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# *Committee Meeting*

of

## JOINT COMMITTEE ON THE PUBLIC SCHOOLS

*"How the NJQSAC statute affects the return to local control of the three school districts  
that have been under State operation"*

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**LOCATION:** Committee Room 4  
State House Annex  
Trenton, New Jersey

**DATE:** October 5, 2010  
10:00 a.m.

### **MEMBERS OF COMMITTEE PRESENT:**

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



### **ALSO PRESENT:**

Assemblywoman Elease Evans

Melanie M. Schulz  
*Executive Director*

Natalie A. Collins  
*Assembly Republican  
Committee Aide*

***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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**SENATOR RONALD L. RICE (Co-Chair):** (raps gavel) Here ye, here ye. Time to sit down and be (indiscernible).

Good morning. (no response)

Good morning.

That's what we do in our church. I know some churches you just come in, do the holy water, get on your knees, and everybody's quiet -- you get the prayer first. But we always greet first. Then we say how thankful we are and how blessed we are to be up today, and able to come to Trenton.

Good morning, again. We're going to get started. This is a public hearing by the Joint Committee of the Public Schools. We're going to get a roll call of the members here, and then we'll start our session.

**MS. SCHULZ (Executive Director):** Assemblyman Caputo.

**ASSEMBLYMAN CAPUTO:** Here.

**MS. SCHULZ:** Assemblywoman Jasey.

**ASSEMBLYWOMAN JASEY:** Here.

**MS. SCHULZ:** Assemblyman Wolfe.

**ASSEMBLYMAN WOLFE:** Present.

**MS. SCHULZ:** Assemblywoman Voss.

**ASSEMBLYWOMAN JOAN M. VOSS (Co-Chair):** Here.

**MS. SCHULZ:** Assemblywoman Evans.

**ASSEMBLYWOMAN EVANS:** Here.

**MS. SCHULZ:** And Senator Rice.

**SENATOR RICE:** Here.

This meeting is officially called to order. I'm going to have the members who wish to do so have some opening remarks.

We'll start with the Co-Chair, Assemblywoman Joan Voss.

ASSEMBLYWOMAN VOSS: Thank you.

I was just speaking to some of my friends in the audience about this QSAC bill because, seven years ago when I was first elected, this was one of the first bills that was presented to the Education Committee. I had a problem with it back then; I have a problem with it now, because it doesn't seem to have done what it was supposed to do for the districts that were having difficulties. I'll have more to say about this later on, but as I was going through the different notes that I had made a long time ago, I had a question about-- Because the term *highly skilled professionals* is constantly used in the course of this, and I remember sitting down in Newark when we had the first hearing on this bill and saying, "Define for me a highly skilled professional." I know what my definition of a highly skilled professional is, but I don't know what the definition that has been used by the people who are supposed to appoint these highly skilled professionals is.

It seems to me that what this was intended to do -- it hasn't been successful. I believe that the drop-out rate in Newark hasn't really gone down. And so I have a problem: I want to help these schools, I want them to provide the best education, and I just don't know if we're on the right road at this point.

Thank you.

Thank you, Mr. Chairman.

SENATOR RICE: You're welcome.

Assemblyman Wolfe.

ASSEMBLYMAN WOLFE: Yes, I think this is a very important time to have a hearing such as this, because we have a new Commissioner -- Acting Commissioner; we have a lot of issues that have been with us for a number of years. And I know when this legislation was passed it had a specific goal in mind: to help all the districts, basically, get a benchmark on where they are and what they needed to do to improve.

So I'm just really interested in what has to transpire today, what we're going to talk about. But I am interested -- I know it's not really part of our hearing -- but I know three or four years ago in the summer, when we looked at issues involving the new school funding formula, one of the concerns I had was what's going on in Camden; and I still don't know what's going on in Camden. So it will be probably what's going on in Camden, because I think that's something that we just seem to put on the side. And I think that's something that has to be discussed. I don't represent Camden, and I don't think any of these other folks do. But I think, in terms of quality of education, we have to be concerned about what's going on in Camden.

Thank you.

SENATOR RICE: Assemblyman, just for your information: When we were in Gloucester County, I was sitting across from school construction -- there were some representatives from Camden. I assured them that the Joint Committee is going to come to Camden to hold a hearing on Camden as a whole. And I think that would be an interesting meeting as well.

ASSEMBLYMAN WOLFE: Very good.

SENATOR RICE: Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: I'll pass for now.

SENATOR RICE: Assemblywoman Jasey.

ASSEMBLYWOMAN JASEY: Good morning.

I just would like to say, for the record: This is not my favorite room, because I feel like we are so separated from all of you in the audience. (laughter) So if at any time you can't hear us, please let us know that, because in order for this hearing to be effective we need to be able to hear each other, certainly.

I would just say that I welcome the opportunity to hear from all the speakers this morning. As a former board of ed member, I have some familiarity with QSAC, certainly. I think that it's certainly moving in the right direction. But I look forward to hearing updates in terms of how we can make it more effective and actually do the job that it should do. And I continue to be very concerned about the districts over which the State continues to have control, because it would seem that we should be doing a better job than we are.

So I look forward to hearing from all of you this morning, and will reserve my comments for later.

SENATOR RICE: Thank you very much.

Assemblywoman Evans has joined us also. Assemblywoman Evans represents one of the takeover districts, in the area of Paterson; and she has had tremendous, tremendous problems compared to the other two. In fact, we'll raise some issues as we go through the course of the meeting. That's a district that had at least six superintendents since takeover. And I don't know how you can get consistency if, in fact, you keep changing superintendents.

Assemblywoman Evans.

ASSEMBLYWOMAN EVANS: Good morning.

Thank you, Senator Rice, for allowing me the opportunity to be here today and engage in this discussion.

And it's very troublesome, because in our State takeover districts-- I represent the City of Paterson, and the State has been in control of Paterson approximately 19, maybe 20 years -- since 1991. And the academic skills of our children appear to have gone down. And with this monitoring process, I'm confused as to what it's supposed to accomplish, what changes come about. And if you are in a takeover district, some of the monitoring that you do for your board -- the board is not responsible, hypothetically speaking, if you're responsible; the board said that they were responsible. It did not turn over the superintendent contract when they didn't have it, they didn't negotiate it.

There are a lot of things here, and the State of New Jersey spent a lot of money in educating our youth. And in some areas they seem to be going backwards instead of forwards, and it's very troublesome. We have all the monitoring and all these things in place, and the reason the State took it is to improve it; and it appears to me that it has gotten worse instead of better. And we have put in this system to monitor, and it doesn't appear that we are moving forward in improving the quality of the academics and graduating-- We're graduating fewer children out of school. So certainly there's something wrong that needs to be fixed quickly, before we lose another generation of children.

Thank you.

SENATOR RICE: Thank you, Assemblywoman.

We're going to ask the Commissioner and her staff to come up.

Let me also indicate, for the record, that initially when the Co-Chair and I called this meeting it was to give an update to the members of this Committee and educate some who are not here -- new members -- as related to the process of actually taking over school districts and the process as to how to return it back to local control. Subsequent to setting this meeting up, there's been a lot of media attention being given to, in particular, one of the takeover districts -- with the Oprah show, and \$100 million, and removal of superintendents, and many, many issues that kind of, maybe, conflict to some degree, possibly, with the legislation.

I just want to thank you for coming this morning, Acting Commissioner. I know you've been with the system a long time. I've been here 24 years. I was here when the first takeover legislation was debated and passed. I know at that time Newark was Level 2, not 3, but because of the politics, they pushed themselves into takeover under the old system.

I also know that I spent a lot of days down here with Dr. Bolden and others throughout the state -- I think 20 or 30 people -- helping to put together regulations as well as legislation with Commissioner Librera as to how do we get accountability; how do we go into a district without taking the district over totally if it's not needed; and how do we return it back to local control?

I have a copy here of the legislation that I sponsored, as the Senator, called QSAC, as you are aware of, and we're going to be raising questions to you. And any question you cannot answer, get us a response in writing -- primarily because of issues that are taking place today, once again, in the media as to who has what type of authority and who does not.

We've also brought in OLS today, primarily because we want to hear you, initially -- as indicated when we called -- for you to tell us your understanding of the QSAC process in terms of going into a district to take it over, as well as to return it to local control. And then we're going to ask OLS to come up and explain their interpretation of the QSAC legislation, as it relates to the same questions I just raised, so that we can make sure that everybody is on the same page with the intent of the legislation and the understanding of the legislation.

The one thing you learn in law school when you do legislative law: One of the things they teach you is how to interpret a law, how to cross-interpret a law. And they say one of the things-- There are several elements. One element you look at is the history of it; you look at what's important in this situation -- the legislative intent. I'm alive, and so I know what the intent was because I helped structure the language, as well as the language of the regs. And so there's no question about the intent of this legislation; if there is, by anybody, then ask me. I'm alive and well. Oftentimes, of course, I have to go back and look at the side notes, and the history, and the debates on the floor because the legislator has died. Once again, for the record, I'm here, I'm well, I'm sane, and I'm alive. (laughter)

I also want to give some history for the record: To the best of my knowledge, in January of 1987 we enacted a State-operating school district law. In Jersey City, in October 1989, the State Board of Education ordered the creation of a State-operated school district in Jersey City. In March 1993, the Legislature postponed the election of local school board members until April 1994. Then in March of 1994, legislators postponed the election of local school board members until April 1995. In September

1994, the State Board extends State operation of school district until August 1995. In April 1995, the election was held to select a nine-member school board from among 15 previously appointed board members. In September 1995, the State Board extended takeover to August 1996. In April 1996, the election was held to fill three board vacancies from the community at large. In August 1996, the State Board extended takeover until August 1997. In April 1997, the election was held to fill three vacancies from the community at large.

Paterson, August 1991: The State Board of Education authorized the creation of a State-operated school district. In April 1995, the election was held to select a nine-member school board from among the 15 previously appointed members. In July 1995, the State Board extended takeover until June 1996. In April 1996, an election was held to fill three board vacancies from the community at large. In July 1996, the State Board extended takeover until June 1997. In April 1997, an election was held to fill three additional vacancies from the community at large.

Newark, July 1995: The State Board ordered the creation of State-operated school district. September 1995, 15-member advisory board is appointed.

With that history -- for the record -- let me also add some personal history that members of this Committee may not be aware of, and they may be aware of. Certainly many of you were not here. When the Newark School District was taken over, it was taken over under allegations of mismanagement, absconding, and every word they could think of that was an adjective in terms of dollars, to the tune of, allegedly, \$10 million. And at that time, when we declared it a takeover district, the State brought

in a State Superintendent by the name of Beverly Hall. During her tenure, the State actually mismanaged, absconded, or whatever term they want to use, \$70-plus million. Which is very interesting, because it meant that the State -- the Newark School District -- had a deficit of at least \$70-plus million, because the State never replaced those dollars regardless of how much this Committee and others down here argued for replacement.

When Beverly Hall left, Superintendent Dr. Marion Bolden took over. She took over a school district that had a \$70-plus million deficit because of the State, that was never replaced. Then if you recall the history: The Governor at that time decided that they were going to cut the school budgets throughout the state, which meant that Dr. Bolden had a school district with a \$70 million-plus deficit that she inherited, and then was compelled to make additional cuts. And then we want to criticize the district?

Paterson was taken over. Over \$20 million-plus--

ASSEMBLYWOMAN EVANS: Fifty.

SENATOR RICE: Over \$50 million-plus -- corrected by the Assemblywoman -- the same scenario, the same story: State-operated district. It would have been cheaper for Newark to keep the old system and blow \$10 million (laughter) and maintain \$90 million, and for Paterson to maintain about \$40 million.

I don't know what the losses have been since -- I mean, I'm talking about losses based on cutting, which we did again this year. This is very important for the transcribed record, for people to know the history. I'm not even certain if the Governor understands the history, chronologically, of these districts. And if he did, I don't think he would be

so adamant about the direction he's going in without some compromise and talking to those of us from the old school. Legislators who do care, have been concerned, and no one has been listening.

With that record, Superintendent, would you please commence to speak to us in terms of the process under QSAC for taking over a school district, as well as the process for coming out of a school district and returning it back to local control.

**ACTING COMM. ROCHELLE HENDRICKS:** Good morning.

First of all, let me thank you all for the opportunity to speak to you about QSAC and State takeover-related issues.

I'm delighted to have with me this morning Willa Spicer, from the Department of Education, who has been working with QSAC pretty much since its inception in the State. And I also want to start out by apologizing, because I can't stay through the entire hearing -- I did speak to your Executive Director -- in that I have a prior commitment that will require that I leave at 11:30, or close to that. But Willa Spicer will remain, should there be questions that the State needs to address.

With your permission, I would like to provide just some overall data to bring you current in terms of where we are with the QSAC process, and then to speak more specifically to some of the concerns that Senator Rice has spoken of.

I also do know very well the passion and commitment that several of you bring to this, and your history of engagement in terms of the districts that have been not only under State takeover, but what I will call *seriously challenged* for a variety of reasons. And so I think we share that.

And hopefully, as we share with you where we are, you will understand that we are also trying to approach this work (indiscernible) that law, and making the new QSAC law more consistent with, as Senator Rice said, the original intent of the law.

But if you would, let me just give you some overall data. Since the implementation of the Quality Single Accountability Continuum, a total of 574 districts have been evaluated through the process; 437 of the districts -- that is 76 percent -- have been designated as high-performing districts. That means they had 80 percent or better in all five areas of the District Performance Review.

Now, of that 137 districts that are not high performing, four of the districts are below 80 percent in all five areas in the DPRs. The most frequently failed DPRs probably come as no surprise -- instruction of program, followed by governance, then finance, and then finally, personnel and operations.

There are 39 districts currently whose DPRs are below 50 percent in some area -- in one of the five areas -- and those are the ones, of course, we give the greatest attention to. Any district that falls below 80 percent in any DPR, we ask them to develop a short-term plan. In the short-term plan -- or a long-term plan, depending on the nature of the challenges that are observed -- the short-term plan really means there are things that they can address, really, pretty much within six months to a year. Long-term plan, obviously, suggests things that are more chronic and perhaps need more intensive care and, therefore, an extended period of time to address.

The Department works very closely with those districts that are falling at 50 percent or below measure in any DPR, when those districts ask for that support. And the focus has been on helping them to look at what are the root causes and challenges that they face, and come up with a corrective action plan to address those over a period of time.

Then in every, basically, six-month interval, the State does go in to do a verification to see if progress is being made to what is addressing those deficiencies that have been identified.

And two other things I want to mention upfront are that we currently have State monitors -- and I know a lot of you are familiar with those -- in five districts: We have one in Asbury Park, one in Pleasantville, Beverly on a very limited basis, very recently assigned to Trenton, and in Camden. Irvington had a State fiscal monitor, as did Paterson, and in both of those cases we no longer have State fiscal monitors -- Irvington having addressed the challenges that it faced financially and now has a healthy financial operation, and Paterson with the appointment of a new State Superintendent.

And then the only other thing I just want to get out to you, upfront, is the fact that the Department has just recently established a QSAC Review Committee, and the QSAC Review Committee will be looking to focus on how we can make the implementation of the law more efficient and effective. We've asked one of our Executive County Superintendents, Dr. Bumpus, to serve as the chairman of that Committee, and Willa Spicer is also focusing her efforts on one of the subcommittees to look at really how to better integrate the work of QSAC so it really is a single accountability system.

And Willa, if you want to add anything to just the broad overview.

**DEPUTY COMMISSIONER WILLA SPICER:** No.

**ACTING COMMISSIONER HENDRICKS:** With respect to how the State goes into a State takeover under QSAC: To date, you probably have noticed we have had no State intervention, full or partial, under QSAC. The closest we've come is putting a State fiscal monitor in when there have been fiscal shortfalls. And in the two instances where we've actually used a highly skilled professional, they have been through agreement with the boards. In the case of Trenton, when they had some challenges with secondary education they met with the State Department of Education -- that included the board officers, the school district administrators -- and worked with us to identify an HSP who did come into the District and work with them to address some of the shortcomings in the secondary education program. Very recently, due to other issues that emerged in the district, we did put in a State fiscal monitor to address some fiscal challenges and issues in special education.

In the case of Willingboro, the board had a very low QSAC score. There was an issue of transition in terms of the leadership at the top. And in conversation with the board and the leadership, again we were able to appoint a highly skilled professional. Unfortunately, due to what I would call some of the *red tape* and getting people appointed, we lost some time. And whenever there is a loss of time and continuity in those services, there's oftentimes a lapse in the progress that was made. And so we are revisiting the status of Willingboro, as we speak.

For us to go in, to use the QSAC process: Once a district is below the 50 percent mark, and if we see some persistence despite the efforts for them to implement a correction action plan over a period of time, our only option is to go through an Order to Show Cause -- and that does take a considerable amount of time, unless, as I indicated in those other instances, there's some cooperation between the Department and the district in identifying an HSP. The difference is, with the identification of an HSP through an agreement process, it usually means they do not have direct oversight -- that is, they can't overturn decisions of either the board or the superintendent. In the case of an Order to Show Cause, then that person is given full authority. That's the piece that we have not yet exercised.

With respect to returning some of the authority back to the local districts: As you know, in the case of Jersey City, we have returned authority back to them for governance, for finance, and, I believe, operations. Still outstanding with them are the areas of personnel, and curriculum and instruction. In the case of Newark, they have finance returned. In Paterson, they remain in full State operation, in terms of the QSAC scores.

I don't know if that's sufficient; and then open it up to any questions or concerns that you have.

SENATOR RICE: Yes, the question was the process for taking over a district, and the process for returning it to local control. I need to have that clear for the record.

ACTING COMMISSIONER HENDRICKS: Okay. The process for going into a district -- whether it's partial or full intervention on

the part of the State -- requires that the QSAC scores be below 50 percent in some area -- one of the five areas that have been identified. For the State to move forward for either level of intervention, we'd have to issue an Order to Show Cause; that is, take that to court for a determination to be made with the support of the State Board of Education.

For us to return authority back to the district, we'd obviously see an improvement in those QSAC scores and then, as you know, you can target either the intervention where the State comes in, or you can target and return partial control, as we have in Jersey City and in Newark.

Willa may add something.

DEPUTY COMMISSIONER SPICER: I think it ought to be clear that we put the people who we call *State monitors* -- the fiscal monitors -- go in without any of that. They can be appointed directly, given criteria fiscally. In terms of the highly skilled professionals, the requirement is that you are under 50 percent, but the controlling piece is governance, and it's a question of being under 50 percent in governance. Once you have over 80 percent in governance -- once your score is above 80 percent in governance you get back the local board rights. And so you can elect the local boards, they appoint the personnel, they do the things that local boards do everywhere. So the issues of the governance score become really central, in particularly the return of the power to the local board.

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN VOSS: Commissioner, it was very nice to meet you this morning for the first time. And I had a very nice relationship with Commissioner Schundler, and he listened to me; and I

hope that we will have a relationship like that in the future, because we have a lot of problems that we need to address in all of our school systems.

But one of the things -- and I think I mentioned this in my opening remarks -- about highly qualified professionals. Where does the Department of Education get these highly qualified professionals? Do you have a list of people who are potential superintendents? A list of people who are potential business administrators? How are these people chosen, and where do you find them? That's my major question.

ACTING COMMISSIONER HENDRICKS: I think Willa and I are both chomping at the bit to respond to that.

That is, perhaps, our greatest challenge. And we do post and advertise, and we've gotten a large number of people who submitted résumés. But to your point: It really is a unique individual that you're looking for, both in terms of expertise and experience; but also someone who can go in and be a troubleshooter and develop the kind of rapport that's critical to work in a very challenging set of circumstances.

So we have sort of a very short list that we would like to expand, and we've spent a lot of time talking about how to recruit individuals who can do this work. And Willa, I know you want to also respond.

DEPUTY COMMISSIONER SPICER: I just want to say one thing further: It's not only finding the person with the expertise, but we have to match it to the system that we're looking for. We have to find somebody who will work in that system, and work successfully in that system. So the matching process, while we have a long list -- a very long list of applicants, and they each contain criteria -- they each responded to a set

of criteria, it does not necessarily mean that we can reach into that list and pull out anybody for the purposes of sending somebody, actually, into the district. So it's one of the hardest pieces that we have to deal with.

ACTING COMMISSIONER HENDRICKS: And one thing I'd like to add, Assemblywoman Voss: In the instances where there's been a good match, we have really seen progress. In other words, there's a real collaboration. One of the things that's very different, at least on our watch, from the way the State takeover has operated in the past is we really try to make it a collaborative effort. Because part of what you're trying to do is build a capacity at the local level. You don't want to be there forever. And so for that to happen, there needs to be some level of trust and positive interaction where people are candid about what the challenges are, and that can work with the State, with the HSP, or the State monitor, and any other stakeholders who are interested in advancing real improvement on the district level. So that's been a real shift, and that's why that match is also very important.

ASSEMBLYWOMAN VOSS: Well, when Chairman Rice was talking about the length of time some of these districts have been under State control, we've had an opportunity to visit many of them. And Asbury Park, I think, was spending about \$24,000 per student. They've been having difficulties. I think in all of the cities that are having problems, we spend an inordinate amount of money. And my question is: Why do you think there has been so little progress, and we're spending so much money, and we have these highly skilled professionals, supposedly -- not supposedly, but -- monitoring the situation. What do you attribute the problem-- Why isn't it getting better? Why do we still have these huge

drop-out rates in these cities that have very poor success in terms of academics? Do we need to start to think about some diversification in terms of curriculum, or-- Because this is an on-going problem. I didn't mean to be so long-winded.

ACTING COMMISSIONER HENDRICKS: That's quite all right.

ASSEMBLYWOMAN VOSS: But you got what I meant.

ACTING COMMISSIONER HENDRICKS: Willa and I are both-- We kind of went, "Who wants to answer first?"

But in the case of whether it's Asbury Park, or Camden, or any of the places where we've had long-standing challenges, particularly -- and I'm going to focus on the learning of the students -- I think there are a variety of factors that have come to play. But I think one of the things that we're trying to do really differently is to look at what are the root causes, and not accept excuses from the past. And I think, too, for too long we sort of focused on getting resources without necessarily thinking about what are really the core issues, and making sure those resources -- I don't mean just money, but personnel and anything else that -- time, all of those things -- are really focused on student achievement. And so, for example: In Asbury Park, where we went in -- meaning the State team -- went in to work with the District to identify root causes, it took us almost a year working with the District -- not imposing things, but having the District understand what its challenges were and what it would be willing to commit. And then also working with the Board so that all the critical components that were necessary to begin to move the system forward were being addressed in a collaborative fashion. It wasn't always easy; I mean, there was a lot of

tension, as you can well imagine. But we tried to stay the course to not only save monies, but to make sure that those monies were going where they were needed.

The other thing needed in Asbury Park was a superintendent. As you remember, there was a lot of interim back-and-forth. So until you get an effective superintendent in place, and an operating board, it's very difficult to develop capacity. I think they're much closer to developing capacity than they've been. And that would be true, I think, in a number of the other places as well.

ASSEMBLYWOMAN VOSS: I just want to ask one question: Do you ever have any conversations with the students in these schools to find out what it is that they think they should be learning in school? Because I'm very concerned about the fact that we do not turn out students who are prepared for the work field, and some of the kids don't see the relevance of why they're in school. And I know that we have the boards of education and the professionals, but does anybody talk to the kids to find out what they think they need to learn?

ACTING COMMISSIONER HENDRICKS: Yes. (laughter)

DEPUTY COMMISSIONER SPICER: Yes.

ACTING COMMISSIONER HENDRICKS: Do you want to go first -- and make sure I come back to talk about engaging the community and parents. But Willa could--

DEPUTY COMMISSIONER SPICER: Well, Rochelle is going to talk about engaging the community and parents; I'm going to talk about the fact that QSAC is a district compliance issue. It allows us to see what's happening within the district. It's based on compliance and some piece of

good practice, too, for the districts. It is not a school-based instrument. And one of the things that is clear is that, while we can do things in the district that make things a more fertile field -- as we can in the State to make things a more fertile field -- it is in the school and the classrooms that children are educated, and where the issues are joined.

And in terms of the schools themselves: We now have 12 schools that we're working with directly. There's money behind them. Five of them are in Newark; we met with them yesterday. They're making some great strides, and they're doing it because they are working with a team from both the District and the State. And in response to that, things are happening differently for teachers. So what's happening in the classrooms is changing.

And in answer to your question of what has to happen to have the kids successful: Yes, we do talk to the kids in the classrooms. But more importantly, we have to, in those classrooms, have things happening that not only engage the children, but where the teacher, regularly, all the time, is finding out whether anybody's learned anything. Not just exactly what they're teaching -- which is one thing that's hard to do -- but the other is they have to check all the time to find out if anybody's learned anything.

Because what's required now, from the economic system we serve, is that our children come out with high skills. And if they don't, they're going to have a great deal of trouble getting a job. So the entire educational community is engaged in trying to figure out how you get all the students learning. And to do that, you have to have -- not once a year, not twice a year, not three times a year -- but regular assessment of how kids are learning so that we can go back and re-teach. And that's what's

happening in the schools. If we can continue it, if we can build on it, then the fertile field -- which is the State, and then the district -- will be able to support those activities and our children will flourish because of it.

Sorry.

ACTING COMMISSIONER HENDRICKS: That's quite all right.

Reinforcing what I had said about the whole focus is on student learning, student achievement; and so we don't take excuses-- But I think the other, really critical component here is not the State versus the district versus the school, but rather, how do we come together so that we leverage all the resources to make sure that what we can bring to bear serves a student in a classroom the way they need to be served -- which I think is, in fact, the intent of the law that this body passed.

And one of the things that we're trying to make sure to do is engage all of the stakeholders. So in a place like Asbury Park-- I spent some time meeting with community organizations, meeting with parents, hearing from them, hearing their concerns, getting them engaged in helping to solve the problems.

In Camden, the new Mayor there has made education critical to her. So now you have the Mayor working with the Superintendent and the Board, and bringing other resources to bear in Camden -- the higher ed community, the business community. We can't leave any stone unturned if we're really going to see communities that have been distressed for decades really turned around. And it also sends a message to our children that we, as the adults in this state and in the communities, care about them. That they are our first order of business, they are our greatest resource, our

treasure; and that we're willing to stand up and make sure that they get what they need so they can succeed in college, careers, and they can be the citizens that all of us need for the 21st century.

SENATOR RICE: Assemblyman Wolfe.

ASSEMBLYMAN WOLFE: Thank you, Mr. Chairman.

Commissioner, thank you so much for being here.

I have three or four different questions, somewhat related to what was already asked.

In looking at the chronology that Chairman Rice read before we began our testimony, you talked about once initial takeover of a district began, then it was supposed to be a 15-member board, and then a 9-member board being elected. And I was very curious that when Jersey City was taken over, the elections were postponed three times, from 1989 until 1995, when they actually elected their local folks. In Paterson, they did it within a four-year span. But according to the scenario that the Chairman has just read to us, there's never been an election in Newark for the public members. Is that true?

ASSEMBLYWOMAN VOSS: Yes, there have been.

ASSEMBLYMAN WOLFE: They did?

SENATOR RICE: Yes, they started elections--

ASSEMBLYMAN WOLFE: When? Because that wasn't on our chronology.

SENATOR RICE: Yes, that was an oversight. They started elections-- This is our second time around, so about three or four years ago.

ASSEMBLYMAN WOLFE: Okay, very good, because that wasn't on the information we had.

The second question I have--

SENATOR RICE: If you call it that. (laughter)

ASSEMBLYMAN WOLFE: I was glad you talked about the other five or six districts that were-- You were intervening in, which I was-- I think it's important for us. Each of us on the panel has a history and a background in various forms of education, either on boards or in the classroom. And so I think this concept we're talking about today is very, very important.

I happen to be on the Budget Committee, and when we have our public hearings throughout the state, I recall twice in Newark -- two years ago and this past year -- two years ago at New Jersey Institute of Technology and this past year at the College of Medicine and Dentistry, the same question was asked by parents. In fact, they said, "We need more money." Now, as a Legislator, I'm thinking, "They need more money." We're talking about-- This is a District, and these are districts, that the State has taken over for 15, 20 years, and the parents are saying, "The money's not getting into the classroom." Now, we know there have been some stories lately of how many assistant superintendents and assistant principals there were. But the point is, there's more and more money coming into the schools.

Now, Newark has just received a very fortunate gift from the Facebook founder, and we've been told on TV that the Governor has, somehow, designated the Mayor to get involved in the schools. Is he going to become the Superintendent? Is he-- I don't know how that range is going to work in with -- as a takeover district.

Also-- I'm not rambling on -- there's a method to my madness here. We don't have the Abbott designation anymore. We don't have that, but there are criteria for the schools to meet to be eligible for certain funding. The former Abbott Districts still continue to be there. We have some information here which we received from the Education Law Center, which has kept the State lawyers in business for 20 years (laughter) fighting Abbott 1, 2, 3, 4, and 5.

So the point is: After all this history of more money being sent into these districts -- actually, half of the money that we spend in education in the State goes to these districts -- and then when the parents are saying, "We need more money" -- we don't have the money, number one, for anything else in the State right now. And so in an answer to-- Coming back to what Assemblywoman Voss just asked about, when she was talking about Asbury Park -- not Asbury Park, but statewide -- is the problem the students are incapable of learning? Or are the teacher's not teaching? But what is it, really, that we need to do to move us up in national comparisons, to international comparisons. Because obviously we don't have the money to continue pouring into these districts. So what do we do?

ACTING COMMISSIONER HENDRICKS: Let me answer the--

I feel compelled to make one really strong statement: The students, clearly, are not the problem. The students can learn, and I believe that with all my heart. And I've actually worked in systems where students actually lost ground because of the education they received; and, personally, I've worked with students who, in 10 weeks time, we could turn around that loss of several years and get them on grade level.

ASSEMBLYMAN WOLFE: Excuse me -- did you say they lost because of the education they received?

ACTING COMMISSIONER HENDRICKS: Yes. We call it *miseducation*.

ASSEMBLYMAN WOLFE: Okay.

ACTING COMMISSIONER HENDRICKS: A failure of the system.

So students, certainly, have that capacity. And the challenge for all of us is to make sure we close not just an achievement gap, but what, quite frankly, is an expectation and aspiration gap as well.

So that having been said, then it really means that we have to look at: are the resources -- and that's what the parents are saying, and that's what others, some of the teachers and others will tell us -- are the resources getting where they're needed the most?

And that's the obligation we have. It's not the funds. I mean, Willa and I, who've been in the school change business for awhile -- one of the things we know from highly successful districts where the students are excelling, and those that are not successful, is how they use the resources they have. And so part of what we have to do is help people realign what they have and not cripple them by thinking there's always a new bucket of money around the corner. That you have to commit not only how you spend the dollars, but where you assign people. You will hear us talk about having the most effective teachers in the most challenged situations, and making sure that we, as a State, are attracting the greatest talent to serve where the need is the greatest.

But we have to rethink and retool a lot of what we've done, because our kids deserve the best that we have to give them. And, quite honestly, I don't think that we've all been committed to that -- and that's at every level. And I think sometimes at the local level, we've looked to the State to be the solution. And what I've said to every one of the challenged communities and districts that I've been in: You, too, have solutions. Yes, there are deficits, but there are assets in those communities. And so we have to stop a discourse that makes them the victim, and allows them to be part of the victors in finding solutions to the challenges in their own community. I think that is also part of the difference in how we're trying to approach this work.

DEPUTY COMMISSIONER SPICER: I want to point out that when the districts say they need money, they are correct; because there isn't a school system in the world -- not certainly in the State of New Jersey -- that does not need more resources. And that's because the needs of the children are infinite, and the resources are finite. So every good educator knows, "Well, you know, I want to do this, I want to do that." Because the resources are finite, however, the need to be able to use them as well as possible becomes absolutely important. But I would never argue that there's more resources always needed; it's just that alone they will not make change. That is, if-- The \$100 million that is going into Newark is a great deal of money, but alone it will not produce the change. And what happens to the children in those schools unless the way it's used is studied carefully, and examined carefully, and checked carefully, and somebody watches over it at all times?

ASSEMBLYMAN WOLFE: I appreciate both of your responses, but I will-- Other than money, what can we, as legislators, do to help the education system in the State of New Jersey and get out of the way? What is it that would best help you, or help the classrooms?

ACTING COMMISSIONER HENDRICKS: We may actually come back with a set of recommendations, particularly after our Committee completes its review of QSAC. I think that would certainly be one of the areas that we want to explore further with you.

And then, of course, at some point, whether it's myself or others, we will be back to talk about the budget for the State, and that may be another place where there can be some help.

One of the things I need to-- Assemblywoman Voss' comment-- I would actually like to spend time with each of you talking about the work that we're doing and the vision that we have for school improvement -- for real transformation of the system.

Assemblyman Wolfe, I do want to reference one of the things that you stated, and that was the reference to the Mayor of Newark and whether he would become the Superintendent of the District. And the answer to that is "no." The State is not relinquishing its responsibility or authority in the Newark school system, but rather the Mayor -- it's my understanding -- that the Governor is looking for the Mayor to do what he said, which is to be a Mayor who is committed to education reform in the City, and to engage the public -- the Newark stakeholders -- in that process. But we're not going anywhere in that mix because we, too, are committed to seeing that the children of Newark get the education that they deserve.

ASSEMBLYMAN WOLFE: Thank you.

SENATOR RICE: I'm going to have other members raise some questions, but I was going to hold most of this for another day. We're going to still come back with you on this.

But since the door was opened, let me make a couple of observations: To the Assemblyman, the question you raised, one thing that can happen: Understand that I grew up in the City of Newark -- I went to the public schools. Understand, ethnically, I am an African-American urban who sees a lot of problems. It pains me when I see the mayor of a city, and now the Governor, running around the country putting down the urban centers. And Newark is really the poster child across this country, as though we have the worst education system in the country. It's not true. No one is talking, nationally, about the progress that some of these failed districts are starting to succeed in. No one is talking about the time length it takes to enhance that progress. That bothers me.

So one answer is that the leadership in New Jersey should be running around the country acknowledging, like any other state -- Washington, D.C.; California; the southern states -- their education problems. But let's talk about the progress we're making in these urban districts where mostly low-income, no-income, middle class women and minorities, single heads of household live with schools that are 100-plus years old. Let me tell you, as Governor or mayor of a city, the progress we are making and what we're going to do to enhance it. That's what the national message should be.

They have to deliver it, from my perspective. And I traveled this country, and I'll be going to Georgia in December -- there's the deliberate movement on taking over school districts throughout this

country. The urbans are targeted -- millions and millions of dollars are coming in. Now, I am going to ask a question, but let me raise the \$100 million you're talking about. First of all, everybody keeps saying we have \$100 million. I can assure you there's not \$100 million in the State Treasury, or the City government, or the Newark School Board, for Newark school system. What you heard was a lot of political rhetoric. What you heard was some young man, at the time a film was coming out, at a time that the Newark Superintendent was talking about a whole new initiative -- the Global Village -- jump in front of that for public relation reasons. He also told the Governor that -- if you read the paper, Cory Booker orchestrated that. He said he spoke to the young man, convinced -- his words, basically paraphrased -- convinced him to do \$100 million, but to tell the Governor once they got together that he would only give it if Cory's in charge. Cory orchestrated that. Then he said, "I'm going to call Oprah Winfrey, because that's the program we should be on." So he's a choreographer too, besides an articulate, poetic, (indiscernible) speaker who can't manage anything.

The \$100 million, after the Governor was on the show, he finds out there's not going to be \$100 million coming to anybody. Here's what it's going to be: some stocks. And if the stocks go down on Facebook, probably a piece of paper isn't worth anything. But he also said, "I'm putting it in stocks in order to control the dollars to make sure they are being used for what I intended them to be used for." We'll, guess what? When either side doesn't like anyone anymore, and the dollars aren't intended for what he wanted them to be used for, he will snatch them. Now the question, since you raised this, and you can respond to it: Would

any interpretation of the current QSAC law permit the Mayor to play an official role in the school government?

ACTING COMMISSIONER HENDRICKS: You said is there anything in QSAC that allows--

SENATOR RICE: Would any interpretation of current law permit a mayor to play an official role in school district government?

ACTING COMMISSIONER HENDRICKS: No, not unless that mayor has the authority to appoint members of the board, which some do in New Jersey. But in this case, no.

SENATOR RICE: Okay. Do QSAC statutory and regulatory provisions include any that would authorize mayoral participation in the school district assessment-process efforts to increase the local capacity for establishment of a local school district government structure?

ACTING COMMISSIONER HENDRICKS: Does the mayor have the capacity to participate in the process through QSAC?

SENATOR RICE: Does QSAC's statutory and regulatory provisions include any that would authorize mayoral participation in the school district assessment-process efforts to increase local capacity for establishment of a local school district government structure?

ACTING COMMISSIONER HENDRICKS: No.

SENATOR RICE: Okay. Does any QSAC provision prohibit such participation by a mayor?

ACTING COMMISSIONER HENDRICKS: Prohibit? I don't believe so.

SENATOR RICE: It's not written in the law, right?

ACTING COMMISSIONER HENDRICKS: No, it's not written in the law.

SENATOR RICE: Okay. Should the provision requiring a referendum on education and governments -- Type 1, Type 2 -- upon return to local control be repealed and replaced by something else?

ACTING COMMISSIONER HENDRICKS: Not to my knowledge.

SENATOR RICE: Okay. Does any county statutory provision require community involvement on issues of government during State intervention of the advisory board?

ACTING COMMISSIONER HENDRICKS: I would say yes, and I don't know if it's official, meaning other than the advisory board. But it would seem to me that we would want community engagement involvement.

SENATOR RICE: Does any county statutory provision require involvement in selection of a superintendent?

ACTING COMMISSIONER HENDRICKS: Require-- I'm sorry?

SENATOR RICE: Community involvement in the selection of a superintendent.

ACTING COMMISSIONER HENDRICKS: Yes.

SENATOR RICE: It does? Okay.

Are there any models of mayoral involvement in public schools in other states that should be considered in New Jersey?

ACTING COMMISSIONER HENDRICKS: I'm sorry, we're not hearing everything.

DEPUTY COMMISSIONER SPICER: We're not hearing everything--

ACTING COMMISSIONER HENDRICKS: --the front end of the question all the time.

SENATOR RICE: Are there any models of mayoral involvement in public schools in other states that should be considered in New Jersey, that you're aware of?

ACTING COMMISSIONER HENDRICKS: Well, I know there are other models. I don't know that we necessarily want to consider them in New Jersey. That's really not where our discourse has been.

SENATOR RICE: Do you have any knowledge of what the research says about mayoral controls of public schools?

ACTING COMMISSIONER HENDRICKS: Yes, actually there is a book called "Shallow Roots" which analyzes different forms of government; and quite honestly, various forms of governments get mixed results no matter what that form of governance is. It really depends on the quality of the folks engaged in that work.

SENATOR RICE: Okay. Let's talk about this \$100 million by way of questions.

Given that the School District and the City are two separate entities, what measures are in place to ensure that each entity -- interest -- are represented adequately and fairly in the process?

ACTING COMMISSIONER HENDRICKS: I have no idea where that process is at this point. And I think it's still exploratory.

SENATOR RICE: Well, what--

ACTING COMMISSIONER HENDRICKS: Because I'm going to have to leave, the one thing, Senator, with your permission, that I want to remind people of is that we, as a State, invest nearly \$1 billion in the Newark School District. And so our focus will be on how those resources are utilized to make sure that the students get what they need, and the educators also have the support and resources to deliver the education.

And I also know that Dr. Bolden is here, and I want to acknowledge that it was a pleasure working with her during her tenure in the Newark School District. And I would like to call her, as well as others as we go forward, to make sure that we're doing everything we can in a variety of our urban sectors.

And then finally, I'd like to thank you and the Committee for the opportunity to appear before you; and to commit, as I said, to coming back and having an opportunity to engage with you individually. This is my life's work, and I care very deeply about it. And I appreciate the passion that you bring to it as well.

SENATOR RICE: Commissioner, I've got a couple of questions from members before you leave. I know you're in a rush; we'll get police to escort you if we have to.

I'm going to send you a list of questions, because when we talk about -- and we're going to have some more conversation on this -- when we talk about the Mayor and \$100 million and the government authority, etc., I don't believe you have any authority, nor the Board of Education, nor the State, to transfer authority to the Governor or to the Mayor. And if you did that, there is going to be disputes between districts and municipalities that are not going to get resolved. There are going to be all kinds of

conflicts. And you need to take a look at the audit on Newark to show the Mayor can't run that City, and the Governor needs to go back and revisit that.

But with that, why don't we get a couple of quick questions and let you out.

Ralph Caputo, Mila. Are you leaving someone back to answer other questions, Commissioner?

ACTING COMMISSIONER HENDRICKS: I'm not -- I don't know the time.

ASSEMBLYMAN CAPUTO: I'm glad you handle all the controversy. (laughter)

Senator Rice, I appreciate your comments, but let's talk about assessing student achievement. I served as an educator in Newark and also worked for the Department, so I understand your problems not in the current sense, but historically; also as County Superintendent, where I was charged to conduct an investigation into the Newark school system, so I've seen all sides of this.

But what concerns me, when we talk about school districts, is that we blanket them either failures or successes based on some benchmark that comes up in terms of legislation or Department regulations, etc. It would seem more effective if we took a look at a district and actually analyzed what was going on in each school and each classroom. Because to say that a school is not successful because of the total numbers doesn't really reflect what's actually going on in that building. Because you could have 80 percent of the teachers performing very well, and also the kids performing at a high level, or you may have some who are not. And I think

it takes that kind of diagnosis -- to actually analyze, synthesize that kind of data -- to actually find out where we're successful and where we're not.

Just to say that Pleasantville is not doing a good job or Asbury is not doing a good job is really not reflective of what's going on in the State of New Jersey. We've got-- We could look at other numbers that would say we are very successful. But the real way to do it is to actually look at building level, individual classroom, individual kids, and what the problems are and where they need to be addressed. That's where we should be zeroing in on -- the grassroot level -- instead of making these bureaucratic things that we're all forced to do, at the legislative level and at the State level, in terms of the Department. And I think it gives a bad view, bad picture of where we are and what we're trying to accomplish, and all the good work that's been done by many good people in the field -- superintendents, etc. -- especially those superintendents who were appointed by the State and who were also criticized by the State, which makes me very upset -- Dr. Marion Bolden.

So in other words, I think we've got to really get down close to the teaching/learning process: what's happening at that level. And we're just embroiled in this total bureaucratic mess as to who has authority, who doesn't have authority, what districts are failing, what districts are wasting money. I think we can look at the fiscal end of things and really determine, like they did in Irvington, that the auditor did some good -- went in there and really made his own announcement about whether he was needed or not, because they had come so far.

But when we're talking about student-level achievement, I think we've got to get a little more diagnostic about why kids are

performing, why they're not, and what are those reasons. But we can't do it on a global look -- it's got to be so individual. And I think that's where teacher evaluations get involved. And I also believe that we've got to be fair -- there's got to be a sense of fairness about how we look at teachers and what they're doing, what they're not doing. Because once we lose the sense of that and we become -- people feel scapegoated or threatened, they're not going to be part of the team. So we need all these people in the process pulling in the same direction.

I don't know how far we've gone as far as-- I guess some of the grants that we're looking for were going to provide that kind of data. But at this point, I don't think we've really zeroed in on that. Not that it's anybody's fault, but I think that it's just-- Because one layer after another of mandates, monitoring -- even, for example, the county superintendents. We have a new executive county superintendent law. How do they work in terms with the local districts? How do they work in terms -- with your efforts directly from the Department?

So there's lots of bureaucracy here, and there's lots of money that we could point to whether it's being wasted or not. But we've got to look at the student achievement, and their successes and their failures as far as learning is concerned; and I don't really think we're hitting that. I think we're too involved in the blame game at this point.

ACTING COMMISSIONER HENDRICKS: I appreciate your comments, and I know-- I think Willa and I both want to comment. So I'm going to say some things initially, and then I know Willa will pick this up, happily.

A couple of points: One, some of the things you talked about in terms of mandates and just kind the red tape piece -- we're certainly looking at that to strip away, because I think that does interfere with both the districts' capacity to be as effective as they want, and ours as well. So Willa may pick up some comments with respect to that. And I'm also going to ask her to share with you a little bit about NJ SMART, and our capacity to get down to student level data and the implications for instruction.

And the third thing is: You hit the mark for me when you talked about -- and I think Senator Rice also alluded to it -- that while we know where our shortcomings are, we also need to pause to see where we have success and progress, and learn how to build on that. I think one of the flaws -- fatal flaws, quite frankly -- in education change is that we often focus on our deficits, and we spend very little time and attention celebrating what we do well, and learning from that, and allowing that to inform us as much as what we know our struggles and challenges are.

So I appreciate all that you just shared with us, and it's certainly something that resonates with us and the leadership in the Administration.

With that having been said, I thank you very much, and Willa will expound, I'm sure, on some of these issues as I depart. But thank you again.

SENATOR RICE: Commissioner, on your way out, let me-- I'm going to send you a list of questions that I want answers back to this Committee on. I'm going to also ask you to-- We'll have a separate meeting on charter schools. I want you to start preparing charter school assessment -- performance assessments -- and testing information for each of

the 73 schools individually so we can do our own analysis. Because we're pretty bright up here, too, and we're going to find out that there are things that aren't what's being put in the paper.

So I want to thank you for coming. I'm sorry you have to leave, but we're going to get you back.

The other problem is, we can't keep anybody in charge of anything long enough. I've known you for a lot of years, and I think we can, maybe-- I don't think the government is getting all the right information. I really don't. I think with you there-- But if you're going to be there temporarily, then we're going through exercises, again, for someone else to come in who we have to argue with and put us off track. I know Willa very well. I know she's very much on this stuff with QSAC, so I know she's capable of answering the questions.

But expect to hear from me and this Committee with some additional questions. I'm not doing OPRA, I'm not doing subpoena. I'm a Senator, so I'm going to set the record clear: I don't have time for the politics of it. I want my information.

ACTING COMMISSIONER HENDRICKS: Excellent.

SENATOR RICE: Thank you.

ACTING COMMISSIONER HENDRICKS: Thank you.

DEPUTY COMMISSIONER SPICER: I'd like to continue the answer to that question-- I'd like to finish--

SENATOR RICE: Yes, Please. Assemblywoman Evans.

ASSEMBLYWOMAN EVANS: I just wanted to make a comment, Commissioner, before you leave the room.

It is so refreshing to have someone who can articulate, and sounds as-- I'm just praying and hoping that the Governor really appoints you to this position. We need to get on with education. Everything seems to be about money. But one of the main reasons the takeover was for -- claiming to get politics out of the schools. We have to be very careful in where we're going. And to hear you say children can learn and we need to stop blaming the victim -- I thank you for that, because we continue to blame the victims.

ACTING COMMISSIONER HENDRICKS: Thank you.

DEPUTY COMMISSIONER SPICER: Can I respond to the question that was just asked, because--

SENATOR RICE: Yes, you can respond; you are going to be responding to quite a bit of things today, okay? But I know you can handle that.

DEPUTY COMMISSIONER SPICER: To the degree I can.  
(laughter)

I'd like to respond to that one, because it raises a very-- It has a piece that also is related to what can you do for education piece.

New Jersey has begun the development of New Jersey SMART -- that is the database for all the students in the State of New Jersey. And we've come to it late, and we are beginning to gather our program together so that we're able to track our children.

One of the things that we have to be able to do, to respond to the issues that were just raised, is we have to be able to connect the results of children to teachers. And we have to be able to do it in terms of growth of those children. Not the absolute, "How did you do today?" but, "How

did you do over time? Are you getting better? How much better are you getting? Are you able to grow more than a year? Can you grow a year-and-a-half?" All of that information is available to us if we have the proper software. So in our budget request this year you're going to see requests for additional software so that we can bring our system to the point where the gathering of information about the growth of children is automatic, and where the relationship between the teacher and child can be gathered easily. To do that we're going to need some funds to improve the system that we have now. We are not in compliance with the national system. We do not have the ability to do the things that other states can do, in terms of their database.

SENATOR RICE: The Assembly members have some questions for you. But before that, I'm going to ask OLS to come up -- just stay where you are -- OLS, would you please come up? I want to get them back to their offices to do some more research for me. (laughter)

I want to thank you, OLS. I just need you here, for the record, to explain to our members the process under QSAC for taking over a school district and the process for returning it to local control. That's all I need from you, for the record.

I would also send you the list of questions that I'll send to the Commissioner for responses, as relating to some of the issues that you heard me raise to her under QSAC itself, in terms of legal authority, statutorily. So if you could explain the process, we'll let you go.

KATHLEEN FAZZARI: Good morning, Senator Rice and members of the Joint Committee. My name is Kathy Fazzari, and I'm the section Chief of the Education Section in the Office of Legislative Services.

And with me this morning is Anita Saynisch, who is our principal attorney in the Education Section.

What I've handed out-- What we've prepared today, actually, based on my conversation last week with Senator Rice -- I thought that what we were being asked to discuss was the process established in the statute -- the NJQSAC statute -- for the return of a school district, a State-operated school district, to local control. So what I've prepared here is an outline which references the pertinent sections of law. Behind that I've included some pertinent sections of regulations, because the NJQSAC statute, of course, gave to the Commissioner, and then the State board, the authority to promulgate regulations to effectuate the implementation of the NJQSAC statute.

There was a specific section that dealt with, specifically, the three State-operated school districts, and that is found at 18:7A-53. That section of law required an initial evaluation of the three State-operated school districts under the NJQSAC evaluation system. The statute required the evaluation of the State-operated school districts within 120 days of the adoption of Commission regulations; and I believe that date would have been by June 22, 2007.

Based on the evaluation, the Commissioner of Education determined the State-operated districts' placement on what they called the *NJQSAC performance continuum*. If the determination was for full or partial State intervention, the Commissioner of Education, under the statute, made such recommendation to the State Board.

In partial intervention, the district board of education continues as an advisory board until the governance component is returned

to local control. The State Board, upon Commissioner-- Even though the board is an advisory board, the State Board, upon the Commissioner's recommendation, may return some functions to the advisory board. But the Commissioner of Education may veto any board action until the governance component is returned. And I believe, based on the Commissioner's testimony, Jersey City is the only State-operated district where governance has been returned.

If the district meets the governance component, then under that section of the law, one year following the return of the school district governance to local control, there is supposed to be a special election in which the question of the classification of the district is presented to the voters. The voters are asked: Do they want the district to be organized as a Type 1 school district, which is an appointed board of education; or a Type 2 school district, with an elected board of education?

Once governance is controlled -- once the governance component is returned, the board of education is authorized to do the following, as per the Superintendent's contract -- the State District Superintendent's contract: The board can decide to extend the contract, modify the contract with notice, or allow the contract to expire.

It's our understanding that, based on the initial NJQSAC evaluation called for under the statute, that the Newark and Jersey City State-operated school districts were placed under partial State intervention, and that the Paterson school district is currently under full State intervention.

Once you're under partial intervention, there is a particular section of the NJQSAC law that speaks to what the process is to be

removed from partial State intervention, and I've referenced that in our document -- it's on 18A:7A-14c.(7). Basically, that section of law says that if the Commissioner of Education determines that the district has successfully implemented its improvement plan -- because as the Commissioner and Dr. Spicer discussed earlier, a district in partial or full State intervention has put together an improvement plan which is meant to address the deficiencies which still exist in the district. Once the Commissioner determines that the district has successfully implemented the improvement plan, the State then withdraws from this area of intervention and returns that particular area back to the local school district.

We have a section of law, 18A:7A-49, which speaks to the process for withdrawal from full State intervention. That section provides that, based upon an annual report of progress, the Commissioner of Education recommends to the State Board that the State Board either place the district under partial State intervention; so remove itself from full intervention, just go to a situation with partial intervention -- that the State board may designate the district as transitioning to local control; or it may place the district elsewhere on the NJQSAC performance continuum.

That, basically, is the detail that is provided in statute on the three State-operated school districts, and the process for returning one or more areas to local control. I have mentioned in the-- Listed in the document, which I've given you, are some State Board regulations which expand upon what's in the statute.

The first regulation referenced indicates that in determining whether to initiate a full or partial withdrawal, the Commissioner of Education considers evidence of sustained and substantial progress by the

district, demonstrated by prior comprehensive reviews that have been conducted in that district, the six-month reviews by the Department of Education, and other appropriate evidence that the Commissioner may feel is warranted.

And also, substantial evidence that the district has adequate programs, policies, and personnel in place to ensure that the demonstrated progress the district has made will be sustained.

The second regulation I've referenced -- State Board regulation -- indicates that if the Commissioner determines that the district has satisfied those two factors which I just mentioned, the Commissioner recommends to the State Board that the process for withdrawal from intervention be initiated. If the State Board agrees, then the Department of Education initiates a transition to local control. That process starts with the development of a transition plan by the Department, in collaboration with the district.

The next regulation that I've referenced speaks to the fact that the transition plan includes a timetable for activities leading to withdrawal from intervention. The actual State Board regulation has a lot of detail about the different elements that have to be in a transition plan, but I thought that, for your perspective, the timetable would be interesting because that's supposed to be laid out in the transition plan.

And the last State Board of Education regulation that I referenced provides that the transition plan must be presented at a public meeting of the board of education, and that the board of education is required to immediately implement the plan. The plan is updated as circumstances within the district warrant, and during the transition DOE

continues to monitor the district. And the Department of Education must review progress of the district every six months, which must include an onsite visit.

And when I spoke to the Senator a few days ago, he indicated that this was what he wanted us to address -- sort of the process and the statute for the withdrawal from the three State-operated school districts. This morning he mentioned the process to get into NJQSAC. I think the backgrounder that we prepared -- our office prepared -- that I believe you have in your packets, kind of goes through that process; and the Commissioner spoke to it earlier. But if you have any questions about that, we'd be happy to try to answer them.

ASSEMBLYWOMAN VOSS: Assemblywoman Jasey. And thank you for the information, because it was very helpful.

MS. FAZZARI: You're welcome.

ASSEMBLYWOMAN JASEY: Thank you.

Good morning.

MS. FAZZARI: Good morning, Assemblywoman.

ASSEMBLYWOMAN JASEY: Okay, so I think I followed your notes -- thank you. My question-- I have a lot of questions but, basically, my question would be: Using Newark as an example, where are we in this process? How recently has the QSAC evaluation been done, or conducted, in Newark, and in Paterson, and in Jersey City? What does that then-- What do the results of those evaluations tell us about what should happen next? Where are we in the transition? How close are we towards returning control?

MS. FAZZARI: I'll, of course, let Dr. Spicer respond to that. You know, the QSAC statute-- There's that section of law -- that first section I reference speaks specifically to that initial evaluation, the one that had to happen within 120 days -- and that happened back in 2007. And based on that evaluation, it was our understanding that -- was it program management? -- was returned to local control at that time. Now, obviously, the Commissioner mentioned other areas that have been returned to local control, so there must have been follow-up evaluations.

DEPUTY COMMISSIONER SPICER: In the case of all three cities, there was the initial evaluation, and then there were six-month follow ups that are still ongoing.

In the case of Jersey City, the return of governance, and then the ongoing transition which very much is described here, occurred about a year ago. In the case of Newark, governance has not yet reached 80. Now, these reviews are done by the county superintendents -- with a team of county superintendents -- of people from their office. And they go in not only looking at the indicators that existed at the time of the original evaluation, but if there is new law, if there are new regulations that have come into place -- at the time, during this period of time, they are part of the QSAC review also. So it's never just an existing situation -- it includes everything that's new also.

So in neither case, neither in the case-- The last evaluation or review of Newark, I think, was January of this year; and of Paterson, March. But the Commissioner took all the papers with her when she left, so I'm doing that from memory; but I believe that's so. And while there is some growth, particularly in Newark, neither of them have reached the 80

percent, which is required, in the review that would lead them to return. It's not that they're very far away, because each one of these things, each review item in governance, carries 11 points with it. So each time there's a problem, if you have two problems you don't reach 80 percent. And that process, therefore, turns out to be pretty rigorous.

I think the next one is due soon, and every time we do one, we look for the 80 percent. And the minute that we find it, then we would enter into the transition plan as described here.

SENATOR RICE: Okay. Are there any questions for OLS, because I just wanted them to explain the process, and then I want to send them back. We can write them for the answers

Okay, Kathy, thank you. I'm going to send you a list of questions along the lines that were being raised about mayoral authority, and conflicts, and who designates, and where the Governor's authority is. Because I wasn't in here, but we had a conversation-- But for the record, if the question wasn't raised: When you reviewed QSAC, did you see any authority in there for the Governor at all, any role whatsoever in the QSAC for the Governor?

MS. FAZZARI: No. As I mentioned, when governance is returned to a State-operated school district, the question goes to the voters about how they want their district to be organized -- a Type 1 or a Type 2. The voters are to decide that. Now, a Type 1 school district has an appointed board of education, as you know, Senator, appointed by the mayor. But beyond that, there's no mention of the mayor or authority for the mayor in the QSAC statute.

SENATOR RICE: And a final question, as it relates to the contractual relationship of the State with the Governor: Who appoints the superintendent, or who identifies the superintendent for the contract?

MS. FAZZARI: Under the statute, a State district superintendent is appointed by the State Board of Education upon the recommendation of the Commissioner.

SENATOR RICE: So when a Governor says, "Well, I don't want to renew your contract," it's not really the Governor saying that. It should be-- He may be saying it indirectly because he kind of controls the Administration, but it's not the Governor's contract, it's the Commissioner or the State Board of Education -- is that correct?

MS. FAZZARI: I believe the contract is with the State Board of Ed.

SENATOR RICE: And under QSAC, aren't there reasons given why a contract should or should not be renewed?

MS. FAZZARI: Not in the statute. There's nothing laid out in the statute on that topic.

SENATOR RICE: Okay, thank you very much.

Oh, who has a question?

ASSEMBLYWOMAN EVANS: I do; I still have-- You cut me off, I wasn't finished. (laughter)

SENATOR RICE: With OLS, or the young lady?

ASSEMBLYWOMAN EVANS: No, not with OLS.

SENATOR RICE: Now I'm trying to get OLS out, that's why I raised, because I wasn't here when they spoke about QSAC.

ASSEMBLYWOMAN EVANS: No, no questions for them. We got that understanding.

SENATOR RICE: Okay, thank you very much. I'll send letters out to you.

Okay, Assemblywoman, you can continue your questioning.

ASSEMBLYWOMAN EVANS: Okay.

I will speak about Paterson, because that's where my experience is. And I want to say to the Committee: One of the main reasons, when you read the Paterson monitoring report -- when they decided to take Paterson district, one of the major reasons they stated was political interference -- political interference. But that was then and this is now, and that is just information in relation to what is happening in the City of Newark.

In the City of Paterson 19 years, and we're going backwards. And as a parent, and as an elected official, the main question would be: Who do I blame for my child being miseducated? The State took over; local folks say they have no control. Assemblyman Wolfe, the board is -- even if they get elected, they're just an advisory board, they have no strength. The superintendent has veto power. Paterson has had six superintendents, all appointed by the State. State is involved, State's supposed to make a difference.

New Jersey legislators, from the Governor down, are responsible to provide a thorough and efficient education for all children across the State of New Jersey, regardless of where they reside. But we're spending a lot of money and getting little results. When I look at the scores for Paterson, it's very disturbing. When I speak to principals, they're saying

that, since the State took over, they're so bombarded with paperwork they don't have much time to get out of the office. And I know some principals are working from 7 to 7 -- they really are. They're putting their time in. They don't have the quality time to get into the classroom to do the monitoring that they need to do of teacher performance. And once that happens, the process to get rid of that teacher is forever. And it may not happen.

So instead of spending thousands of dollars in legal fees trying to terminate somebody who you say is incompetent, that process, the State legislators need to take a look at and equip the superintendents and the district with what they need to operate. And I'm sure -- and I hear the union say, "That's the principal's job." If the teacher's not performing, why isn't the principal being taken on because he's not, or she's not doing their job?"

And in my District, we still have inadequate school buildings. State takeover -- the State has not done much; they've done a little, but very little to improve the quality and the condition, the setting that these children are in daily. Lack of technology, lack of so many things to bring them into the 21st century. But we blame the children because they get free lunch, or reduced lunch, and their families are poor-- You know, blame the children. Children can learn what they're taught. And until we do something about some of these things-- Again, political-- There's been a halt -- stop -- on the new school that was supposed to have been built in Paterson. And this has been going on and on. Now, I know you don't have anything to say over SDA but, again, it has been stopped.

We are telling these children that they are not valued. And when you let children know that they are not valued, their performance is low. And that's because they don't feel that anybody cares if they perform. And if they're not given the tools, the parents have to become so distraught, and fighting, and pushing-- And we were told several times that the new school buildings were coming, and now they're not coming. They start contracting, then we had shoddy contract work. We had the whole Committee come up to Paterson and look at the work that we had. We had police tape around one of our buildings. And when people say the State is operating this -- locals can't do any worse. Give them the power back, and hold somebody responsible. Because as a board member-- If I go to that board meeting and speak up, and a board member-- And when they let you come up, if I'm not electing to make a difference-- But now it does not matter whether I elect them or not -- the board has no power.

The parents have no power under a State-controlled district. The district lies with the State Board, the Commissioner of Education, and your Superintendent. So they're powerless. And we like to blame the parents, and we blame the children because they come from poor families. Well, I know a lot of poor families where children do learn. And if they're taught that they are cared about, and given a clean, decent environment -- eating lunch in a little, crummy hole, not having a cafeteria, not having a library. All of these things, and now it is 20 years later and we've gotten worse. We've gotten worse.

So I don't see why we need to continue with State control when State control does not work. They cannot-- They don't have the-- I don't know what's missing. You can't operate from afar. I can't run the

district if I'm living in Pennsylvania somewhere. And it's being run-- And Trenton makes the decisions. Six superintendents -- there's no consistency here; and when we get somebody who is good, politics steps in and say, "Oh, I want him gone," and then all kinds of maneuvers start happening from Trenton -- from Trenton -- not locally, not locally.

And we need to do something about ensuring that the principals have the time to get into those classrooms. I don't understand, maybe you can answer it. I do know, working for any State agency, New Jersey bombards you with paperwork -- paperwork, paperwork, paperwork; tons and piles and tons and piles of it. And you send it to them, they say they didn't get it in there. Well, you have to send it again and again. And that has been the history. How can we free up these principals' time? Especially in the building where you don't have an assistant principal. And there's this rule that if you have a certain number of children, you don't need an assistant superintendent -- a principal?

DEPUTY COMMISSIONER SPICER: No, you have to have a principal.

ASSEMBLYWOMAN EVANS: In all schools?

DEPUTY COMMISSIONER SPICER: Well, you can share a principal in two schools if they're small schools.

ASSEMBLYWOMAN EVANS: No, assistant principal. Like if I have--

DEPUTY COMMISSIONER SPICER: No, you do not have to have an assistant principal.

ASSEMBLYWOMAN EVANS: If I have less than--

DEPUTY COMMISSIONER SPICER: You do not.

ASSEMBLYWOMAN EVANS: --400 kids in my building--

DEPUTY COMMISSIONER SPICER: You do not need an assistant principal, but you must have a principal responsible--

ASSEMBLYWOMAN EVANS: No, no, I'm saying assistant principal. I know you have to have a principal.

DEPUTY COMMISSIONER SPICER: No requirement.

ASSEMBLYWOMAN EVANS: So how would I have the time to get out and go monitor classrooms and--

DEPUTY COMMISSIONER SPICER: The issue of being able to give principals both the skill and the time to give good feedback to teachers, so that the teachers themselves will get better and that way the children will learn, is a serious problem in every school. We spend a lot of time trying to help schools to make those decisions and find alternative ways to get their paperwork done, to change what the assistants are doing in the building, so that the principal has to believe that his most important thing is instruction.

We have plenty of examples, even in Paterson, where the principals are in the building, are doing a great deal of work, and they also have some grade-level supervisors who also come in and help to give feedback to teachers. These principals have to be quite skilled, because it's not what-- You can't just go into a teacher and say, "Go to the left," because they'd been going to the right for years. You have to be able to specifically tell them what to do so that they will, in fact, be more effective with the students.

I wish I had the answers to all the questions you raise, but I do not. The only certainty we have, and Rochelle stated it as well as it can be

stated: There's no one in this State Department or in a State taken-over district that believes that the problems are with the children. We absolutely believe that the problems are within the system, and that it's our responsibility as the adults in that system to make that system work better and not to make it -- not to do things that do harm.

And because of that, we have every antenna up to what we think may be the heart of the problem -- is what you asked: does it? There's an expectation system that works. If you don't expect the kids to do well, no matter what you say or what words you give, you do things that make it -- that do not help those children to succeed. And our great examination -- as we go into these schools and say, "Why? Why?" -- is there is an expectation level that works quietly, and sometimes it's hard to see where the expectation for the children is less than it is for other children, wherever they are. And we seriously are working very hard at both the training of teachers, and the training of principals and other leadership to make sure that we turn around that mindset. It is a powerful mindset once it's there, and it has to be turned around. And you can help, because you said: "What can we do?" You make sure that when you go out and speak about education, that you make this expectation issue clear -- that you have no such expectations; you expect the children to do well. That you expect the State to put its money into the systems where it will do the best, most good, because it is our most important thing that we can do right now. And I wish I knew how to turn it overnight, but none of us do.

ASSEMBLYWOMAN EVANS: I know you can't, but our frustration is-- Just try. Because teachers are still spending their own

personal money for classroom supplies and all this stuff. And the State monitors-- The one for Paterson has been removed.

DEPUTY COMMISSIONER SPICER: Yes.

ASSEMBLYWOMAN EVANS: And I was screaming for him to be removed, because it was a waste of taxpayer dollar to have him there making almost \$200,000 -- for what? He's watching the money, and then we had some stuff go wrong and he was supposed to be watching, and I said, "Well, he's watching it; how can we have all this stuff going on?" And that's my frustration. He should have been fired, he should have been removed, but that didn't happen. I screamed and yelled about it, and nothing happened -- he was still there.

But if you monitored the money, and we go back to the State and say, "Look, you put these people here and it's not working," and the Superintendent is screaming and yelling-- Again, we have to care about the-- I know you people are starting to do -- hopefully, that the team can stay so that we can get some consistency here in New Jersey. Because this is getting-- It troubles me to see a kid going to kindergarten smart, bright-eyed, and eager; and by the time they are in the third grade, the little light has gone out of their eyes. And their hope, because of what they have been told -- that they will never amount to anything, they're not going to progress, they can't because they come from-- Because you're poor, your mother might be on public assistance -- that's not a reason a child will fail.

DEPUTY COMMISSIONER SPICER: No, that's the heartbreak.

ASSEMBLYWOMAN EVANS: And something we need to take a look at -- the law, to change how we process, how we get rid of

incompetent employees; because we tie the hands of the union, we tie the hands of the principal, the superintendent; and it costs thousands and thousands of dollars -- that process -- and most of the time you fail.

Thank you.

SENATOR RICE: Thank you, Assemblywoman. Just keep in mind that all of the incompetent people in this process, in this system, are not at the local level. There is some incompetency, and always has been, in the State Department of Education. We complain about those incompetencies, too. And so it's going to keep the record clear that we need to clean up and purge. But we need to have indicators, or at least ways to identify, competency versus incompetency. You're not incompetent if someone removes you from the process and just allows you to exist, and you can't meet your own responsibilities. And so we have to take a look at that.

Assemblywoman Jasey.

ASSEMBLYWOMAN JASEY: Thank you. Good morning.

I have three questions -- I have a lot of questions, but I'm going to limit it to three this morning in anticipation of being able to continue this dialogue. And I'm sorry the Commissioner had to leave, but I look forward to talking to her.

I first want to just make a comment about what she said about the expectation/aspiration gap. I totally agree with her on that, and I'm glad that it's on the public record that we all believe, really do believe, that all children can learn. I think that it's the adult responsibility to figure out how to create an environment where that happens.

So the first question I have has to do with NJ SMART. I know that this was being talked about when I was on my local board of ed several

years ago. We are still not there; it's an area where we've lost a lot of points on Race to the Top application. Where are we? Do we have the resources to actually complete this? And how close are we to being able to implement NJ SMART in every district?

DEPUTY COMMISSIONER SPICER: We have implemented NJ SMART in every district. Every student in the State of New Jersey has an individual identification number and that allows us to track each child. And that's been accomplished -- that's for pre-school, regular school, charter schools -- every child. We've made a great deal of progress for being able to collect important information that we have to report to the Federal government in numerous areas. And we've used a lot of help from the consultants who work with us to be able to make movement, until this year we will be able to show the growth of children on their test scores. And we won't use it this year -- it's just a chance to take a look at it -- and how -- what it shows and how it shows it. We're going to use a rather complex formula, but we're going to try to see what happens by November of this year, which will help.

The thing that we have not been able to do, and which we now have budgeted, is we have not been able to connect our teachers to our test scores -- either in the high school, where we don't know what courses the kids have taken; or in the elementary schools, where we don't know who the teachers are. So that's what stops the achievement of the kind of analysis that we'd like to be able to do. Some systems that are small enough try to do that by hand, but it's a very difficult thing to do and we need the capacity to be able to do it on a statewide basis.

ASSEMBLYWOMAN JASEY: Okay, thank you.

Second question has to do with Camden. What is Camden's status? It's not in takeover, but we talk about Camden a lot.

DEPUTY COMMISSIONER SPICER: Yes, Camden has a special arrangement on its board -- three members of its board are appointed by the Governor, three members of the board are appointed by the Mayor -- I think this is correct, I have to check it when I go back -- and three are elected. And I'm-- If you remember, there was some pressure at some time to have that type of board, but Camden is the only place where that exists. And I'd really like a chance to check it, because I think it was true at one time, but I always worry about things changing when I have my head turned. So I will check it and let you know.

ASSEMBLYWOMAN JASEY: Okay, so then--

DEPUTY COMMISSIONER SPICER: It's a peculiar district, but it does not have a State takeover piece to it beyond that.

ASSEMBLYWOMAN JASEY: Hence my confusion; okay.

DEPUTY COMMISSIONER SPICER: Yes.

ASSEMBLYWOMAN JASEY: And the third question that I would put out to you today -- and I don't know that you have an answer to it, but I would look forward to an answer -- and that has to do with -- everybody talks about teachers. And I think that one of the areas that we don't talk about is the fact that we know that a certain number of our teachers will be retiring in the next 5 to 10 years, nationally as well as in the state.

DEPUTY COMMISSIONER SPICER: Right.

ASSEMBLYWOMAN JASEY: And so what I'm wondering is: What's our plan, or is there a plan, to recruit the best and brightest, the top

10 percent, for example, as they do in Finland, I understand? But the very best and brightest to come in to education -- how do we train them, how do we support them so that we don't lose high numbers in that first three to five years, which is a loss of money and resources? It's a core investment. How do we find people, how do we make the profession attractive and give it the prestige needed. And, of course, along with that is the question of how do we pay people well so that we have the best possible teachers in front of our kids in every classroom?

And then I just want to make an aside comment: I make it my business to visit a lot of schools -- regular public schools and charter schools. And I was in a regular public school in one of my towns recently -- a former Abbott District -- and we were in a newly renovated school in a new wing, and it was beautiful and everything was great until I walked into a classroom and the teacher -- it was a math class, it was a seventh grade math class -- and the teacher said that up until that September she had taught third grade. And I said, "Really?" And she said, "Yes." And I said, "And now you're teaching math." And she said, "Yes." And I said, "How did that happen? Did you go back to school? Did you decide this is what you wanted to do?" And she said, "Well, they needed a math teacher." And all I could think of, to myself -- and she was very positive about it, but I had to ask myself, "Is she really prepared to teach seventh grade math coming from third grade, and is this indicative of the fact that we still don't have highly qualified, in their subject area, teachers in front of our most needy kids?"

DEPUTY COMMISSIONER SPICER: Well, let's start with the end point, which is the certification of our teachers -- which doesn't make them effective, but at least makes them certified.

Our data, which we reported to the State Board just last month for this year, shows that 99.7 percent of our teachers are certified in the areas in which they taught last year. That both in high-poverty and low-poverty schools, almost every teacher is highly certified. Now, this is self-reported data. So I can't tell you that if you go into any given class that you're not going to find whether this third grade teacher is certified or not -- I don't know -- but it seems unlikely. And so it's hard to tell.

I was in schools yesterday too, and some of them you know well, and I discovered that there were many special ed teachers in these schools that were not certified, and I don't think anybody knew it. But the data we have shows that New Jersey has done an extraordinarily good job. And I'm hoping that what you found was an anomaly -- a moment that was there, rather than--

ASSEMBLYWOMAN JASEY: Well, just for the record, I will tell you that I had this ongoing conversation with the previous Commissioner, Commissioner Davy, because I know that on paper -- because this is a question that I asked on the Ed Committee -- I know that on paper, that's what it says.

DEPUTY COMMISSIONER SPICER: Yes.

ASSEMBLYWOMAN JASEY: But I know that when I go to schools, and when I go to events where there are teachers and I ask specifically about these issues, that's not the answer that I get. And so it troubles me because somewhere there's a disconnect here.

DEPUTY COMMISSIONER SPICER: Yes.

ASSEMBLYWOMAN JASEY: And I have to say, going back to Assemblywoman Evans' piece, we should not be blaming children for not learning what they haven't been taught.

DEPUTY COMMISSIONER SPICER: What you discover -- and I can't do more than cry also -- is that the systems themselves aren't-- They leave out pieces; they miss parts. And to explain the power and the importance of the administrative structure is very difficult in a world where people say, "Oh, let the administration go." But, in fact, what you're raising are issues that are absolutely, administratively controlled, and they are the reasons why expert administration and training for administrators is so important.

With the 12 schools that were in for schools of improvement, the principals each have a coach, simply because being able to take care of the issues relating in these schools, that have been so low-performing for so long, takes a coach for the principal -- somebody who has already done it, who knows what to do. And we're hoping within a year those teachers -- or two years those principals will pick all these things up themselves. But without it, we have no control. We have to build the capacity -- the people in those schools -- in order for change to occur. I wish there was a law that we could pass that would say, "You know, this will take care of it; everybody will do as we say." But we've been around long enough -- certainly I have, and most of you too -- to know that the law itself will not, nor will the money itself, do it. It requires talented, skilled people with will in those districts, and that's what we're hoping to produce is -- everything that we're doing leading to that possibility.

ASSEMBLYWOMAN JASEY: So perhaps at another time in the near future we can talk about what the plan is--

DEPUTY COMMISSIONER SPICER: Yes.

ASSEMBLYWOMAN JASEY: --to recruit, train, and retain.

DEPUTY COMMISSIONER SPICER: Yes, yes. We've already changed the alternate route plan; we've added 24 hours of instruction before people come in. We work with Teach for America, which recruits into the State of New Jersey. We're working with the deans of all the schools of education in the state, and we're looking very closely at the induction plan: what happens from student teaching to entrance into the system, and how we can make that more seamless. These are the important issues right now. But recruiting, still, always is a point that has to continue to be looked at.

SENATOR RICE: A couple of issues: Number one, the Governor continues to articulate throughout the country and in the media here that Newark spends \$24,000 per student in the Newark school system. Now, I've been in Newark a long time, and I pay some serious taxes -- at least I think they're serious compared to people in my City, but you know -- the point is that, that is not accurate. Do you find that number to be accurate, and do you know where he's getting that number from?

DEPUTY COMMISSIONER SPICER: I do not.

SENATOR RICE: Because we did parity, and the one thing we don't argue -- and as Chairman of the Legislative Black Caucus, as well as a Senator -- we always tell the districts that we can't argue for more money as related to the parity issue. We can't argue for school construction money. But what we can argue for is to continue that money coming in. So we

have to argue for accountability. But I know that when the takeover districts start to receive parity dollars, nobody's paying \$24,000 per student.

DEPUTY COMMISSIONER SPICER: I don't know if that is an accurate number for Newark or not. I will find out for you and respond to you when I get back into the office.

SENATOR RICE: Well, according to the information I have, the Department of Education Office of Fiscal Policy and Planning puts per-student spending at \$16,911 in the 2009-2010 school year budget, down from \$19,756 the previous year. And the 2009-2010 State average per student spending is \$13,860, according to DOE. Also I think that if, in fact, we look at the numbers, depending on how you're mixing those numbers and how the Governor's mixing them, that the number is even lower than that -- maybe \$10,000, \$11,000, \$12,000 per student. And so we need some accurate numbers, because once again I've been very kind since January -- the change of Administrations -- because everyone who knows me knows that I say what I have to say and then I say it publicly. I've been trying to give the Governor an opportunity on certain fronts and issues -- education, things happening in my District -- and it seems to me that the response I'm getting from the Governor's Office -- not from the Governor himself -- that the people around him, who he may be giving this to, to look at, are not providing him with all of the correct information or all the information. That's the feeling I'm getting. And eventually I might have to go public and start to challenge this Governor, and get him to stay home a little bit more to work with me on some of these issues. So would you get us the right number?

DEPUTY COMMISSIONER SPICER: I will.

SENATOR RICE: Okay? Because there have been cuts in the budget as well, as you know.

DEPUTY COMMISSIONER SPICER: Yes.

SENATOR RICE: And also give me the formula that they're using to come up with this \$24,000. There must be a formula -- it just can't be arbitrary and capricious. But it makes us look bad at the national level; and it makes us look extremely bad at the local level here in the State, because those folks who never wanted Abbott to occur, who never wanted parity to occur, are under the impression that we're failing all of our students and we're getting \$24,000 per student a year. We need to immediately, and by way of the media, correct that erroneous information. I know it's not accurate -- that's one issue.

The other question I have for you is that the Commissioner -- Acting Commissioner -- indicated that there's going to be a QSAC Review Committee.

DEPUTY COMMISSIONER SPICER: Yes.

SENATOR RICE: Now, we've gone through this, as you know, in the past, prior to this Governor, in terms of QSAC and what a Committee should look like. We did that during regulations, and I had to beat up on MacInnes because-- I had to beat up on MacInnes, okay? (laughter) But could you tell me what the makeup of this QSAC Committee is going to be?

DEPUTY COMMISSIONER SPICER: Yes. This is an internal Committee with -- though it does include county superintendents, and I think there are a couple of practitioners from local districts, there is a school

board member -- but on the whole they're State employees. And they're working on each of the DPRs, each of the sections -- the five sections -- to see that they're up-to-date and that they're-- To cut out, if we can, the amount of repetition that occurs among them so we can be more efficient in our looking.

There are questions that have been raised on the scoring of those pieces. As you know, you get everything or nothing. And that question is being looked at.

There is a committee that is looking at the issue that was raised on the amount of paper that comes out of the State Department, and what needs to be done to make the State more efficient; to see if there's a way we can take all that monitoring and all that paper and pull it together to make the operation more efficient. And there will be recommendations coming from the Committee on ways that we can decrease the amount of -- the need for information, and ways to overcome that requirement. It's not all in QSAC, but it's all referred to in QSAC, so it lets us pick up each one of those things.

We're also looking at the policy issues that we would have to come back to you with. We're looking at the issues on timing and things like that. So there may be some requests -- some legislative requests -- coming out of the Committee. But it is too early yet for us to even consider any of those things. We've just begun the examination -- it's intensive, there are four or five people on each of the areas, and on the integration issues, and on the policy issues. As soon as we have any kind of recommendations or information, we'll bring it back.

SENATOR RICE: When we started QSAC, we started with nothing but legislation and, I think, some of the best minds in the State from the education arena -- north, south, east, west -- and some legislators. And that's how we got through regulations, in the summertimes we spent and everything else. But now we're going to do a review with just in-house people. Many of the in-house people, I suspect, are new, or some of them are new. The Governor doesn't understand this process at all, so he's relying upon you.

But the issue is that, since the inception and implementation of QSAC, we now have real life, documented experiences. I want to suggest to you, to keep from doing the duplication thing and force legislation -- I don't like to do legislation if I don't have to -- I would suggest to you, since Dr. Bolden is no longer a part of the Newark School System, but was a part of putting QSAC together, was a part of the team that put together regulations for QSAC, came out of a district with a lot of problems, kind of knew what was working, where the barriers were in the process -- forget about the personalities now -- I would suggest that maybe the Commissioner look at adding a couple of public members to that review team. That's my suggestion. Because if it comes back where it looks to me, as the sponsor of QSAC, that it's really not a review -- it's like an indirect sabotage of the intent of the legislation of QSAC rather than making it better -- then I'm going to move legislatively and fight publicly, in court if I have to, to correct that with our own review team.

So rather than me putting together a review team -- and I can do it; I don't need to set a precedent to get a review team, I can do my own stuff, okay? I'm trying to avoid that. So you make that note there--

DEPUTY COMMISSIONER SPICER: Yes, and I'll be happy to ask Marion Bolden to join us -- more than happy to have her.

SENATOR RICE: Okay.

Can you tell us how many districts, statewide, right now, that we have in Level 2 and Level 3 status?

DEPUTY COMMISSIONER SPICER: I don't know. The Commissioner gave you that data at the beginning and then she left with it. So the reason for the review is that every district has now completed the review process. They are not all out of review, and I don't know the number that are still in review. We've talked about the three State ones, but there are many others that are still in the review. I think she gave you the number of 575--

SENATOR RICE: She gave us the number of districts; I don't believe that she gave us the number of Level 2 and Level 3. I think she gave us the number of districts that were reviewed and the ones that were 80 percent -- over 80 percent, under 80 percent.

DEPUTY COMMISSIONER SPICER: Yes.

SENATOR RICE: But that doesn't depict to us, or articulate to us from over there, the number that's actually a Level 2. You know, Level 2 means that you're getting ready to be taken over, if you go on to Level 3. Okay?

DEPUTY COMMISSIONER SPICER: There are--

SENATOR RICE: Once you reach Level 3, under the old system -- and I assume those mean the same thing -- is that we can go in. For example: There were issues raised, there were concerns raised about Camden.

DEPUTY COMMISSIONER SPICER: Yes.

SENATOR RICE: There were concerns raised about Asbury Park. There's the level and the process -- either 1, 2, or 3 -- that they're at right now.

DEPUTY COMMISSIONER SPICER: Okay, there are--

SENATOR RICE: We need to know-- You can send it back to me, through the Chairs, the number of districts that are at Level 2, and the number of districts that are at Level 3, and identify those districts.

I'm going to end the questioning in a moment because we have others coming up. In fact, what we're going to do is -- because if I ask some of these questions, you're going to probably indicate, and I know it's true, that the Commissioner left with some of the answers. So therefore, we're going to send a whole series of questions to DOE for your response. Because of the fact that I don't trust anybody in government, basically friends or foes -- and one thing I've learned: As much as they talk about those of us who grew up in the urban cities -- believe it or not, some of us made it through, and we can do our own research. But I'm going to ask for the answers, but I'm also having it independently researched to make sure I'm getting truth and integrity in the process. Because I have found, in 24 years, whether it's Democrats or Republicans in charge, oftentimes we don't get the truth and we don't get all the information, or there are misinterpretations, allegedly, of what we request. So I'll leave that at that.

I think the Assemblywoman raised the question: Someone still has to come up with the process of keeping superintendents in place. Because you can't go through a system of six superintendents and then expect someone to come in who you think can do the job, then ask them to

take a look at a very complex system, a very problematic system and district; and then after they analyze and then try to identify the causes of the problems -- situate it -- to write a plan around it; and after the plan is written and approved by the State and the County, implemented; and then monitor it for tweaking -- you can't do that in a year or two, you just cannot do it. I don't care what they said. If you listen to the Governor, you listen to Cory Booker, you listen to the tweeter people -- they can come in tomorrow and next year -- Assemblyman Wolfe and Ron Rice who've been here a long time looking at this system -- things will get fixed. They're saying we're moving too slowly, which is not true. To some degree it is, but in other degrees it's not.

So on your review process, we need to come up -- because I was talking to the Co-Chair. I don't want to have to legislate superintendent contracts -- how to get them in, how to get them out. I think that's something that needs to be negotiated. It should be clear: You don't arbitrarily and capriciously throw out a superintendent that the district thinks can get the job done, that we think is doing the job from the indicators, because someone else just wants to run your system. That just can't be.

With that, are there any other questions to Willa from members?

Assemblywoman.

ASSEMBLYWOMAN VOSS: I just wanted to know: Looking at Paterson having all of these superintendents, who vets them? Who decides that this is the proper person for-- Because it was kind of like a revolving door over there, and I have to agree: You can't really do the job

in one year. But who checks their credentials? Who makes sure that their backgrounds are conducive to working in that particular district?

And I just want to bring up another thing, because I've been in a lot of schools in some of the inner cities. And we over-test our kids -- and I know this has nothing to do with QSAC; I just want to put this on the table for the Department of Education's information. And I go into these schools, and because the kids are so used to having a test after each and every one of their elementary school grades -- the tests are usually given around Easter time. And then, because the kids will say to the teacher, "Is this going to be on the test?" they kind of like turn off. And we're doing a terrible disservice to our kids by the testing methods. And also, having administered many of the tests on the high school level, I think we have to look at what we are testing, because I don't think a lot of the information on some of these tests is relevant to really assessing the intelligence of our kids. And that's one of my passions.

But, anyway, to get back to my QSAC question: Who vets these potential superintendents?

DEPUTY COMMISSIONER SPICER: At some point we should have a meeting on testing, because there is lots to be said and there are a lot of changes going on.

ASSEMBLYWOMAN VOSS: And I have a lot to say on it, okay?

DEPUTY COMMISSIONER SPICER: In terms of the superintendent, especially the superintendent in Paterson -- because I served on the committee that recommended the superintendent in Paterson -- there was a very large committee that interviewed in Paterson. It

included representatives from, as far as I could see, most areas. I've seldom seen a city as involved in its education as Paterson, and its people came out and served on this committee with great attendance and great will. It was a long, hard process. And we interviewed-- We had a group that did a search, and we advertised widely, and we interviewed for two full Saturdays. I don't remember the number we interviewed, but I remember the days we interviewed. And then we recommended to the Commissioner only two candidates. And the Commissioner -- and I believe the Governor also -- interviewed both candidates. We did a full vetting of them; we paid to have a full vetting of their background and their history, and all that was known about them. And the person who has been selected looks like he's doing pretty well -- I hope so (knocks on desk).

ASSEMBLYWOMAN EVANS: If I may, Senator Rice.

The question is: How do we retain them?

DEPUTY COMMISSIONER SPICER: Yes, that's a good question.

ASSEMBLYWOMAN EVANS: We select and get good superintendents, but just like the one in Newark now, has to go. I mean -- why? And the community doesn't understand. But one of our superintendents was there when we had the \$50 million disappearance. What happened: DOE went in, removed him, brought him here to Trenton and sat him in their office over there for him to serve out his one year so he could draw his pension, okay? That's how that one got removed. And we talk about the incompetency level, from out of the DOE all the way down, which impacts-- That's the frustration. The State is telling us when, what, how, and you're giving us these incompetent people or whomever, and

they're not doing the job. But when you remove them -- the same thing I said about the monitor -- we have some more mishaps. I went to the Commissioner and asked to have that monitor removed. You're paying him almost \$200,000 out of Paterson District, and he's incompetent and not doing a good job. But they did not remove that person -- he stayed there. You understand my frustration? Now I'm saying--

SENATOR RICE: Yes, he got a job.

ASSEMBLYWOMAN EVANS: --the local people have no control, because when you go to folks and say, "Look, this is happening; I live here, I see this every day; we need some changes here" -- if you can't respect the people who are doing that every day and know what's going on in their community, then shame on us. And that's the reason why we are destroying generation and generation of children in our urban setting -- because they took over the education, pretending to provide a better quality, but the quality has gotten worse and worse. And 20 years later, here we are, and we are still not educating these children.

SENATOR RICE: Well, Willa, thank you. Just take that back, because that's a concern we have: How do you keep a superintendent who is doing the job? I know in Newark it was very clear from day one, when the new superintendent came, the Mayor made it very clear he does not want him; and that's because of the relationship in Washington with the former mayor and all that stuff. Those can't be criteria for superintendents. In Assemblywoman Evans' district, if I remember the scuttlebutt, going back, it was alleged that the monitoring people like that were good friends of Davy's, so you could never get anything done; so he wound up with a job in the district when he was removed from the district. I mean, that's the

politics, and that's why I raised the issue before that all the incompetent people are not within the district itself; there are problems in-house here that we have to find a way to put in check, even if it's some ethics laws, and tighten them up on employees and government's relationship with its own employees.

The final thing: Just make a note, in case the Commissioner didn't put it down, I want to remind -- she said she did -- but I want to remind you that I'm going to send a series of questions. But I'm going to also require, from the Department of Education -- I want the performance assessments on the charter schools. I believe we have 73 charter schools; I want them individually. And I want, also, the testing information and criteria for that -- how we get to those ratings; as well as all the information related to the administrative costs and salaries for each charter school. I believe that that picture is distorted, as well, as related to how well charter school kids are doing, as related to the administration of those charter schools, etc. And I want it where it's clear stuff, so we can ask questions at a meeting. We'll have a subsequent meeting regarding that, so that my members are not misled with legislation that they're doing throughout the State, thinking that everything is Steve Aduato -- which is a good school, by the way -- and one or two others. The rest of them aren't doing too well. I think everybody knows that, we just don't say it.

Thank you very much, again. Do you have any final comments you want to make, Willa?

DEPUTY COMMISSIONER SPICER: No, except I do want to say that the-- Just to correct the vision-- The fiscal monitors that the Commissioner referred to early in her report, that we referred to here, for

Paterson are not necessarily related to State-run schools. They are in many schools -- or they have been in school districts in the State that have nothing to do with State-run pieces. They have been placed there because there are economic indicators in the system that are not correct, that do not show the appropriate use of funds. It's not the use of funds, it's the accounting for the funds, and personnel. And so it is true that they did exist in Paterson, but in many of the other districts they are not necessarily related -- they're not, in any other one, related to State-run schools.

Thank you.

SENATOR RICE: Are the technical people who go into these districts -- are they contracted, or do they come from the Department?

DEPUTY COMMISSIONER SPICER: They are contracted in the sense that the Department identifies them, and the Department puts them in the system, and the Department does not--- But they're paid by the district itself, which is why there is such controversy. It's a difficult situation, but the criteria to put one in is very, very specific: You have to have certain audit results, you have to have them over years. And so it's not something that just happens without thought.

SENATOR RICE: Can you make a note to send us all the information about--

DEPUTY COMMISSIONER SPICER: Sure.

SENATOR RICE: --all the technical people, what districts they've gone into?

DEPUTY COMMISSIONER SPICER: Yes, I'll send you the list.

SENATOR RICE: What did we pay them? If we have them in districts now, how much we're paying them, and who they are, and where do they come from, and what background. We're going to start asking some questions now. We haven't done enough questioning.

DEPUTY COMMISSIONER SPICER: We only have five in right now. We'll send that information over.

SENATOR RICE: Okay, but send us what you had in the past -- who made what, how long they stayed--

DEPUTY COMMISSIONER SPICER: Oh.

SENATOR RICE: --and what they did.

DEPUTY COMMISSIONER SPICER: The whole history might be a little much.

SENATOR RICE: Well, if it's on the computer, we're into IT stuff now. (laughter) That's what I see everybody tweeting--

DEPUTY COMMISSIONER SPICER: We'll try to give you as much history as we can.

SENATOR RICE: Okay. Well, Doctor, we're not sending any OPRA stuff -- I'm being honest, okay? It's public information, we're a Committee--

DEPUTY COMMISSIONER SPICER: Oh, sure.

SENATOR RICE: --we're a statutory Committee that's entitled to it.

DEPUTY COMMISSIONER SPICER: Okay.

SENATOR RICE: Unlike the committees they put together that have to request, okay?

DEPUTY COMMISSIONER SPICER: Fine.

SENATOR RICE: Final question coming from the Assemblywoman. Then we're going to bring up--

ASSEMBLYWOMAN EVANS: I just have-- Commissioner, on the districts that have the 80--

DEPUTY COMMISSIONER SPICER: Yes.

ASSEMBLYWOMAN EVANS: Is there a timeline where the State is going to really get out and turn it back over to them? Is there a timeline for that?

DEPUTY COMMISSIONER SPICER: The ones that have not yet reached 80, is that what you're asking?

ASSEMBLYWOMAN EVANS: The one that has reached 80.

DEPUTY COMMISSIONER SPICER: The ones that have reached 80?

ASSEMBLYWOMAN EVANS: Yes, the full turnover, where the State gets out of business, turns everything back over to--

DEPUTY COMMISSIONER SPICER: As soon-- We've been monitoring every six months, and so there's time for a new monitoring in both districts. And as soon as that monitoring is done, as soon as it happens, we would immediately turn it back over.

ASSEMBLYWOMAN EVANS: I mean, did they give you a timeline on the monitoring, saying, "In one year we're going to monitor, and then we're out," or, "This monitoring will be 20 years later."

DEPUTY COMMISSIONER SPICER: No, no, no. The timeline is: at what date do you monitor, and what date do you go in, what's the result of that? Do you have to do a-- Has your plan been met? If so, we turn it back to you; if not, the timeline is to schedule another,

agree on what has to be done, and send another team in again. And that's been going on for the last two years, at least.

ASSEMBLYWOMAN EVANS: Those are the ones that have reached 80?

DEPUTY COMMISSIONER SPICER: Those are the ones that have not reached 80.

ASSEMBLYWOMAN EVANS: Have not reached 80?

DEPUTY COMMISSIONER SPICER: As soon as they reach 80, we stop it.

ASSEMBLYWOMAN EVANS: Okay.

DEPUTY COMMISSIONER SPICER: Then there's three years, again, before we go back in after 80. As soon as Jersey City hit 80 in the governance area, then we went in and began to plan with them the transition. It took about a half a year. And so they immediately then had their--

ASSEMBLYWOMAN EVANS: So they are back in full?

DEPUTY COMMISSIONER SPICER: Yes.

ASSEMBLYWOMAN EVANS: Okay.

DEPUTY COMMISSIONER SPICER: Yes.

ASSEMBLYWOMAN EVANS: Okay, all right. Thank you.

SENATOR RICE: Thank you very much.

DEPUTY COMMISSIONER SPICER: Thank you all.

SENATOR RICE: Next, we're going to bring up Dr. Marion Bolden, the former State District Superintendent of Newark. And also, do we have a representative from NAACP here who is going to speak? Are you speaking, Ms. Witcher? Come on up.

Is anyone here from the New Jersey Black Issues Convention? NJBIC? (no response) Okay.

I know we have Mayor Jones from Paterson here. Mayor, we're going to give you an opportunity to speak after these -- if you want to -- after these, okay?

Good afternoon, Dr. Bolden and Sister Witcher.

**MARION A. BOLDEN, Ph.D.:** Good afternoon.

**SENATOR RICE:** How are you doing -- okay?

Why don't you give your presentation first, and then I have a series of questions that I would like to ask you, if it's okay with you.

**DR. BOLDEN:** That's fine.

Good afternoon. My name is Marion Bolden, and I served as the State District Superintendent for nine years, 1999 to 2008. Prior to that, I was an educator in the District; in fact, my whole career was spent in Newark, so 40 years in Newark -- teacher, administrator, superintendent.

The reason that I wanted to address the group is, because in terms of superintendents, and having lived the State takeover experience, I think Dr. Epps and I would be well-qualified to speak to that.

I was a Director of Mathematics when Newark was first taken over in 1995, and when I left I was, certainly-- And our District was very much involved in the NJQSAC process. Our team helped develop some of the questions, and so I thought I would just come and share with you my personal experience.

I have to admit that in listening to some of the questions and concerns, there was a legislative intent in takeover, and I think now that there's a lot of unintended consequences as a result of it. And I'm going to

just be real, because I understand that it's difficult, sometimes, to go and provide assistance to schools. I think there's an obligation on the part of the State to do that. But having lived it, let me say that I think NJQSAC, though, does provide a vehicle to return districts to local control.

I don't think that the State will ever go in and take over three districts the way that they did in Jersey City, Paterson, and Newark. It is more than overwhelming. It is not something that can be done from Trenton. And although I was a State-appointed superintendent, do understand that I was the candidate that was recommended by the community. So I feel somewhat different in terms of my role. I didn't come from three states away. I was born and raised in Newark, it is my home, and I feel that I was a community superintendent.

In terms of where I thought -- answering some of the questions first that I heard, and then I can tell you about the process. When I left in 2008, we had undergone the evaluation process. In finance, we got almost a 90 percent, so the District did get back that aspect of it. Operations, too, I think. Willa didn't refer to that, but Newark got back operations as well. Curriculum and instruction: If your test scores aren't at a certain level, you are not going to ever totally get that back. And in urban districts that are struggling, I would say that most urban districts will always have some oversight by the Department of Education in terms of student achievement.

When it came to governance though, I was very surprised. Because when I left, there were three issues in terms of giving Newark local control back. And we were actually given a corrective action plan. It wasn't the long-term plan, it was the short-term plan. And it was my understanding that in three or four months Newark, too, would go back to

local control. Because the issues, you have to understand -- and when I say unintended consequences, I just need to be very careful how I say certain things. In terms of boardsmanship, the board that I left was very capable. They had undergone training -- and there were a couple of violations, and I think that they were aware that there are certain things you can and you cannot do. But they were ready to go back to local control based on the criteria that was outlined in NJQSAC.

And I know I'm here to talk about NJQSAC as well, but there were some things that you said: The issue of not having teachers-- Yes, students are held accountable when they don't have highly qualified teachers in front of them. That is the truth. You have a high school-- I had one -- there were 14 math teachers assigned to that school, and they had eight certified math teachers. But those very students who did not have a math teacher in front of them are responsible for their test scores. And there are a lot of things that we recommended. I begged retired teachers to come back -- the law doesn't allow it. And so sometimes you have to change the law so that kids aren't held accountable. You can't keep raising standards and you don't give them the resources that they need to be successful. So I just wanted to interject that, because that's something that is also very, very real.

You asked about the per-pupil: I know that the per-pupil cost in Newark is not \$24,000 -- it's \$17,351. That is the number that was given to the State Department and it's in the Comparative Spending Guide.

So one of the reasons I accepted the challenge of being the Superintendent in Newark -- and I did it very reluctantly, I will admit that -- is because there is this enduring negative image about the City of Newark

and its schools. And I said, "Given the last three months, I guess we didn't make very much progress." And much of what I hear, I can say unequivocally is not true. The graduation rate, when I left, was 79 percent. Well, across the nation, they think that no one graduates from Newark schools. Yes, there is a new formula, and there are some things that have happened since I left, so I'm not in a position to talk about that. But if it went from 47 to 79, that suggests that there had been progress.

When someone mentions that language arts test scores are 46 percent in Newark, I said, "Well, gee, when I left they were 70 percent." So in two years-- So there are things that aren't explained. There are issues of content that need to be explained so that people don't get -- and I'm not saying that 46 percent is close to being good; it is not. But the statewide average was less than 60, because there was a new test.

So when you give information, you need to qualify what it is that went into that. And, again, there is-- I'm not going to sit here and tell you that I am even close to being happy with where we are. But why not grab the math scores and say, "They went up to 76 percent." Well, because that's not the sound bite that you want. So I'm disappointed in some ways, because I think that when State takeover initially was enacted, it's because folks thought that there were some issues of impropriety. Maybe they thought there were issues that there was incompetency, and everybody wants to ensure that kids get a quality education.

So I'm not going to say takeover is a bad idea. The how of it, I have big issues with. But I thought that when NJQSAC was put in place, at least what it did -- it made it a situation where you're not always going to be in receivership -- if I want to say that -- because you can demonstrate that

you can get out of monitoring by your performance. And certainly financially, I think what we had done in terms of inheriting this deficit and trying to right the ship -- that we had done a very good job.

I also think, in terms of instruction: In the elementary school, if you look at the performance over the last seven or eight years -- and again, when I was there, the upward trajectory-- I don't know how you could say there wasn't progress. Where we lacked is in the high school. I have to tell you that my hair was much longer when I started. (laughter) The high school is a tough nut to crack, and even then it was beginning to show improvement. And the issue of the graduation rate -- and Assemblywoman Evans isn't here. But there is something to be said about youngsters feeling value. And they know that we're working for you, but there are things that you have to do. There are things that they asked me to do. I made contracts with them. And I think the kids felt valued, and they wanted to be there. Even though they graduated with a rate of 79 percent, I have to admit to you that their test scores were not close to what they should be. But they were there. And there were issues of progress when it came to that as well.

Violence and vandalism. Because we had monies to do certain things, we're the first District to have full surveillance cameras in every school. Little things make a difference. We had police officers, finally. I know that a lot of some of the successes or some of the things may not be the case anymore, because we don't have the same Abbott funding that we had before. A lot of it was based on the fact that we were able to get additional resources because of Abbott.

But in terms of what Commissioner Hendricks said, and Deputy Commissioner Spicer -- I have been working with them for a very, very long time. And I don't have issues with the takeover law, per se. But when it comes to living the law, I think we need to be very careful about the things that we begin to do. I don't know that anybody has any sinister kinds of motivations, but you can't take and exploit and circumvent the law. You ask us to follow the rules and the regulations that are written, and we expect our elected officials to do the same thing. I had to make a case for everything that I did because I was a community superintendent.

And they had asked me, time and time again, "When are we going back to local control?" And I said, "Well, you have to earn the right. We as a community have to demonstrate that we are responsible and we can do the job."

So the issue of -- and I know that this is something that Senator Rice is very passionate about, the whole thing with mayoral control. I was asked several times, as a Superintendent, "How do you feel about mayoral control?" And I did respond to it; but let me say, the nine years I was there, I never had a mayor come and ask me how they can be helpful. Mayor James made it very clear: You're under State operation, let the State help you. So he made it clear how he felt.

But don't you know that it makes a big difference if there was a collaboration between the city officials and the school district officials? It would make life that much easier. I mean, I was so stressed because the nature of what you have to do to be successful as an urban superintendent -- you have no idea; you just have no idea in terms of what kids say are problematic to you. You want to be able to say, "Well, you're State-

operated. Can't you go to the State and get--?" No. Because, really, the State assigns a leader. And they expect that leader to, pretty much, take care of all the issues of running the day-to-day operation of the school.

We used to present in front of the Department of Education -- we don't do that anymore. What I'm suggesting to you is that takeover morphed into something that was not intended. And if you don't go before the State board and present, and talk about the things that are problematic, and the things that are progressing, then just what are you doing? So until NJQSAC came, there was no way to really substantiate what you had done and whether-- It didn't lead to a way out of State intervention.

So in terms of Newark: I look and compare test scores because it's important to do that. We needed to do an awful lot of things, and an awful lot of things got a whole lot better. When I say incidences of vandalism and crime, and things like that in the schools-- You see, people's memories are short. In three or four years, I guess, before I even took the position, Newark was in the paper every other day because there was something that happened inside of the school. Things like that -- I'm not saying they were nonexistent, but you never read about it because they did not come to the level where they needed to be put on the front page. As an urban superintendent, you have to go out and you have to talk to gang members. You get them to sign agreements: not in my schools. And so there are certain relationships of trust that have to happen in urban districts before you can get kids to say, "Well, these guys are looking out for us, and if they're invested in us, maybe we need to invest in our future as well."

So there are an awful lot of things that contribute to success in urban districts. And people think that there's a magic bullet, there's some

kind of pill -- no, it's hard work. It's hard work and, yes, you do need to have the right teachers. But if you sell a school district as some place that nobody wants to work, you will not get those quality teachers. And I'm not saying that there shouldn't be a system of accountability and test results. You need to have accountability. But don't suggest to a teacher that 50 percent of your evaluation is simply based on tests. I won't even have a teacher go to Malcolm X. Shabazz because they already have heard that it's a very troubled district. "Well, why would I risk doing that?" Now, of course, there are the troopers who will say, "That's precisely the school that I do want to go to." And certainly I would love to have those kinds of folks, but unfortunately there are just not enough of them.

And in terms of, do I know what it's like to be in a high school? I was a high school teacher for 14 years. I taught mathematics at Barringer High School. I had no low expectations. When the kids came to class, they did what they were supposed to do. Did it require that I had to do more as a teacher? Yes -- I had to give up lunch, I had to stay after school; but you do give them a sense of, "if you work hard enough you will get there."

So there's just so much going on in terms of education and the rhetoric and the sound bites -- every time I turn on the television, people who I've invited, "Why don't you come into the school and see for yourself before you make comments?" They won't come. And so that is what is very frustrating.

We had Middle States a few years ago, and the people from -- I think they were from Maryland, and they said, "We got the short end of the stick. We drew Newark." But in their exit evaluation, they apologized to me, because they went into the high school and they said, "The kids

aren't hanging from the ceiling." That's what they thought. There was an issue that they brought up, and I agreed, that even though they were well run, that the kids were-- The rigor wasn't there. The rigor and the strong, high expectations that you talked about -- not in every classroom. And so that is something that is very real, it is something that needed to be worked on.

But I'm just saying that what may happen in our country is that in 10 years we're going to say, "We need to rethink what we're doing, because what we've done is we've dismantled public education, which was doing a fairly good job." And you just need to undergird and support it, not just simply tear it apart.

There are a lot of things I probably forgot to say, but it's okay. I'll get to it when you ask me a question that's not related, and I want to answer in my way -- I'll get in my other point.

ASSEMBLYMAN CAPUTO: I'm not going to ask you any questions, I'm just going to tell you how proud I am, personally, of your experience and the way that you ran the Newark School District for nine years; and the fact that everybody who knows you, who has any sense of any reality in terms of what goes on in an urban school district, feels the same way. And I'm very happy that you were here today. I'd like to see you be more engaged with the Department. I think that your experience is invaluable in terms of solving these problems that we're facing for many, many years. So I have no questions for you. I wouldn't dare ask you a question. (laughter)

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN VOSS: I just want to say how impressed I am with you, because you are the kind of educator that I hope I am -- where you stay with a district, you work your way up through the ranks, you understand the people, the children you're dealing with. You understand the teaching process, you understand the administrative process. And I wish all administrators were like you, so I'm very, very happy that you're here today.

DR. BOLDEN: Thank you.

SENATOR RICE: I want you to know that when she was a little girl, she was quiet, not frustrated. (laughter) I graduated with her, went to grammar school, she was an honor roll student, a math major.

ASSEMBLYMAN CAPUTO: She's a Barringer girl.

SENATOR RICE: A little rough there.

A couple questions to you, Dr. Bolden. First of all, let me thank you for the job you did in Newark. I just don't think that anyone gave you and your team enough credit for what you inherited and what you did in nine years. But typically with the State deficit budget, one that was a small deficit prior to the State taking over became huge; and you never really recouped those dollars. I think that's another reason now our young people need to learn to work with numbers -- math -- which is your strong point. You made it work, for whatever it's worth.

I also want the Committee to know that many times when we had the various hearings up and down the state putting together regulations, and we had problems in the districts-- When the superintendent was reaching out for help -- I salute her, because she was not the person who you put in place, as a Governor or at least as the State, and

just dictate. She reminded the state many times, and many times they became angry with her when she asked for help -- "that I'm the State superintendent, so you say, but I don't feel like one. But I'm the superintendent of the children first." That was like saying, "Take this job and do what you want, but as long as I'm here you're going to listen to me, you're going to hear me, and somehow we're going to get through this."

And you did set some high standards just in terms of your leadership, you and your team. And hopefully we can build on that, if the State would just pay attention to local school districts, and not as much to the other options that they're trying to focus on to hide what we're doing.

Do you feel, Superintendent -- Dr. Bolden -- that the New Jersey QSAC is a fair evaluation tool?

DR. BOLDEN: Yes. As I said earlier, we had a team of people from Newark that helped develop the tool. In other words, we would go down and see what they had done and offer comments. I think one of the things that Ms. Spicer said was going to be changed, and I agree -- they have an all-or-nothing system, and it seems kind of unfair. So if you have a small infraction of any kind whatsoever, you get zero points, as opposed to a prorated kind of assessment. But she did say it was something that they were looking at.

SENATOR RICE: Can you-- I know you are in retirement, I know retirement still keeps you busy, but if you could find time, could you maybe make some bullet points -- that you can share with the Committee, that we could share with the State in case they don't reach out for your expertise -- as to some of the things this Review Committee should be looking at in terms of QSAC?

DR. BOLDEN: No, I have no problem with that. I can talk to Ms. Spicer.

SENATOR RICE: Okay, thank you. And let us know. Because if it makes sense that we have to legislate, because they don't pay attention, then we need to have that debate with them, okay?

Well, you kind of touched around the implementation of QSAC in Newark, but could you elaborate on that a little bit more as to that whole implementation process? What was expected of you, what you had to do?

DR. BOLDEN: Well, what the team from Trenton would do is to send you a list of documents that they would want you to pull together. In other words, they want to see the written curriculum, they want to see if it's a line to the standards. When it came to fiscal analysis, there were certain documents that they would want to look at, they would want to see them, they would want to see your process. They would ask for interviews of certain individuals. So they would have your associate superintendent of curriculum and instruction, certainly, respond to issues of curriculum, but they would also go into the director's office to make sure that what they were being told was, in fact, accurate. And then they would drill down, take that same curriculum piece, and ask the principal, "Is this what you're doing?" And then they would go into a classroom to see if, in fact, the teacher's implementing the curriculum the way it's supposed to be. So it was fairly thorough.

Some things you can't be as hands-on, but with the curriculum and instruction piece, they did, actually, go into the schools. With a lot of the other audits, they were truly paper audits. But you can tell by the

submission of certain documents to the Department whether they are submitted timely, if there are errors in them, if they're clean. And so there were a lot of things that they already knew even before they came in.

So it is very time consuming, and it is laborious. But once you have demonstrated that you're up on that level, the next time they come in they only look for areas that were weak. They assume that you're going to maintain some of the better practices and, at some point, they may have to come back and do another comprehensive review. So they send the folks in. And what happened, I think right before I left, is taking some of the responsibility from the Trenton-based folks and putting it out into the county. The county superintendents now actually are responsible for the audits through NJQSAC, as they were when we had the QAAR, which was the evaluation process prior to NJQSAC.

SENATOR RICE: Well, we're going to, subsequent to one of these meetings, bring the county in -- because they came in kind of like after the fact, to some degree, with all this new responsibility -- to make sure that they understand what their role should be, and to make certain they're communicating with the State.

I know you spoke about QSAC as a process in general, but what are your feelings about the process as it relates to the return to local control?

DR. BOLDEN: I think that there is a very -- well, I'm not going to say very clear -- but there is a process that has been delineated in the QSAC law, and also in the Title 18A takeover law, which says that once a school district goes back to local control -- that is the governance -- it-- Through QSAC, when Newark gets the 80 percent, then they would go

back to local control, which means an elected board. At that time, the community makes the decision whether they want to be an elected school-board run district, or a mayoral. And so there's a referendum that comes with that -- and I think that everybody's alluded to the fact that Jersey City is already there. That is the expectation.

And so if that is the expectation, I think that we should adhere to what is written. And it also makes a community more accountable. It's not just a school district; you need to have the community engaged as well. And so if they're not happy with an elected board, what they do have the ability to do is to -- every three years you elect another three folks. So if the community is not engaged in any way at all, it not only disenfranchises, there's no power. And I think Assemblywoman Evans has been saying all day long: You have to have that if you really want to see this school do the turnaround that everybody is talking about.

SENATOR RICE: When you retired in 2008 -- that was the year you retired, right? I'm sorry. When you retired in 2008, what was the status of the return to local control? I recall when we were going through the evaluations, and Commissioner Librera was there. I also remember Commissioner Davy telling me that we were pretty much at a stage -- Librera felt we could pass three of the four, if not all four, of the indicators. That's the stage we were at. Commissioner Davy indicated that we were successful, I thought, in more than one area. Because we challenged her on one, but they shortchanged us, if you remember, on the control.

But all of a sudden, it seems like we're no place, if you listen to the testimony this morning. Where were we when you were there?

DR. BOLDEN: Operations and finances were both-- I think operations had a 78, and there was a corrective action plan, and I think they moved ahead. So there were two areas that Newark had gained back local control. The issue of governance was the one that was closer to going back than the other two -- that was personnel, curriculum and instruction.

Newark lost 11 points because a board member went into a school building. They lost another 11 points for another small infraction that only needed a corrective action plan, and those points should have been awarded back.

I think the biggest issue was that on that particular year -- not years before -- they had not done a written evaluation of the superintendent. So those are very correctable kinds of errors. And so I'm sure that they have done an evaluation of the superintendent at this point. And with the training, board members have to understand what their role is -- it's not to micromanage and things like that. So those were the areas that-- It wasn't boardsmanship, it wasn't that they were trying to get into politics and they were trying to get into personnel, it was because they didn't evaluate the superintendent; and because two board members had visited a school, and -- not appropriate in terms of the regulations.

Now, I'm not saying -- and I'm not even suggesting -- that there couldn't be issues when it goes back to local control that are political. That's the nature of the beast. But in terms of what NJQSAC required, the boardsmanship and the professionalism of the folks who are sitting there, they should not have been denied it. Now, could I have worked in that environment? I don't know. Because I have been a superintendent. Even though you don't exercise the veto -- because you try to give them, their

elected officials -- whether they're advisory or not -- you have to respect the fact that they are elected. They said to me that "you still have to veto and we feel it." So they didn't feel as empowered, certainly, as a regular board.

SENATOR RICE: So if I heard you correctly, on one of the indicators we probably could have been back, removed from State control, had the State done its job -- and that was to do the evaluation of the superintendent. Is that what I heard?

DR. BOLDEN: Not the State. They wanted the advisory board to do it.

SENATOR RICE: Okay, I got you, okay.

All right, and the State couldn't compel the advisory board to do the evaluation? Does QSAC dictate that the advisory board has to do the evaluation?

DR. BOLDEN: Well, actually, the State could have said early enough, so that they could comply, "Make sure that you do the evaluation." So there are some things that got lost.

SENATOR RICE: Okay, that's the point I'm making: It's a communications thing, and it does harm to the whole process if they're not doing their job at the State by paying attention.

Just a couple more questions, and then we're going to see if any other members have questions, and then we'll let the other speakers speak.

Well, I think you pretty much answered the question about the State's performance under the intervention -- but maybe you really didn't. Why don't you elaborate some more on your observation of the State performance under the intervention, while you were there, because it's

something that I'm personally aware of, my members are not, and I know I've had some fights and things based on the law.

DR. BOLDEN: There certainly were correspondences, communications, working with the Department of Education; but that's true of all school districts. What was somewhat different: If you were a State-operated district, you had the opportunity to present in front of the Department of Education. And I told you even that changed, over time.

Finances is certainly a critical piece of the way that the Department provided assistance to us. The highly skilled professionals we did have assigned to our district -- we had one of the former financial commissioners helping us with the budget. I mean, that was something that happened the first three or four years, until there was some solvency and it looked like we had righted the ship.

When it came to curriculum and instruction, I think, pretty much, Newark was dealt with like every other school district in the state -- certainly not high-performing districts that didn't have issues. But once we became Abbott, it was Abbott that the State dealt with. And so we were one of the 30 Abbott districts, and we were responsible for dealing with the implementation plans like every other Abbott District. When the whole school reform models were there we dealt with the Department of Education.

And so when I say so many things have changed, there were the implementation of the models that were required by every single Abbott. And then they were gone. And somebody talked to the issue of stability. Stability makes a big difference. Once you start turning the wheel, you want the momentum to keep going in the same direction. But when you

have inconsistencies when it comes to policies and what you're required to do, it slows things down because -- I'm not going to tell you that we're going to let anything stop us, but it does complicate things.

And so when people began to understand that these models are not something that you just take out of a bottle and you're going to cure everything, it's hard work-- I mean, you're not going to teach kids to read just because the model is Comer or the model is Success for All. You have to have a knowledgeable teacher, hardworking, and you have to have the kinds of materials that support those kinds of improvements.

So I think somewhere along the line the Department-- Wait, the Commissioner's not-- Either the Department got it, and realized that there are certain things that we all need to do -- and I know you talked about Mr. MacInnes, but he was -- when he left, he got it. That may not be something that you agree with, but when we sat down, I think because he had to go into the schools, he had to see for himself that you have to deal with the ground level and make sure that there's quality materials, quality teachers, and then consistency. And then if you step back and you look at, "If this isn't working, then what else are you going to do?" -- you have to have teachers who really believe. So I don't always agree with what the Department of Education asks. I mean, we fought all the time. But I don't think that they were intentionally trying to do anything that is harmful. So I counsel them even now, when I see that they're-- But State takeover is just not a good thing the way that it happened early on. I mean, it just takes everything out of people when it appears that there's nothing you're doing that's right. Even the good teachers feel somewhat deflated when you hear that Newark schools are the-- I think somebody said they were an

embarrassment. That's unfair, that's unfair to say because kids hear what you say. And it does impact on their ability -- or their motivation, I should say, to want to learn.

SENATOR RICE: Okay.

Do any members have any questions for the Superintendent, for Doctor-- Assemblywoman.

ASSEMBLYWOMAN JASEY: Not a question, just a comment: to thank you for coming forward and for staying engaged, and because I think I share a lot of the concerns that you're expressing. And a lot of damage has been done and continues to be done when people just resort to sound bites and don't base their comments on facts. And, in fact, I think it was the Schott Report that came out not too long ago that talked about the improvements, specifically in New Jersey and in Newark, in terms of high school graduation rates of African American males -- which is not where it needs to be, but there has been improvement, and Newark is not the disaster that people talk about. And I think it's like any other state or district, where there are some really fantastic things happening in the public schools in Newark and there are some schools that need work. And I think we should be focused on how do we address the issues of the schools that are not doing well by their students; what's the best way to bring about change in those places? And I think that's the debate we need to be having, and not this public relations circus that's going on.

So I thank you for coming today, and I hope that your words and your experience will inform some of the decisions going forward.

DR. BOLDEN: Thank you.

SENATOR RICE: I also want to thank you, and also I just want to indicate that, as you said, it's how we depict the characteristics of New Jersey students that's impacting these young people. They hear, they see it; and I know in the Bob Braun article, he stated that Mr. Christie, pretty much moves around saying that the urban education in New Jersey is obscene. Now, that's not something that I believe is true.

And it's interesting: they said *urban*. There are successes in urban districts, just like there are failures in some of the middle-class and poor districts. Also they feel -- they remind folks that we always have this debate about urban, and then we classify urban from the characteristics of the population, which tend to be more African American, and Latinos, women, etc. But it's interesting, because we always talk about it -- we can never get the black male population to start performing at greater levels with their female counterparts. And he points to national data -- Federal government data -- to show that black males in New Jersey are pretty much closing the gap with white males nationally -- not just in New Jersey, but nationally -- which means that there is something taking place since the Abbott decision in those urban districts that takes time. So I want to be on record with that.

Let me thank you, Superintendent.

The next speaker was Richard-- Are you going to speak? And we have also, now with us, Jerome Harris from New Jersey Black Teachers Convention, who is the Chairman of that organization. And I know, Jerry, that your conference is getting ready to come together and there is going to be discussions, I'm sure, on education there. But thank you for coming up to be here with us.

Kathleen.

**KATHLEEN WITCHER:** Kathleen Witcher. I am the President of Irvington NAACP. I spent 33 years teaching high school mathematics at Shabazz High School, and during that time I served two terms as the Essex County Council PTA President.

I have now grandchildren, other relatives, and friends in the Newark schools. And so my concern today, as a member of the Education Committee of the NAACP Statewide Conference, and member of Our Children/Our Schools campaign, is that we adhere to the New Jersey QSAC law; that we question whether or not the powers that be, our Governor and our Mayor Booker, are concerned that we adhere to the policies already set.

We are concerned that all children in the State of New Jersey receive thorough and efficient education as guaranteed by the State Constitution.

We look at -- and I think it was already mentioned here, especially by Senator Rice -- how sufficient funds translate to the classrooms. See, I have a great-niece who is in her fourth year at one of those charter schools, and it's not that the NAACP or any groups that I am involved with are condemning the charter schools, but it's her fourth year in the school without an English textbook. And I wonder where the oversight is for that?

We also concern ourselves with the fact that the advisory board of the school districts under takeover are powerless and unable to make the definitive decisions, including the selection of superintendents of schools. Dr. Bolden was golden -- she drove the District forward. And we know her work, and it's evidenced. But in other districts, and including Newark,

many of the superintendents in charge either did not have the chance or did not have the ability to drive the districts forward so that we recognize academic progress under the takeover.

We are concerned that there be a separation, taking politics out of education. This seems to have been one of the plagues of public education. And that, as Dr. Bolden has already mentioned, we hope it's not some time in the future when we have to sit here and talk about how we erred and let public education die.

It is a concern of the Education Committee of the NAACP that there be an elective process that includes all stakeholders. And I brought with me today a position statement that was made March 2007 that asks similar questions -- here more than three years later -- about what will the return to local control look like; and then we ask this year, when will it be for our districts -- Jersey City, Paterson, and Newark?

And last, I would like to just say that Dr. Spicer was asked a question that I wish could be answered promptly, and that is: Where is the oversight of our school programs? When will you be reporting out on their progress, particularly for the charter schools, as was mentioned -- I'd like to know when they will give an accurate account of how the core curriculum standards are being implemented.

It is our choice to make today, and we ask that the Legislators please consider adhering to New Jersey QSAC as it has been written into law.

Thank you.

SENATOR RICE: Thank you.

Are there any questions to Ms. Witcher?

Just for the record, I want you all to know that something was wrong, because when I was a youngster I just happened to go to school with Ms. Witcher, too. I wasn't the greatest math person, but I knew they both were math majors. But if someone had told us back then in Newark that the Superintendent of Schools to straighten out a deficit mess in education would be Marion Bolden; and our civil rights leader, to try to make sure that we don't go backwards in time with the progress we've made, would be Kathleen Witcher; and I'll be here pulling my hair out arguing with Republicans and Democrats and Governors about what's right and what's wrong -- we would have told them, "It would never happen." It was something that was so far away from us.

And that's why we have to get this education thing right, because we always tell young people when we go into the schools that, whatever it is you want to be, don't expect to be it, necessarily, because there may be another plan. But a good education will make sure you're qualified to take on the challenge and do a good job with the tasks and the deeds presented to you. That's the sad thing about today, to me, to sit out there and see two classmates and myself, who are carrying burdens we thought we would never carry. And then we have to fight, and then when we say things that should be said, people call us names: they may call us racist, they may call us activists, they may call us radicals. But we came through the same systems that they took over, which means that we have an idea of what should be done, what we should have been doing. We also have an idea of how we got to where we are -- but no one is talking to us. So I just want to say that, Assemblywoman.

ASSEMBLYWOMAN JASEY: Thank you.

Just quickly -- it's great to see you again.

A couple of questions: one has to do with the oversight issue of charter schools. Do you feel that charter schools should be under QSAC oversight? Do you feel that that would help?

MS. WITCHER: Yes, I certainly do. I am reminded that for the oldest of the two great-nieces, when I asked them questions that pertain to, let's say, something they are supposed to be learning at this grade level, that repeatedly over four or five years' time I am not seeing how it translates to any core curriculum standard and limitation. Particularly in-- And I'll give you an example: When I reviewed some homework, I said, "Well, okay, let me see in your textbook where you are so that I can understand why you think I'm giving you a wrong solution." No textbook. "Let me see what you're working on, a collection of worksheets." These things trouble me, but more so also that this year there was an announcement that, "most of the teachers left my school." Where did they go? "Well, they left." And, basically, I just question a lot of things, because I haven't seen what we should see monitored -- and that is basically it. I haven't seen scores reported out to parents, and that worries me. Personally speaking -- no problem with the charter arrangement; organization-wise we see charters as public schools. But I think, basically, what I'm hearing in my retirement days is that the Department of Ed probably does not have the staff to do the monitoring that it should. And because these are start-up schools, in most cases, and they're just starting, I think at that time it's like a new teacher -- you need a lot more props; you need a lot more support; and you certainly need to look at retaining your staff and moving that progress that's promised to all children.

ASSEMBLYWOMAN JASEY: Just as a follow-up to that: You mentioned-- Is this the same school that you're talking about where, for four years, there was no textbook?

MS. WITCHER: Yes, two different charters that are related.

ASSEMBLYWOMAN JASEY: Two different charters?

MS. WITCHER: Yes.

ASSEMBLYWOMAN JASEY: Can you tell me what they are?

MS. WITCHER: Rise and TEAM.

ASSEMBLYWOMAN JASEY: Okay.

MS. WITCHER: Newark.

ASSEMBLYWOMAN JASEY: Thank you.

ASSEMBLYWOMAN EVANS: One question.

As an NAACP representative, do you feel that we have created a separate education system with public funds without the oversight? And if charter schools are the right way to go, and they are providing the quality, what is the problem with public schools providing the same type of quality? With all of this oversight and monitoring -- and we keep coming up with new ways to monitor, and new oversights and oversights, and over- and over ourselves to death -- and are still failing our children. And what we've done, we've created two different education systems: "Oh, charter schools are the answer," so you have all these parents running to put their children in charter schools, where the charter schools can be selective in who they select, and who they pull out and put in, to ensure the best. If you can cream off the top, you're going to make nice, sweet butter.

But if you are getting public funds-- We saw some of our private schools struggling, and can't get public funds that would provide the

same quality; but they're told they're private entities so they can't. But if we've given public funds, and doing all of this, I'm trying to figure out-- And I know you all probably have done some research on this at the NAACP to figure out -- after we're still fighting over 400 years to quality educate our people, and we're still left behind, and ensuring that we're not qualified for jobs and all those (indiscernible). This two-tiered system that we're creating, with public money, that the parents-- Everybody can't put their kids over there. And if you are saying charter schools are the way to go, and we, as State legislators, are legally responsible to educate every child equally across the State of New Jersey-- And we create -- we call it *public schools*, because we give them public funds. So you've opened up a charter school, and you're getting public funds. What is the difference? You should take whatever kid in your district, the same as the school district, and not be able to cream.

ASSEMBLYWOMAN JASEY: Could you-- Do you have--

ASSEMBLYWOMAN EVANS: I don't know what I'm-- You know what I'm trying to say. It's a whole bunch of stuff, and just trying to understand it. I'm not saying I'm against charter schools, and I'm not saying that -- people are saying that the funds going there are weakening the public schools; but not necessarily. But my thing is, if you are going to -- "Hands off Miss Charter School, and you can do whatever you want, teach your kids, do all this stuff" -- and over here I'm giving all this money and all this monitoring, all this oversight; and you're saying the kids are failing, so let's send them all to the charter school. I'm trying to get -- to understand that.

MS. WITCHER: Dr. Bolden wants to speak, but I'll say three or four things first (laughter); and they come from several hats that I've worn, because I've also been a local school board member in Irvington.

Charter schools are public schools. I would say this, though, and I've had this conversation many times with several people. Number one: I thought that they were to adhere to core curriculum standards. I thought that. I thought that, even when I asked my niece, again this year, "What did you do for Black History Month?" and she said, "nothing," that I was misunderstanding what was going on. I said, "So what did you do for Dr. King's birthday? Was there an essay? Was there any reading? Was there any presentation, perhaps a skit?" And she said, "We had a half-day off." So I said, "So what did you do for Dr. King's day?" She said, "We had a half-day off."

Those kinds of things are what I think parents expected were a part of anyone's education in New Jersey now; especially and particularly looking at the children who we have in those schools, and the location where they are. You know, New Jersey has Amistad. Most of the other states probably won't get there very quickly, so where did Amistad go? Why wasn't it there for our children?

Then I would say this: That our President, our national President, Benjamin Jealous, has made this statement -- on CNN he was captured, and several other media covered his story. He said, "You know, we want the best education, the highest quality education, for all the children."

So I would say -- and I'll give the mike over to Dr. Bolden -- that we want to make sure that everything we know is about quality

education, thorough and efficient education -- that my parents worked for many decades back with this same State Legislature body -- that it is the guarantee and not something that might happen for our children. That they receive the promise, all of them, and that we don't translate it into how many buildings we can open.

See, in Newark they closed down AVC -- Academy of Vocational Careers. It used to be called Montgomery School. It was for the severely disabled children. Those children scattered around, and some of them went to settings that, if we said it to you-- Somebody's in trouble today, because I got a message yesterday. A girl had not been to school, she did not have her schedule for two weeks. She's sitting in a lounge, she's waiting for somebody to service her. Well, after the cuts that were applied in June, the people who should have been in place with the Child Study team, etc., weren't there at the school building.

So you have many, many kinds of ways to translate programs to children that work, that drive them forward. But I think just like anything else, resources are limited. We heard Commissioner Spicer speak about that today. And there should be some way that we monitor. We're going to expand -- expand so that everyone receives the quality education they deserve, not limited to where you live, how you live, if you got in the lottery, if you didn't, and that kind of thing.

SENATOR RICE: We're going to let Dr. Bolden make a couple of comments, since the Assemblywoman raised the issue relating to charters. We'll let her make a few, brief comments, then we'll go to the final speaker.

But let me say this, Assemblywoman: We're going to have another meeting with the whole Committee on charter schools. We had

one with the Subcommittee, but there are a lot of issues and questions that need to be addressed. I know about the experience of working with charters. They were coming into Newark like water. I mean, they were just throwing out applications. We'd try to put them in the schools, they didn't want to come into the school system; it was just a whole mess. But I know the Superintendent wanted to respond to you. Then Mr. Harris -- Jerome Harris -- will be the next speaker.

DR. BOLDEN: I'll be brief, because there's a lot I could say about -- just in terms of the issue that you raised about why not take an existing school. It's the way that New Jersey created charters. They're separate. I mean, as a superintendent, I had nothing-- I would look at the applications, but I had nothing to say about the operations or anything like that. In other cities and municipalities, the school districts were the people who oversaw what the charters did -- limited, because you want charters to be able to do some innovative things. It's the way that they were created here.

Now, I do know that there's some revisiting of how charter schools are going to get their certification. But you're very correct in saying that it's unfair to always compare a charter school and a struggling, existing neighborhood school, because youngsters who go to charter schools have strong parent advocates. They are selected. And if they do not do what is required of them, they are sent back to that neighborhood school. So the playing field is not the same. But you do have to understand that parents want options.

SENATOR RICE: Right.

DR. BOLDEN: And so I feel differently about charter schools than I did 10 years ago. They have a right to exist. But if you think by making more and more and more and more charters that's going to be the answer to public school education, it is not. You've got to look at that neighborhood school that I just described to you, because that's where most of our kids are, and to give them those supports that they need. If you don't have a parent advocating for you, what else should there be put in place? When you listen to Geoffry Canada, Superman, what does he tell you? He tells you you have to have those supports. Much of what Abbott tried to do: you have to have extended day, you have to have longer-- You have to have this, you have to have all kinds of social-- We had clinics in our schools. It makes a difference if a kid can't see -- if you don't give him glasses, and he can't see the board.

So there are lots of things that need to be talked about, because charters are not a silver bullet, but they are options that parents have. So we need to look in New Jersey about: How do we create these charter schools so that parents feel they're more a part of the community and one isn't fighting the other?

SENATOR RICE: Right.

DR. BOLDEN: The conversation between public schools and charters-- I was in a room with the principals -- you had to stand in front of them. Because the public school principals at those schools that are neighborhood feel that they don't get the kind of support and respect that they deserve.

ASSEMBLYWOMAN EVANS: That's true; thank you.

SENATOR RICE: Thank you very much.

Chairman Harris -- Jerome Harris.

**JEROME C. HARRIS JR.:** To the Committee, Mr. Chairman, I appreciate the opportunity to share some observations around the QSAC -- the implementation of NJQSAC, and its relevance to the operations of State-controlled districts and the experience of those districts formerly known as Abbott.

Just by way of background: As a former City Administrator in Plainfield, County Administrator in Essex, Deputy State Treasurer, and Deputy Secretary of State, I have a little familiarity with the complexities of regulation and the attempts to put in place continuous improvement scenarios. And I think when the Legislature enacted QSAC it was in the context of the battle, the conversation about: What are we getting? What is the return on our investment in education? How do we know that the dollars are being used and that best practices are being performed in all of the districts?

I'll remind you that the QSAC legislation was implemented in two tiers. The Abbotts were asked to actually be audited with external teams coming in and asking for documents, as Dr. Bolden described, and then going through a process that was actually kind of an audit. And I think, in all fairness, given the environment in which we work, the districts were judged to be guilty until proven innocent. There was a presumption of guilt, there was a presumption of a lack of performance. And that's what we're looking for. The debate was: Are we spending too much money? And we got more into that as we moved into the discussion about the school funding formula.

The non-Abbott districts are allowed to self-assess against the criteria in QSAC and come up with a corrective action plan in consultation with the county superintendents, with less oversight. At the time, because Abbott mandates were still in place, the Department of Education had the capacity -- had more capacity to work with the Abbott districts in going through identifying those areas where there were deficiencies. It was also, in my opinion -- we were in the period of time when any audit or assessment report that could come out that could prove that Abbott Districts had some deficiency -- they were being used. So the QSAC reports, along with the audits done by financial consulting people, were coming out; and that was the backdrop for a lot of the discussion that led us into SFRA.

That's an important context, but not the most important context for me. I think that QSAC has provided -- and to answer a question that -- make a statement and a recommendation. When you get to talk about the charter schools, I think that you should require QSAC for charter schools. Have them do the same kind of self-assessment as all the districts -- non-Abbott -- are doing. And that way, at least, you can come through and at least check here and there. You may not be able to get 100 percent, but you can have a method in the same standards that exist for public schools -- if there are good operations, good finance, good curriculum, good governance models including community participation. That's an opportunity for us to do that. So I think that's something that I would recommend as a consideration for the body.

The missing part, for me, in terms of the QSAC process: We have the accountability and the assessment component done, but we really

didn't have the transparency. And what do I mean by that? The districts, once they got the QSAC reports -- and I remember reviewing Commissioner Davy's comments. At the time I was sitting as the aide to Mayor Douglas Palmer. Trenton is a district where we have an appointed school board. He designated me as his lead person to work and understand what the QSAC report meant. I attended meetings, interest conferences. And I can tell you, the process that was outlined in QSAC was not followed, from the door. The intention -- and it was not the lack of intention on the part of the Department of Education to do that, but they were fighting on many fronts. They were fighting implementation of QSAC, the new governance law, as well as thinking about this new funding formula piece. And so they did not have enough people to be every place.

So the teams that were supposed to be visiting Newark, working with the district, putting together a team of community people -- the teachers, union representatives, the administration -- to come up with the corrective action plan-- Those meetings happened only in those areas where the districts insisted, where the districts said, "Hey, I'm not that much interested in that," or "We're already in a State oversight district, so you're here already, we really won't need to deal with that."

So I think I can say, it's fair to say in Paterson, Newark, Jersey City, you really never went through the full process that got to the continuous improvement part. If you had the continuous improvement plans, then the question of, "How and when do we turn over governance? How and when do we find out what we're doing with curriculum?" would in fact happen. So I would suggest to you that the assessment part of QSAC in the districts formerly known as Abbott occurred; the corrective

action planning, the strategic planning, school improvement plans did not -- district improvement plans were not put in place. And then when the districts reported back the improvements that they made, it took forever for the county superintendents and the Department of Education to review the documents.

Now, there was a tight timeline on the front end to get the assessment done. But there was not the accountability on the back end when the districts met the timeline, submitted the documents. The Department did not come back and say, "Your scores increased from this to this, and we accept your improvement plan. This is how we're going to work with you." So again, the mechanism is there, the tool is there, but we have not done a very good job.

Finally, I'd guess I'd say -- maybe not finally -- Trenton is not a State-controlled district, but because the Department of Education is here, and because the Mayor thought education was so important, we forced -- urged the Department of Education to set up a special-- Every six weeks we had what we called the Trenton collaborative meeting, where the Mayor, represented by myself; members of the Board of Education; the District superintendent and his staff; and the Department of Education, very often represented by Willa Spicer and Rochelle Hendricks, would go through where we were with issues related to QSAC implementation. Because that's where we started.

But we started getting into things like: what's going on with school facilities; what's going on with the various financial audits. So it became a very productive kind of exchange of information. Here the Mayor obviously did not have the time to be actively involved in making decisions,

but could be involved in understanding what was going on, and particularly how the people who he appointed to the board and his relationship with them could work. So when it came time to ask questions of school security, the working of the police force with the District made a difference. Questions like today, when we're dealing with water supply, the sewer and water people had direct linkages and there was a working relationship.

And most importantly, we spent a lot of time in my job, more often than not -- was to ask the question of the Department: What other evaluation, report, audit, do you have coming out routinely that's going to have something to say about the Trenton School District -- positive or negative -- and how can the District representatives and the Department of Education work on it in such a way that the community does not feel that it's getting beat up on again? So parents and others would not feel that they have to seek out other options -- charter schools, homeschooling and the like -- because they just heard the last straw: yet another bad report.

And I think that's an opportunity that exists within the QSAC model. Why that will not happen is, I think -- relates to one of the fundamental issues that a number of us have been raising. You recall the KPMG evaluation, assessment of the Department of Education? And it identified the fact that it had a lack of capacity to provide oversight, add technical assistance; and that situation is more true today than it was two years ago when that KPMG report came out.

By my estimation, from talking to some of my colleagues who understand the numbers, the Department of Education has 40 percent fewer staff now than it did three years ago. The unit that was the Abbott unit no longer exists. And what that means is that the corrective action

plans, in terms of achievement, the corrective action plans in terms of special education, the resource people are no longer there to work with the districts. So guaranteed, when you come back and somebody picks up a QSAC -- the county superintendent picks up the report and says, "Have you made progress in this particular--" Curriculum is one of the areas that, I think, was really significant for Trenton. That progress will not have been made, one, because Trenton has had to reduce its staff in the area of curriculum. The Department's had to reduce its technical assistance staff in the area of curriculum, but yet we're holding people to the same level of production and expectation. We can't have our cake and eat it too.

I heard earlier discussion about the truth about numbers. Well, we need to talk about finances, human capital, benchmarks that we're setting. QSAC does provide an opportunity to do that. And I would urge, as I've heard the members of the Committee and other people testify, that as it relates to a question of the State-controlled districts coming back under local governance, that the QSAC model -- law be used; but the appropriate resources and oversight be put in place. And if the Executive Branch can't accomplish that, it might give this Committee and the Education Committees in both Houses more work to do. I know you don't need more work, but somebody has got to make certain that we're comparing apples to apples in real time. You can't start building a building and saying you're going to spend \$100, and then it's going to take you three years to build it, and then decide that you only have \$40, but then still expect that building to be built in three years. That's unrealistic.

And I think some of what we have going on in the public domain -- understand that the economic crisis and the realities of scarce

resources that are here -- is that we're doing it. And our children are going to be the ones, and our future's going to be what suffers. bBcause we think that money is being wasted, as opposed to money being invested in a prudent kind of way. And if you don't have good accountants and good investment strategists working when you invest your money, you get lousy returns.

And it appears to me that we're headed in that direction because we set ourselves up for that by gutting education infrastructure, not putting resources and making resources available at the local level and at the Department of Education. Quite frankly, it's not capable of doing all that this Legislature has asked it to do.

Thank you.

SENATOR RICE: Thank you very much, Mr. Chairman.

We know that this Committee has a lot of work to do within our recess, and now we're getting ready to get active again. And we're going to be holding hearings quite frequently, whether we have all the members or just the Chair of subcommittees, or just the Chair of the Committee. It's important that we start to develop the record, particularly given where many of us see this whole education arena in New Jersey going -- and it's backwards -- and it's also in the private side, probably more than anything else -- because of people not wanting to continue to provide the resources necessary. And that's both human and financial.

One thing that I would like to ask, because those of you seated before me now represent civil rights organizations, and you represent a constituency group that's very diverse in terms of skill sets and experience-- But I know that Dr. Bolden, and Kathleen, and yourself, Jerome, have all

come to, pretty much, some sane conclusions in terms of transparency, oversight, and following the process. You've also come to some conclusions that QSAC is a lot better than what we had before, and it is fair to say that it is a good mechanism to try to get the progress and the accountability we need throughout all the districts, not just urban districts, but those other districts, too.

We're going to take a look at legislation as related to the charter schools, because there seems to be a movement -- there's always been a movement, but it seems like people want to expand it without accountability. Without the accountability, there's direct impact -- economically, as well as other -- on local school districts, contrary to what anybody says. There's no accountability. By the same token, I would like to give you a charge, if I can, as New Jersey Black Issues Convention, as NAACP: is that both of your organizations have education components -- committees, etc. And I think the information you provided today is very important. But if you can get together as two civil rights organizations -- and certainly those of us elected to Black Caucus, we have an education component, too. I can get the leadership with you. We need to build (indiscernible) on paper -- the kinds of things you are saying that create a void in the legislation. It's there, but we're not attending to it. It's there, but we're not insisting that it be done in a timely fashion.

And then we're going to go back and revisit also the report that you spoke of from the consultants that said we didn't have capacity, and you're right. I'm not sure if the Governor of the State of New Jersey is familiar with the report, or even read the report. I'm not sure if his -- and I may be wrong -- if the people in the Department of Education actually

shared the information with him when they started to cut and whack everything. And if, in fact, that information was shared with the Governor, I can kind of assume -- and I don't like to assume anything -- that in whacking, the Department meant we don't have capacity to deal with QSAC. We're going to whack and take away all the Abbott oversight and people like that anyway, which means that we have less capacity; and therefore we're going to find a unique way to get away from that whole public education piece in terms of accountability and do it another way. And that may be why we are at this rise to charter focus now, rather than rise to focus on what we didn't do under QSAC, based on what we were supposed to be doing; and insisting that we get that done first so we can measure, in the short-term -- the Committee -- and in the long-term what those outcomes really are, based on expectations of the Legislature and the people in New Jersey.

So if you all can get together, you and the Chairman, Jerome Harris of the NAACP and his people, and yours, after the convention; and maybe as an informer, if they're there -- informer over coffee, to talk about getting together. And let me know, because I'll be in and out. Then we can start to address that.

In the interim, as a Committee here, we're going to be still raising some more questions about capacity. We're going to raise questions about -- more questions -- about charter, because we're moving, at least some of the members of the Legislature -- it's moving down a path of "charter legislation." Some I think is good and puts things in perspective; others I'm concerned about, and I think they're moving in terms of great concern in responding without all the information, history, and facts that

we have in the Legislature. Now, I'm not talking about what they have in the local districts, and what they're hearing and what they're reading, because when you read one thing there's something else. There's a charter school in Newark, for example, that I just happened to come across not even looking for it -- and this is recent information -- that has all kinds of problems financially, and there are some proprietary questions; but yet the State went in and identified the problems and gave them their charter back anyway, prior to doing some other things. Now, I don't want to embarrass the charter school here, but that was never a front news media piece like the \$100 million; get rid of the superintendent over here; this school is failing. Those things should be just as newsworthy as the things that are coming up on the negative side, as well as the good side. And so we have a lot of work to do.

Are there any questions from the members to Chairman Harris of the New Jersey Black Issues Convention?

And with that, let me ask the members if they have any closing statements, for the record. And then we'll adjourn the meeting after that.

We'll start with the Co-Chair.

ASSEMBLYWOMAN VOSS: I thank you very much for being here.

As we all know, we have a lot of work to do. And we want to make our schools the best they can be, and we want to give every child a thorough and efficient education. And I think that, in many instances, we are on the right track and I think that we don't play up the things that are going well. We only play up the negative things. And so I think we have to change that way of looking at education. And I think we have a lot of

people in the state who have many good ideas, and if we all work together we will become one of the shining stars in the United States.

Thanks.

SENATOR RICE: Assemblywoman.

ASSEMBLYWOMAN EVANS: Thank you, Chairman. And I thank you for allowing me to sit in today.

We have a tremendous amount of work that must be done. And I'll repeat again: From the Governor on down, the State elected officials are responsible to provide a thorough and efficient education for every child in the State of New Jersey -- every child, regardless of where they are located. We seem to be missing-- We monitor, we monitor, and we monitor. And I can say that -- all of the monitoring, all of the oversight, and all of that we're doing -- we're continuing to fail children -- generations and generations. We understand; those of us who live it know: school takeover does not work. Taking over the school district by the State does not work. That does not, and has not, provided a thorough and efficient education -- it's been proven. It has been proven over and over again. We need to get out of the business.

There must be monitoring, whether it's a takeover district or not. We are providing the funds; the Department of Education has a responsibility to monitor each district to ensure that each child is receiving the quality education. Funding has been cut. Funding has been cut; it's going to become more difficult. And we continue to create different classes of people. We have a responsibility to prepare every child in the State of New Jersey so that they become productive citizens, and not productive prisoners; so they can become productive citizens across this country as

every other school district. We have the money. The funds are there. And it's our responsibility to ensure that if it's there, that the right and proper rules and regulations are followed to ensure that we get the best for the buck that we are spending.

Folks, the time is now. If we don't do it now, then it's never. Some serious, serious education policies need to be developed, and we need to pull people from our community who have the knowledge and the skills to be part of some of this, and all the time, so that people with the knowledge-- I mean, if I have a sick child and I know what it is to be up all night long with that sick child, and we're creating legislation -- something to help with sick children -- then someone like me, or who has the issues that I have experienced, should be sitting at that table, versus someone who has never had the experience, to say, "This is a serious problem and we need to look here, and we need to look over there." We need to get serious about educating every child in the State of New Jersey, because when the numbers are counted, the entire State numbers get counted together, and how well New Jersey education is doing.

So it's our responsibility to continue to look, to ask questions, to monitor, and create public policies that will ensure a quality education for all of our children. And we need to stop talking about it -- we need to get it done.

Thank you.

ASSEMBLYWOMAN JASEY: I just want to thank everyone for coming.

A couple of things that I am taking away from today's discussion is the ongoing issue of capacity. The 40 percent drop in people

at the DOE is a shock to me. I've been questioning this ever since I got here, because we keep asking the Department to do more, and it's just not possible to do more with less and less. So that's an ongoing issue for me, and I hope that we'll also continue to pursue the issue of QSAC and monitoring.

The third thing I take away -- which I find gratifying -- is, I think we're all on the same page in terms of expectations and aspiration, and the fact that we, as the adults, have the responsibility to make sure that all children are able to fulfill their potential.

So I thank you for coming. I look forward to continuing with this.

SENATOR RICE: And in terms of, Assemblywoman, the word *capacity*: Understand that we're talking capacity-- One of the great debates we had during the course of those meetings with the Commissioner, and MacInnes, and everybody else -- the word *capacity*. We kept saying we wanted to build capacity in the districts. What Chairman Harris is saying is that capacity under QSAC was built in the district. But without the capacity in the Department of Education, you can't get capacity here.

ASSEMBLYWOMAN JASEY: That's what I'm talking about.

SENATOR RICE: So it's like there are two capacities, if you will, that we have to address.

Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: I'll be brief.

First of all, I want to thank all those who came before us today. Obviously, we're familiar with a lot of these issues, but we have to hear

them over and over again. And very, very valuable comments were made, and questions that were brought up.

The thing that I would like to bring to the attention of the panel: There was a comment made, I believe, about politics and education. It exists. I think we have to face the reality of how politics impacts education in the State of New Jersey. The rules are changed -- that means a whole new start on a whole new agenda. When we talk about capacity -- it may mean one thing one day, another another day. By the time you master what you've been told to do on a local level, the State changes its mind and goes in another direction.

So a lot of this talk about-- I think we ought to teach the course, Dr. Bolden, about politics and education on the local and State level. We cannot ignore the fact that it does exist and it affects all of our lives, from the national level to the local level. So we have to pay attention. And we have to be able to resist when we think those rules that are put in place will affect negatively what goes on in the local districts.

My experience, and I believe some of your experience: You will see kids achieve in spite of the fact that their administrators ignored some of the mandates from up above. And part of the reason why they are achieving is because there is innovation. And sometimes they don't dot all the *Is* and cross all the *Ts*, but they're getting the job done.

So we have to pay attention to what things should be resisted. And I don't think enough of that has occurred in the last -- on a more global basis, on a more massive level, than it did earlier in our history. So I think a lot of that is because either the community has given up, or because of the

economic strain, or whatever those reasons are. We don't see the reaction that we should be seeing in terms of what's being forced upon people.

We're all part of this. There has to be a balance of what we do in the educational system to make it work. There's no one answer to all of this. And I don't believe the Department has the answers, and I don't believe-- In many cases, the local district will show the State how to solve a problem that they've been asked to come to a local district to get achieved. You know that from being in a local district. They'll actually show the people who are supposedly providing technical assistance how to get the problem solved. They'll make it work for them.

So it's really a paradox in many ways. But I appreciate my experience in listening to you today. Thank you.

SENATOR RICE: The reality of the statement of the politics in the education system is real, but it's not something that cannot be addressed. I think the problem is that when we do legislation, we have never locked in penalties for administrators and people responsible for following through a process. For example, setting aside the resource piece in terms of financial: If we said that this is your process under QSAC, and if you don't do this process in this timeframe, that would compel us to provide (*sic*) the resources. But it befell someone to stay focused in regards to the politics.

Do you want to say anything before you go?

ASSEMBLYWOMAN VOSS: Oh, no, I have to go.

SENATOR RICE: Let me thank everybody.

This meeting is adjourned. Thank you very much.

**(MEETING CONCLUDED)**