teach students. Some teachers will be removed from their classes for a week; the second week, that same teacher may not have any students because they are being tested. In the third week, they may have only partially filled classes. The disruption will continue with some students still absent from class during the fourth week of make-up exams. Then we have spring break. Three weeks of teaching in April, and in May we test for a second three-to-four week period. We say again: In May we test for a second, three-to-four week period.

“We value our time in the classroom with our students. Teachers are important to the educational process. It is wrong to stop the educational process for close to 17 percent of the year to administer an exam.

“We could talk about further objections -- like the use of a confusing computer interface, or the use of an exam that many highly educated and successful people have difficulty completing. But 30 days of testing is sufficiently outrageous and, we believe, indefensible.

“There are three questions the schedule raises that demand answers.” And then they go on to ask these questions. And I read this into the record because I think it’s important for us to understand that while we are exploring the impact of One Newark on the State take-over district, at the same time our teachers and students are experiencing what many across the state are experiencing. And I think-- I would suggest to this Committee that perhaps we want to take a look at the whole issue of standardized testing, how much time and resources are being spent to pursue this.

And they end the letter with, “We love teaching, we love our students. Our collective educational opinion is that PARCC’s 30 days of disruption is bad for our schools and bad for our children.” And I would concur with that.

So with that said, I look forward to hearing the testimony of the experts who are here today. And I look forward to this Committee getting some answers and perhaps coming to an agreement on a statement that we can make, after all these many hours of testimony, in terms of our recommendation to the State Department of Education about the State take-over, or otherwise known in some places as the *occupation*, of the districts of Newark, Paterson, and Jersey City.

Thank you.

SENATOR RICE: You’re welcome.

Assemblyman Wolfe.

ASSEMBLYMAN WOLFE: Thank you, Mr. Chairman and thank you, Vice Chairman (*sic*).

I was not going to talk about PARCC, but she brought it up so I figure I might as well say *PARCC*.

Welcome; thank you. I got a phone call two days ago from a woman -- mother in my district who has an 11-year-old son who had completed a 1-day session of taking the PARCC test for the first time. And he said to her it took him two-and-a-half hours to answer seven questions.

SENATOR RICE: Wow.

ASSEMBLYMAN WOLFE: So, you know, I don't know how much time he still had to go--

ASSEMBLYWOMAN JASEY: A lot.

ASSEMBLYMAN WOLFE: --if he didn't complete a lot of things.

I was at a meeting last night, and I had to talk to a teacher from Pennington who said, I think, 128 students opted out of the test and 124 took the test in his district. I was in Brick Township last night at a meeting, and the President of the School Board indicated that they have about 10,000 students in their district; 68 parents opted not to have their students take the test. So that's a whole other issue; we'll get into that. I'm glad that you brought that up.

But I'm just here today as a listener; this hearing is for you to talk to us, really, about the issues that you face. I have to tell you, quite honestly, a lot of these issues are totally foreign and unfamiliar to me because, as many of you know, I'm a suburban legislator. I happen to be the token Republican today. (laughter) But that doesn't make any

difference. I think we're all concerned about the quality of education, providing support for teachers, and treating people as human beings. The more and more I hear about what's going on in Newark, I really get a very uneasy feeling that people really are not involved in the process. And I'm sure we'll hear a little bit later on today.

I just said hello to a couple of people who came in, and the first thing I was told is that teachers in the district are no longer allowed to accumulate graduate credits at colleges in New Jersey. They have to go to a special place I never heard of in New York City, or online, or something. I don't know about that; maybe you know about that.

But I'm just really here to listen and, hopefully, we can get to the bottom of this. I've always been in favor of new things -- not doing things simply because we've always done them before. But that doesn't mean you have to shove things down people's throats and make them feel like their imbeciles because they have some questions.

So I want to thank you for coming. I'll shut up and listen to you, and hopefully your input will help us, as legislators, make recommendations to our colleagues in a bipartisan way to get things straightened out in Newark, but also for the kids in the entire state in public schools.

Thanks a lot.

SENATOR RICE: Thank you, Assemblyman.

I just want to say to those who are here-- And Assemblyman Wolfe, like I said, we go back a long way. And when Senator Jack Ewing chaired this Committee, you know, I always remember and appreciated the fact that Jack would come to Newark unannounced, by himself with

Melanie, and just talk to the participants. He didn't want any media. And he shared things with us. And that's how we got to know a lot about the State and what was going on.

I try to do the same thing, and Assemblyman Wolfe is the same type of person. I just want to say, Assemblyman Wolfe, this PARCC thing is something that we need to look at as a Joint Committee too. We know the Education Committee is looking at it, but we have that responsibility as well.

ASSEMBLYMAN WOLFE: Right.

SENATOR RICE: And hopefully we can work with the staff, and we can come to your district and hear from people -- if you could set that up for us, we'd appreciate it.

ASSEMBLYMAN WOLFE: Sure.

SENATOR RICE: Okay.

Next, we're going to ask Assemblyman Benjie Wimberly to say a few words to you, and then Ralph Caputo -- Assemblyman Ralph Caputo.

ASSEMBLYMAN WIMBERLY: Thank you, Chairman and Madam Chairwoman.

Definitely hitting on the same areas of PARCC and the tie-in to teacher evaluations. I mean, it's near and dear to me; I'm in a State take-over district in Paterson. I'm an educator by trade; my wife is a teacher; I have three sons in public schools. And the whole tie-in, and the stories I hear from so many friends about the nightmare of PARCC-- I mean, they think I actually control, like -- I don't have any control over what's going to happen. But hearing the stories and some of the stories that never get out is probably the scariest part of it. I mean, Assemblyman Wolfe hit on it --

that people are opting out. In the City of Paterson, people didn't know how to opt out, or they opted out incorrectly so they were caught taking it. So in a school district with, I think, I believe over 28,000 students, only 20 students actually opted out. And there were probably a whole bunch of people who wanted to opt out and didn't know how to opt out because they didn't know the proper procedure or they weren't given the information.

And with the technology issues facing school buildings in the City of Paterson -- 19 buildings over 100 years old; technology driven. They don't have Smart Boards, they don't have laptops, and they're doing rotations of testing. I mean, there are so many areas that-- Are we setting our students up for failure, and are we setting our teachers up, more importantly, for failure -- which is going to create an atmosphere and a hostile situation that, you know, you have-- You have teachers who aren't happy and, in turn, the students pay and the parents pay.

So I think it is something that as a Joint Committee we definitely have to look at, and look at the bigger picture of, you know, what's going to be best down the line, regardless of what type of testing it is. There's no way in the world that anybody on any type of -- can say that this amount of time of testing benefits our children in the long run. We all want them to be prepared for colleges and vocational training -- whatever it may be. But I just don't see testing as the answer for them or for the benefit of our teachers.

So I look forward to hearing from Newark and everybody else today. And I'm just ready to really address the real needs of our students, which should be the reason that we're here.

SENATOR RICE: Assemblyman, once again, I think just listening to it seems to me that PARCC is going to be on the minds of people for a while. And so I think that we need to take this show on the road like we normally do. The weather is getting a little warmer anyway -- thank God for that -- and so you need to also work with staff, and maybe we need -- it's about time we came back to Paterson. We haven't been there in a while. And so we'll go north and south, and then we'll maybe go someplace central, and get the perspective. And we're probably going to hear the same thing -- which means that that can be shared with our colleagues to let them know that, "Look, this is not one type of district. This is all of the kinds of districts that we have -- whether its suburban, wealthy, what have you -- there seems to be a problem there."

Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: Thank you, Chairman.

Number one: About that -- I don't want to dwell on the PARCC testing, but the fact is there are many bills that we've sponsored regarding this issue. The fact is we're concerned about the Federal funding that may be withheld if these things are not implemented probably in the State of New Jersey, according to the State Department of Education.

Aside from that, we know what the issues are and, obviously, we sympathize with those people who feel victimized by these mandates. But more importantly is our concentration on Newark, at this point, for this particular hearing. And I felt privileged to be with the Senator and the other members of the Committee who visited Congressman Payne and members of the Department of Education staff regarding many issues that have been faced in Newark. I was very impressed with the way that

meeting was conducted. It was very tight; the testimonies were very, very importantly laid out. There was no complaining; this was documented incidents and situations that occurred in the City of Newark in the public school system that had to be brought to their attention. And the reason why it was so important was because in the State of New Jersey, in the case of Newark public schools, the State has no oversight or responsibility because they're running the District. So because of that, and because voices are not being heard in a proper way, and there are not proper responses, we had to go to another level -- to the Federal level -- where dollars are being spent in the City of Newark on public schools -- Federal money that we're concerned about, and constitutional issues and civil rights issues that we're concerned about. So we're hoping that the Federal government will provide some type of monitoring of the State Department of Education where these funds are being -- should be monitored by them, but does not seem to be that successful at this point because they're monitoring themselves. And when those questions are asked regarding how things are being implemented and how they go down to the local classroom level, we're not getting the proper responses. And then parents, taxpayers, and the Advisory Board are not getting the proper responses because they're looking in the mirror.

So I'm very interested in hearing additional comments from people who are concerned about this situation. And without making accusations, I think we have to continue to ask questions regarding these very important issues that affect the public schools in the City of Newark and the children who it's supposed to serve. And I said in Washington, as I've said here and on the Committee on Education, it's our job to even be

stronger about these things, and strengthen our questions because of the lack of oversight.

Thank you.

SENATOR RICE: Okay, thank you very much.

Let me conclude -- and then we're going to bring the speakers up -- by saying that we have problems throughout the State, and we're going to be not only looking at the take-over districts, but we have to look at PARCC. I think the Assemblyman is correct: When the State is in charge of something, there is no oversight. They oversee themselves. But the State Board of Education has the responsibility -- a statutory responsibility, with subpoena power and other kinds of powers. And I think what we're going to do in the future is to invite the State Board leadership to a meeting and question them about their role, and make them understand their role. They just can't rubberstamp stuff; it's supposed to be the other way around. It seems as though the Commissioners go -- regardless of who they are -- to the State Board and say, "Here's what we're doing." They just say, "Yeah," and just move on to their private businesses. Either they're going to be appointed to the State Board and want to do a job, or not do it. And so I think we're going to have them come in and say hello.

And then the other aspect is that the reason this Committee is statutorily set up is because of the State lack of oversight of themselves -- the ability to oversight themselves. It gives it the legislative authority to oversight the Administration side, and that's where the problem is. We have the oversight authority, and they're thumbing their nose up at this Committee, and that's why I asked the Senator President for subpoena

power. And I'm also asking him to do some other kinds of things, and ultimately we'll get the subpoena power, if necessary. We would like to think it's not necessary, but we're not going to give up on getting it if we think we need to have it.

And so I just want the public to know that we are on top of this, contrary to what you read or may not read, or hear or may not hear. As a Committee, we're doing the best we can with what we have to work with within this box, okay? And we're activists in our own way as a Committee and individually.

With that, let's call up the first speaker. It will be Mr. Leonard Pugliese, President of CASA.

Leonard. (no response)

Did he go out? Oh, okay; I see him. Okay.

State your name.

**LEONARD P. PUGLIESE, Ed.D.:** Good morning.

SENATOR RICE: Yes, good morning.

DR. PUGLIESE: Is this on? (referring to PA microphone)

SENATOR RICE: Yes, hit the red button.

DR. PUGLIESE: Okay.

SENATOR RICE: And state your name for the record, address, and title, and who you represent. And the CASA -- break the acronym down for us, okay?

DR. PUGLIESE: Sure. My name is Len Pugliese; I am the Executive Director of the City Association of Supervisors and Administrators -- that's CASA -- in the City of Newark. I'm also the regional Vice President of the American Federation of School

Administrators. I'm from Newark, and I'm here representing -- with those titles that I have, I'm representing some work that was done by the Alliance for the Newark Public Schools, of which CASA is a member.

I'd like to thank the Senator and Assemblywoman Jasey for permitting me to address the Committee here today

There are three topics -- and I'll be as brief as I can -- that I find, I believe, are very, very important to share with you; and also that I think-- Especially the last topic, which will reveal some new information which has never been revealed before -- at least, to my knowledge, it hasn't been revealed before.

The first two topics have to do with the Renew schools in Newark. The Renew schools in Newark are a reform effort that were implemented by Cami Anderson -- Superintendent Cami Anderson. And she implemented these reform efforts by converting eight schools -- eight elementary schools in Newark into what she called *Renew schools*. She made that announcement in March of 2012 -- that for the 2012-2013 school year these eight schools would be converted into Renew schools. When she made the announcement, she also indicated that there would be a 50 percent proficiency rate -- pass rate -- on the NJASK at the end of two years. The end of two years was the year 2013-2014. So what the Alliance for the Newark Public Schools did at that point is looked at these NJASK in language arts and math in 2013-2014 and compared them to the language arts scores and math scores in 2011-2012 -- before they were converted -- to see if these 50 percent targets were met.

Now, in your packet -- and I think it's important for the Committee to kind of follow me along here, because I think it's quite

dramatic. I do not have a PowerPoint; if I did, obviously it would be even more dramatic. But if you open up the packet that you have with the binder, it has the presentation name on the top.

ASSEMBLYWOMAN JASEY: Yes, got it.

DR. PUGLIESE: Great. If you look at the-- It says page 8, but it's a table.

ASSEMBLYWOMAN JASEY: Yes.

DR. PUGLIESE: That is the result of the analysis that I just talked about. And what we did is, we looked at the eight Renew schools, starting with 13th Avenue down to Sussex Avenue; then looked at the 2011-2012 pass rate -- that's prior to conversion. Compared that, after two years of Renew school intervention, in 2013-2014, and looked at the NJASK scores' pass rate in mathematics and language -- that's why you have two sets of data there. And as you can see, wherever it's red, wherever the cell is red, not only did the scores-- Well, let me start by saying this: In no case was there an example where the 50 percent pass rate was met -- in no cases. As a matter of fact, I think that's the chart right there. It got up there quite mysteriously. But in no cases were the 50 percent targets met; in no cases.

Now, that's bad enough. But even more alarming, when you look at this graph or this table -- even before it was up on here on the screen -- in 13 out of 16 measures, the scores actually went down. So they went backwards. The youngsters in these schools had higher pass rates in NJASK language arts prior to conversion than after two years of intervention -- with the Renew school intervention.

Now, let me say this right up front here for the record. I want to be very clear. The failure of the Renew schools falls squarely at the feet of Superintendent Anderson. Principals, the Vice Principals, the teachers, the families, and the students in that school -- it is not their fault. And we have to stress that, because what we don't want to happen is another attempt to do some more shifting in the schools and say, "Well, if we had the right people in these schools, this wouldn't happen." So I have to be very, very clear: It s not their fault.

And if I can draw an analogy: It's like a bad-fitting suit. If a suit fits you badly, if a suit is not made properly, no matter what kind of shape we may have we're going to look bad in this suit. And this is a bad-fitting suit -- the Renew school. It's not the people who are wearing the suit, it's the people who developed, or the architects, or the tailors of the suit. So I want to say that upfront.

That was the first Renew school study that came out in December 2014. If you flip the page and you look at page 12 -- the table on page 12 -- this is a second study. And this study was compiled from data that was culled from the New Jersey Performance Reports from the State Department of Education. By the way, all of this data came from the State Department of Education, okay? All of it did. And in this particular piece, what you see before you -- the table -- it compared the Renew schools to their peer schools in New Jersey, and to the State schools throughout New Jersey -- elementary schools. Now, what's a *peer school*? A peer school-- The State identifies the peer schools by name -- 30 schools with similar demographics in the schools so the comparisons would be fairer than it would be for, let's say, a more affluent district. Newark is not an affluent

district. So there are two comparisons -- there are comparisons with peer schools, and there are comparisons with schools throughout the State of New Jersey.

And as you can see from the data, whether we were looking-- That first column is *Academic Performance* with schools across the state. The second column is *Student Growth Performance*. The difference between Academic Performance and Student Growth Performance is -- Academic Performance is a snapshot of the child's score; Student Growth Performance is Point A to Point B and how much a child grew over a particular period of time based on the child's history. And a lot of this is drawn from the student growth percentiles that you're hearing so much about now -- that they're going to be part of teacher evaluations and administrator evaluations. And as you can see there, in those one, two, three -- four times seven -- 28 cells -- in 27 of the 28 cells, the Renew schools were either lagging or significantly lagging their counterparts, whether they were peers or elementary schools across the state. In only one case -- Dayton -- did it show about average student growth performance; 27 out of 28.

Now, that is 2013-2014 student data; that's last year's student data. Certainly not a record of success when you compare it to other schools throughout the State of New Jersey -- whether they're peer schools or not. Someone said to me once, "Well, why didn't they compare the Renew schools to schools in Newark?" Well, if you look at the peer schools -- which are 30 -- Newark schools are included in that peer school list. In many cases, five, six, or seven out of the 30 are Newark schools. So this is a fair, honest, open comparison.

If you turn to the next table, Table (*sic*) 18 -- the page number is up at the top right -- what you're looking at is language arts for 2013-2014. Now, what this has to do with is the No Child Left Behind waiver. In November 2011, updated in January 2012, the State Department of Education -- New Jersey State Department of Education applied for a waiver under No Child Left Behind. And in that 385-page waiver, they proposed or indicated that they were going to meet certain targets in terms of student growth over the years -- over a six-year period. What this demonstrates, for 2013-2014 -- the last school year -- in language arts not one of the targets was met; not one. They did not meet any targets. Now, where you see the asterisk, where you see the asterisk -- the reason why there's an asterisk there is because the groups of students -- there's all subgroups here -- the groups of students were so small that those youngsters are not tested, if you will -- or they're not looked at, or not examined because the subgroups are small. But what you see there -- in language arts, not one. If you go to the next page -- this is mathematics. These are the Renew schools in Newark. Not one target was met under No Child Left Behind for mathematics. Total on both charts -- there's 56 cells. You would think perhaps they would have met one target out of 56; they met no targets out of 56. Not one did they meet.

It's alarming; I know it's alarming. It's alarming to us, and that's why the Alliance felt it was so necessary to bring it out there so people can actually look at the data. Again, what's very, very important here is this is not data that came from the Newark Public Schools. This is data that you can find on the New Jersey Performance Report. Some of

you may have looked at these performance reports for schools in your own communities.

And at this point I think I'd like to talk a little bit about something that's-- I don't know how many of you are aware of it, but if you turn to the next page, it says page 14. As a matter of fact, there are probably about five sheets in here; they all say either 14 or page 10. They're just different examples of the same thing. This is a page directly from the New Jersey Performance Report for particular schools. The first two schools-- The school names are up at the top. The names are not even important, because there's a bigger issue here. The first two schools are Renew schools; the schools after that are not Renew schools. So what I did was a cross selection, if you will, of both Renew schools and non-Renew schools. And this particular page -- page 14 that you're looking at -- the New Jersey report card -- I'm sorry; the New Jersey Performance Report, if you haven't seen it, is a 20-page document. It's kind of difficult to get through, especially for an average parent -- even those with some background in statistics, and so have an understanding in reading things, find it difficult sometimes to get through it.

But what I did is, I just took page 14 out, because something jumped out at me when I was analyzing the data for the Renew schools; something popped out. And this is the section that measures college and career readiness. Now, according to the State, college and career readiness is a function of two different things. The State made this determination. It's a function of how many youngsters in the elementary school are taking algebra, and it's also a function of student attendance. What I discovered when I was going through the school report cards, I discovered that, in

Newark, all the kids were college ready -- for every school -- according to this report. And I'm asking myself, "Well, if they're not making No Child Left Behind standards, if they're significantly lagging other schools in the state -- in their peer schools -- how can they be college ready? What bill of goods is being sold to the community of Newark, in terms of their children being college ready?"

When you dig a little bit deeper-- I ask you to look at the bar graph at the bottom right of that page 14. That bottom bar graph says that for this particular school there were no student absences for that year. I'm going to repeat that. This bar graph says, for this particular school, no children were absent in 2013-2014. And if college readiness is a function of attendance, well, I guess they are college ready.

Flip the page. What do you see about the next school? Flip the page. What do you see about the next school? Flip the page. What was the attendance in the next school for 2014? This is outrageous.

ASSEMBLYMAN CAPUTO: Impossible.

DR. PUGLIESE: And impossible. What's equally outrageous is that the State Department of Education would post this document with this data on it. This falls at the feet of the Superintendent of Schools in Newark, and it also falls at the feet of the State Department of Education. Someone had to compile this data, someone had to produce this graph. And you tell me that when they were producing these graphs and they had this data, no one realized the impossibility of this? And why was there no retraction? How did it happen? There are so many questions.

And I'm going to say something else, and I'm not going to be accusatory here. But I am going to make a statement of fact. One of the

measures for Superintendent Cami Anderson's bonus -- there are seven or eight measures for her bonus -- one of them is student attendance.

I'm going to put a period after that, and I'm going to say no more.

If you look at the bottom left of that -- do you see that line, that diagonal line? The high point of that diagonal line is the attendance -- chronic absences, number of youngsters who were chronically absent in 2012-2013. Do you see that? It's up high here. Do you see the way it drops for 2014? It goes down to zero; I'm at the bottom left. There were no kids absent in the entire City of Newark. As someone said to me the other day, "I hope they had" -- facetiously -- "I hope they had enough student attendance awards to pump out on the mimeograph machine to hand out to the 38,000 kids who didn't miss a day in Newark."

This is outrageous; it's a fraud. And it also-- And I'll probably close on this note, and I'll be happy to answer any questions that the Committee members may have. It really makes you wonder, and it really makes you question -- if you haven't questioned it already, I ask you to question it -- the data that's coming out of Newark in the past, the present, and in the future.

And also-- And I forget exactly which one up there indicated -- maybe a couple of you indicated that what we have is, in effect, a referee refereeing their game, in terms of the State Department watching over what's happening in Newark.

So at that point I'd just like to conclude. I know you have other speakers. But I ask you please to do all you can to investigate. We know the Renew schools are a failure. We know it's not the fault of the

individuals working in those schools, and now we have a bigger question here: Why was this allowed to remain on the website, on the New Jersey Performance Report? It's been up for two months, by the way. If you go in now, you'll see that every school that I looked at in Newark all had 100 percent.

Thank you.

SENATOR RICE: Thank you, Mr. Pugliese.

I'm going to ask the staff to make a note to be back in touch. I'm going to also ask them to evaluate this document and to work with you and others to put together a list of questions that we need to be raising with the Department and the State Board. I mean, just looking at this, this is the first time I'm really-- I have a lot of information in my head. This is the first time I've even realized this was occurring. We know there are really no school districts where there's constant 100 percent attendance now -- not even at charter schools. So we need to do that, Amy and Becky. I want some serious questions.

And we're going to ask you some right now. We'll start with Assemblyman Wolfe, and then it will be Assemblyman Caputo, okay?

Assemblyman.

ASSEMBLYMAN WOLFE: Thank you, Dr. Pugliese or Pugliese? (indicating pronunciation)

DR. PUGLIESE: Either. (laughter)

ASSEMBLYMAN WOLFE: Okay. Well, thank you.

When I was in graduate school, the hardest course I ever took was statistics. But I got an A in it; I still don't understand it. (laughter)

SENATOR RICE: Join the club, right? I got a B.

ASSEMBLYMAN WOLFE: Here are my questions. Before there was PARCC, before this Common Core, maybe even before Hesper, I met with 20 teachers from the Toms River district who had the results of the students in their district schools. I think they were 3rd graders or 8th graders, or something. They had a group of teachers who had special needs students, and teachers who had regular, homogeneous classrooms. They had to write a writing sample, and the State had sent the writing samples, I believe, in Toms River to North Carolina, and they were graded by people in North Carolina. Every one of them got a C; every one of them. I thought that was really kind of strange.

So what this shows me is everybody's -- if everybody's there, and they're not really there, that's more than strange.

And I'm sure my colleagues have other questions. I just have a couple, and I'll just really, kind of, make this very brief.

You started by asserting that the reason that the test scores were low was because of Cami Anderson. That's what you said. Why would you say that?

DR. PUGLIESE: Well, let me say this.

ASSEMBLYMAN WOLFE: You said it wasn't the teachers, it wasn't the students -- it was Cami Anderson.

DR. PUGLIESE: I'm saying it's Cami Anderson, because Cami Anderson is the architect of the Renew school program. And the Renew school program is-- So by extension, it's Cami Anderson.

ASSEMBLYMAN WOLFE: Okay, thank you.

You also-- I think at the beginning you showed all the schools that were tested, and I was kind of intrigued by the Dayton school.

DR. PUGLIESE: Yes.

ASSEMBLYMAN WOLFE: Dayton schools seem to be average.

DR. PUGLIESE: In one area they were about average, yes.

ASSEMBLYMAN WOLFE: Yes. I mean, so what was special about that school?

DR. PUGLIESE: I couldn't tell you at this point, but it's an excellent question.

ASSEMBLYMAN WOLFE: Right.

DR. PUGLIESE: And it's a question that should be looked at, because whatever is happening in that particular area is something we might want to replicate.

ASSEMBLYMAN WOLFE: Okay. And lastly, and I'm sure there's a very easy explanation. In the chart you break down the results by ethnicity, but you do not include Caucasian. Why is that?

DR. PUGLIESE: First, let me say this.

ASSEMBLYMAN WOLFE: It's only Hispanic and Black.

DR. PUGLIESE: Let me say this. Let me look at the chart-- A couple of things. Number one, it's not my chart. I mean, it's *my* chart--

ASSEMBLYMAN WOLFE: Right.

DR. PUGLIESE: --but those subgroups that you see there are subgroups that are determined by the State -- the subgroups.

ASSEMBLYMAN WOLFE: Right.

DR. PUGLIESE: So whether they're Caucasian or any other group there, they're all listed. The reason why there's no score for Caucasian--

ASSEMBLYMAN WOLFE: Right.

DR. PUGLIESE: Is that what you're asking?

ASSEMBLYMAN WOLFE: Yes.

DR. PUGLIESE: Why is there no score? What happens, sir, under No Child Left Behind, under the subgroups, if you don't have a certain number-- If the group of youngsters -- let's say Caucasians--

ASSEMBLYMAN WOLFE: Right.

DR. PUGLIESE: --is not large enough-- If you have two Caucasians in the school, then Caucasians are not going to be tested or rated. They're going to be tested, but that is not going to be put up on a chart. That's where you see all the asterisks. Where you see all the asterisks in that chart -- and I think that's what you're asking me--

ASSEMBLYMAN WOLFE: Right.

DR. PUGLIESE: --where you see all those asterisks, that's a function of, that analysis was never done by the State Department of Education in No Child Left Behind. That's under the waiver; it's called *waiver suppression rules*.

ASSEMBLYMAN WOLFE: Right. Thank you very much.

DR. PUGLIESE: You're quite welcome.

ASSEMBLYMAN WOLFE: Very interesting report.

DR. PUGLIESE: Thank you.

SENATOR RICE: We're just up here laughing; we'll get it, you know. There's not enough Caucasians to measure, but we're going to work on it.

ASSEMBLYWOMAN JASEY: Or Asian or American Indian.

SENATOR RICE: We're going to work on that, you know.

(laughter)

Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: Thank you, Ron.

First of all, I want to thank you, Dr. Pugliese, for the work that you've put into this analysis. A lot of it makes sense, and a lot of it reveals the incongruous nature of the way these things are being reported.

When you look at the ASK scores, how dismal they are in relation to other peer schools; and then you compare that to the fact that children are attending school 100 percent, according to the city or to public education in Newark; and that algebra is part of that measure -- none of this makes any sense. None of this makes any sense at all. First of all, we understand that children who are challenged are not in school every day. Even in the best districts rated in the State of New Jersey, we don't have 100 percent attendance. So that shows you why we had to travel to Washington to have others look at these statistics and understand what's going on here in the educational system.

I can't understand why the State has not looked at these statistics and done something about it -- haven't questioned their own personnel, their own Superintendent. It goes back to my original position of: they're looking at themselves. But I've been looking at what they're reporting, and anybody with any background in education will look at this and know that this is garbage. They're selling this as reform. And as we told Duncan -- Arne Duncan's administrators: Everybody wants reform in schools -- especially in urban schools where we need to have student achievement improved -- but not where it's failing. Reform in Newark is a

failure according to these statistics. And reform in the State of New Jersey, in terms of the Department of Education, is a failure. If the leadership in the Department of Education can't look at this in the same forensic look that you've looked at, in terms of these results, then something is drastically wrong with the way this is being administered -- drastically wrong.

And, you know what? I want to support my Chairs and say that we have to take another look this and assess what we've done and determine what our next steps are. Because this becomes more severe every day. Every time we hear more, it gets worse. You know, one thing is to have an idea and a concept about -- and a strategy. But when you're lying, or it appears to be a lie, that becomes intolerable.

So I appreciate the fact that you've brought these facts to us. And I'll turn it over to the next member.

ASSEMBLYMAN WIMBERLY: Thank you, Mr. Chair.

And Senator Rice, you may be able to answer this; I'm not sure if Dr. Pugliese can. Did Cami Anderson receive her bonus based on the attendance?

DR. PUGLIESE: I don't know.

ASSEMBLYMAN WIMBERLY: I mean, that's a major question that should be asked.

SENATOR RICE: I can't answer that. But we do know she got a bonus. Now, if in fact attendance is one of the criteria, and the State had this information, then the question is, do they score, you know, like they do in school -- you don't get an A, you get a B and you still pass. I'm not sure. But these are questions that we're going to raise. And that's why I say that we have a lot of work to do in between, but Newark has to remain a focus

for a lot of reasons. Even the responses that we're getting from the Newark Board of Education, based on our last meeting -- we requested answers to questions -- my quick review of it is that some of that information is not totally accurate, and some of it wasn't answered at all. So we're going to be going back and forth for answers. But eventually the Department is going to have to be held liable and accountable as well. So that's about the best answer I can give you.

ASSEMBLYMAN WIMBERLY: Okay. I mean, obviously, to ask -- to be a concern. With these numbers -- these obviously are false numbers. As stated, 100 percent attendance anywhere is just not realistic. And if those numbers are based on a bonus -- based on the performance of these students' attendance, this should be a major concern for everybody

SENATOR RICE: You're right. And I know we're being transcribed, and I want us to be as clear as we can on this particular transcript. Because I think that what is being said here, the staff needs to make certain that it's clear -- where we can bring it to the attention of the President of the Senate and the Speaker of the Assembly. I'm not going to let the leadership of both houses off the hook on this stuff, based on where our needs may be as a Committee. So we ultimately may have to get that subpoena power, but we're going to make sure the Legislature in their totality is kept informed of at least the testimony and questions coming up.

ASSEMBLYMAN WIMBERLY: Thank you.

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN JASEY: Yes, just very quickly. On the same charts that you are showing us -- Algebra I is listed, because these are pre-K to grade 8 schools.

DR. PUGLIESE: Yes.

ASSEMBLYWOMAN JASEY: And they all say, under students taking Algebra I, zero percent.

DR. PUGLIESE: Yes.

ASSEMBLYWOMAN JASEY: Is that correct?

DR. PUGLIESE: That's what it says.

ASSEMBLYWOMAN JASEY: Okay.

DR. PUGLIESE: You know, I can't attest to any of the veracity of any of these -- to this document--

ASSEMBLYWOMAN JASEY: Right.

DR. PUGLIESE: --once you see the attendance. But you're exactly right; that's what it is saying: that no children take algebra.

ASSEMBLYWOMAN JASEY: All right; because that's another criteria for children being college ready.

DR. PUGLIESE: That's correct.

ASSEMBLYWOMAN JASEY: Okay.

DR. PUGLIESE: And Assemblywoman, that one chart that shows -- table -- that says *significantly lagging* and *lagging*-- It might have been the second table that you guys have in front of you.

ASSEMBLYWOMAN JASEY: Yes.

DR. PUGLIESE: They did a comparison. If you look at that particular table, that particular table across the top looks at student achievement and student academic growth, correct? Do I have that right?

ASSEMBLYWOMAN JASEY: Right.

DR. PUGLIESE: There's a third category that's called *Career Readiness*. And I could have included career readiness on that chart. But

what happened is when I was looking at the career readiness, I saw that they were all doing pretty well in career readiness. I did not include it because once I dug deeper and I found out and discovered that it was 100 percent -- that it couldn't possibly be right.

So yes, it's a function of two things: the number of youngsters, or, are youngsters taking algebra, number one; and number two, the student attendance. And the student attendance inaccuracy, if you will, is what put the Newark School District over the top in terms of saying the kids were about average, in terms of career readiness.

ASSEMBLYWOMAN JASEY: Thank you.

DR. PUGLIESE: Okay.

SENATOR RICE: Okay. I want to thank you very much on behalf of the Committee, taxpayers, voters, workers, students, parents.

And the next person we're going to call up is the President of the NJEA, Mr. Wendell Steinhauer.

How are you, Mr. Steinhauer?

**W E N D E L L S T E I N H A U E R:** How are you today, Senator?

I won't take much of your time -- five minutes will be all I require, if that helps you in your day.

SENATOR RICE: All right. And we want you to know that we were shocked also with the Governor's message, you know. But we understand that that was squared away. Everybody's in court now. So we're just going to stick with this subject today, okay? (laughter)

MR. STEINHAUER: That will be another day of testimony, Senator, I guess. (laughter)

So good morning; I'm Wendell Steinhauer, President of the New Jersey Education Association. NJEA does represent Newark's more than 120 certified school nurses who play a vital role in promoting both health and positive educational outcomes for the children of Newark. Nearly 200 other teachers and school employees in Newark are also NJEA members.

I'm speaking today on behalf of all of NJEA's members in Newark, as well as on behalf of the students in the district who are suffering under the mismanagement of Superintendent Cami Anderson and her disastrous One Newark plan.

In particular I want to share the observations of the nurses who see every day what is happening to many of Newark's most vulnerable children. The nurses report that even though attendance is down, they are seeing an increase in visits to the health office. They attribute some of that increase to the more stressful situations students have been put into as a result of the botched One Newark implementation.

And no wonder students-- Students are under tremendous stress. The nurses have observed the struggle that many children have simply getting to school, because they've been assigned to schools far from their homes. Instead of attending neighborhood schools, many students are forced to use public transportation to take long trips to and from school. That problem affects even preschool children as young as 3 and 4 years old. In fact, the nurses report that many parents have pulled their children out of preschool because of the difficulty of commuting long distances to and from school with their children, who obviously cannot take public transportation alone.

They note that even as attendance has dropped, the district has cut the number of attendance counselors, making it more difficult to respond quickly and appropriately when students miss school. Some nurses have been asked to take over certain attendance-related duties. The nurses also report that the elimination of substance abuse counselor positions has left many students who have psychological or substance abuse issues without the services they require to function well in school. Additionally, needed services for students with special needs are being neglected, leading to worse educational and health outcomes for those children as well.

And despite the increased demand for their services, the nurses also point out that in some schools the year began without medical supplies or even the ability to get those supplies. In some cases, the district still has not provided the necessary supplies, and some nurses have resorted to buying the supplies with their own money.

The problems in Newark are not a secret, and it is certainly not only the nurses who can see them. These issues, and many others, were well known long before the misguided decision to renew the Superintendent's contract and, in fact, to give her a raise. That decision was an insult to every student, parent, and school employee in Newark who has witnessed the damage she has done during her tenure.

If there was ever an argument for local control of the district, that is it. The State has imposed a Superintendent that the community does not want. The Superintendent has imposed a disastrous district reorganization the parents do not want. And local leaders who are accountable to the people of Newark have been denied a voice when it comes to the education of Newark's children.

It is time for a change. I urge the members of this Committee, and the entire Legislature, to apply whatever pressure you can to end this mistreatment of Newark's students. It's time for the Superintendent to go. She's done too much damage already. It's time to return to a focus on public education instead of privatization. Newark doesn't need more charter schools; it needs successful, supported neighborhood schools that meet the needs of every child. It's time to return the Newark schools to local control before the State's mismanagement does any more harm.

After more than 20 years, it's long past time to admit that the State has failed. It's time to put the needs of children ahead of the ambitions of those currently calling the shots in Newark schools. Please do everything you can to bring about a new day in Newark. The students there are relying on you to be their advocates.

Thank you.

SENATOR RICE: Okay. I just want to say that the nurses say that even though attendance is down-- (laughter) There's a contradiction here; I have a report that says attendance is up. People don't miss school. So we're going to have to put this with that note and find out who's right or wrong. I suspect that your nurses have integrity. Is that correct?

MR. STEINHAEUER: Yes. (laughter)

SENATOR RICE: All right. I just want to be sure. So attendance is down.

We want to thank you.

Any questions from the members?

ASSEMBLYWOMAN JASEY: Just one.

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN JASEY: I just have -- I have one comment.

MR. STEINHAUER: Yes.

ASSEMBLYWOMAN JASEY: I think that little stories help us put a face to these statistics, and here's my quick story. About a month ago I was at the supermarket and I was stopped by an old friend of mine who is a nurse in Newark. And I won't name the school, but it's one of the pre-K to 8 schools. And she said to me, very distressed, she said, "Mila, what is going on?" She said, "I am still" -- this was in January -- she said, "I am still finding out about kids in my school who are here that I didn't know about. I don't have health records for--" She said, "Every day brings something new. You've got to do something."

And I said to her, "We're going to try." And we are trying. And every time I get more information like this, I become not only angrier, but more concerned about what happens next. How long can we allow, really, the destruction that is occurring on a daily basis? Because when she does move on -- the Superintendent -- who is going to be there to pick up the pieces, and how hard is that going to be? And then are we going to start playing the blame game all over again and saying, "See? Newark can't govern itself."

So I think time is of the essence. And I appreciate this additional piece of information, because, yes, nurses are there on the ground and they're seeing, on a daily basis, what happens to children and families. And I know that Dr. Wells is not here today, but I think she might have been here to talk about the concept of promise schools, or neighborhood schools. I think that's a concept; there's a model out there, that could very

well be a good solution in a community, that relies on its neighborhood schools for so much more than just instruction.

So I hope that this Committee will be able to take a look at that. But in the meantime, we've got to figure out a way to stop the bleeding here.

Thank you.

SENATOR RICE: Assemblyman Wolfe.

Thank you, Assemblywoman.

ASSEMBLYMAN WOLFE: Wendell, thank you for your testimony. I think very often people forget the role that the nurses do play in, really, the kids' lives.

But you mentioned something I think that a lot of us have heard, but it just kind of is lost with all the other things that are going on. You mentioned 20 years of State takeover in that district. From your perspective as an educational leader, what suggestions do you have to us, as legislators, that should be done with Newark? I hate to ask you that, but I asked you. (laughter)

MR. STEINHAUER: I think what we're doing -- first of all, the community has come together in a way that I've never seen before.

ASSEMBLYMAN WOLFE: Right.

MR. STEINHAUER: And you know, the key to any school district growing is the community. The more community involvement you have, the better the school is. You get parents who are involved and want to help their children. That's all they're asking for. They're asking for some control. And, you know, when it's a dogmatic control and authority's saying, "We know what's best for Newark," and you're telling the people in

Newark who live there -- there's nobody who knows better what they need than in Newark.

And I think, you know, it's-- There's always a balance, I say. It's not always this side of the spectrum or that side of the spectrum. I think partial control, looking at some of the areas on a QSAC: Have they demonstrated that they can take part of the five areas? Can they-- I think they've been given the financial control; but, quite honestly, they've been given financial control with no teeth in it. So I think there has to be a partial working in there. If the State's in there, what are they working on in the other areas that haven't been turned over to the Newark school district? There should be a progression to move back. In 20 years you've gotten one area back? It's just-- That's not the way to do it. It shouldn't take you more than -- I don't know -- 5 years, 6 years? If after 5 years you haven't done something-- I mean, there are steps: putting in a fiscal monitor, restructuring governance, looking at the curriculum. But when you bring in a new Superintendent every couple of years and they bring their ideas, and they spend all the District's money on, "this way; this is the silver bullet--" And the answer is, there is never a silver bullet. It's -- you have to find something that the community, and the principals, and the teachers can work on together; they agree to it rather than having it pushed down their throats to do.

ASSEMBLYMAN WOLFE: Right.

MR. STEINHAUER: I mean, it's a whole different attitude when you're doing instruction you believe in. I don't even want to get into the PARCC thing. You all led off with that; that's another testimony. But there's a perfect example, statewide. The PARCC test has been shoved

down everybody's throat, and we will prepare these kids for it. That's a statewide initiative that is going bad fast. And there's a perfect example.

It's more localized in Newark, and we don't get to see it that often -- as much as the State is right out in front. If you get administrators, teachers, the school board, and the community all working together, there is no way you can fail -- and that's a proven system. And you have people chomping at the bit in Newark to be involved, and they're being told -- which is the hardest thing to get -- and they're being told no.

So I think that is the major problem. I don't have the grand design, (laughter) but I think that's the first start. You have parents, and you have teachers, and you have principals who are being threatened to be fired if they don't follow the rule of the land -- you have most of them there; you have a school board that wants to do good, but they are denied the power. You have most of the things in play right there. So what's left?

ASSEMBLYMAN WOLFE: Thank you; thanks.

SENATOR RICE: One of the things, too, is that you can't-- You mentioned something-- The way QSAC was set up -- I know, because I sat and spent my summers with about 30 people statewide putting QSAC together under Libera. And it wasn't exactly the way myself and people like Miriam Baldwin wanted it. It was compromised on the indicator piece. I didn't think there should be indicators anyway; it should have been the progression piece. But even then it says that if you hit a percentage you start to transition back. In Newark, every time we get over 80 percent in governance -- that's really the control factor, is the governance -- they'll give you everything else. But it doesn't mean anything because the governance stays with the Super.

It's discriminatory. Jersey City hit 80 percent and they started the process back and they got governance. Paterson -- they can't get governance, and that's designed. And so when you elect people-- I mean, in this country, when you elect people -- and we just went through Selma; that's the 1965 voter's right movement -- we thought that when you elected people, it was to give you a voice in government -- that means representation. So we elect people in the take-over district there -- he's not my voice, he's not my representation. I'm paying taxes, okay? But he can't say or do anything because all of the authority that I elected him for is vested in a person.

So all that's being looked at, and that's why we put a bill in. I put one in, it's just not getting any movement right now. I'm trying to be patient with it because the Senator on the Education Committee says she wants to do some amendments. And Mila and I did some amendments, okay? We still haven't moved it. And it's sad that after five years you had to come talk to us. You just can't just stay in there; you come and tell the State Legislature why we have not been a success as we run the government. If not, you're going to turn it right over. But I think the Senator is working on something, or she has a bill that indicates that we're going to just come on out of this stuff and get some parity right away. But something needs to be worked on, Assemblyman.

In the District, once you live there 20 years you know what needs to be done. It's just that nobody is listening, okay? And so we know what needs to be done as it relates to how to start to get the progress in the District, and working with the State to get it done. And that's the problem, is that the State government likes to depict that Newarkers, or

Patersonians, or Jersey City residents, administrators, or local governments -- all the acts involved -- workers, etc., don't want to work with State government.

The whole idea of QSAC -- the one thing we argued all summer long, and we had this big argument with McGinnis and those guys representing the Superintendent -- I mean, Commissioner -- is the word *capacity*. We kept saying capacity. QSAC has to build capacity. You don't go in and take over an area. You go in and say, "Well, if Assemblyman Wolfe is in charge of personnel, and there's a problem there, there's no problem any place else -- well, if there's no problem anyplace else you don't take those over. "You run the way you have, you still have control over that. But we're going to work with Assemblyman Wolfe to deal with figuring out his personnel problems." We're not kicking him out unless he doesn't want to cooperate. Then we do what we have to do.

We never got to that point on building capacity. Over 100 school districts out of 600 have failed areas of QSAC. Garfield is terrible up there; they finally got governance up to 70 percent, but they're still doing governance. And Milburn failed three indicators -- a wealthy district. They have since got it together, but they were never intervened. So it's all discriminatory within itself; regardless of why the State's not intervening, the law says you intervene. You get corrective action plans sent to you.

And so we haven't been doing our job forcing that issue, as a Committee. I don't think that the Legislature in total has been doing their job; the State Board certainly has not been doing their job. And so I think that's what we have to do.

So I just want to thank you for your testimony. And we're going to continue to work on this.

Anyone have any questions for--

ASSEMBLYMAN WIMBERLY: Just a quick statement.

SENATOR RICE: Go ahead.

ASSEMBLYMAN WIMBERLY: Wendell, just a quick statement; and I think it's general, pertaining to Newark, Paterson, and Jersey City.

The budget deficits -- which can lead into, obviously, the continued talks about privatizing, instructional aides, child study teams, things of that nature -- I just think that that's something that the NJEA should be on top of; as we should also, as legislators.

But once again, State Districts with a budget deficit -- it's just an oxymoron; it doesn't make sense. So they've mismanaged themselves. And that's something I think, on both sides of the aisle, we can agree that something is wrong when you have a budget deficit and it's a State-operated District; you have a \$600 million budget -- whatever -- but now you go back and you take away the community people who are instructional aides, who are nurses -- whatever it may be -- custodial -- you privatize that so you can take away the health benefits and all that stuff. I just think the NJEA should be on top of that.

MR. STEINHAUER: That's one of our priorities.

SENATOR RICE: Well, we need to be on top of it as well, as legislators -- and we're going to move to the next speaker -- primarily because Paterson, if I recall, has a \$62 million budget deficit; Newark has \$53 million; I don't know what Jersey City's budget deficit is. We also did

a 2 percent cap in the Districts. We also know that the municipalities have deficits; Newark has a \$93 million deficit.

There is a piece known as *local piece*, and in Newark that local piece is about \$100 million. So what it means is with a \$93 million budget deficit, Newark can't pick up the \$53 million, or parts of that; and the State's monitoring that. Paterson can't pick up, with the deficit they have right now on the municipal side--

ASSEMBLYMAN WIMBERLY: And they want to increase the tax levy, which is not going to happen because of the--

SENATOR RICE: Exactly. So things are not getting to the public or getting to our colleagues as to how the math really works. So we have to work on that -- not just the unions arguing the case. But we have to work on that during the budget cycle, because people on Budget -- at least in my house -- are not raising those kinds of issues to put it in perspective; that if you want to cap -- and it may be a good thing -- here's where we are hurting. And we don't want to go over cap; we can't afford to increase people's property tax because they'll foreclose them out, given the economics of their situation.

Thank you very much, Mr. President.

MR. STEINHAUER: Thank you.

SENATOR RICE: The next speaker we have coming up is Dr. Donna-- Anyone else have a question? (no response) Dr. Donna Johnson-Thompson, the Executive Director, Newark Day Care (*sic*) Center, and a member of the Newark Early Childhood Coalition. And along with her is coming Ms. Trish Morris-Yamba. Are you coming up, Ms. Trish?

**TRISH MORRIS - YAMBA:** (off mike) No.

SENATOR RICE: She's the retired Executive Director, here in support.

Lae Hutchinson -- is she coming up?

UNIDENTIFIED MEMBER OF AUDIENCE: (off mike) No.

SENATOR RICE: Okay. So it's the Executive Director, speaking on behalf of all? Okay. The Chen School in Newark.

So I know we have here now La Casa, our good friend there. So are you going to coming up and speak? Come on up now; okay.

And this is Ray Ocasio, for the record. And he is with La Casa de Don Pedro, but he is also part of the Coalition.

So we're going to yield to the talented, learned lady first -- Dr. Johnson-Thompson. Just state your name, who you represent, and address for the record. And then when she completes, there may be questions for you prior to Mr. Ocasio presenting, okay?

**DONNA JOHNSON-THOMPSON, Ed.D.:** Okay.

Good morning.

SENATOR RICE: Good morning.

DR. JOHNSON-THOMPSON: My name is Dr. Donna Johnson-Thompson. I am the Executive Director of Newark Day Center, and also an Executive Board member of the Early Childhood Coalition of Newark.

I'm here this morning to represent the early childhood private providers in the City of Newark. And we have rallied together and decided that we do not want to be a part of the universal enrollment system in Newark.

The Newark Early Childhood Coalition has engaged the Newark Public School staff in efforts to understand the justification and the process for incorporating private providers in the One Newark universal enrollment initiative. We are aware that, as established, the Newark Public Schools' enrollment system needs some refinement. But we need to ensure that we are refining the areas that have displayed challenges.

This year's universal enrollment system, with the in-district pre-K, has added challenges that did not exist in the past, and we do not want those issues to become a problem for community-based providers. The school district's response was rich in describing the process of engaging private providers, but poor in addressing the concerns of providers.

The District's relationship with the private early childhood providers has deteriorated, from the partnership that was established in the initial days, to that of competitors for funding and students. Families have shared that the current system is not equitable. The universal enrollment system forces families to align to the system and its algorithm versus allowing the system to align with families. Families should not be shuffled around to make schools equitable. School staff should be shuffled to meet the needs of Newark families.

The District had a difficult time in placing current families in the public school system. What assurance do we have, as private providers, that they will have adequate arrangements to place thousands of additional children? Why are they trying to fix a system that is currently working for families and providers? What data, if any, does the District have to prove that the universal enrollment system is best for families and that it truly provides parent choice?

Many families did not receive their first choice. And while they may have received other choices, siblings were placed in separate schools which were not in close distance, causing a major disruption in the lives of families. The distraction of the universal enrollment system has ignored many fundamental issues, such as adequate funding for pre-school, the District's plan for pre-school, as well as a use of inclusion dollars for pre-school budgets. These issues have not been addressed.

The District feels that the universal enrollment process is the solution. If they revisit their own data, they will see that in its current state it is not the solution for the children and families in Newark, New Jersey.

The posture of our current Superintendent seems to be that she works behind the philosophy of, "Do it because I said so," and this is without regard to the students and their families. This attitude is not the working relationship that is needed in Newark. Nothing will be accomplished until the parents, families, private providers, and Newark citizens are seen as effective partners working together with the School District for the betterment of all students.

Thank you.

ASSEMBLYWOMAN JASEY: Thank you, Dr. Johnson-Thompson.

I think that you really summed up what we were just talking about, in terms of what is needed. And I can tell you that the Essex delegation -- legislative delegation has a meeting planned on March 20 with Superintendent Anderson. And this is the primary topic that we'll be talking about -- is this attempt to raid, if you will, the Federal money and the dollars that are there, that are available for pre-K in the City of Newark.

So we are-- It's definitely on our radar, and I think the more information that we have from you and Ray the better. So we will be reaching out to you, perhaps, for more information to inform that meeting.

Thank you.

Are there any questions from members? (no response)

Okay. Then we'll move on.

Ray Ocasio, would you like to introduce yourself? And Doctor, would you turn your mike off, because I think it helps. Yes; thank you.

**RAYMOND OCASIO:** Good morning. My name is Ray Ocasio, and I am Executive Director of La Casa de Don Pedro; as well as Chair for the Newark Early Childhood Coalition, representing 29 providers -- private providers in the City of Newark.

I would like to go back to a point that Donna made. Early childhood pre-K education was originally conceived by the State as a partnership between private providers, the districts, DOE, and DHS. Unfortunately, as Donna has pointed out, that partnership has deteriorated over the years. The major change has really been this last Administration.

One of the major issues that has been defined by this Administration has been the change in the wraparound program, which is administered by DHS. Three years ago they introduced changes -- they changed the income eligibility--

**ASSEMBLYWOMAN JASEY:** Can you just-- For the benefit of the members, can you describe-- I know what wraparound is, but we may not all understand what that is.

**MR. OCASIO:** Basically, day care, before the pre-K mandate, was provided using money that came out of the Department of Human

Services. And basically it was day care for children -- infants through pre-K, or through kindergarten. And, quite frankly, we ran a program -- many of us ran programs. It was being subsidized by poor wages to our employees. The opportunity to provide a meaningful education under the Abbott mandate allowed us and the State to combine both a daycare program -- which was babysitting, if you will, as the Governor once defined it -- and also a quality education program with pre-K education.

When that program was placed together, there was proration of some of the costs -- primarily indirect costs and some of the supportive staff. When DHS changed the income requirements, this was done in stages. It went from a contract, to an agency, to individual contracts with families based on income eligibility, requiring families to provide some kind of co-payment if they exceeded the income limits. By the way, the income limits are very low, and are not reflective of poverty -- real poverty when you talk about areas like north New Jersey, particularly Newark.

So families were then given the choice of sending their kids for wraparound for an extended day, 10-hour day -- as opposed to a 6-hour day; that was the educational day -- or pay a charge. And many families chose not to-- In fact, in the City of Newark, which had been receiving \$16 million in wraparound dollars, it went down to \$2 million. I can cite specifically my organization: We used to have revenues of wraparound, supporting our program, of \$1 million; it went down to \$300,000. That loss of \$700,000 was never recognized by the State DOE or DHS.

In fact, it reflects poor planning on the part of the State to introduce those changes, and to look at the overall impact that it would have on pre-K, as well as the working families. In fact, for the most part, it

abandoned supporting working families as a County and throughout north New Jersey, as well as throughout the State. It was poorly executed because it was imposed rather quickly and didn't allow for any real transition to evaluate the impact. The impact, as I said earlier, was: for parents it meant that it no longer supported working families; for children it meant that the funding for their education was not adequate; and for the nonprofits it meant that we started in a downward trend of reducing the quality of the program we provided.

ASSEMBLYWOMAN JASEY: And what year was that?

MR. OCASIO: This was four years ago. Basically, it was introduced in the first year of the Christie Administration and implemented in the second year.

It's critical to understand that the 10-hour day that was provided in the early, first 15 years of Head Start -- excuse me, of pre-K, was a prorated 10-hour day -- 6 hours of education, 4 hours of wraparound, as well as a (indiscernible) program.

Quite frankly, when the changes in the wraparound program were made the DOE did not compensate for the loss of revenue. Nevertheless, our costs remained fixed and so at that point proration did not work.

The Coalition has asked for 100 percent financing of the 6-hour day by DOE; that has not materialized. In fact, what we've gotten is that we've gotten flat funding over the last 4 years.

You should know that Newark, prior to the flat funding, was generating about \$93 million worth of revenues, both from Title I and from the State, for pre-K in the City of Newark. Plus there was an additional

\$60 million, if you would, from wraparound. Wraparound is obviously significantly lower, and also the State has remained flat.

Three years ago the District was able to take captured monies -- carryover dollars -- to supplement the funding when costs were rising but State funding was flat. Right now we're basically working on \$91 million -- about \$98 million from the State; and a little over \$2 million from the Feds under Title I.

With flat funding and increasing costs, what you basically have is organizations like mine and all the other providers trying to manage. I should point out that we started out 20 years ago with 65 providers; today there are 28 in the City of Newark. Many have left because they couldn't manage the cost constraints that are being imposed by the State in its funding -- or lack of funding.

The real impact of flat funding over the last 4 or 5 years has been diminishing the quality of the program. The pride that the State has had in its pre-K program actually is no longer warranted, because it is not the program that was conceived, nor that it was 5 years ago.

At the same time, providers have a fiduciary responsibility to meet their obligations to balance the budget, just as you do. Unfortunately, we're not in the position of taxing; we're in the position of only working with the funds that we have.

We met with former Commissioner Cerf three years ago, before he left, and we talked about the flat funding and the inability of organizations like ours to manage it. And he created-- Well, he offered us greater flexibility. Unfortunately, the DOE and the districts have been ill-equipped to really define *greater flexibility*. A perfect example: For the last

five years we've been in a wage freeze in my organization. We think of ourselves as an independent agency. As an agency we lost \$1.3 million in that one, first year of the Christie Administration. We froze our salaries. Our salaries have been frozen for the last five years.

The District, at that time, actually had a contract agreement with its union and agreed to a higher salary. Those salaries were given by most of the providers; I chose not to follow that practice and essentially tried to use those dollars for meeting the actual cost of running an effective, quality program. Unfortunately, for the last four-and-a-half years, the District has failed to recognize that comparability -- parity of salaries was not a reality, nor was it possible with flat funding. I was not allowed to use those funds in their entirety to meet any of my deficits, and much of that money was returned. Basically, over the last five or six years, \$1 million from La Casa alone has been returned to the State as unused money, even though over the last four years I've had deficits, and last year my deficit was over \$73 million (*sic*).

This year, the State has defined comparable compensation for our instructors, but even that took basically a year to define what *comparable* means. And it still did not giving me total flexibility to manage my costs; that \$73,000 (*sic*) deficit I had this year was going to be repeated after making additional cuts. And the compromise that I finally accepted, because I can no longer tolerate returning any dollars to the State, was that basically \$28,000 to \$30,000 would go to the teachers as compensation, using the most recent contract and a 10 percent spread. There is a difference of 10 percent between what I was paying them and their current salaries, which basically, at entry level, it's about \$5,000 more. So I had to

return -- give to the teachers \$30,000. I didn't object to giving the money to the teachers. I've always told the DOE and the District I'd be happy to pay my teachers every and any penny that is provided, but they should be paying 100 percent of the costs for providing pre-K.

So we've had failure in that -- in terms of defining flexibility. I also want to point out that consistently over the last few years we've had late receipt of our contracts -- that is to say, executed contracts; and we have received our budgets late. I received my budget last year in January -- midstream. My budget resolution for this year was approved-- I think it was approved in February. Because I haven't gotten formal acknowledgement of my dollar amount--

ASSEMBLYWOMAN JASEY: And what's the fiscal date?

MR. OCASIO: The school year-- Well, we run basically from July through June. It's a 12-month contract, 10 months of actual work.

It's also important to note that the decision, such as the resolution of my comparable salary compensation, is never defined in writing. It's normally not communicated in writing, nor is it disseminated to all our providers; so that, essentially, you're also basically doing an ad hoc administration of the program.

I do want to say that the Coalition has consistently requested that the DOE provide 100 percent financing of the 6-hour day. We believe that if the mandate we've given up over the last three years -- of having a discussion with DHS about its formula and its use of wraparound-- I can tell you also that I'm now part of a working group with Paterson and Jersey City that met with DHS, and we got no real concessions from them about

trying to improve -- other than some flexibilities around whether 25 or 30 hours would be sufficient in terms of defining who's eligible for that.

I want to go to one other thing that leads to the question of the District and its relationship with the community. Recently Newark undertook a Head Start program. It received a contract or a grant for 1,000 students. Previously about 1,500 kids -- excuse me; 2,400 kids were contracted by the Newark Preschool Council. They lost that contract. The District decided to apply for and received 1,000 of that 2,400 who were originally in Newark.

Unfortunately, that decision was never communicated to the providers. We had no idea that the District was contemplating that. When word got out that they had, in fact, received it, they told us they could not communicate or share anything about what that contract would mean and how it was going to be implemented because they were still negotiating. They have now instituted that program and have done a major expansion. That expansion is totally uncoordinated and unplanned with the activities of existing providers, and it's at a time that we're somewhat challenged by the resources that we have.

In addition to that, we have found that the District is now poaching not only students, but teachers and family workers, affecting our infrastructure. It's interesting to note when they poach a teacher, particularly if they poach them from me, my entry salary is \$50,000; their entry salary would be \$55,000. Their compensation obviously is greater than mine because their fringe benefits -- health, etc., pension -- are much greater than mine because they tapped all of my expenses. By the way, most of the budget that DOE and the District provide is prescriptive; that

is, “this is what you must pay.” By the way, they think the janitors, and secretaries, and kitchen help should receive subpar wages. They are above the minimum wage, but they don’t really provide a living wage.

So when they took on Head Start, there was no coordinated effort; there was no willingness to be transparent in public about what they were doing. When they did discuss it, we were told that they did this because, one, it would allow the District to improve their relationships with family engagement because they did not have those services within the District classrooms in comprehensive schools -- that is the K-8 or K-5 -- whatever the mix might be. And they’ve also instituted the Head Start program in what they call *Early Childhood Centers*. There are at least four at this point.

Unfortunately, they’ve exempted themselves from all the standards that apply to private providers that actually are providing -- unless they have been grandfathered. These should not have been grandfathered, but they seem to have been exempted. To illustrate: In my classrooms, children can go to the bathroom when they’re visible to an instructor and accompanied by -- kept under watch by an instructor at all times. In the District, in the Gladys Hillman-Jones, which was renovated about seven years ago -- a junior high school, or middle school -- a teacher or an aide must walk the students from the classroom, down the hall, to a centrally located floor bathroom to use, okay? I don’t think that that’s the example--

At the same time, when the District said it was going to improve the quality of family engagement and parent involvement, that

may be true in the Head Start, but I don't see any difference in the classrooms that are integrated into the comprehensive schools.

So there is a question of what they're achieving. For all practical purposes, all the District did by replacing the Preschool Council was substitute *them* for *us*. The State and the District have agreed that Head Start dollars will be used as a base, and then they're matched by the State dollars. So if the average cost in Newark is \$13,100 for pre-K, the State will pay -- DOE and the District will pay, because essentially the mandate is for the State to provide the cost of pre-K. And Head Start should be a way of advancing and enhancing the work that's being done in the education and dealing with the families. That's not the case. All we're doing is substituting dollars and diminishing the effort -- the actual effort of the State.

Ideally what they should be doing-- If the State would be providing the full cost of pre-K, the District would then be able to use Head Start and apply it across the entire city to enhance the program, as opposed to what they're doing in taking the State dollars.

The implications for One Newark is that, at this point, many of us -- including my own organization, Donna, and others-- Interesting enough, some of the larger players in Newark have decided that we too will go after additional RFP -- 4,400 units -- slots -- of Head Start. We are going for that. Why? We do not trust the District, we do not trust DOE in providing a quality program, nor looking out for our interests. So therefore we're going after it. We hope that-- We've asked, in regards to One Newark, that the District delay the implementation of One Newark. We would like to iron out those differences, and we also would like to see the

implications for Head Start. I just got an e-mail that said that Head Start made an announcement in, I think it's Cumberland County, and they're also going to be making some announcements about Bergen and Essex County. We hope to be victorious in that, and that we will be able to do Head Start and have a counterbalance to the District. I'd like to be able to have all of the Head Start grantees work with the District in defining what Head Start really can mean to the educational system.

ASSEMBLYWOMAN JASEY: So you've raised a lot of issues here. And I'm trying to bundle them.

So in light of the fact that the Essex delegation of legislators is meeting with the Superintendent about this issue of pre-K, what I would ask from you is if you and Donna would be able to just give us bullet points -- some facts -- that we need to be aware of going into that meeting that the Senator and I can share with other members of the delegation. Because there are a lot of things that you're talking about that are very troubling. The wraparound situation has been deteriorating for a number of years now. And I guess one question I have is, is anybody looking at the impact of the loss of wraparound services for students? That's one question.

But another issue is, what you seem to be saying is that-- We're always talking legislatively about public-private partnerships, and what I hear you saying is that there has been a complete breakdown between the public school district and the private providers for pre-K. And if, in fact, that is true, would you put something in your bullet points to that effect for us to use as well?

MR. OCASIO: I said, basically, I think Head Start and pre-K is being used as a substitute to offset the deficit of the District. I can't prove that. (laughter)

ASSEMBLYWOMAN JASEY: I thought that was where you were going. But we need to see that; we need some stats so that we can challenge that.

MR. OCASIO: I think the question of transparency and accountability prevent us from being able to really demonstrate that. But I think the implications are there. The evidence is there because we're not seeing an improvement in the pre-K program; we're not seeing any major difference in the provision of Head Start.

SENATOR RICE: Thanks.

A couple of things: Indicate what you think, and we'll raise it and let them justify why it's not so, okay? Since the evidence may not be as clear as it should be, then we'll figure through that. Because there may not even be a meeting-- Well, it may be a meeting without my participation, primarily because, to me, I don't see a substantive meeting taking place with the delegation, the Commissioner of Education, the Superintendent of Schools, unless we have the pre-K budget in our hands. Because my understanding is that the pre-K budget is due by December 15, and we don't have that. And I'm looking back to get these last three or four years because, I believe, to have a substantive meeting -- one that's going to have some substance to it or, anyway, a quality meeting -- is that our members in the delegation should be able to look at the numbers and see just where the dollars are going. A lot of issues are raised here today about deficits and how you're functioning right now.

So that's something, Assemblywoman, that I'm waiting on, and I know we've asked the Executive Director to reach out for the information. I've also reached out for it. But I may suggest to the members to postpone it if we don't have that information. And I sent a letter to David requesting that as well -- meaning the Commissioner.

Flat funding, from my perspective, and from my experience, particularly in the times we're in -- flat funding is deficit funding. There's just no way around it. Flat funding is deficit funding. There has to be a percentage over flat in order for you to maintain, with the costs that are going up across the board. And so we know that. I know that the State calls it *flat*, but it's not flat.

Then there's this whole issue of the lateness of the contracts, and you received your budget late. Well, I guess you received your budget late because the pre-K budgets are not submitted, etc.

But then you mentioned some other things that need to be talked about a little bit more. We talk about the Head Start dollars coming in -- I think it's about \$7 million in Newark -- but prior to the Head Start money, the District was supposed to increase its pre-K enrollment by about 300. And when I look at information coming back from the Superintendent on some of the questions we raised, they indicate they had increased the enrollment, I think by about 300 or so, when, in fact, they really did not increase the enrollment -- when, in fact, they took the Pre Council (*sic*) population that was already enrolled at Pre Council -- they just moved them over to the other side. Which means that that big waiting list-- And the whole idea is to get as many kids into pre-K and into early childhood education as possible. The idea was to have the funding to take

people from the list who had never participated. And so I think that's distorted as well, and it sells well when you are giving out bonuses. Like you said, people-- You know, "we improve it, we increase this, and we did this" -- and that's not totally accurate; that's distorted.

But there are also dollars-- You mentioned-- I need to raise a question on this. You indicated that your budget has been down and basically you've been able to manage. And you talk about the carryover dollars. But the carryover dollars are starting to become problematic also. And my question to you is, how are you managing this year -- because of the carryover dollars? Is that because of the Head Start dollars coming into the District?

MR. OCASIO: No. Again, the District and DOE have a very prescriptive budget format. And so they determine what, in fact, they will accept -- and they prorate. And whether your costs are a dollar-- And they don't even recognize 80 cents. And so then they prorate the 80 cents, because they determine that that's the budget number -- somewhat arbitrary, quite frankly. But nevertheless, with some greater flexibility in using and distributing those dollars, more of the providers are using those dollars, including myself. So there has been some flexibility, but not full flexibility; and it's been difficult to get to the point where we have full flexibility, as long as we don't have full funding. More of the providers are using those dollars, so the actual dollars-- There was about \$2 million to \$3 million in the past that were available, but that number has decreased over time. Three years ago the District provided supplemental payment using those dollars; last year it was not able to do that. But it allowed greater flexibility in terms of the proration percentages. This year we have the

same situation. There are less carryover dollars, so I think carryover dollars are over.

SENATOR RICE: That's why I raised it. It's my understanding that had it not been for the Head Start dollars coming in you would not be in the position you're-- You'd be in a worse position. It's my understanding that the Head Start dollars are being used in the District for a purpose. If they weren't there, this is what they had. The cost -- they're coming in, they put the dollars here, took some dollars that were there, and said, "We're going to take care of this, this year." My concern is about where we go in the future.

MR. OCASIO: I'm not even sure that the math works, because essentially that teacher, when it was a preschool classroom in the Preschool Council, was paid the prevailing wage of a teacher, or comparable -- parity. But now the teacher going into -- the teachers that were poached from me might go from \$50,000 to \$55,000. But in reality, because they get the step and the grade, they may be making \$68,000, because we have not had step increases over the last five years, nor did I give them two increases. So that teacher may actually be at \$68,000, as opposed to \$55,000 -- plus an increased pension and health benefits. The only savings maybe is that they essentially may be saving on the space costs because they have an empty classroom, and that may be covered through the budget -- and also the janitorial and secretarial staff may also be offset because they're being shared. But I don't really know the math that they're able to do that. I question, at the end of the day, that it's actually going to be a plus. It definitely is, in fact, a savings to the State, but it doesn't improve what is

being provided. They are only standing in the place of what the Preschool Council did yesterday.

SENATOR RICE: And that's why there's a request for the Controller to go in and audit the books. We need clarity on what's going on there, based on things we think are going on -- allegations, and things that we know are going on. But we'll call them allegations right now, okay?

You also mentioned that you had to give money back -- about \$1 million. Could you explain that again for me? The money that was given back was money that was supposed to be used for salaries?

MR. OCASIO: We used it to construct our budget. The concept that was originally conceived, back in day one, was a zero-based budget that created a dollar amount. And we've lived with that for the last 15 years.

About five years ago the District entered into a new contract with the teachers, and so there was an increase. I think it was about 3 percent; the guys in the teachers' union could probably give me a better number. Because of the loss of resources, primarily from the State, La Casa did not give those teachers those raises. So that raise money -- that money, those raises-- I tried to use to cover the costs -- my increasing costs in other areas of the budget. Some of that was approved, some of it was not. And so therefore over the last-- Mostly the salaries were not -- taxes and fringe benefits I was allowed to move, but not the salary itself -- the differential. So that money went back to the State.

Also, their determination of what is an allowable cost was dictated by their determination of, "You have  $X$  number of dollars; this is the maximum you will have for direct costs. You must prorate that by 75

cents” -- 75 cents that the District -- percent that the District would pay. So if I had \$100,000 worth of indirect costs, and the District said, “No, your budget will only be \$80,000,” they would erase my \$100,000; they would put the \$80,000, and then prorate that 75 percent. So I’d only get \$60,000 from them, but my costs somewhere else was \$40,000 -- would have to go for wraparound from the parents. But those resources were diminished and so, therefore, I didn’t have those dollars.

SENATOR RICE: Okay.

MR. OCASIO: And that difference went to (indiscernible).

SENATOR RICE: What I’m trying to get -- because it’s still not clear in my head-- Let’s talk about employees. Were some of those dollars directed to give employees pay raises and benefits? Is that what I’m hearing?

MR. OCASIO: Yes.

SENATOR RICE: And you made a management decision, in order to have--

MR. OCASIO: As an agency, we had--

SENATOR RICE: --as an agency to have quality programs and to keep everything afloat; not to, maybe, give the benefits or the salaries, but to use it to keep the agency afloat. And once you made that management decision, they said, “No, give it back to us.” In other words, had you given it to the employees, there wouldn’t have been anything given back to the State?

MR. OCASIO: Yes. Well, let me clarify. As an agency -- as an independent agency, we chose-- We have a salary freeze across the board. And the teachers were the only ones who were given salary increments. As

an agency we said that we would treat all our employees the same in terms of salary, benefits, and pensions, and health benefits. So the teachers were not given that. I then asked the District to take that money and allow me to cover the actual costs of--

SENATOR RICE: Exactly.

MR. OCASIO: --the early childhood program, not my--

SENATOR RICE: And they basically said no, and you had to give it back.

MR. OCASIO: Yes.

SENATOR RICE: So they're saying if I decline-- So they're saying if I decline to put a couple of more dollars in my pocket because I want to help take care of something that's more essential -- the kids -- that you can't; the same money, you can't use it. Just give it back to us. That doesn't make any sense in terms of rationale. I mean, if we in the Legislature decide, well-- First of all, our staff hasn't had -- on the district office, it must have been 10 years now. They haven't had any money, okay? Everybody down here gets something, but they don't get anything. We need to fix that. But my point is, if we decide as legislators that we are getting \$1,000 each, 120 Legislators, and we say, "Well, you know what? That's wonderful; thank you; give it here." Then we take it, we put it in our pocket, and we're going to go over here and help the taxpayer, all right? And they said, "No. It's for your pocket," so you can't use it. That doesn't make any sense. We're not going to talk about it anymore, but I just want to get some clarity as to that scenario.

The inclusionary dollars do not impact your agency, right?

MR. OCASIO: No, we're one of those agencies that actually has dedicated seats for children who have special needs.

SENATOR RICE: Okay, right.

MR. OCASIO: So we do that. Unfortunately, what happens is, many of the testing is delayed, and we have to deal with that. And at the same time-- We have a teacher and an assistant teacher. Oftentimes when we have a special needs, and you have numerous, there should be an aide. Oftentimes that aide does not materialize and so that burdens the quality of the program.

SENATOR RICE: And also, final question -- I'm going to get to you, Doc -- then I'll let the members ask questions, and then I'll bring up the next speaker.

As to nonprofits applied provider, did the formula for the pre-K, per pupil, per student -- whatever we call it--

MR. OCASIO: The formula was based on a 10-hour day; 6 hours for DOE--

SENATOR RICE: No, I understand; hang on. Let me ask you my question. That's why you're running an agency; see, you're not teaching, see, because you don't-- No, I'm only kidding.

No, but seriously, in the classroom-- In other words, we have these centers now, and we're going to shift this stuff over. But in your case, you get, regardless of what the amount is per pupil, you get pre-K dollars in that budget. But you're supposed to get facility monies too; is that correct?

MR. OCASIO: Facility is part of the overall number that we get from the District, yes.

SENATOR RICE: That's my point. But you're supposed to get this anyway. This is the piece here. So my point is, is that the carryover dollars are pretty much what was helping you with the facility costs.

MR. OCASIO: No.

SENATOR RICE: Okay.

MR. OCASIO: Not necessarily.

SENATOR RICE: All right. But you're supposed to get-- My understanding -- because I've been looking at these budgets, contrary to what you all think -- is that you have two set pots of money, okay? You get-- You're entitled to the per-pupil money, the monies that someone in-house -- for lack of a better word in the school setting, okay? -- is entitled to. But because you're private providers, you're entitled to some facility money as well.

MR. OCASIO: I would say that the District has determined-- there are two parts of the budget: the educational dollars, which basically include the instructional costs, and the fringe benefits, and the taxes, educational materials, and field trips -- if I'm not mistaken. Then there are the indirect costs, which would be the Center Director, facility costs, and any other costs -- insurance, etc., maintenance, etc.

SENATOR RICE: Right.

MR. OCASIO: And those are two separate parts of the budget, two separate pages. They generally don't allow you to take-- The State administrative codes don't allow you to automatically take salaries and put it into direct costs, but you can do it if you get approval. And so the State has not allowed that up until this year when they changed it from *parity* to *comparable*.

SENATOR RICE: Okay, thank you.

Doctor.

DR. JOHNSON-THOMPSON: Okay, what I wanted to say-- I wanted to go back to the preschool and the Head Start, when you made the statement about the Head Start. I know, for this year, we were -- this school year we were supposed to receive a cut. But the reason they didn't give us a cut was because of the preschool money coming into the District.

MR. OCASIO: The Head Start.

DR. JOHNSON-THOMPSON: The Head Start; I'm sorry. The Head Start money came into the District. So they used that money to help offset the cut for this year. But we do not know what's going to happen next year.

SENATOR RICE: That's the point I was making, Doctor. Thanks for clearing it up.

DR. JOHNSON-THOMPSON: Yes, that's what-- Yes, definitely.

SENATOR RICE: See, I have been paying attention. I've been underground on this stuff, okay?

DR. JOHNSON-THOMPSON: Okay.

SENATOR RICE: Any questions from any of the members?  
(no response)

Okay, I want to thank both of you. But I will request-- I know the Assemblywoman requested some information. She said some bullets and talking points. I'd like substantive questions, because we're going to analyze what we're being told; we're going to analyze, and we're going to turn some of that into questions. But you really know the questions that

we should be asking to the State Department, as well as to the District. So if you could give us a list of those questions we'd appreciate it. It would help us get through some of that a lot quicker, okay?

MR. OCASIO: Will do.

SENATOR RICE: All right, thank you very much.

Next we have coming up-- Okay, Mr. Mark Weber.

UNIDENTIFIED MEMBER OF AUDIENCE: (off mike)  
(Indiscernible).

SENATOR RICE: Beg your pardon?

UNIDENTIFIED MEMBER OF AUDIENCE: (off mike)  
(Indiscernible)

SENATOR RICE: No, Mr. Mark Weber.

UNIDENTIFIED MEMBER OF AUDIENCE: Oh, I'm sorry.

SENATOR RICE: Yes.

Now, while he's coming up, mind you, I got a note here that you wanted to speak--

UNIDENTIFIED MEMBER OF AUDIENCE: Yes.

SENATOR RICE: --on the method for teaching. This meeting is not about method for teaching right now.

UNIDENTIFIED MEMBER OF AUDIENCE: Okay.

SENATOR RICE: Okay? That's another meeting. This is about some of the-- The One Newark plan and some of the stuff that's taking place. We're trying to-- It's more investigatory, if you will, for lack of a better word, okay?

Mark, thank you very much. Would you state your name and information on the record?

**MARK WEBER:** Thank you.

Good morning. My name is Mark Weber. I am a New Jersey public school teacher, a public school parent, a member of the New Jersey Education Association, and a doctoral student in education theory, organization, and policy at Rutgers University's Graduate School of Education.

Last year I was honored to testify before this Committee regarding research I and others had conducted on One Newark, the school reorganization plan for the Newark Public Schools. Dr. Bruce Baker, my advisor at Rutgers, and one of the nation's foremost experts on school finance and policy, joined me in writing three briefs in 2014 questioning the premises of One Newark. Dr. Joseph Oluwole, a Professor of Education Law at Montclair State University, provided a legal analysis of the plan in our second brief.

I'd like to state for the record that neither myself, Dr. Baker, nor Dr. Oluwole received any compensation for our efforts, and our conclusions are solely our own and do not reflect the views of our employers or any other organization. I'd also like to reiterate what Dr. Pugliese said: All the data that I will use for this presentation comes from the State -- specifically, the New Jersey Department of Education.

Our research a year ago led us to conclude that there was little reason to believe One Newark would lead to better educational outcomes for students. There was little empirical evidence to support the contention that closing or reconstituting schools under One Newark's Renew school plan would improve student performance. There was little reason to believe converting District schools into charter schools would help students

enrolled in the Newark Public Schools. And we were concerned that the plan would have a racially disparate impact on both staff and students.

In the year since my testimony, we have seen a great public outcry against One Newark. We've also heard repeated claims made by State Superintendent Cami Anderson and her staff that Newark's schools have improved under her leadership, and that One Newark will improve the city's system of schools.

To be clear: It is far too early to make any claims, pro or con, about the effect of One Newark on academic outcomes. The plan was only implemented this past fall. Nevertheless, after an additional year of research and analysis, it remains my conclusion that there is no evidence One Newark will improve student outcomes.

Further, after having studied the effects of renewal on the eight schools selected by State Superintendent Anderson for her interventions in 2012, it is my conclusion that the evidence suggests the reforms she and her staff have implemented have not only failed to improve student achievement in Newark, they have had a racially disparate impact on the NPS certificated teaching and support staff.

Before I begin, I'd like to make a point that will be reiterated throughout my testimony. My analysis and the analyses of others actually raise more questions than they answer. But it shouldn't fall to independent researchers such as myself or the scholars I work with to provide this Committee or other stakeholders with actionable information about Newark's schools.

Certainly, we as scholars stand ready to provide assistance and technical advice; but the organization that should be testing the claims of NPS and State Superintendent Anderson is the New Jersey Department of Education. The students and families of Newark deserve nothing less than a robust set of checks and balances to ensure that their schools are being properly managed.

One Newark can be thought of as containing four components: the expansion of charter schools; a renewal program for schools deemed to be underperforming; a system of consumer choice, where families select schools from a menu of public and charter options; and continuing State control of the District.

This last component is clearly a necessary precondition for the first three. Given the community outcry against State Superintendent Anderson and One Newark, it's safe to say that none of the other three components would have been implemented were it not for continuing State control.

The critical questions I ask about these components are simple: Do they work, are there unintended consequences from their implementation, and is One Newark being properly monitored and evaluated?

Let me start by addressing the expansion of charter schools in Newark. This past fall, I authored a report on New Jersey charter school demographics with Dr. Julia Sass Rubin of the Bloustein School of Planning and Public Policy at Rutgers University. This report was commissioned by the Daniel Tanner Foundation. Using publicly available data, we found that Newark's charter schools, like charter schools throughout the state,

serve a different population of students, on average, than their host districts. This slide, from my first report with Dr. Rubin, shows that Newark's charter sector serves fewer students eligible for free lunch, a proxy measure for economic disadvantage. Charters serve very few Limited English Proficient students, fewer boys, and a substantially different racial profile of students than NPS's schools.

This disparity in student populations has been acknowledged by State Superintendent Anderson herself, who said last fall, and I quote, "I'm not saying they -- the charter schools -- are out there intentionally skimming, but all of these things are leading to a higher concentration of the neediest kids in fewer District schools." The data does, indeed, back up State Superintendent Anderson's claim.

Another important difference between charter and District schools is the proportion of special education students they serve. Overall, no charter school serves as large a proportion of special needs students as NPS. Yes, there is some variation between the District schools; but this is to be expected. Some NPS schools specialize in serving students with particular learning disabilities.

In 2011, the NJDOE commissioned a report that outlined the costs of serving students with a variety of learning disabilities. The costs of Specific Learning Disabilities, known as SLDs; and Speech/Language Impairments, SPLs -- you'll find those in the darker shades -- were found to be low compared to other impairments. As this graph shows, Newark's charter schools serve proportionately more students with low-cost disabilities compared to NPS.

This is both a cost and logistical burden on NPS that the charter schools do not share. As we shall see, this difference likely has a profound effect on school finances in Newark.

The following graphs come from analyses that will be presented in an upcoming report on New Jersey charter school finances, authored by myself and Dr. Sass Rubin, to be released later this year. According to NJDOE data, Newark charter schools do, on average, spend less per pupil than NPS schools. However, charters spend less on student support services, and far more on administration. We must ask, at a time when New Jersey is under great budgetary stress, whether it is prudent to replicate independently managed schools within the same city, particularly when their administrative costs are so high.

Data from the Department's *Taxpayers Guide to Education Spending* shows that the budgetary costs per pupil -- the Department's preferred metric for comparing education spending across districts -- are greater at NPS than at the Newark charter sector as a whole. This trend is seen in cities across the state. I've got Newark on the left, and the other six large cities across New Jersey that serve three-quarters of the charter school population over to the right. And, again, you'll see in blue the per-pupil spending in District schools is higher. However, we must remember that District schools serve a different population of students than charter schools. These special education figures come from the *Taxpayers Guide*; again, in Newark there is a substantial gap between the percentage of special needs students in the charters and in NPS schools. Undoubtedly, this affects per pupil spending costs.

This slide shows the differences in spending on student support services between charter schools and District schools. Support services include attendance -- which we obviously just discussed earlier -- social work, health, guidance, educational media/school library, child study team, and so on. These are precisely the sorts of services we would expect to be provided more extensively by schools that serve larger populations of at-risk, special needs, and LEP students.

As in every other city, NPS far outspends its city's charter sector on these services. NPS spends \$3,963 more per pupil on support services than the charter sector as a whole. Clearly, the responsibility NPS has to educate more students with more costly disabilities relative to the charter schools is affecting school finances in Newark.

But this begs a question: Where else do Newark's charter schools spend their money?

This slide gives us a clue. Newark's charter sector spends, on average, \$1,795 more per pupil on administrative costs. Again, it is possible that Newark's charters simply can't leverage the economies of scale NPS schools can. But there is another possible explanation. Newark's charters spend, on average, \$1,098 more per pupil on administrative salaries than NPS. And, again, this is typical of the trend across the state.

This raises the question of efficiency. Are charters actually more efficient than District schools? In other words, given differences in student characteristics and available resources, which schools achieve the best test-based outcomes? Which schools really do more with less?

Dr. Bruce Baker has created a model using a standard statistical technique called a *linear regression* that allows for the comparison of

efficiencies between Newark charter schools and NPS schools. Dr. Baker explains this model in a series of briefs, and you can find links in my written testimony.

Basically, this method of comparison uses several inputs -- special education percentages, free-lunch eligibility, staffing costs per pupil, and school size -- to hold all things constant. In other words, Dr. Baker's model attempts to balance the scales for schools that serve more special need students, or more at-risk students, or spend less on staff so that these schools aren't disadvantaged in a comparison of test-based outputs. This, then, is a statistical model that makes comparisons fair.

With Dr. Baker's permission, I've annotated his work here. The red bars represent Newark charter schools; the blue bars are NPS schools. I've further modified the graph so the Renew schools, which I will discuss shortly, are in light blue.

The schools with bars that point upward are schools that are *more efficient*. Given their student populations, their spending on staff, and their size, they produce better growth on student test scores than we would predict.

The schools with bars that point downward are schools that are *less efficient*. Given their student populations, their spending on staff, and their size, they produce lower growth on student test scores than we would predict.

So how does the charter sector fare overall? Well, certainly, some charters do well. We do see some red in the *more efficient*. But Robert Treat Academy, often touted in news reports as one of the highest performing charter schools in the city, is a relatively poor performer in this

efficiency model. You'll notice there are many red schools -- charter schools -- under the *less efficient* side. TEAM Academy, affiliated with the national charter management organization KIPP, and often cited as another high-performing school, is quite average in this comparison.

So let me be clear: Neither Dr. Baker nor I would ever claim this analysis should be used as the final word on which schools perform well and which do not. As we shall see next, there are many other factors, not included in this model, which can affect test score growth.

What is evident here, however, is that the simplistic claim that charter schools “do more with less” is a gross mischaracterization of a highly complex interaction between student characteristics, resources, and test-based results. Simple claims that allowing charter schools to expand will lead to more great schools in Newark are simply just not warranted.

I mentioned Dr. Baker's model does not account for many factors that may explain the relative success of certain Newark charter schools. One of those factors is attrition. There has been quite a bit written about this issue, so I'd like to make sure we get our terms straight before we look at this factor.

*Cohort attrition* is the year-over-year loss of students at a school within the same grade level. If, for example, a school enrolls 100 5th grade students in 2014, and then 90 6th grade students in 2015, that is a cohort attrition rate of 10 percent.

The role of student attrition in explaining charter school outcomes has been a source of national debate. Admittedly, it's impossible to get precise estimations of the effects of cohort attrition without student level data.

But even though we have incomplete data, we can look at it to discern whether there is enough evidence to warrant an investigation. Here is the cohort attrition for the Class of 2014 at NPS schools -- that's the blue bar -- TEAM Academy Charter School, and North Star Academy Charter School. TEAM is the solid red bar; North Star is the dotted red bar. The graph shows how the number of students declines each year for the grade level that was on track in the spring of 2014 to graduate, starting at grade 5. That's why everybody's 100 percent at grade 5. Each year shows the number of enrolled students in that class as a percentage of students enrolled in grade 5 back in 2006-2007.

NPS's Class of 2014 was 76 percent of the size it was back when it enrolled in grade 5 in 2006-2007. In contrast, TEAM's class of 2014 was only 59 percent of its size, and North Star's was only 56 percent of its grade 5 size.

Now, to be fair, this class was somewhat unusual for TEAM. While its cohort attrition for the class of 2013 was still greater than NPS's, the gap between the two systems was not as great as with the class of 2014. North Star, however, only retained 43 percent of its original class size.

The question we should ask is whether this attrition affects test score outcomes. Are low performers leaving charter schools, helping to boost their average test scores? Again, we need student-level data to be able to answer this question; however, we can look at publicly available data for some interesting clues.

This graph superimposes cohort attrition for the class of 2018 -- and that's the last class for which we have NJASK grade 8 data -- with average scale scores for each year's NJASK English Language Arts exam.

Note that North Star starts with higher scale scores for this class in grade 5 than NPS; however, the gap increases (*sic*) as the size of North Star's cohort decreases. The NPS class of 2018, in contrast, barely changes during this time.

The critical question is this: Were students who left North Star a drag on the school's average test scores? Does the school retain high performers while lower performers leave? Again, there is no way to know without individual student data. There is, however, in my opinion, more than enough evidence here for the NJDOE to begin a serious investigation into the role of cohort attrition on test scores.

I'd like to turn my attention now to the next component of the One Newark plan -- Renew schools. In March of 2012, State Superintendent Anderson announced a plan that would, among other reforms, require all staff members at eight NPS schools to reapply for their jobs. The wholesale turnover of a teaching staff is known as *reconstitution*. While not all teachers were necessarily replaced in the plan, our analysis indicates there was a significant change in the staff of the eight Renew schools.

My review of the research shows that there is no evidence that reconstitution is a consistently successful strategy for improving schools. In fact, reconstitution can often be risky, leading to students enrolling in schools that underperform compared to where they were previously.

This is the slide that Dr. Pugliese showed earlier. As he said, in most cases -- 13 out of 16, I believe it was -- the Renew schools actually showed a decrease in proficiency on test scores. But I'd like to extend this work a little further. I examined the Renew schools through Dr. Baker's

efficiency model. Obviously, it is too early to make definitive conclusions about the efficiency of the Renew strategy; however, this early look shows there is no consistent pattern of Renew schools demonstrating any more efficiency, as a group, than the rest of Newark's schools. You'll see some Renew schools are more efficient and some are less.

Further, in their first year of renewal, the eight schools showed, on average, a sharp drop in their median Student Growth Percentile scores compared to the rest of NPS's schools. This slide shows the drop in ELA SGP scores for the Renew schools. It is worth noting that SGPs compare students -- and, consequently, schools -- to other students with similar test score histories. In other words, the bounce back up in the SGP in year two does not likely indicate a return to where the schools were before renewal, because the schools are now being compared to lower-performing schools. It is likely easier for Renew schools to show growth because their growth was low in year one.

Here we see the same pattern for math SGP scores. Again, the bounce in year two likely indicates it is easier for Renew schools to now show growth as their new comparison schools are lower performing.

But test-based outcomes were not the only changes at the Renew schools. My analysis of NJDOE staffing data shows several remarkable trends after renewal. The average experience of the staff at these schools, following reconstitution, declined significantly, and the percentage of staff with less than three years experience actually increased.

The average teacher experience before renewal was 14.8 years; after renewal, average experience dropped to 11.1 years, and stayed roughly the same in the next year.

Before renewal, 11 percent of teachers had less than three years of experience; after renewal, 26 percent of teachers were similarly inexperienced. The research consensus is clear: Teachers gain most in effectiveness during their first few years of teaching. The large increase in novice teachers likely made the overall teaching corps for the Renew schools less effective.

Experience, however, was not the only change in staff characteristics following renewal. In the program's first year, the percentage of black teachers at these schools dropped substantially. Keep in mind that most of the Renew schools serve a majority black student population.

In a recent article, the peer-reviewed journal *Urban Education* reviewed literature and concludes that black students benefit from having teachers of their own race. While there is no indication that the change in the racial composition of the Renew schools' staffs was deliberate, there may still have been unintended consequences.

This graph shows the student populations for the eight Renew schools; all but one have majority black student populations. In those seven, at least 75 percent of the student body is black. And yet, in the first year of renewal, the proportion of black teachers declined by 7 percentage points.

So what did renewal ultimately mean for these schools? Intentionally or not, it meant fewer black teachers with experience -- this in schools with large proportions of black students. And it also meant a significant drop in growth scores, and a decline in proficiency on State tests.

Again, it's too early to come to a definitive conclusion about the efficacy of the Renew schools program. But all early indications, however, are not promising.

I turn now to the third component of One Newark: school choice. The One Newark plan called for students in District to choose their schools from a menu of charter and District schools, using a single application. I won't recount the many problems with this application system, nor the subsequent staffing, transportation, and logistical problems, as those have been well reported in the press. I will, however, refer to a classic economics paper from George Akerlof titled, *The Market for Lemons: Quality Uncertainty and the Market Mechanism*. Akerlof used the used-car market to explain that a consumer model -- like One Newark -- only works when there is adequate and impartial information available to consumers. Without this information, consumers are not only likely to fall victim to unscrupulous providers, providers of quality goods are less likely to enter the market.

A market system of choice for schools, then, requires that families have high-quality information about the schools they are choosing. NPS attempted to provide that information on the One Newark application, labeling schools at three different tiers. This is an excerpt from that application. *Falling Behind* schools are those that allegedly lag in student outcomes; *On the Move* schools are supposedly improving in their performance; and *Great* schools supposedly serve their students well.

It's reasonable to think that Newark's families leaned heavily on this application when making their school choices. But what was NPS

actually measuring? Were they taking into account the differences in student populations when judging test score outcomes?

To judge this, I conducted an analysis using a linear regression model, and published the results in a brief this past spring. By using a statistics tool to hold all things equal, I'm able to show which schools performed above or below where we would predict them to be, given their student populations.

Logically, we would expect the *Falling Behind* schools to perform below prediction -- which would be the bars pointing down -- and the *Great* schools to perform above -- which would be the bars pointing up. In fact, however, the ratings are all over the map. There are *Great* schools that under-perform -- those are in green, but pointing down -- and there are *Falling Behind* schools that over-perform. Those are in red, and they're pointing up.

This question, then, is how was NPS judging whether schools were *Great*, *On the Move*, or *Falling Behind*?

This graph gives us a clue. *Great* schools have fewer free lunch eligible students, fewer boys, fewer black students, and fewer students with special needs. The One Newark application, arguably, wasn't evaluating the effectiveness of the school; it was, instead, judging the characteristics of its student population. I would argue this is not the sort of information that a family needs when making a school choice. No school should be penalized simply because it serves a different student population.

Today I'll admit that I have raised more questions than I could answer. The truth is that the body that should be bringing you the information you need is the New Jersey Department of Education. The

appropriate role of the Department is to provide data and analysis that you, the policy makers of this state, need to inform your decisions.

To that end, the Department must be an impartial overseer of Newark's, and every district's, schools. There needs to be a system of checks and balances put in place to ensure that NPS and State Superintendent Anderson are pursuing programs that have a good chance of succeeding.

I know I speak for many education researchers in New Jersey in stating that we are ready and willing to assist all of the policy makers responsible for Newark's schools in formulating programs that can be successful.

One resource for you, your staffs, the NJDOE, and NPS to use is the New Jersey Education Policy Forum, a collaborative effort of education policy scholars throughout the state. Dr. Baker established this resource because he believes, as do I, that scholars and researchers should make our work available to policy makers and other stakeholders.

We will continue to monitor Newark's progress as best we can, and we stand ready to assist you and all other policy makers in serving the children of Newark.

Thank you very much for your time.

SENATOR RICE: Thank you very much too. That was a well done presentation, and certainly it needed to be shared, and will be shared, with all the members of our legislative body.

I'm going to ask the members if they have any questions. But also, before I do -- Mark if you could-- I'll give you the same challenge and charge to assist us, to expedite things in what we have to do as a

Committee. If you could identify a series of questions coming from the presentation that we should be asking of the State Department of Education, the Commissioner's Office, as well as the District, we would appreciate it. Our staff is being challenged and charged to do the same thing when they read over these documents. I know there are a lot of queries that need to be made, and a lot of answers that need to be given. And it's going to be time-consuming to some degree, but we have to get through this, okay?

MR. WEBER: It would be my honor and my privilege to do that, Senator.

SENATOR RICE: Thank you.

With that being said, questions?

Assemblywoman.

ASSEMBLYWOMAN JASEY: Not really a question. I think you raised plenty of questions. More of a comment.

I really appreciate the way in which you presented the information. In listening to your discussion of the charter schools -- which is an ongoing discussion here in the Legislature in several Committees -- just off the cuff, one of the ideas that some of us have been thinking about is proposing a moratorium on charter school application approvals for, let's say, a period of a year, so that we could actually go back and look at 20 years of charter school performance and growth here in the state. And the idea would be that that information would then inform a possible rewrite of the charter school legislation -- which the original legislation is very general and did not anticipate what we have seen happen here in the state, which is basically the growth of a parallel system of public education -- regular public

schools and public charter schools. And there's nothing in the original legislation that tells us how lessons learned might be shared, you know?

So I'm just asking-- Two questions for you: One, in your professional opinion, do you think that that would be a worthwhile effort? And two, is there any information out there that would be readily available to us, if we chose to go that route, to inform our discussion?

MR. WEBER: Well, first of all, let me state this, because I have become a bit of a public voice on these issues. I am not against charter schools, per se.

ASSEMBLYWOMAN JASEY: Nor am I.

MR. WEBER: In fact, I started my teaching career in a charter school in Florida. The question I think that you raise, Assemblywoman, really has a parallel question: What do we know about charter schools?

ASSEMBLYWOMAN JASEY: Right.

MR. WEBER: And the answer is: not nearly what we should to invest the sort of resources, and political capital, and social capital, and all sorts of other things into their expansion. We have, frankly, more questions than we should have about charter schools before we should simply go off and start expanding them. So in that sense, a moratorium may make sense.

Of course, one of the issues with a moratorium -- and we've seen this over the last year or two -- is that some charter schools believe they can expand substantially, and have been allowed to expand by the Department and the Board of Education without having to change their charters. So we sort of have that as a question. You may have a

moratorium; that doesn't mean that charter schools aren't going to continue to expand.

Whether there's a moratorium or not-- Let me answer it this way. Whether there's a moratorium or not, clearly we need a lot more information, and we just don't have it right now. Dr. Sass Rubin and I wrote our last report because we were concerned that all of this information is being provided by the Department, and nobody's really taking it, and digesting it, and putting it out into a debate so that stakeholders can understand what the issues really are. Some of these issues admittedly are complex; and I struggle at times -- and I know other researchers struggle at times -- to try to put them into terms that policy makers and stakeholders can understand.

So again, I'd say this: No matter what, there has to be better research, there has to be better data, there has to be better understanding of what is going on inside of the charter schools.

I'm going to add one quick little point here, particularly relevant to Newark. And this is a point I try to make every chance I get. There was \$100 million pledged from Mark Zuckerberg for the Foundation for Newark's Future. Most of that, from what I understand, was matched -- close to \$200 million. About \$50 million went to settling a contract with the Newark teacher's union. A bunch went to political consultants; a bunch went to charter expansion. But nobody thought, "Hey, let's take a little bit, a tiny, little bit, and hire some researchers to really study these questions so that we have some good information to react to." Nobody thought that was a good idea. That remains, for me, a source of astonishment.

We have great people in this state who are ready to assist this Committee, assist NPS, and assist the Department. Like I said in my testimony, Dr. Baker is one of the foremost experts in the country on these issues, and he's only one of many scholars who could help in these efforts. I would respectfully suggest to this body that it's time to start leveraging them, start leveraging us -- I will include myself in that group -- to help you inform your decisions.

ASSEMBLYWOMAN JASEY: Thank you. I appreciate your answer.

MR. WEBER: Thank you.

SENATOR RICE: Assemblyman Wolfe.

ASSEMBLYMAN WOLFE: Yes. I want to thank you; it's rather extensive. But I have to tell you, quite honestly, I'm very skeptical about the results that you present to us. When you spoke to us last year about One Newark you presented a very dismal picture. That was the initial impression I got. And this basically compounds that impression that I got last year. Whether this is the reality, or it's the way that the statistics tend to show -- that's something I think we have to look at.

When you made your presentation last year, the Superintendent was not here; in fact, no one was here, and I raised the issue, "We need to hear both sides of the issue." I was not at the last Committee meeting we had. I don't even know if she showed up. Did she show up?

SENATOR RICE: Yes.

ASSEMBLYMAN WOLFE: I don't really know what she said. So I still have an open mind on really what is being attempted in Newark.

But what I've heard when I've been at the Committee is it doesn't look good to start with, and now it's underway and it still isn't really doing anything.

So as a member, I need to know what needs to be done to improve this program, or does it need to be stopped. And is it something that this Committee stops, or the Department needs to stop, or who does this? Twenty years of takeover by the State, being an Abbott District, receiving a lot of money from the State -- people in the districts that I represent are very affected by the fact that they don't get the money that they wanted. I mean, I really don't want to digress into this issue; it's a very volatile issue, but it's an issue that I face as a Legislator representing these people.

So if we're continuing to pour money into something that's really going down the drain, and we're just kind of spinning our wheels, and the kids aren't getting help -- then what has to be done to help those kids out? Because I think it's important. When I look at the graphs and the test scores, I assume they're the standardized test scores. A lot of kids don't do well on standardized tests, and yet we use those as measures for achievement or non-achievement. So I'm still trying to keep an open mind.

And I appreciate the data you provided for us; it's actually rather massive, and I congratulate you for that. But I'm only one member; but I still would like to have an open mind over this experiment. But how long do you have an experiment? Do you just keep it going, and going, and going and hope it's going to improve? Or do you really have a timeline when you say, "Hey, it's time to pull the plug?" So I don't want to offend

you or my colleagues from Newark, because, you know, they represent the folks who are really being impacted by this.

And I appreciate your listening, and thank you.

SENATOR RICE: I want to see if you can respond to that, but I do want to say this to Assemblyman Wolfe. I concur with him, because the one thing that we said on this Committee, going way back, to the residents is that -- and I'm talking about all the take-over districts; and I have publicly said it, and I have traveled, one-in-one, and met with groups, and spoke -- is that when it comes to a District like Newark, for example, we can no more argue money. And it, of course, came down with parity, it came down with the school construction. Now, we can argue about how we're spending the money, we can argue about whether the money is being sent to the districts. But now the argument has to be accountability; we've all said that -- the new members on this Committee and those of the past Committee. And I agree, and that's one thing that I believe that some of us feel comfortable with -- working with the State in the right capacity, and working with others -- the community and all the providers -- is that we can probably save money. Money is being wasted now; for example, every time we turn around someone who is in the "rubber room" -- which, by the way, the Superintendent said at the last meeting there was no such thing, until one of the rubber room guys stood up. Then, two days later, he was brought up on tenure charges from the rubber room. (laughter) But every time someone is brought up on tenure charges, they wind up losing; but every time they go to court, somebody winds up making money. And we're saying, "No."

So see if you can answer that, because we agree with the Assemblyman. The issue to us is about how can we better spend the dollars we're getting -- that's number one. And number two, what's creating these deficits; and we kind of know some of it -- that's the money following the child into charter school, after charter school, after charter school. And she acknowledged that. And she also acknowledged that she had some presumptions that weren't real. And that's why we're failing.

And as the Assemblyman said, it's clear that there's an experiment. We don't want to be the guinea pigs; we're certainly not going to be throwing more dollars out there, except for the dollars that should be coming, based on the courts, based on what we have said as legislators. But we don't see where our money is going.

And so the question that the Assemblyman raised is, do you have any suggestions -- ideas as to how we can get out of this "experiment?"

MR. WEBER: Well, to be honest, Assemblyman and Senator, you may not like my answer.

Funding is the necessary precondition for children to be able to receive -- to be able to meet the outcomes that we expect them to meet. You cannot have a school system do what it is supposed to do without adequate funds.

According to the Education Law Center, we are now \$6 billion cumulatively, I believe is the figure, behind on SFRA's -- since it was originally passed. That is statewide, obviously. I don't have the figure in front of me exactly for how it is for Newark. And I know that there is actually an argument to be made that SFRA, in and of itself, is not enough.

A couple of years ago John Mooney, who is the -- who writes for *NJ Spotlight* -- and I occasionally write for John's outlet -- he had an interview with a very bright young man who was -- I believe he's going to West Windsor High School. And he was talking about what life was like at his school. And the issue of school spending somehow came up. And John asked him, "Your school is spending less than some of these other districts, and yet here's your school -- lots of kids taking AP exams, lots of kids going to elite colleges -- what's going on?" And the kid said -- again, I wish I knew who this young man was, because I'm going to vote for him in 20 years, whatever he decides to run for -- he said, "My life is different than these other children. I have a different life. And you can't expect them to meet the same goals that I'm meeting, when our lives are completely different."

And so John asked him, he said, "Well, we already spent so much money there. Isn't that enough?" And the kid said, "Maybe it's not enough. Maybe we need to spend more."

It's a reality that we're going to have to take a look at, as a society, and it's very uncomfortable. It's particularly uncomfortable here in New Jersey right now. Everybody knows we're under enormous fiscal pressure. Everybody knows that our property taxes feel so high; we feel like we're overtaxed, we feel like we're giving more and more to the State. But if we're going to stand up and say, "We expect students to meet a certain goal," we've got to give schools and teachers the resources to meet that goal. And the question is, are we doing that? I would argue there's a lot of evidence that we are not.

Given the reality, however, that-- And I understand the fiscal pressures may not -- we may not see money forthcoming in the future. What else can we do? I would ask us to think, in terms of charter schools, whether it is fiscally prudent to replicate administrative services across a host of independently managed districts, rather than bringing them all in under one central administration which might be able to leverage economies of scale.

And this is why I question the idea that has been put forward that charter schools automatically do more with less. You have to take the differences in students into account. And when you see that, some schools seem to do well, and some schools seem to do less well. There is a school in Newark called the *Discovery Charter School*. By Dr. Baker's model, it is the most efficient school in Newark. It's very small; I think it's 97 kids. I don't believe it enrolls Limited English Proficient students; it has a small population of students who are special education. But maybe something's going on there. Maybe we should be looking at that school and saying, "Is there something here that's replicable?" That's what charter schools were supposed to be. They were supposed to be laboratories of innovation; we could learn something from them, and then bring it back to the district. Now we seem to see them almost taking over districts. That wasn't the original intent -- at least not for people like Albert Shanker and others who were originally proposing them back then.

SENATOR RICE: Right.

MR. WEBER: So again, Assemblyman, believe me -- I'm a New Jersey taxpayer. I get my tax bill every year; I see what it is. And yes, it can be rough, but we do have to ask the question: Are we providing the

resources that are necessary for these children to get the outcomes that we expect them to get?

SENATOR RICE: Well, bingo on your answer. Your answer fell into the area when you said that we need to bring this stuff back into perspective. We're starting to create schools and districts, and schools and districts. We talk about over 600 school districts in New Jersey. There really are more than 600 school districts, because you have that *private sector district*; that's what I call it, okay? It was supposed to be an experiment -- it was started; and the idea was if these things work over here, then we're going to put them into traditional public schools -- not that we're going to get behind, like the voucher people did, and push it up front.

And so that's the bingo answer -- part of the answer. The money piece, people keep confusing. And I'm going to tell you where the confusion is -- and I wrote an editorial not long ago talking about the Kerner Commission report and talking about Ferguson, etc. And I said that the issue is not whether or not Michael Brown or the people in Ferguson, Missouri -- whether the black guy was stealing or confronting the authorities; it wasn't an issue of whether the white police officer was racist or afraid to work in that district. The question became the *whys* of it all. And the whys go back to social issues.

And so what I'm saying is that when we talk money up here -- the Assemblyman and I, and the people in this District -- if you look at the media, the media is talking about how much money "is spent in the take-over districts" or, at least, is supposed to be spent in the take-over districts based on what the court decision says. Now, if the State is cutting back on what the court said they should be doing, that's one issue. But let's make

the assumption that those dollars are going to be there, and we'll make them fully fund what the court said.

The dollars that you're talking about are over here (gestures). It deals with the issue that the school system doesn't deal with, and that's the social issues as they relate to job opportunities -- which we're going to be fighting from the Economic -- the new Committee we have -- Justice Committee to try to find out what's happening. It's just the housing stuff, and the fact that we don't have, really, middle-class communities helping defray the costs. And so we need to keep those pots because I think what's hurting us in the districts, in moving forward with local control versus State control, is that we keep saying, "More money is needed," and that's confusing people. More money is not needed, and what was ordered by the court-- Like I said, we have to just fight to make sure the money that the court ordered gets to the districts. But more money is needed if you start to look at how you rebuild communities, and that's going to take everybody else.

And so I think the bingo piece, once again, and what you said -- one component is just building charter after charter because someone set a goal in New Jersey -- like other states, they set goals -- that, "We're going to have these many charter schools." And nobody is slowing it down, and saying, "Hold it. If were going to have that many, at least make sure that the ones we have are working." And we know they're not working, and we're not saying, "Slow down; forget about it being a charter. Just think about a school that's not working, and let's fix that before we do something else."

And that's why we keep saying *moratoriums* -- that we can't get, first of all, Democrats to move a bill out of Committee, okay? So how do you expect -- I mean our colleagues, who are neutral and independent, trying to be objective -- to even help us get to where we're going to help the taxpayers save money?

I want to thank you for your testimony.

Anyone else have a question for Mark? (no response)

Okay. Thank you very much. We're going to bring the next speaker up.

MR. WEBER: Thank you.

SENATOR RICE: I know it's getting late, and we're going to try to get everybody out of here.

The next speaker we have is the Newark Teacher's Union Vice President (*sic*) John Abeigon.

**J O H N M. A B E I G O N:** Good afternoon.

SENATOR RICE: Good afternoon.

MR. ABEIGON: My name is John Abeigon. I'm the Director of Organization for the Newark Teachers Union. I hold a K-8 certification, and a high school certification as well.

SENATOR RICE: And you are located in the City of Newark?

MR. ABEIGON: Newark.

SENATOR RICE: Okay.

MR. ABEIGON: Yes, I reside in Newark.

SENATOR RICE: Your teachers' union--

MR. ABEIGON: I reside in Newark, I work in Newark.

SENATOR RICE: No, I'm talking about your organization.

MR. ABEIGON: Oh -- Newark Teachers Union.

SENATOR RICE: Okay. That doesn't mean it has to be in Newark, you know. We have Newark Paint Store in Maplewood. (laughter)

MR. ABEIGON: That's true.

SENATOR RICE: It used to be in Newark.

Go ahead.

MR. ABEIGON: You have my testimony, and you also have an attachment -- which is an October 24 letter to Commissioner Hespe. And I will refer to that in my testimony.

How many more times must the taxpayers of this state be subjected to the distortions and misdirection of Cami Anderson, cheerleader of charter schools, and occasional Superintendent of Newark Public Schools? In her third opinion piece for the *Star-Ledger*, January 27, the discredited Anderson finally outs herself as a lobbyist for the charter schools and reform-for-profit movement, which they disingenuously call *pro-students*.

Describing her recent and embarrassing appearance before the Joint Committee on Public Schools as "an opportunity she appreciated," she failed to mention that she had ignored three previous attempts to get her here, and that the only reason she finally appeared was the threat of a subpoena.

She holds legislators and supporters of public education in contempt, plain and simple. Referred to earlier by Assemblyman Wolfe, the latest show of that contempt for educators in the State of New Jersey -- and we've e-mailed you a copy of a letter that I sent to the college and university presidents in the State of New Jersey -- is that Cami has

unilaterally decided that Newark Public School employees can no longer receive salary advancement credits in any New Jersey institution of higher learning. In other words, Seton Hall Graduate School of Education, Kean, Rutgers, Princeton -- her own alma mater Harvard -- are useless to her. You must go to Relay Graduate School of Education. Relay is-- In New Jersey it exists on paper; in New York City, I believe it has a small office somewhere. But it is affiliated with KIPP and Teach for America people.

ASSEMBLYWOMAN JASEY: Oh. It's like a Broad?

MR. ABEIGON: Oh, most definitely Broad is in the picture.

She has used these people in the past to provide leadership training for her charter schools; but no leadership training for the traditional public schools. And, like I said, there's going to be more on that at a separate hearing coming down, with the Senate Committee on Higher Ed.

She states many charters in Newark are out-performing traditional public schools. Instead of fighting against the charter system that is working with our kids, we must create a public policy agenda that gives traditional public schools the same pro-student advantages, she says. Where is the acknowledgment and support of the Newark traditional public schools that are out-performing the charter schools?

You know, I spend a lot of time in Newark, and I see billboards; I see the sides of New Jersey Transit buses advocating and advertising Newark charter schools. I don't see a single billboard, I don't see a single commercial, I don't see a single bus ad touting Lafayette Street School, for instance, or Hawkins.

Other than directing millions of taxpayer and donor funds to personally and politically connected friends and firms, there is nothing and no one stopping Anderson from renovating 100-year-old buildings, or placing air conditioners in sweltering traditional public school classrooms -- except for her agenda to dismantle public education and ensure that teachers are to blame.

Must taxpayers, students, and parents tolerate a politically motivated Superintendent who currently allows the following conditions to exist in her traditional public schools, in order to make the case for more charter schools? Rafael Hernandez, in the North Ward, and scores of other schools are purposefully understaffed by the Anderson administration. How can Newark's traditional public schools succeed when Anderson has laden them with uncertified substitutes who teach continuously for months and years in subjects they know nothing about? When principals, fearful of losing their livelihoods, cower and permit substitute teachers to teach chemistry at Shabazz High School for years to special education students, how can classes succeed? And mind you, that the Principal at Rafael Hernandez is a new principal; it's her first year. She's non-tenure, and four months after I last spoke to her about her staffing, she is still shy 12 fully certificated teachers. Cami will not allow it, because she said, "Sorry, it wasn't in your budget in September. And it doesn't matter that more kids are moving into your school every day. You're not going to get more staff. End of story."

When you have stripped the District of attendance counselors and truants go AWOL and die in the streets, how is it possible for Newark's traditional public schools to succeed? The Central Office at NPS, to make

up for the deficit she is embroiled in, cannot process necessary paperwork because of staff shortages Anderson creates. Anderson maliciously distorts teacher evaluation frameworks to make succeeding nearly impossible. She callously makes testing conditions intolerable for students by denying teachers training and supplies, and students proper learning resources.

She uses the new teacher tenure law as a whip to keep staff in line and enrich law firms. She has spent nearly \$1 million taxpayer dollars on cases the new law clearly disallowed, and arbitrator after arbitrator rules against her. She knowingly creates her own failures, and then blames others.

Unfortunately, she has a Commissioner of Education who is an educator, but fears the man who appointed him. Her misdeeds and destructiveness of the Newark Public Schools and its children's education will someday be written about. Like her moral mentor, the discredited Michelle Rhee, she will form or join a group that is making millions on testing schemes and investing in purchasing public schools. Public education will remember her as America remembers Pearl Harbor.  
(laughter)

Lastly, and most disgracefully of all, her actions to date -- on February 20, 2014, Cami Anderson famously filed a waiver with the NJDOE on the grounds of identifying "low performing teachers" for reduction. Our response is in the attached letter, that we gave you, to the Commissioner of Education. The request was premised on the self-inflicted need to lay off teaching staff. Each charter school she succeeds in opening diminishes her budget for operating the traditional public schools. However, on or prior to July 31, 2013, Anderson, former Executive Director of Teach for America New York City, knew the Walton Foundation had

awarded TFA \$20 million to hire new teachers for the Newark Public Schools. The possibility was seriously raised with the State Commissioner of Education that Anderson may have violated a State code of ethics or committed a serious conflict of interest if she agreed, with aforethought, to receiving and hiring TFA teachers, knowing she would have to displace -- and vilify -- qualified New Jersey-certificated teaching staff with inexperienced and only provisionally certified TFA staff. Newark students are being sabotaged.

As a minion of a much broader and well-funded anti-public education movement, she should fight to change public policy and challenge State laws and regulations on her own time, and with their dime -- not the taxpayers.

SENATOR RICE: Okay. Thank you, John. We have some questions for you.

One of the things that concerns me -- I'm looking at some of the responses to some of the questions that we asked her when she came. Before-- And one of the questions was whether or not the -- the list of people who were in "the rubber room," which she claimed didn't exist in Newark. And then when Assemblyman Caputo rephrased it and used the term she likes to use -- the *employees without placement*, etc. -- then there was a different kind of acknowledgement. But the question was whether or not any of those individuals who she claimed are working at various locations -- with the exception of a few -- are they working in other certifications. Interestingly enough, when the question came back, it was never answered. What she said was that she had suggested to the teachers -- or the

principals, rather, that they try to place them where they can be, you know? Which means that that wasn't a proper answer.

And so you kind of raised the staffing issue, you know, etc. Also, there are areas where there are shortages of staff because of layoffs -- whether it's the counseling areas, etc. I don't know if any of the employees without placement fit into those areas under some certification or not. I just know we are paying for additional people.

So in terms of the question I had raised before-- Well, I didn't raise this, but can you talk on some of these -- the IEP or special needs issues that are impacting the District? Or do we need to have someone else here do that?

MR. ABEIGON: No, there are two separate issues, but I can discuss them both briefly.

The employees without placement are costing her \$20 million right now. And because of her complete disregard and disrespect for our profession, in her mind -- for instance, if you are an elementary teacher and you're in the rubber room, but you also happen to have a Hispanic surname -- for instance, Hernandez or Lopez -- she will have you transferred to a high school Spanish class on the presumption that you speak Spanish. (laughter) That's not necessarily always the case; and even if you did, just because you speak a language doesn't mean that you're qualified to teach that language to someone else. That doesn't matter to them. Remember, these people are not educators, in and of themselves. They are true believers of Teach for American and Broadism -- they are not educators. In their mind, put a body there. I don't care whose body you put there, but put a body there.

So we have these cases-- At least once or twice every week we have to try to work off the NPS grid, locally with administrators, to see if we can get a correct alignment. Famously, last year we lost both a science teacher and a autistic teacher. They had obviously been misplaced; the autistic teacher ended up in the science high school, the science teacher ended up over at First Avenue with an autistic classroom. When we caught the glitch, we tried to resolve it locally. When that local resolution made its way to the Human Resource Department in Newark Public Schools, both teachers were terminated. Both found jobs the very next day in Jersey City. A high school science teacher and an autistic teacher are not going to be unemployed for very long. So both, rather than be -- just accept the correction, they refused to acknowledge the correction and both were -- because they were non-tenured, both were given their 30-day notice. So that happens on the regular.

With respect to individual education plans, you have, right now, dozens of students in Newark-- And this is what we told the United States Department of Education, the Office of Civil Rights, and Special Education: That after Cami laid off 300 African American and Hispanic teachers aides and one-on-one personal aides, that, to us, created a civil rights issue right there because of the demographic that you were laying off, and the numbers that you were doing it -- 300.

So in Cami's mind she created what she called -- and this was visionary to her -- the concept of a *shared aide*. So, for instance, I have certain characteristics that qualify me to have an individual education plan, and the Federal law says I'm to have a personal aide with me all day while I'm in the classroom to assist me with learning, going to the bathroom,

sitting down, having my lunch, or whatever. And this gentleman over here also has an IEP that calls for the same thing. Well, in Cami's mind, well, we should be able to share one. The problem is that I go to art during second period, and he goes to lunch second period. So where is that aide to be? So at one point or another, some child is sitting silently in a classroom with his hands folded trying to wrap around the assignment that's been given to him, which, by himself, he can't. The aide is in a precarious situation because no matter which student she's with, she's at risk 50 percent of the time that while her back is turned to me, I'm going to act out.

Or we've had cases, just recently, within the last two weeks, at a school in the North Ward, where autistic students had *eloped*. It's a term that I just recently learned: When an autistic student walks off of a site and out into the public unescorted, they call it -- they say that that child has *eloped*. Fortunately, in the last three cases, parents, and students, and staff have been able to locate and return the autistic child back to the school. But once again it's due to the fact that Cami refuses to rehire aides, crying budgetary constraints -- constantly with budgetary constraints, while at the same time she acknowledges paying her top salaried people \$175,000 a year. And these are mainly people who, from our research, hold very little, if any, educational background. Now, you can't cry-- What they're doing now, and this is every day -- I'm no longer surprised at the audacity of these people. Because at the one time that they're crying, "Well, you know, if we're going to hire back aides, we require that those aides have at least 30 credits or a bachelor's degree." So, well, wait a minute. You're telling me, on the one hand, that graduate degrees and professional accreditation don't

matter in the effectiveness of a teacher. Yet, now you're using it as the excuse for not hiring back that aide because she doesn't have it. So you're telling me that she does not possess what the teacher does not need. That's the upside-down world of Cami Anderson's administration in the City of Newark.

SENATOR RICE: Okay. Assemblyman Caputo has a question. But I just want to caution the members that we need to pay attention to the word *elope*; this is the first time I'm hearing it. Because we know all too well about "the elopes" in New York and elsewhere -- where those kids were found; but there was another word. So I guess the other question is whether or not -- and you may know this, you may not -- if a kid elopes, if you will -- a special needs kid -- is that required to be reported to the State, at least for their records? Do you know whether or not? It's a yes or no answer.

MR. ABEIGON: I do not know.

SENATOR RICE: Then we need to make a note to check on that. Because, if not, then maybe we need to put in place some legislation -- or at least suggest some -- that elopers have to be reported, you know, right away. Not to make a big issue out of, but at least we can document it so we'll know what's going on in any school district throughout the state. Because that's a new term; it sounds nice and clean. I thought somebody's kid went and got married at 14 or something, okay? (laughter)

MR. ABEIGON: Well, Senator, be careful with that. Because if you're asking that data to come from the Newark Public Schools, you're not going to get that data.

SENATOR RICE: No, we're going to ask the State for the information.

MR. ABEIGON: Okay.

SENATOR RICE: You know, whether or not it's required, under law. We may have to do some statutes.

I'm going to ask some questions, but I know the Assemblywoman wants to ask some--

ASSEMBLYMAN CAPUTO: Well, it's a combination of--

SENATOR RICE: --and Assemblyman Wolfe has some.

ASSEMBLYMAN CAPUTO: --comments and questions. You know, that's part of the problem, because you can't report it to somebody who's responsible for the school district because they're not going to discuss anything that's negative about their performance, right?

MR. ABEIGON: Correct. Well, what they do now is, for instance, if a student decides to throw an electric pencil sharpener at me -- I'm in the middle of my lesson, and I get hit in the back of my head with an electric pencil sharpener -- I can't report that as an incident of violence. Under the Cami Administration, my Principal has to report me as not having been effective in engaging the student.

ASSEMBLYMAN CAPUTO: You're not in control. You're not in control of your classroom.

MR. ABEIGON: Right.

ASSEMBLYMAN CAPUTO: Right. This is a huge problem. You know, back to some of the other things you said about aides, and IEPs, and whatever. That's one of the reasons why we visited Washington, because there are Federal requirements regarding how we treat challenged

students in any school district in the state. And the fact that they're not complying with those regulations, we're back to the same dilemma. Who's going to report this, and where does the oversight occur? And where do we go for the enforcing of the proper administration?

So the more we hear, the worse it gets. I mean, we don't really know exactly all the cases because, humanly possible, you can't know everything that's going on in the entire District. But the fact is, you've been able to give us more of a grassroots reaction, based on what's happening in the schools, probably better than anyone else at this point.

So, you know, I appreciate, John, your testimony. But it's sickening to hear about, over and over again. It becomes more upsetting to think-- You know, nothings perfect in life, and no matter who runs the Newark school district, it will always be a very challenging position to take, as Superintendent, or whatever -- an administrator. But most problems over the years, when regulations are mandated, when there are requirements that have to be met -- you know who solves and makes that work? The local district. Every time the State or Federal government promulgates a rule or a regulation, or an unrealistic goal, you know who helps solve how to implement all that? It's the teachers and the principals at the local level who actually do that.

And we have a disconnect here. We have almost a cultural divide. You know, it's like some people are from another planet. I mean, when you tell someone that you don't have an aide to watch that kid who has to be watched and attended to on a constant basis while they're in school, I don't understand how they don't get it. To me, it's just impossible; I just don't get it. I don't-- It doesn't register, because maybe

I've been out of the system too long -- but it just doesn't register with me that you can be that callous towards what you have to-- Like I said, it's never perfect. But anybody who has been in a school building long enough realizes that; you work towards perfection, you're always working towards making the system better. In this particular case, what we hear over and over again is things are not getting better -- they're getting worse. And the frustrating thing is, what can we do about it? And we just keep pushing and pushing, and assessing. But you know, we have to come to some point in our discussion as to how we're going to deal with these problems. And I don't know what they are, at this point. But I'm willing to give it all the time I can.

SENATOR RICE: Assemblyman Wolfe, then Assemblyman Wimberly.

ASSEMBLYMAN WOLFE: John, I want to thank you for your testimony. I just have a question. What's the name again of that mysterious institution where people have to get their credits?

MR. ABEIGON: Relay GSE -- Graduate School of Education.

ASSEMBLYMAN WOLFE: Okay. If I may, my Committee colleagues, I just want to digress a little bit, because you mentioned a Broad?

MR. ABEIGON: Yes.

ASSEMBLYMAN WOLFE: Broad?

SENATOR RICE: Yes, Eli Broad.

ASSEMBLYMAN WOLFE: Somebody mentioned that. Did you mention that? You all know what that is?

SENATOR RICE: Yes.

ASSEMBLYMAN WOLFE: Or what it was?

SENATOR RICE: Yes.

ASSEMBLYMAN WOLFE: Okay. Under Commissioner Cerf, I have to tell you, quite honestly, I had an individual contact me who was an employee of the Department of Education, who worked in the communication area. And they were not the head person, but they were in line for promotion. And the person who was hired was a Broad Scholar; it's the first time I ever heard of these people. Maybe some of you people knew about the Broad Scholars.

MR. ABEIGON: Oh, yes.

ASSEMBLYMAN WOLFE: And it turned out that this was a time when I think the Commissioners were told they had to really hire from New Jersey. This person lived in New York City, and decided not to come to Trenton to work. He would meet them halfway; he would go to an office in Newark, and then they would have teleconferences from Trenton.

MR. ABEIGON: Sounds like them.

ASSEMBLYMAN WOLFE: Okay. And then it turned out that he and another person were overheard to say that they were moving closer to New Jersey. Then one of them said they were moving to the West Side of Manhattan, okay? I mean, so stuff like this was going on; I mean, the person who came to me I've known. I mentioned it, not to the Governor, and not to the Commissioner, but to someone in the Administration. And they basically said, "Well, that's the way things are going to be going with the Broad Scholars," whoever the hell they were. And it was just, to me, very disquieting -- that we had some people who were very dedicated, trying to do their jobs, and really were kind of being marginalized by people who

weren't really doing their job, but were getting paid to do the job and supervise people. In fact, the people in that office had to train the individual what they were supposed to do. They weren't even qualified to do communications.

So, I mean, this was three or four years ago. But I'm saying it made me -- the Teach for America and the Broad culture came and is still here, and it isn't gone. Maybe they're really good people; I don't really know. But when they're knocking people out of the way, and imposing things on our employees -- whether it's in Newark or here in Trenton -- it's more than bizarre. I mean--

MR. ABEIGON: So then you are familiar with the life of educators in Newark. (laughter)

ASSEMBLYMAN WOLFE: I'm becoming very-- Yes, I am.

MR. ABEIGON: Because you just described it to a T.

ASSEMBLYMAN WOLFE: Yes.

SENATOR RICE: Well, Assemblyman, you may remember this, or you may not have read it. I sent all the Legislators a document. I'm very familiar with all this; I've even taught classes to union members to tell them how to fight back on the whole privatization movement, going from '55. If Broads come in-- First of all, Eli Broad, just for the record, didn't make his money in the Institute. Interestingly enough, Broad made his money as KB Construction Company (*sic*) that built all these substandard houses and all this on the West Coast; they're under Federal investigation. Then he got involved with this movement, and bought a lot of art and stuff for New York, etc., etc., etc. -- philanthropist.

But they started the Institute, and they talk about -- if you want to come into their network of people then, what occurs is, if I want to do charter schools, they'll help me do it. But they'll also commit that if I do a charter school, then some of their folks have to be on my board; but they, in turn, are going to hook me up with their network and build capacity.

ASSEMBLYMAN WOLFE: Right.

SENATOR RICE: Their capacity means that you want to be Commissioner Cerf. You don't want a charter school, you want to have the educational pieces where you're consulting, etc. So I get it plugged in. Then there's Teach for America. So what happens is this sophisticated, elaborate system of circulating their people. So you become a principal. So if you look at the principal -- I think Jersey City is a Broad; I'm not sure if yours is a Broad or not; there may have been one going to Montclair. They all come from the Institute. If you (indiscernible) it -- Cerf is an Institute person, okay? He came from Broad, and that's where the connections are.

I even tracked this stuff as far as Dubai, India (*sic*) with Sonny Vargas (phonetic spelling). The Superintendent of Mount Olive -- I don't know if he's still there -- was a business partner of Cerf prior to coming here, who asked Cerf if he could do some privatization stuff. And Cerf said, "Well, you know, I'll think about it," because he knew we were watching, okay? There are things like that, that our colleagues don't know about. And that's why it has to be looked at, regardless of who is into the system, what is happening to our money.

ASSEMBLYMAN WOLFE: Yes.

SENATOR RICE: Because the money, like I said, is-- We've done it, okay? We're not-- It's like the pension -- maybe they don't fund it

all, but it's in place in the law, it's supposed to be there. The question is, what's happening to it?

And then there was this whole piece I sent the Legislature -- and I'll resend it to you, I'll make a note; remind me if you can -- the Commonwealth document to tackle teachers unions -- something like that. That's probably the best summary that shows when the movement started, and how sophisticated the money is, how they frame messages, how you get all these magazines that we get in our office talking about how wonderful charter schools are. That's all planned stuff. How they actually pay people throughout the country to go to public meetings just to articulate their message that you wrote in California as Dr. Wolfe--

ASSEMBLYMAN WOLFE: Right.

SENATOR RICE: --because you're known as an authority. I don't know you; they told me you sent it, okay? They actually pay people to write editorials or to do their editorials. And that's what we're up against, and that's why the question becomes, "Okay, we can talk about all those actors," if you will. But it comes down to one thing, when it comes to these school districts -- because it's Newark today; it's going to be Asbury Park in the future; we're the testing ground, along with Paterson and Jersey City. Atlantic City's next, okay? The question is, "Okay, we are putting this much money as a government into the education system. It's supposed to be going here. You're giving us these new models, which means our money is following the models; it has to follow the kids. What has happened to our money?"

That's why we asked the State Board to go in and tell us. You don't have to go in and tell us, Mr. Auditor, or Mr. Hespe, or AG, that Ron

Rice is a Broad. You are going to tell me that if I have  $X$  number of dollars in there, where's my money going? And if you tell me it's going to the Broad, then I'm going to ask you a question about what Broad is doing with it. You understand what I'm saying?

And that's the whole essence of this, and that's what is not being done. And the reason we can't get the State to look at it is because the State is part of the network. Unfortunately, so are the Cory Bookers of the world, the Christies, etc., and a lot of the hedge fund people. And so I said, "Okay, we're not going to be doing that. We're going to look at our money, because the money will tell the whole story."

So I just wanted to raise that issue.

Assemblyman Wimberly.

ASSEMBLYMAN WIMBERLY: Just briefly. Everything basically just-- The one thing -- I'm a former special ed teacher. Compliance and grievances, obviously, in reference to the per-pupil, the teacher, and teachers aide; all that stuff -- I'm sure you're very aggressive. I mean, it's just disturbing hearing that you have a situation.

And earlier I talked about the teachers' aides, and the people being laid off. And they're usually local people, and people of color who live in communities in Paterson, Newark, Camden and Jersey City -- wherever it may be. It is a civil rights issue because now you're contributing to, you know, the whole deficit structure of a community. When these houses are in foreclosure, people can't pay rent -- things of that nature -- it all ties in to one.

And just a major concern, because -- well documented in New York City is the Avonte's Law; I believe it is a law in place now in New

York. And it's a scary situation, working with special needs kids -- still, to this day, I do some work with recreation -- that you're really endangering their lives by not having proper staffing for many of these students. And the term-- You said *elope*; right now, it's probably not politically correct, but we used to have *runners* -- where you had to have people near the door, because out of nowhere they would just get up and jet out and get out the door. And if you don't have the proper alarms and security in place -- they've been laid off also -- then this is really something that can endanger the lives of our students. So this should be a priority when we talk about legislation, be it not protecting special needs students when it comes to the proper student-teacher ratios, student-aide ratios -- things along that line.

And, through the Chair, I would just like to learn a lot more about this graduate study situation here in Newark--

ASSEMBLYMAN WOLFE: Yes.

SENATOR RICE: Yes.

ASSEMBLYMAN WIMBERLY: --and the legality of it all. I mean, something sounds very illegal to me. I'm not a lawyer, but I know on the union end there has to be some way with grievances, or lawsuits, or injunctions that could be put in place that could stop this. Because you do not want to set the precedent with this type of thing -- where you have to go somewhere when, indirectly, it's kind of an oxymoron. When we have so many State schools and things of that nature right here that could benefit from-- Or, like you said, a Harvard; say you get a Harvard graduate degree. That means nothing in the City of Newark or anywhere. This seems totally wrong.

But just keep fighting the fight and, like I said, Chairman, any information on that would be gratefully appreciated -- or through the office.

SENATOR RICE: Well, we have one final speaker. But what I'm asking the staff to do -- and maybe, John, you and your organization of people can help us -- we need to know what the system is, or was, and where all these teachers and people were going. Identify that in New Jersey.

MR. ABEIGON: Okay.

SENATOR RICE: And then we need to find out more about who these other folks are; and I'll try to do it on my side. I do a little investigation too, but I'm asking the staff to do this research as well -- so that we can talk about what is changing, okay? I don't think that the higher ed institution -- or whoever we've been dealing with from New Jersey -- is going to be happy about the fact that they can't train or retrain, or whatever they're supposed to be doing with the New Jersey population. And that's been one thing that we've been arguing for a long time.

The other thing -- and then I'm going to bring up the NAACP, the last speaker -- is for the Committee, as I look at the information -- and we should be getting that information out to-- Did all the Committee members get the--

MS. TIBBETTS: (Indiscernible).

SENATOR RICE: Okay. We should be getting some responses back from the Superintendent being here. One issue that was raised was some of this special ed stuff and IEP stuff. But the money follows the child. It is my understanding from talking to people in Newark and other districts, is that when these special needs students are identified, if you will, they write a program for them, more or less -- for lack of a better word. When

they go to the charter schools, the program -- the IEP piece -- goes with them.

MR. ABEIGON: Theoretically.

SENATOR RICE: Theoretically. And when they get to charter schools, the parents are convinced they don't really need this IEP stuff -- because they can't really do the program, okay? But the kid doesn't succeed, they find a way to get the kid out of charter, and they come back to the traditional public schools. But the program does not come back with them, so they have to do reassessments and things like that, if they don't have the record.

But when I raised the question about the money following the child, the question was -- we asked about, well, okay, what about the IEP and the charter schools? She indicated, in her response, that she cannot talk about or speak for the charter school policies -- which didn't make any sense to me. Because the question was, if my money -- if the kids are leaving your school district and you put this relationship with the charter schools together -- that's what she did: e-mailed the report -- and the kid at a traditional public school is going to a charter school, you mean to tell me the district does not know whether or not they have a program, and whether or not that school can provide what is necessary for that particular kid? Because he may have to go to another school. That's not speaking for the district; that's speaking on what you know about the charter school. And if those are the kinds of answers we're getting back -- and that's why we know that the Superintendent is probably going to have come back and answer some more questions. We're trying to get them all in writing. But if

we get those kinds of answers, then she's going to have to come back and justify those answers.

So I just wanted to say that. I want to thank you also, John, Mr. Vice President.

MR. ABEIGON: Yes.

SENATOR RICE: I'll call up the last speaker now, and that is Ms. Deborah Gregory, who is the President of the Newark NAACP. And we want to thank you for your patience and all the work that you're doing.

**DEBORAH SMITH - GREGORY:** Good afternoon. I just gave some plans that I think the Chair and the Vice Chair might have already gotten, and a synopsis of the plan that everyone can have.

Good afternoon. Thank you. First of all, I want to thank you, Senator Rice, for spearheading the trip to Washington to speak to Secretary Duncan's senior staff members. They had the opportunity to get a firsthand interpretation of what is happening in Newark that they would not have gotten any other way. So I just wanted to thank you for that.

And I just need to go back in history, just so that we can put some things in a proper context.

Some of the highlights of the New Jersey Department of Education's State takeover investigation in 1994, that resulted in the State takeover some 20 years ago, were as follows: They found the school buildings were unsafe, and there was a significant backlog of uncompleted capital improvement projects.

SENATOR RICE: Right.

MS. SMITH-GREGORY: The buildings are still unsafe. Officials noted that there were two worlds -- schools with inequitably

distributed resources; Central Office, important sounding titles, detached from everyday reality of schools accomplished little and drained resources. There are still two worlds.

They found that the Superintendent did not govern, but was supposed to support the governance process by fostering Board deliberations, structured to focus on critical issues and providing information necessary for the Board to play constructive governing roles. This Superintendent overrides Board decisions, stalls with supplying information, and does not allow them to govern.

Those are just some of the highlights of that 1,000-page document that was the foundation for the State taking over.

Fast forward 20-plus years later, with State-appointed Superintendent Anderson. For months when the school closings began, parents from various schools attended meetings for their children's schools, even though they were locked out or, on the rare times that the Superintendent was in attendance, she would abruptly leave.

Siphoning money from the public school district for charter schools that are leased or bought below cost, but getting private dollars to make capital improvements, is discriminatory. Worse yet, the co-located schools have resources according to the charter unit, while the traditional public schools in the same building languish from needing improvements and resources. That is discrimination.

Twenty-plus years later, the State-controlled Newark Public Schools are more separate, more unequal, more discriminatory -- with black and brown teachers and principals being pushed out, and white teachers and principals being brought in from alternative routes. That was the

reference that was made by Mark Weber, and it is, indeed, a fact; and that is discrimination.

The new look of separate but unequal is the translation of school choice and reform under Superintendent Anderson. The rules are not the same, but all of our students are all of our children, and they should be treated the same.

Charter schools have become free private schools with different rules and policies that give them sovereignty with minimal oversight. Charter school laws are waived, statutes and policies are overridden. This is discrimination.

The NAACP calls for full funding and support of high quality, free public education for all children. The establishment of charter schools within public school districts diverts much needed funding for public education, and dismantles the viability of the public education system, and limits the number of children who are afforded the opportunity of an adequate and effective education.

The NAACP opposes the privatization of public schools and/or public subsidizing for funding of for-profit or charter schools. We will continue to advocate against any State or Federal legislation that diverts public funding, allows tax breaks, or establishes preferential advantages to for-profit, private and/or charter schools.

Newark can be better. And we heard all the things about what's not working. But we ask that the Legislators look into an alternative to the school reform that is being proposed by the State Superintendent. We ask that you look at the feasibility of community schools as a viable alternative to improving Newark schools.

So what you received is a copy of the Newark Promise that was issued last year -- a synopsis of the promise. And we have really done some research about what that can look like. Community schools, however, require legislation. But they can still be initially implemented while the actual legislation is pending.

We desperately need wraparound academic, social, emotional, and health support that services the whole child. We have sadly read of two deaths in our District. I am not saying community schools would have definitely prevented the loss of a young life at Louis Munoz Marin. But when a child takes her own life, that is a major problem. With the stripping down of school-based resources, we are denying students the much-needed support services. When the school is consumed with test taking without regard for the well-being of the total child, that is a major problem.

School and home are interrelated and connected. We need more resources placed in our schools, not less. We need more custodians to clean old, overcrowded buildings like Oliver Street so that the life-threatening bacteria and dust can be properly cleaned. We need to service the whole child -- and, yes, the family.

Paterson has launched the community school concept. And since there is at least one legislator here from Paterson, we invite the sharing of best practices. And I'm not sure whether you're aware of the community school concept, but it is an opportunity to see something different. And so there are legislators and community representatives from Newark who are going to be touring the schools, somewhere either April 23, 24, or 25. And our Paterson contact is Tobi Knehr, the Director of Community Schools of the Paterson Board of Education.

The community schools-- We say *community school*, but it's actually a neighborhood school; that's what it is. And we find that -- like Mr. Ocasio talked about those wraparound services -- community schools work in collaborations with nonprofits like the preschool in United Way, and other entities.

So if you can imagine this: Imagine Newark, the college town, really working with community schools. There was a recent initiative called the *Newark City Learning Consortium* of all the colleges -- that they are really working to make our schools better, that we can have a friendlier kind of reform. I heard Assemblyman Caputo say, "We don't know what to do." And as the last speaker, I submit to you that there is something more that we can do.

We can-- There's a saying about: We can curse the darkness, or we can light a candle. Community schools is a way of lighting a candle. Our children need the wraparound services. They need to know that their mind, body, and spirit are being educated along with the tests. The tests don't teach children; that's not what they do. The tests show-- And you can see, from all of the data that was put out both by Dr. Pugliese and Mark Weber, that they are the statistics. Like Assemblyman Wolfe said, he knows about statistics. I challenge you to put faces on these statistics.

ASSEMBLYMAN WOLFE: I don't. I got an A, but I don't--  
(laughter)

MS. SMITH-GREGORY: Well, something about it; a little bit about it. (laughter)

I challenge you to put faces-- For every story that Mark Weber gave, I told him outside, "There's a person who I know who is experiencing

this.” So the charge that we ask the Legislators is to look into this alternative to school reform -- other than just the school reform that is being proposed by the Superintendent. We ask that you look at the feasibility of community schools as a viable alternative.

And lastly, I want to say this. Newark is a city, not a colony. The Superintendent is not above the laws and statutes that govern. The local, State, and Federal laws should apply to everyone, including the Superintendent of Newark Public Schools. The Newark NAACP calls for a return to local control as a step to eliminating the discriminatory colonization of the Newark Public Schools. We can do this together. The legislators are the policy makers; you, at least, are listening to us.

Assemblyman Wolfe, I personally invite you to come to Newark so you can get a real good view of what’s going on. The Governor has decided that he is the decider, but he won’t come to Newark to talk to us. In the six years, he has not come to Newark; not once. And now he’s coming around again, but Newark is not on the roster. So now if Newark is a city, and it is the largest city in the state, don’t the residents deserve to be heard? Unless we are being treated like a colony, where we are the subjects and not the people.

We live in America; this is America. And when I was in school -- a proud public school graduate, but I also went to private school -- I have to say that, that was a choice that was made for me -- I learned that, in America, this is a democracy. And a democracy is ruled by people. And the people are the deciders. And even though we have a Governor who says he is the decider, ultimately this state is supposed to be ruled by people, for people, of people. And the Newark NAACP maintains that until that

democracy is practiced in Newark, we will work wholeheartedly to ensure that the rights of the citizens of Newark are not being treated as a third world country.

SENATOR RICE: Thank you very much.

MS. SMITH-GREGORY: Nobody has any questions, because it's time to go to lunch, right? (laughter)

SENATOR RICE: Yes.

Anyone have any questions? (no response)

MS. SMITH-GREGORY: So will you come? Okay. And Senator Rice, hopefully you're available for the Paterson tour; because we have to share best practices. We have something going on right here in New Jersey. There's Cincinnati, there's New York -- but we have something right here in our own backyard. We get to look at it and see if we can be supportive.

SENATOR RICE: Okay, thank you, Debbie.

Just a quick question to the members.

Let me, first of all, thank everybody who took the time, and your patience here. This is very important. We're going to have some other meetings in the future, once we get additional questions, and answers to the questions that were raised.

This meeting is now adjourned. Thank you.

**(MEETING CONCLUDED)**