
Committee Meeting

of

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

“The Committee will receive testimony from invited members of the New Jersey Association of School Administrators regarding issues affecting New Jersey special education students in 18-21 transition programs as they relate to State and Federal graduation rates”

LOCATION: Committee Room 16
State House Annex
Trenton, New Jersey

DATE: November 12, 2025
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Senator Joseph P. Cryan, Co-Chair
Assemblywoman Verlina Reynolds-Jackson, Co-Chair
Senator Renee C. Burgess
Senator Angela McKnight
Senator Michael L. Testa, Jr.
Assemblywoman Linda S. Carter
Assemblywoman Carmen Theresa Morales
Assemblywoman Victoria A. Flynn
Assemblyman Eric K. Simonsen



ALSO PRESENT:

Rebecca DiBenedetti
Executive Director

Ivy Pomper
Executive Assistant

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



SENATE

Hon. Joseph P. Cryan, Co-Chair

Hon. Renee C. Burgess
Hon. Angela McKnight
Hon. Shirley K. Turner
Hon. Joseph Pennacchio
Hon. Douglas J. Steinhardt
Hon. Michael L. Testa

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MEETING NOTICE

TO: Members of the Joint Committee on the Public Schools

The Joint Committee on the Public Schools will meet on Wednesday, November 12, 2025 at 10:00 a.m., in Committee Room 16, State House Annex, to receive testimony from members of the New Jersey Association of School Administrators regarding issues affecting New Jersey special education students in 18-21 transition programs as they relate to state and federal graduation rates.

The public may address comments and questions to Rebecca DiBenedetti, Executive Director, at 609-331-2485, or by email at Rsapp@njleg.org

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TABLE OF CONTENTS

	<u>Page</u>
Melanie Schulz Director of Government Relations New Jersey Association of School Administrators (NJASA)	2
Jamil Maroun, Ed.D. Superintendent Manville School District	4
Stephen M. Yurchak, Ed.D. Superintendent North Arlington School District	8
Jack Hurley Superintendent Rutherford Public Schools	24
Mark Schwarz, Ed.D. Superintendent Ridgewood Public Schools	30
Christopher S. Meyrick, Ed.D. Superintendent Woodstown-Pilesgrove Regional School District	37
Andre D. Spencer, Ed.D. Superintendent Teaneck Public Schools	
APPENDIX:	
New Jersey Performance Review Report FY 2019, and “After Years of Planning and Dreaming, NA’s Viking Academy is Now a Reality” submitted by Stephen M. Yurchak, Ed.D.	1x
mej: 1-58	

ASSEMBLYWOMAN VERLINA REYNOLDS-JACKSON

(Co-Chair): Good morning, everyone.

I'd like to welcome everyone to the Joint Committee on Public Schools.

I know we're waiting on a few more people, but I think we should get started.

MS. DiBENEDETTI: Do we want to do a roll call?

ASSEMBLYWOMAN REYNOLDS-JACKSON: You can do the roll call.

MS. DiBENEDETTI: Senator Burgess.

SENATOR BURGESS: Present.

MS. DiBENEDETTI: Senator McKnight is on her way.
Senator Testa.

SENATOR TESTA: Here.

MS. DiBENEDETTI: Assemblywoman Carter.

ASSEMBLYWOMAN CARTER: Present.

MS. DiBENEDETTI: Assemblywoman Flynn is on her way.
Assemblywoman Morales.

ASSEMBLYWOMAN MORALES: Here.

MS. DiBENEDETTI: Assemblyman Simonsen.

ASSEMBLYMAN SIMONSEN: Here.

MS. DiBENEDETTI: Co-Chair Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Here.

MS. DiBENEDETTI: Co-Chair Cryan.

SENATOR JOSEPH P. CRYAN (Co-Chair): Here.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Good morning, everyone.

I would like to welcome everyone to our meeting today.

We have the New Jersey Association of School Administrators, and we will be hearing topics on New Jersey's special education students 18-21 transition programs, as they relate to State and Federal grants.

And, so, I would like to start off by calling Melanie Schulz up from -- that is the Director of Government Relations at NJASA.

Good morning.

M E L A N I E S C H U L Z: Good morning, Senator Cryan; Assemblywoman Reynolds-Jackson; members of the Joint Committee on the Public Schools.

My name is Melanie Schulz, and I serve as Director of Government Relations for the New Jersey Association of School Administrators.

First, I would like to thank you for the opportunity for our NJASA members to share their perspectives on issues affecting New Jersey special education students who are enrolled in the 18- to 21-year-old transition programs -- students who are not included in State or Federal graduation rate calculations.

Although I worked in education policy for many years, I only became aware of this specific issue earlier this year. While I have long understood that students have multiple pathways for exiting high school, often continuing to develop life and workplace skills beyond the age of 18, I had not realized the implications of how these students are or are not counted in graduation metrics.

Joining me today are several superintendents who can offer a more detailed perspective. I hope that, together, we can identify a thoughtful solution that better reflects the educational experiences and achievements of these students.

I want to thank you again, and I just want to thank Becky and Ivy for always being such a good resource to those of us who sit on this side of the table.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

Senator Cryan, do you have any remarks you want to give before we get started?

SENATOR CRYAN: Melanie, thanks for putting this hearing in perspective.

Thank you, Assemblywoman, for bringing us together.

And, we had a pre-meeting on this topic, and it clearly has some passionate -- I think passionate is a fair word, right -- some passionate interest from the folks in the room. I'd encourage the Committee members to balance out their thoughts. I don't remember exactly how many folks were on that pre-meeting.

So, I look forward to the hearing and the public -- and, the discussion that we'll have.

And, by the way, it's good to see everybody in person.

(laughter)

SENATOR CRYAN: OK, so.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Welcome back.

We'll have our-- Dr. Jamil Maroun, Superintendent of Manville School District.

And, we'll call up also Dr. Steve Yurchak, Superintendent of North Arlington School District.

JAMIL MAROUN, Ed.D.: So, good morning--

SENATOR TESTA: Good morning--

DR. MAROUN: --Chairman Reynolds-Jackson; Chairman Cryan; and the members of the Joint Committee on the Public Schools.

Thank you so much for the opportunity to present my testimony today.

As you said, my name is Jamil Maroun, and I serve as Superintendent in the Manville School District in Somerset County.

In Manville, we have worked tirelessly to create an inclusive educational environment that ensures that every student learns in the least restrictive environment possible. This is centered around our district's mission statement: Every child, every day. And, we've built programs that serve some of our most vulnerable learners in district -- students with severe and significant disabilities like Down syndrome, autism, and other significant cognitive disabilities that are within our schools.

Beyond that, we also have students who may be severely disabled who are sent out of district to out-of-district placements because we may not have the services to meet their needs. But, they are still our students; they still belong to our school community and part of us. These students are not on the margins of our community -- they are at its heart. Many of these students have grown up alongside their peers since kindergarten. For them and their families, graduation is a monumental milestone -- a celebration of belonging, persistence, and inclusion. They walk across the same stage as their classmates; they're surrounded by their teachers, their friends, and their

families who have all cheered them on for the years that they were part of our school.

But, what happens next to those students? When those same students who graduate, when they return to us the following September as adults who are legally entitled under IDEA to continue their education until the age of 21, the New Jersey Department of Education's Adjusted Cohort Graduation Rate Formula labels them as non-graduates -- or, more colloquially known as dropouts. And, think about this for a moment. We're talking about our most vulnerable students: students who are still attending school; students who are learning; students who are still receiving the mandated services that are required for them under Federal law. They are being labeled as dropouts by the very system designed to measure educational success.

To understand how we reach this point, it's important to distinguish between the Federal requirements and the New Jersey State requirements. In 2011, New Jersey adopted the Adjusted Cohort Graduation Rate -- or ACGR -- to comply with Federal reporting expectations under the Every Student Succeeds Act -- ESSA. The Federal model simply requires that states are to report the number of students in the ninth grade cohort who graduate with a State-endorsed diploma within four years, with optional reporting in years five and six.

In 2021, the Department of Ed. modified the system and began reporting two versions of graduation rates: the State version, which counts all students who earn a State-endorsed diploma; and a Federal version, which only counts those who meet our graduation requirements for coursework, assessment, and attendance. The ACGR tracks each-- And, to kind of get a

sense of how the ACGR works, it tracks each student for the first time as they enter into your ninth grade as part of a cohort. And, what it does over time is it adjusts the groups by adding verified transfers into the cohort and removing verified transfers out of the cohort. So, they are all part of the same cohort of students so that they can get an accurate count. Students who drop out, students who graduate early, students who remain enrolled beyond four years, or students who continue their education under special circumstances -- such as the students we're discussing today -- stay in the cohort as that time goes on. The number of students in that cohort who graduate is divided by the total number of students in that adjusted cohort to produce what is known as the graduation rate.

And, I'm seeing some confused looks on my eye -- out there.

So, in a very simple way, the State is trying to determine who entered into the school and who is graduating within that cohort of students. So, there are students who may leave your school community because they're transferring out. Their family moved to another community; they moved to another state. So, those students would be considered transfers, and they are taken out of the cohort. Then there are students who are moving into your community. So, those students who variably transfer into your community are added into your cohort. And, at the end of the four years, the State of New Jersey says, "We should have a total number of students who are expected to graduate because they entered in at ninth grade." Either they left and are out of your roll, or they're new into your roll, and that's the total number of students who should be graduating.

And, what they do is then they take the number of students who you give a State-issued diploma to and divide that by the number of students

who should have graduated in that cohort. But, that does not count those students who are required to stay with us. Because this system -- and, I'm jumping around now -- from a practical standpoint, takes those students who are your 18- to 21-year-old students, who are required and are your most vulnerable, and doesn't count them as graduating. They count them as something else. And, what that shows up on in our State report cards, and our State reports, is as a dropout number. And, these are students who we are continuing to serve; these are students who are entitled to educational services by law; and these are some of our most vulnerable kids in our community.

So, even with the two versions of the graduation rate, New Jersey State calculations still count students with IEPs in the State until 21 in that total group, and doesn't count them as graduates as a diploma -- as would be said. And, from a practical standpoint, this actually is really hard for us, because we are faced with a choice. A district could say, "Hey, you know, we want to -- we want our graduation rates to match up, so we're going to graduate these students," but then they wouldn't become eligible for the continued services. Or, we keep them in the cohort to give them the services that they're legally obliged to, but now we're reporting them as non-graduates.

So, this creates a unfair penalty for local school districts. This practice unfairly penalizes schools for doing exactly what the role requires, providing individualized, legally mandated education for students with disabilities through the age of 21. It distorts local districts' performance data, particularly for small and inclusive districts like ours in Manville, where every student's outcome significantly impacts the overall averages and percentages.

The current model sends the message that inclusion, compliance, and compassion lower your graduation rate -- a message that completely is at odds with New Jersey's stated commitment to equity and access. The Federal framework allows the State to have the flexibility in how extended-year and specialized pathways are reported, and New Jersey should use that flexibility to ensure that students who continue their education beyond four years, and who ultimately receive a State-endorsed diploma, are not counted as dropouts.

So, that's why we're here today. We are here to share with you some of our experiences and how this has had a practical impact on us. And, really, from an overall message is to share this, because a lot of people don't know that this is, what is actually happening out there.

So, with that said, I am going to pass the floor to my colleague Mr. (*sic*) Yurchak here.

STEPHEN M. YURCHAK, Ed.D.: Thank you.

Thank you, Jamil.

Morning everyone, and thank you for meeting with us today -- Particularly Senator Cryan and Assemblywoman Reynolds-Jackson. Thank you for meeting with us a few weeks ago and, again, hearing us today.

To try to build off of where Jamil was laying the foundation for everybody, if you take an example of just 99 students, 99 students in the senior class -- any senior class -- and you have just one dropout -- and, I'm not talking about special ed. students, I'm just talking about one dropout -- you have 98 out of 99 students that should graduate. That brings us to a 98.9% graduation rate. That is not what is represented here in the State of

New Jersey if you have eight special education children transitioning into the 18-21 program.

So, in that very example, we have 99 students; 98 graduate. If you have three students with special needs who are transitioning to the 18-21 program, they are labeled as continuing 12th graders. Therefore, our graduation rate is 94.9% -- which also falls under the 95% requirement for targets and school performance reports set forth. This is an issue. The other issue is, outside of the reporting for school districts is that families of these children with special needs -- again, as Jamil said, our most vulnerable population -- they are walking across that stage receiving, as they believe, a regular diploma that we're handing them. And, then, the State is not recognizing them in the formula.

And, as Jamil was saying, that's the four-year cohort. Now, as we get to the five-year cohort graduation-- So, if you have a dropout, you give them another year, see if they make up that year, and then your numbers will rise. They're not graduating the fifth-year cohort, because the program is three years. So, the State -- from what I understand -- has moved towards a six-year cohort recently, and it's going to be coming out within the next year or two. OK, but that doesn't help either.

So, there is definitely examples, and I'm not going to jump into the resolutions that we have proposed; Dr. Spencer is going to take care of that at the end. But, that's the example of kind of what we're looking at.

The other thing, too, that-- To stress kind of how this came about, and why is it coming about now-- A hard document to find, but the New Jersey Performance Review Report Fiscal Year 2019 that was issued on April 9, 2020, particularly pages 13-15, outline what happened here. And,

the State, at the time, they were reporting graduation rates to the Federal government in whatever manner and formula they had, and pretty much they were told they had to do something different. So, they had the options of doing a seventh-year cohort; they had the options of doing alternative diplomas that would easily rectify this issue. And, they chose not. So, 13-15 in that document is where this stems from.

Now, April '20 is when this came out, so why are we here now almost five years later? So, as this information trickled out-- As we get our graduation, our school performance reports in 2021, I'm sure many of you know that's not readily available, right, 2021 -- it's always about a year later. So, by the time 2022 rolled around, we're starting to realize as districts that this is an issue. We then started the process of trying to get this resolved. This group -- this Committee -- in coordination with ASA, we had several meetings with the Federal Title Office about this issue. We had several meetings with the NJ DOE; with Assistant Commissioners; Executive Directors. And, that's what led us here today, but it's two years in the making to get here.

So, we're asking for your help. We're asking to come up with a solution that makes sense for everybody. But, districts are being impacted. But, again, the part that just absolutely hurts all of us is that these families don't know the last five years that their most vulnerable population -- the special needs children in 18-21 -- are not being recognized by the State of New Jersey as high school graduates.

Thank you all.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Yes, Assembly-woman Morales.

ASSEMBLYWOMAN MORALES: Thank you, Madam Chair.

Thank you so much for this information, I know my district as well is being impacted by this. We do have transition students.

My question is, does this also impact the Blue-Ribbon school status? Because being able to collect some of this data, if this-- We know that schools apply to become Blue-Ribbon schools. Does this data impact them in receiving this Blue-Ribbon status?

DR. YURCHAK: So, for the information that I have off the top of my head, I'll try to answer that question.

So, from what I understand for the Blue-Ribbon school status, it is going to be based now on the socio-economic status of the schools. In regards to a particular school that meets that S -- the low SES -- to apply for a Blue-Ribbon school, I'm not sure what their calculation of a graduation rate is taking into account for that Blue-Ribbon status. I would assume that it's there; I just don't know the numbers off the top of my head.

And, again, Blue-Ribbon schools in New Jersey -- a great honor, but it is the minority. It's not what we see commonly.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Assemblywoman Carter.

ASSEMBLYWOMAN CARTER: It doesn't like me today.

Thank you for coming with this valuable information.

I think that it truly is important, because when you have your state reporting and you're looking at your graduation rates, it means a lot, but it also means a lot to many of the districts in how our districts are portrayed. And, it doesn't seem like it's giving a true reflection of what our potential is in our district. Because, some of our districts -- in, like, the district

that I teach in, and even the district I live in -- we do have many students who are -- have the disabilities, and who also are transitional that fall into that category.

So, to do something, I'm glad that we're having this conversation; I'm sorry that it's taken us so long to get here.

But, I do have a question, Dr. Maroun. When you talk about your cohort, and it starts at the calculation of ninth grade -- and, I just want to make sure that I understand. If a student comes in, say in tenth grade, they calculate it in-out. But, is that-- From ninth grade, is that only calculated based off of if they're in-state transferring from one school district to another, to be considered in that cohort of ninth grade? When you talk about a students who gets moved out of a district or move into a district?

Also, is it-- How is it calculated when they come from another country, also? Are they considered in -- if they come in, like, the 10th grade, or 11th grade? Because I think that that's also important because of the fact that a student who may come in, and they also have that disability, it also is going to skew that.

So, I just wanted to understand that a little bit more.

DR. MAROUN: So, that's actually an excellent question, and that's one of the tentacles in this as well. Today we're really not talking about SLIFE students, but it is an extension of this.

For those of you who aren't familiar with the terminology SLIFE, it's Students with Significant or Limited Interruption in their Educational -- or, Education, I apologize for not having -- Formal Education -- for not having the acronym correct.

So, those students who come to you from another country -- and, there are certain communities that have a large influx of students who may be coming -- may enter into your system at 16 or 17 years old, and then they are put into that cohort. And, there's a limit in the amount of time that they're allowed to receive a public education if they're a Gen. Ed. student. So, you are faced with this as well when dealing with students who are coming in from other countries who may have a significant interruption in their formal education. So, that does impact that.

In terms of the transfers, I believe -- and, I would have to confirm this -- is, as long as they're a verified transfer coming in from another district in the state or from another district in the country, they will be put into that cohort and then when they leave, they are taken out of the cohort. So, it would be assuming that they are the first-time entrants, that's when they're put into that group's cohort as a graduate. But, SLIFE students do impact the graduation rate as well.

And, remember, they run out of time based on age if they don't have an IEP. And, they have to receive the full education and get all the credits as they're coming to you.

ASSEMBLYWOMAN CARTER: Thank you.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Senator Cryan.

SENATOR CRYAN: Thanks; thank you both for putting some things in-- First, before I forget, do you actually have the hard-to-find 2019 report?

So, if I could ask, through the Chair, being a Co-Chair, if we could get a copy of it, we'd appreciate it.

DR. YURCHAK: I only have one copy right now, if you want to take a look at this.

SENATOR CRYAN: Sure, we'll jump on that.

Thank you; thank you for that.

What is the penalty for being below-- What financial penalties are there for being below a certain graduation rate?

DR. YURCHAK: I'll say briefly and then, Jamil, if you don't mind picking up on it.

There is not necessarily financial penalties that you could see very clearly. From a standpoint of additional resources pointed towards QSAC, and trying to meet those goals and needs, that's where you'll see any kind of financial impact on this.

Jamil, if you don't mind picking up, because I know that you spoke on that last time as well.

DR. MAROUN: Yes.

So, our district was one of the districts where -- a couple of reasons -- we ended up below proficiency in the I and P section in QSAC. We actually ended up with a score of 79.4. And, when we went and tried to figure out what it was, there were a couple factors that played into this that drove down our score. Some of it was our test scores that our students -- their performance scores. Some of it was attendance. This was in '22 I believe, '23, and it was right during the COVID pandemic, at the tail end when we were reopening schools, and our school district decided that we wanted to keep schools open versus closing school down. And, we said, "We'll take the penalty when it comes to attendance."

And, then the third thing was our graduation rate. Our Federal graduation rate was one number; our State graduation rate was another number. And, we are one of those small districts; we had about 114 students who were graduating in our cohort, and we had four who were transitioning into our adult program. It just happened to be a larger year that year, so our local graduation rate was under 95%; it ended up with a score of 74.9. We ended up having the QSAC dip, which then meant our team had to put together resources to put together a corrective action plan to get out of QSAC.

So, that's one financial penalty to it. I also think that there is a cultural penalty that is significant. Schools are judged by graduation rates; the value of properties and communities are judged by graduation rates. And, when the State is reporting a lower graduation rate in a community, it sends a message that a community may not be as good as another community because they have this information out there.

SENATOR CRYAN: Well, what I wanted to understand was what the financial--

DR. MAROUN: So, for us--

SENATOR CRYAN: --penalties are for the Committee. Do districts get financially penalized in any way?

DR. MAROUN: So, for us, it was-- We ended up under a QSAC dip. And, this was one of the factors that led to it.

SENATOR CRYAN: Four out of--

DR. YURCHAK: Senator--

SENATOR CRYAN: --114, brought you below a 95% when there were also test scores and attendance as well, right?

DR. MAROUN: Yes.

SENATOR CRYAN: In a COVID year.

DR. MAROUN: Yes, it was a variety of factors.

SENATOR CRYAN: Another follow-up to that, and then I'll have you speak.

What-- How many districts-- I think when we talked about this -- and, I apologize for not recalling, so you can say, "Hey, I told you this on the pre-meeting." Are there a number-- How many districts are actually in this quandary of being so borderline that it affects--

DR. MAROUN: I wouldn't know that answer. So, I think that--

DR. YURCHAK: Yes--

DR. MAROUN: I'm sorry.

DR. YURCHAK: I'm sorry.

There is -- for Mr. Hurley, another superintendent who's here today, he has some survey data to review. Certainly we can do it as well, but on the agenda--

SENATOR CRYAN: All right, if he's next, he's next. No problem at all.

DR. YURCHAK: Yes.

SENATOR CRYAN: All right, so, pages-- And, then, by the way, for both of you, I just want to ask. It sounds like from our previous discussion -- I apologize to the Committee that didn't hear all that -- that alternative diplomas were an option or discussed at some point, and rejected at some point, it sounds like.

Can you just, for our edification, for the rest of the hearing, explain what the objections to alternative diplomas would be?

DR. YURCHAK: Sure.

So, there are options in talking, again, to the Federal Title Office, and also reviewing the document that I just provided to everybody. An alternative diploma-- Let me take a step back.

The reference in the document shared with you is called a regular high school diploma in the State of New Jersey. And, the issue was -- or is -- that families of special needs children, they transition into 18-21, they believe that they receiving a regular high school diploma as they cross the stage senior year. And, yes, we're providing them with a nice diploma that Jostens prints out, and we sign it, and we do the stamp and everything. But, they do not know that the State is not recognizing that as a graduate.

So, the alternative diploma, to answer your question, is a stigma attached to the term "alternative." And, if you hear alternative, you think, "Well, I want the regular one." Well, guess what -- they're not getting the regular one anyway. So, the alternative one would actually count them as graduates to start off with. And, then, quite frankly, once they reach age 21 and they finish the transition program successfully, I certainly speak for myself, but I'm sure all the superintendents in the state would be happy to bring them back again and have them walk across the stage and hand them a traditional diploma, if you will. It won't be registered as such because they're already counting in the state as a graduate under the alternative, but to have them be recognized again for their accomplishments, I don't think you'd get anybody denying them that piece.

SENATOR CRYAN: Thank you.

DR. YURCHAK: Yes.

ASSEMBLYWOMAN REYNOLDS-JACKSON: All right, I just have a very sensitive question to ask about the alternative diploma.

Why would the district not tell families that this is a ceremonial graduation versus they're receiving a State high school diploma?

DR. YURCHAK: Because they are never officially counted as graduates in the State of New Jersey.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Right, so, from the very beginning, why aren't we having that conversation saying, "This is ceremonial." We want to celebrate them going through, taking these classes, but from the very beginning they're not able to pass the tests. So, I don't understand why the confusion at the end when we're saying they're ceremonially participating, but we never tell the parents in ninth grade that this is -- this is the requirement, they have to go to school, we're doing this. But, we're telling them they're not graduating. I feel like there's a disconnect in communication.

DR. YURCHAK: No, I'll try to clarify for you. So, they-- A student who is transitioning into the 18-21 program, they do not take the typical NJSLA. They take the Dynamic Learning Maps -- DLM. And, that is set for approximately -- or, really, it should be no more than 1% by the school district. I believe that number is set arbitrarily to some extent, but we're not going to get to that right now. But, regardless, you get the 1%.

So, we're not talking about-- We're talking about, again, our lowest cognitive students who need those life skills. So, again, for us to say to the families, let's say in the ninth grade-- And, by the way, a lot of superintendents in the state probably don't even know about this. This is just our small committee coming in.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Got it.

DR. YURCHAK: And, that's the issue. We're bringing light to this. But, in fairness to them, say, "Hey, parents, your child is going to be on the projection to be in the 18-21 program; they're going to need life skills. By the way, when they finish senior year, we're going to give them a piece of paper, but the State is not going to count it as graduation." And, then, three years after they finish the program, you're still not going to be an official graduate, because by that point they're going to be coded as dropouts. So, there's no answer; there's no good solution; no good pathway to even have that conversation, because there is no solution right now. We *have* solutions, but that's the issue.

DR. MAROUN: And, I think it varies district by district if you're having that conversation with parents. So, for us, with our students, for all intents and purposes, they meet their graduation requirements when they finish at 18 and finish our -- their experience in our schools.

DR. YURCHAK: And 120 credits.

DR. MAROUN: Yes, they receive their 120 credits; they take their standardized test; they have their accommodations, modifications, that allow them to meet the course requirements to graduate.

When they go into our adult programs, those programs are transitional life skills programs.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Right. Right, right, right.

DR. MAROUN: So, for example, in our district, our adult program is based out of our Board of Education office, and the students are

doing half-day life skills and half-day work skills. So, they're not receiving history and social studies--

ASSEMBLYWOMAN REYNOLDS-JACKSON: Right, right--

DR. MAROUN: --and math, and science. They're receiving life skills as required by IDEA in the transition to whatever adult programs that they receive.

It's just a matter of -- and, I hate to say it this way. To me, it's a matter of how the State of New Jersey's Department of Education is coding the students--

ASSEMBLYWOMAN REYNOLDS-JACKSON: Coding--

DR. MAROUN: --in the system, instead of recognizing them as meeting the course and graduation credit requirements that's required by the State of New Jersey to receive a diploma. They're saying we can't officially give it to them until they're 21, and that's when it's formally kind of approved.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Gotcha.

Thank you so much.

Any other--

DR. YURCHAK: And, also, to the document that I shared with everybody prior, the Viking Academy, that's just -- and, that's recent; that was in the works in North Arlington, where I've served as Superintendent for approximately the last 10 years or so. We created that building, that program, that facility, for our students. Why? Because we did not want to send them on a bus 40 minutes one way, 40 minutes back; not serve or not find meaningful career paths outside their community. So, that's why we have that now.

So, here we are as an example welcoming this population. And, yes, we've gotten calls from other districts already, "Hey, do you have any openings, tuition-based openings?" We've gotten calls from families living out of town right now, "Hey, are there any openings in case I move to town?" So, here we are opening the doors to everybody saying, "Hey, come on in; we have this great program," but it's really going to hurt the district in the long run, and the kids still don't know they're not counted as graduates.

So, we're doing the right thing, but on the back end it's not reflected as such.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Gotcha.

Senator Testa.

SENATOR TESTA: No, Assemblyman Simonsen had a point.

ASSEMBLYMAN SIMONSEN: Well, first, I want to say to you guys thank you. Because that-- All the information you gave us, we could have been here for two hours, so you guys fit it all into-- You're obviously very knowledgeable.

But, I was going to say another caveat of that is if you have a special needs student who your district sends to a vocational school within, say, your county, or a special services district. There lies another issue, because that's what's happened in many places, which -- and, this needs to be fixed, because this has been going on for years. And, then, we could get into a whole lot. I know you talked about QSAC, I know you're going to talk more about that.

But, being judged on that, and then I always go back to the SGOs with teachers, too. Because, if you have-- If you're teaching, say, five or six kids in your class with special needs, and other teachers aren't, you're at a

disadvantage because obviously you're not going to have the same SGO scores. But, that's for another time. I know SGOs is a bad word around here, so--

ASSEMBLYWOMAN CARTER: Yes--

ASSEMBLYMAN SIMONSEN: --I won't bring it up.

But, yes, I think that's a big issue.

UNIDENTIFIED SPEAKER: But, you did.

(laughter)

ASSEMBLYMAN SIMONSEN: And, when-- But, the whole when you (indiscernible) to a tech school within your county or a special services district, and then the sending district gets punished.

DR. YURCHAK: And, there's-- I mean, as you go down the rabbit hole there it creates other issues, and test scores, for instance. When you send kids outside now, special education -- and again, I'm just going to mention it and we'll get back on track -- but you have students who will go to an academy, to a tech school, and those test scores. They might have been with the district K-8; now they're going to tech school, and the tech school is ranked Number 1 in the state. Well, guess what? Those are our kids, and we're not getting those test scores. That's not fair, either. So, that's a whole other issue for another day, but this-- Let's stay focused on this. I just wanted to share that, because that's the talk. It's going to come out at some point as well.

ASSEMBLYMAN SIMONSEN: To your point, it works the other way, too--

DR. YURCHAK: Yes--

ASSEMBLYMAN SIMONSEN: You can send them to a tech school and then, if they get bad grades at the tech school--

DR. YURCHAK: Well, but they're not going to be accepted. Typically, it's your higher performing students. So, there's--

ASSEMBLYMAN SIMONSEN: Well, it depends on where you're going. It depends.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.
Senator Burgess.

SENATOR BURGESS: Thank you, and I appreciate you coming forth and bringing this as-- It's really a big topic to talk about.

And, I apologize for not being at the pre-meeting, so I'm really just understanding what's going on.

So, I'm just going to fast forward a little bit, because it is indeed a situation that needs to be looked at and needs to be changed. And, to me, it's kind of sad.

So, in your opinion, what kind of resolution can we do to try to fix this problem? Like, has there been talk about that-- How can we begin to cure this?

DR. YURCHAK: If it's OK, can we ask Dr. Spencer to come up and just skip over a little bit on the agenda? Because he's well-versed in this. He's actually dealt with this issue as well in other states.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you so much.

OK, we do have a few other-- That's what I was going to say, too. We still have three more other speakers to come up.

So, we'll-- Thank you so much for your testimony today, and we'll bring up-- We have the data portion right now, the illustrative data portion, which I think would be good to keep with the flow. But, we'll definitely follow back up with the question when the speaker comes up.

Thank you so much.

DR. YURCHAK: Thank you, everyone.

DR. MAROUN: Thank you.

ASSEMBLYWOMAN REYNOLDS-JACKSON: We'll bring up now Jack Hurley, Superintendent of Rutherford Schools.

JACK HURLEY: Good morning.

I'll be brief. I have some data to share. We talked before-- Sorry about my name tag. We talked before; Steve was talking about cohorts and the impact.

So, we tried to put together a sample, and doing it between our pre-meeting and coming down today, we have a small sample of schools from Bergen County. And, we had 23 school districts, and the Federal rate for each of the last three years was right around 95%, the average -- 94.94%, 94.98%, 95.1% for the last three years. The State rate for those three schools were -- the 94.94% the same year the State rate was 90.6%. And, 94.98% down to 91.38%; and, the 95.1% down to 91.1%. So, each year, the average was about four or five points lower on the State rate that gets reported out. Which is a significant impact, and it brings all those districts down below the 95% mark that we talked about before.

Again, I also want to mention that number of students -- I mentioned-- Are we OK?

Number of students in those 23 schools are between 92 and 113 students. So, when you do the math on that, you're looking at about four or five students in every building. So, those four or five students, last you heard, are following their plan; they're doing the right thing. The district is following their plan; the district is doing the right thing. Those four to five students are bringing the reported rate down 4-5% that goes out to the community, and all the negative impact you heard about that.

But, Dr. Yurchak mentioned having an 18-21 program in district. We started one in Rutherford as well about 10 years ago. We allocate a lot of energy, time, resources, to providing for our students. I'd like to say that every decision that I make -- and, I think all my colleagues make -- are made with the interest of the student in mind, that's why we're here, and those families. So, it's not just-- I've been a long time in this field, and a long time in an administrative role, and been fortunate to be in a community that I can explain to my community why our graduation rate should have been 97%, but it's really coming across at 94%, and they're going to accept that. They're going to buy into what I'm saying. Some districts, if I'm the new guy in town, maybe they're not buying it.

But, going back to the kids, those four to five kids, those families -- when you go-- When I tell them, "Hey, once a Bulldog, always a Bulldog," that's our motto, "You're one of us, you went through, you did the right things, you're a graduate." But, if someone goes into what's coded, they're not a graduate. And, our most-- Kids with our greatest needs, and parents who have to carry this burden of dealing with their kids' future -- and, a whole other story, which there are a lot of stories -- they got out of the 18-21 program, what's next? That's a whole other issue to talk about. What's next?

And, they can't even get the feeling that their son or daughter is a graduate. It just doesn't make sense.

And, I get-- I said I was going to be brief, and I get a microphone and I always get in trouble. But, one thing I do want to touch upon: Part of the stigma of the alternative diploma is that it could be seen as a get-out-of-jail card for anybody. Oh, you didn't pass a test? Oh, you didn't come to school? Dr. Spencer is going to talk about it, I'm sure, but the code can be written in whatever way to really keep those, that 1%, those ELM kids. And, you do get a chance to do a waive review over the 1%. It could be really streamlined. I take great pride in saying, "You have to earn your diploma." I don't want to give away anything. We're not giving away something there's alternative for; we're telling kids who have earned their diploma that they've got one, OK, and that's a big difference.

So, I don't think people should be concerned that-- And, I don't think you folks certainly can control the narrative of what the alternative diploma -- if that's the option -- would stand for. It could stand for the right thing.

So, that's my brief contribution to today's program.

Thank you for your time.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Senator McKnight.

SENATOR McKNIGHT: Thank you so much.

I just want to go back to what the Co-Chair Verlina Reynolds-Jackson said in reference to when the students start high school. What is that conversation like with the parents, in reference to, "In four years, your

child will not have a sound diploma, it will just be ceremonial?” And, then, what’s their feedback when they hear that at ninth grade?

MR. HURLEY: Well I think, like Dr. Yurchak said, Senator, I’m not -- I’m not sure which gentleman said it -- I’m not sure how that conversation takes place in every district. I think what you’re dealing with -- parents; the meetings that you have; the IEP meetings; the transitional meetings into high school -- are to take a look at what is seen as a non-traditional program. They’re going to be in a seven-year program, and the academic portion -- which is a different academic portion for this percentage of kids than everybody else, because they’re sitting for a different assessment. There’s different curriculum, a modified curriculum they’re going to follow. And, then, what’s going to wait for them after? Here are the options after -- life skills; vocational skills; self -- the executive functioning skills, the things of that nature.

So, I don’t really know if we say to parents, “You know, you’re not going to really graduate though.” And, I think part of that is being humane. But, I think also part of it is-- Because, like I said, in our world, in the confines of the Rutherford High School hallway, these kids are graduates. But, it is the coding that exists out there where they are not. I think maybe we’re at fault for not being honest. Maybe we’re at fault for not even recognizing it. Some people are surprised to hear this. But, I think regardless of whether we should or shouldn’t have the conversation, the reality is they’re not coded as graduates.

SENATOR McKNIGHT: All right, so, I have a follow up.

So, in three years -- so they do 9-12 and then they go through the program 18-21, then do they get their diploma in seven years, or it's always an alternate?

MR. HURLEY: What we do -- and, I think every district handles it a little differently -- because, remember, you also have policy in every district about who can walk at a graduation, who can't walk at graduation. What we do, we have our policy written where our 18-21 students can participate in the graduation ceremony at the end of four years. They come across the stage, they get a certificate of attendance. Then, when they're done -- because we run our own program -- at 21 we have a little ceremony in what we call the "Bulldog Academy," it's in the basement of our public library. I go over; other officials go over; the parents come in; and we give them a diploma. So, they have like, two ceremonies.

But, the reality is if you go into the database, they're dropouts.

SENATOR McKNIGHT: So, the solution is -- because these kids are going to school four years, and then the three years -- the solution is to make sure that the training that they're getting, the education that they're getting, is a diploma. So, maybe it's like a separate type of diploma--

MR. HURLEY: Right. Well, again--

SENATOR McKNIGHT: --from the traditional, but they need to have a diploma--

MR. HURLEY: Right--

SENATOR McKNIGHT: --and recognize in the system that they have completed their program to receive--

MR. HURLEY: Yes--

SENATOR McKNIGHT: --a diploma--

MR. HURLEY: Yes--

SENATOR McKNIGHT: --not a ceremonial diploma.

MR. HURLEY: Exactly. They need to be-- And, again, a diploma, like Dr. Yurchak said, is a document we print out, we sign, but in the coding that's where it has to happen, and that's what -- we put a lot of pressure on Dr. Spencer, we keep saying, "He's going to come up here, he's going to give you all the alternatives." But, there are alternatives.

But, yes, Senator, to your point, that's the solution. Finding a way to show that students who have done the right thing for seven years -- not just four -- and school districts that have done the right thing for these kids, what, 15, whatever number -- 15, 16 years -- aren't being penalized because they did the right thing.

SENATOR McKNIGHT: Thank you.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

MR. HURLEY: Thank you.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Do you have something?

UNIDENTIFIED SPEAKER: No.

ASSEMBLYWOMAN REYNOLDS-JACKSON: You're talking out loud, I know.

OK--

DR. YURCHAK: May I add something?

ASSEMBLYWOMAN REYNOLDS-JACKSON: We have a couple more speakers, impact -- the impacts across the state, for Mark Schwarz, Superintendent from Ridgewood School District.

MARK SCHWARZ, Ed.D.: Good morning, everyone, thank you so much for being here today and having me.

You've been hearing a lot. This is a very-- I'm sure you're catching on that this is a very technical topic from some perspectives. The reason why it's sounding very technical is because it's come about through our analysis of our district data, and trying to figure out why things compute the way that they do once we submit our data to the State of New Jersey. So, it manifests, often, as a very technical problem. But, the reality is that it is a very human problem.

There is no financial penalty for districts as a result of this function, as Senator Cryan asked. This is really a cultural and a values issue. And, really, effectively what has happened is the State has established a system of countervailing accountability systems. On one hand, we are held accountable and compelled -- and, rightfully so -- to have robust transition programs for our most vulnerable students. These are our students who are -- we're not just talking about basic learning disabilities; these are students who will, for the rest of their lives, have difficulty taking care of themselves. And, so we enthusiastically create these programs to support these students. And, it's similar for many of us -- it is probably the best part of our day, is the part where we feel like we're doing the most good.

And, we build relationships with the families. And, we go through the process; we protect them from this. So, we've talked about how they don't know about, necessarily, on a personal level -- the student doesn't know quite what's happening. And, the parents, for the most part, don't realize it either. There's not really a penalty for them. But, the pain point is when we talk about -- when we are trying to explain these countervailing

accountability systems with our school communities and with our boards of education. We are meant to care about every single student; and, we are meant to care about our special needs students; and, we are meant to care about every single graduate. And, we have a duty; and, we have a commission to evaluate our outputs and our student outcomes. And, one of those really important areas is our graduation rates.

So, our K-8 districts are not going to have this problem, because they don't have a high school. We're talking about the high schools across the State of New Jersey. Our magnet schools, our magnet high schools-- What was it, Assemblywoman Morales, I think you mentioned the Blue-Ribbon question, right? So, I looked up the Blue-Ribbon criteria for New Jersey for high schools, and it does-- Graduation rate *is* a criteria for Blue-Ribbon recognition. And, depending on whether they're using the Federal rate or the State rate, that would have an impact. But, again, even on our performance reports there is a discrepancy between the Federal rate and the State rate.

And, so, I, as a superintendent, have a duty to explain this to my Board of Education. And, many of us -- myself included -- give end-of-year reports not just to our Board, but we give public reports. I give a "state of the schools" address every year, and I've spoken about this at multiple conferences, and I promote this among superintendents, that we do this, because it gives us the ability to engage our community members in meaningful conversations. And, we evaluate how we're doing. We have a variety of metrics: test scores; attendance rates; chronic absenteeism; and, of course, graduation rates.

And, every year I have to stand and explain to my school community why our graduation rates seems as though we have quite a few dropouts from our high school. At a high school where people would think, “Why would you have *any* dropouts at your high school?” And, we have to explain in public, “Well, the State’s calculation for our dropout rate counts our most vulnerable special needs students, who, by the way, are still with us in a special program, and are doing really well with us, but they’re counted as dropouts.” To have to say that publicly, quite frankly, is insulting.

And, especially for me, my brother-- I have a two, a brother two years younger than me who is disabled from birth. And, I still help take care of him. And, he was in an 18- to 21-year-old program. So, for me, every year to have this conversation is, like -- it’s brutal.

ASSEMBLYWOMAN REYNOLDS-JACKSON: So--

DR. SCHWARZ: So, if we can fix this, if we can just fix these accountability systems-- Dr. Spencer is going to talk about it; there are a couple of different solutions. But, we just need to reconcile how we calculate this accountability. It’s a simple solution, but it requires will.

And, I will just say, there’s also the question of, “Why does this matter right now?” Like, all our time is valuable; all your time is very valuable. Why does this matter so much? It is becoming more of something people are aware of. We are raising awareness about it.

I have with me Ms. Meghann Bierly, who is our SEPAG President. She’s very involved with SPAN, and she’s currently organizing several hundred SEPAG leaders across the state -- that’s the Special Education Parent Advisory Group. Every state is required to have one of

those -- and this is a topic that really matters to them. So, this is going-- This is going to be more relevant, and it's a symbolic issue, and it's problematic.

So, thank you for your time.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

Questions?

Yes.

ASSEMBLYWOMAN MORALES: Thank you so much for that, because I know you said there's not a financial impact, but, ultimately, when you think about the outcome of this, schools are competing with each other when it comes to these ratings. And, unfortunately, that's the thing.

When you look at *U.S. News & World Report*, what are they using? They're using this status and the data that they're collecting from the State of New Jersey in order to rank schools Number 1; Number 2; best; top 10. So, this is important, and it is critical to our communities, because when the labeling-- I always say words matter, and when you label students as dropouts, and it's not really indicative of who they are, it really impacts the perception of the community and what they see in their school districts. It does impact.

So, I can't wait to hear what the recommendations are. We are also dealing with transition programs in my district as well, and we talk about financially, like, what does it cost the district to finance a transition program and keep students in the district for seven years? Not only that, what does the program look like? Who is teaching these programs? Right now, we have-- We're in a critical issue of even getting teachers in our district. And, these students, they are the most vulnerable students, and they need the most -- the education system that really caters to their needs. And, it's very

difficult to find those teachers, those aides, and also create programs that really benefit them.

So, I'm happy that we're having this conversation. There's a lot more that we need to discuss, and I'm looking forward to these recommendations, so thank you so much for bringing this to the committee's attention.

DR. SCHWARZ: Thank you.

And, if I may clarify, there's no direct meaning in this immediate budget year to the fact that we have this dropout rate. That's what I meant as a financial component.

ASSEMBLYWOMAN MORALES: Yes.

DR. SCHWARZ: But, there is-- We embrace the relative cost of educating these students.

If you want to talk about the financial component you're talking about, there is also the concept of extraordinary aid--

ASSEMBLYWOMAN REYNOLDS-JACKSON: Right.

DR. SCHWARZ: --and the problem with the fact that many of these students do qualify for extraordinary aid and we don't get -- we don't always get fully -- they don't always get our full fair share of extraordinary aid, which is a whole other issue.

But, that's not what we're here for today.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

Senator Testa.

SENATOR TESTA: Thank you so much.

And, I really appreciate your testimony, and I always think that the best place to solve a problem is go back to the beginning. Why in God's

name were members of our most vulnerable population included in the definition of dropouts? That's what's perplexing me here.

DR. SCHWARZ: So, the answer-- I mean, again, we're going to get into the technical side of things, but it has to do with the relationship between the Federal -- two Federal laws: IDEA, which is a disabilities act, and then the Every Student Succeeds Act. One is about accountability with graduation rates; the other is about accountability with providing services. And then the way that-- The way that the State has to apply for the funds for the Federal government, we apply and we have to-- There's a graduation calculation, and there's been some discrepancies over how the State should do that with respect to the Federal government.

With Dr. Yurchak, who's been a fantastic advocate, and he's a wonderful educator and special educator, and has been doing a great job of leading these conversations. We've had a conversation with the United States Department of Education, so we don't need to get into that here per se. I think it's an accident; I don't think it's anybody's fault, but we're just trying to raise awareness to the fact that this was an unintended consequence of people trying to do the right thing, but we need our-- It needs our attention; needs to be resolved.

SENATOR TESTA: It certainly does, because it just, it begs the question as to-- I'm glad that you answered it, actually. You said it's an accident that happened, and was an unintended consequence. And, I always say that the road to hell is paved with good intentions, and I'm sure that there were very good intentions. But, when we're hearing testimony from experts, and seated to my right, Assemblyman Erik Simonsen has how many years in special education?

ASSEMBLYMAN SIMONSEN: Thirty.

SENATOR TESTA: Thirty-plus years in special education, and we're in the same district, so I get to go to him with a lot of the questions that I have.

Here we are, and this sounds like a very fixable systems mistake of a definition that, to me, we're all here and, as you said, all of our time is valuable and we're going to be in lame duck session -- we are in lame duck session right now. To me, this seems like a very easy fix--

DR. SCHWARZ: And, bipartisan. There's no controversies around this.

SENATOR TESTA: Yes, OK.

Well, I appreciate-- I just want to make sure it's as simple as I'm seeing it, as far as the solution is concerned.

OK.

DR. SCHWARZ: Thank you, Senator.

SENATOR TESTA: Thank you.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

SENATOR TESTA: (laughter)

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you very much.

DR. SCHWARZ: Thank you so much.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you so much.

DR. SCHWARZ: I appreciate your time.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Our next speaker will bring the direct impacts on school communities, Dr. Christopher Meyrick, Superintendent from Woodstown-PILLS-GROVE School District--

SENATOR TESTA: Pilesgrove.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Pilesgrove.

SENATOR TESTA: That's South Jersey, so.

(laughter)

SENATOR TESTA: Not my district, but close.

CHRISTOPHER S. MEYRICK, Ed.D.: Very close.

ASSEMBLYWOMAN REYNOLDS-JACKSON: I love the representation from all over.

DR. MEYRICK: So, I think I'm going to apologize. I feel like I'm the middle relief right now, waiting for Dr. Spencer to come up.

(laughter)

DR. MEYRICK: So, I'll keep it short and concise.

So, good morning. Thank you for having me today.

My name is Chris Meyrick; Superintendent of the Woodstown-Pilesgrove Regional School District. For you who don't know, Woodstown-Pilesgrove is in Salem County, a rural community with about 1,700 students.

First and foremost, thank you so much for your time. I appreciate it; as we know, it's all valuable.

Currently, the New Jersey Department of Education's interpretation of the adjusted cohort graduation rate creates a systematic unfairness that penalized districts for following law under IDEA. Students with disability who stay enrolled until age 21, as required by code, are wrongly counted as non-graduates -- even if they met all the diploma

requirements. This practically artificially lowers graduation rates and skews school performance reports. I think we've already exhausted that topic.

For Woosdtown-Pilesgrove Regional School District specifically, we stand behind the vision of promising every Wolverine a future -- and, when we mean every Wolverine, we mean every student. And, as we alluded to today, our most vulnerable population are 18- to 21-year-old students. For context, this group of students and families in our community move to our district specifically for our programs in special education. So, this is very passionate to me, also as a former special education teacher.

Our data clearly demonstrates inequity. And, if our 18-21 students were properly recognized as active enrollees rather than non-graduates, our graduation cohort rate would have increased by .7 and .3 -- 3.7 annually over the last eight school years. Our data shows that even a small number of 18- to 21-year-old students can create a substantial and misleading decline in districts' reported outcomes. This inequity is especially detrimental to small districts, like myself, and (indiscernible) districts where students represent a large portion of this number.

To truly promise every Wolverine a future, New Jersey must revisit the accountability framework to differentiate between students continuing Federally mandated service and programs, and to those who are disengaged from the school community. Only then will the State's graduation data reflect the reality of districts' performance, students' perseverance, and equitable educational practices.

Thank you so much for your time.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

Any questions?

SENATOR CRYAN: I actually have one.

It's crossed my mind here, and I have no idea the answer. Do superintendents' contracts have any tie-in with graduation rates, or are they all pretty much standard?

DR. MEYRICK: They could, they could. But, systemically, my--

SENATOR CRYAN: I'm not asking about yours, please; I'm not.

DR. MEYRICK: No, you can; it's public knowledge--

SENATOR CRYAN: No, no interest in anybody's direct.

But, are they standard stuff, or -- to your knowledge? Like, is it--

DR. MEYRICK: Again, you always want to frame, like, student achievement, so that's at the forefront. So, when we're talking student achievement, we're talking all students.

SENATOR CRYAN: OK, so, if there's measurements -- and, I'll leave rates out for a moment -- can you give me an idea of what those measurements might mean for special education students for the cohort we're talking about?

DR. MEYRICK: Can you repeat that for me?

SENATOR CRYAN: Sure. Can you give me an idea of what they might mean for the cohort that we're talking about -- this group of special students that goes from 18 to 21? Can you give me an idea of what provisions might be in the contract for that?

DR. MEYRICK: I mean, personally, I wouldn't have any idea with that.

SENATOR CRYAN: It's all right, I'll ask this gentleman, not you.

OK, all right.

Thank you; thank you.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

All right, seeing no other questions, thank you so much for your testimony.

ASSEMBLYMAN SIMONSEN: I could answer that.

It can -- and, I know he said the same thing -- but, I've been in negotiations many times for administrators, and a lot of times the graduation rate is brought up when negotiating contracts, although, it's not a -- it's not in writing. But, it does get brought up from time to time in contract negotiations.

Now, superintendents I'm not sure, but--

SENATOR CRYAN: So, is it like a-- I apologize, I don't know. Is it a standard, like a standard provision in a standard contract? Through the Chair?

ASSEMBLYMAN SIMONSEN: No, it's not.

SENATOR CRYAN: OK, so it's the kind of thing that comes up in a negotiation.

All right, thank you.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Good question.

Thank you so much.

We'll bring up Dr. Andre Spencer, Superintendent of Teaneck Schools.

A N D R E D. S P E N C E R, Ed.D.: Good morning.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Good morning.

DR. SPENCER: So, thank you again; thank you Senator Cryan and Assemblywoman Jackson, and the rest of the Committee for the invite to speak with you this morning.

I will share some recommendations here with the group to just highlight some of the experiences that I've had from a few other states that I've had the liberty to serve as Superintendent.

And, one of the recommendations would be the extension of a graduation cohort. So, currently, the State of New Jersey has a six-year graduation cohort, potentially extending that to seven. An eight-year graduation cohort would allow for some leeway in this particular circumstance. However, it will not resolve the issue. I'm going to share a little more of some other things that can be done with regards to resolving some of this issue. Some states that currently engage in the extended years - - the seven- and eight-year graduation cohort -- would be Colorado, one of the states that I've had the liberty to work in, and also, Texas. And, then there are a few other states that engage in the seven-eight-year cohort.

A differentiated diploma option would coincide with the seven- and eight-year graduation cohort. I know there's been some conversation around alternative diploma; but not an alternative diploma, but truly a differentiated diploma. A differentiated diploma sets the expectation that the young person has met an expectation that has been defined by that specific diploma type. So, there are several options for differentiated diploma, for example, a standard diploma. If you meet the expectations that have been outlined for the State of New Jersey, then you get a standard diploma because you've met the standard expectation.

However, some of our young people are engaged in advanced-placement course options or dual enrollment, concurrent enrollment course options. Then, that would place them into an advanced diploma that they would achieve because they would have met some of the expectations beyond what the standard-- They would have met all of the expectations beyond what the standard diploma calls for, similarly to an international baccalaureate diploma. So, there are six international baccalaureate courses that a high school must offer in order to be able to offer an International Baccalaureate World School Diploma, which is recognized by the International Baccalaureate World School Organization.

On the other end of that spectrum, which is the population that we're speaking about here, it becomes a vocational occupational diploma. That is a work-based diploma. It still means that you've met the expectation; nonetheless, it means that your diploma is more geared into the work base area. That's the whole premise of the extension for the 18-21 program -- to continue to give young people the community experiences with regards to working in the community in which they live.

Another option that exists there would be the diploma of completion. I know that there was a mention of a certificate of completion, but this would be a diploma of completion, meaning you've completed all of the expectations that have been outlined for the State for the particularly young person who is receiving this diploma. Now, that's set aside from the young person's IEP. So, in the IEP meeting, once a young person gets to 11th and 12th grade, for there to be a determination made as to an extension with transitioning into the 18-21 transition program, that decision is made in that IEP meeting. It is made because it's outlining that the young person will get

continued experience of working in the community in which they serve. That's where you can start to talk about certificate of completion.

However, the diploma of completion refers to the State expectations. So, treating the two in a separate manner. There are many states across our country that are actually engaged in this work right now. New York being one; Indiana being another; Virginia being another; Ohio; Texas; Colorado; Oregon, just to name a few. But, there are more states that are involved in the whole differentiated diploma component, and certificate of completion component.

Another aspect that the State of New Jersey can consider is young people considered a "completer." Because you have received a diploma, you are therefore identified as a "completer." You are calculated in the completers percentage versus the graduation rate percentage, because, if the State doesn't deem it as a graduate so that you can continue on. So, I say that to say there are multiple options that can be considered or explored, looking at some of the work that's happening in a few of the other states around the country.

One impact that I know was talked about here was looking at the New Jersey Quality Single Accountability Continuum -- the QSAC. On QSAC, we have to achieve at least 80% in each of the five domains. If you do not, you are not considered a high-performing district. It is important to be considered a high-performing district. So, everyone wants to achieve the 80%; however, if your graduation rate does not hit a certain mark, that will automatically disqualify you from achieving that 80% in one of those particular areas.

In conclusion, I just say that, for school districts throughout the state, we're definitely committed to inclusive and equitable education, and shouldn't be penalized for making sure that we're providing continued services for young people who are receiving services in the 18-21 program. And, there are other ways to consider doing this that will not negatively impact a young person, nor will it negatively impact the district that serves that young person.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Assemblywoman Flynn.

ASSEMBLYWOMAN FLYNN: Thank you.

Thank you, Dr. Spencer, for going over that and providing some recommendations.

My question to you is, what would we have to do to implement this change? Because, as I understand it, the four-year -- the number that you're striving to match up with is set by Federal law. Is that correct?

DR. SPENCER: So, the Federal government allows for states to extend to an eight-year graduation rate. The State makes the decision. So, for a state like Colorado or Texas, they currently go up to an eighth-year graduation rate.

ASSEMBLYWOMAN FLYNN: So--

DR. SPENCER: The State of New Jersey only goes up to six.

ASSEMBLYWOMAN FLYNN: Six.

So, if we went up to eight, let's say, can you still then-- What I'm getting from the other superintendents, they want to pull out of their graduation rates that they report. They want to pull out those students, so that doesn't reflect the graduation rate.

Or, would simply saying we have an eight-year cohort be enough to address the concerns that have been addressed by the other superintendents?

DR. SPENCER: Having an eight-year cohort will not be enough to address it.

So, the Federal government also allows for states to have what's considered "completers," or differentiated diplomas. The State of New Jersey has neither.

ASSEMBLYWOMAN FLYNN: So we have to do both, then, you're saying. We have to do all of the above--

DR. SPENCER: Yes--

ASSEMBLYWOMAN FLYNN: --in order-- Because, what I understand from the superintendents who are speaking, who talked -- testified, they don't like that on their reports, and they have to go back. And, I understand they go back to the Board of Ed. and say, "Yes, I know we have a 96% graduation rate, but that's because it would otherwise be 99% if we excluded these students."

That's what we need to know. What do we need to do to achieve that result? Because it seems simple -- it would seem -- but it's complicated by the Federal law. So, we would have to do two things: We would have to extend the cohort plus identify a different type of graduation diploma or certificate--

DR. SPENCER: Yes--

ASSEMBLYWOMAN FLYNN: --and anything else.

DR. SPENCER: And -- *or*--

ASSEMBLYWOMAN FLYNN: OK--

DR. SPENCER: --the State could have a “completers” category, so if--

ASSEMBLYWOMAN FLYNN: And, how would that be received, do you think, by--

DR. SPENCER: I think it's--

ASSEMBLYWOMAN FLYNN: --parents.

DR. SPENCER: No, sorry.

ASSEMBLYWOMAN FLYNN: No, no, no, no.

Because, this-- Because, here's my concern. Because, we haven't talked to, like, the parents who are -- or the students -- the parents of students who go through these programs.

Would they be OK with us kind of developing this separate system? Or, do they-- Would it receive a lot of feedback? Like, pushback?

DR. SPENCER: I think that's contingent on the community in which the superintendent serves in. So, there are some communities where, for example-- I'll speak to my experience in Teaneck, something that we do with regards to the 18-21 program. At the IEP meeting, that conversation is had with the parent, that your child will not receive a diploma because your child is continuing on in the transitional 18-21 program, and we have no other liberties if your child is continuing on in the 18-21 program, other than to not give them the diploma.

However, if there are additional liberties that we can provide, we could then say, “Your child is considered a completer. This is what it means to be a completer,” and really treating the responsibilities of the IEP separate from the responsibilities outlined from the State for graduation. At this time, we're treating them one in the same.

ASSEMBLYWOMAN FLYNN: Yes, I see that.

That's my other concern. I don't know how that community would react -- the special ed. community -- would react to all that.

But, I also want to make sure that the reports are accurate in reflecting what is happening in the district.

DR. SPENCER: Sure.

ASSEMBLYWOMAN FLYNN: So, I appreciate it.

Thank you so much, Chairwoman.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

Senator Burgess -- or, Senator Cryan?

SENATOR CRYAN: Senator Burgess.

SENATOR BURGESS: No.

SENATOR CRYAN: I do, yes.

So, let me-- Can I ask, what's-- So, in New Jersey though, this 2021 ruling came through the Department of Education, as I understand it here. It's regulatory, is it not? Or, is it done by legislation?

DR. SPENCER: The 18-21 requirement?

SENATOR CRYAN: The current issue in the document that we received from earlier, that we haven't had a chance to read. You changed it to this cohort that happened in 2021. It wasn't done legislatively, was it? It was done through regulation, is that correct? Or, am I wrong on that? Did we vote that?

ASSEMBLYWOMAN MORALES: They use the six-year extensions that we have talked about--

ASSEMBLYWOMAN FLYNN: And, was it done by rule or statute?

SENATOR CRYAN: Done by rule (indiscernible). I'm asking.

DR. SPENCER: So, I would lean on one of my--

UNIDENTIFIED SPEAKER: Someone has their hand up (indiscernible).

SENATOR CRYAN: Go ahead. Was it done by DO-- Behind you, Doctor, I'm sorry. Was it done by DOE, or was it done by statute?

Just a yes or a no.

DR. YURCHAK: Thank you again, everyone.

Senator Cryan, it is DOE related.

SENATOR CRYAN: Right.

DR. YURCHAK: So, if you-- And, again, I know that you haven't had a chance to look at the document that we provided to you, since we provided it today. But, it does say in there that the NJ DOE have the ability to make these decisions, and it's on -- right now, it's on the DOE.

SENATOR CRYAN: So, this allows the Committee to understand what we're dealing with.

And, my question now is to Dr. Spencer. In the other states that you mentioned -- you were kind enough to mention to us -- are those done through regulation or legislation?

DR. SPENCER: No, those are done through regulation. Because districts have the liberty of choosing.

Districts are given a menu of options, and districts have the liberty to choose between those options.

SENATOR CRYAN: I just have two other quick things for you. One is the summary of -- and, we all tried to take notes; I saw our heads

down. But, do you have a summary document that provides options for the Committee, that we could look at or have?

DR. SPENCER: I can produce that.

SENATOR CRYAN: We would be very--

DR. SPENCER: Yes--

SENATOR CRYAN: Looking at the heads around here, you can see it would be a very great-- And, my final is on the QSAC. And, I admit that I'm still trying to grasp penalties and things like that that strike me. It's just difficult.

So, is there a situation where these -- this cohort and the issue we're discussing today -- actually takes graduation rates below 80%? Because, I didn't -- in the examples that we've spoken about so far, we've generally used high 90s to mid-90s, and things like that. And, in the Manville case -- which, Dr. Jamil was so nice to talk about -- there were a number of cohorts that brought them below 80. Is there-- Are there cases, to your knowledge, where this cohort by itself takes QSAC below 80%?

DR. YURCHAK: So, to answer your question, Senator, the 80% is the particular category. So, you have five categories out of QSAC, and 80% is the overall. However, the graduation rate isn't necessarily judged on the 80%. So, the QSAC indicators this year, they were actually revised from previous years, and we happen to be in Cohort 1 in North Arlington, so we're going through it right now.

And, if I remember correctly, I think K-12 districts, the graduation rate counts as 15 points. I'm assuming it's going to be prorated, but, again, without that document in front of me, I can't--

SENATOR CRYAN: That's all right--

DR. YURCHAK: --speak for everyone.

SENATOR CRYAN: So, to summarize, it's part of a cohort.

DR. YURCHAK: Right.

SENATOR CRYAN: So, it's not the driving cohort; it's part of it.

DR. YURCHAK: Not the driving cohort, but, as one of our colleagues mentioned earlier, if you actually fell below the QSAC score indicator because of that graduation rate--

SENATOR CRYAN: Seventy-nine-point-four, along with test scores, attendance, and-- Yes, I got you.

Thank you.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Assembly-woman Carter.

ASSEMBLYWOMAN CARTER: Thank you.

I want us to get back to the differentiated diploma. And, you provided a lot of information, which I think is great information. But, I also want to take a look at what that means and the look of that, and how it is treated maybe in New York, Virginia, Ohio, Texas, Colorado, and there was one other one I don't remember.

DR. SPENCER: Oregon.

ASSEMBLYWOMAN CARTER: Oregon, OK, because I wanted to make sure I got that one. Oregon.

And, how it is perceived. Because, perception sometimes is reality. And, when I look at this, and I look at it differentiated-- And, you know, as an educator, I look at, when you go in with my certificate and then you have advanced standard, and then you have a standard, the advanced

standard is always considered a little bit higher. And, like, OK, you did something a little bit -- but it really is possibly the subject that you're teaching.

I'm a CTE teacher, and all. So, I'm-- There's always this difference, "Well, you're CTE, but you're not English, math, science, and all." But, what I teach is just as important as the rest of them, but sometimes it's not viewed that way because of perception. And, I wonder how this -- doing a differentiated diploma and having it standard, or a diploma that says "advanced diploma," or one that says "vocation/occupational," because even the vocation/occupational ones -- and, I deal with work-based learning -- I think that-- And, again, I think that this is great.

How it is really viewed, as to really, the true performance of any student that's coming out. But, especially to our special needs population, that is really-- There are special needs, and then there are our special needs students. How that really is viewed and how we can not make that stigma. Because, I also don't want it to get into -- based off of your ZIP code, where you live--

DR. SPENCER: Right--

ASSEMBLYWOMAN CARTER: --and, how you're treated with your education. Especially for those who have the opportunity to go on and do college and all.

When I was coming through, it was important. Get your high school diploma; let's move on and get your college education. And, for my grandparents, it was a huge achievement just to get a high school diploma. Then, it gets to an area where everybody is getting a high school diploma,

and the next thing was get your college education. And, I don't want us to be doing that to our students either, where it's that differentiated.

But, is there really any stigma that goes along with it? Maybe you can enlighten.

I know I said a lot, and I apologize.

DR. SPENCER: No apologies needed; thank you so much for that, for that question.

I think it's the way that it gets articulated. So, if we're speaking to a particular diploma based on competencies and skills that have been mastered, then I think it becomes more acceptable and more digestible. So, if we start to look at what are the standards or objectives that it says a young person in their IEP must achieve, and we're speaking to those standards based on the skills that they have mastered, and the proficiencies that they can show, then that's what we're expecting a young person to be able to complete. So, even when the young person transitions into the workforce, if their diploma has dictated that they're expected to be able to perform these standards, then that's our proof saying that they're able to do that.

On the higher end of the spectrum, the same thing with advanced placement or concurrent enrollment courses. The way that we articulate to colleges and universities that that's where young people choose to go, that they can proficiently perform in a college course, is to show them that these are the advanced courses that the young person has taken, and these are the skills that they were able to demonstrate from that.

But, I think it's the way in which we articulate that.

DR. YURCHAK: If I may.

Assemblywoman Carter and Assemblywoman Flynn, you mentioned earlier about the perception as well. Right now, the perception that is not known of the special ed. community is that they are not counted as graduates. So, I think that's the first portion of the conversation from perception.

So, yes, it is an absolute important piece to acknowledge and kind of how we have these conversations. But, as I mentioned earlier, I could be pretty sure in saying that there are superintendents out there right now in New Jersey who aren't fully aware of this graduation rate, and how it impacts that population. Why? Because they might only have one 18-21 transition child come through maybe every year or two -- maybe two, three years, or whatever it may be -- for districts, as I mentioned earlier, that are really welcoming of this population to the school districts. That's where we're well aware of.

So, I think the perception, once families do realize, "Hey, my kid's not being counted as a graduate," that's where the conversation starts. And, then, when they hear, "Well, now they *are* going to be counted," whatever solution is there is going to be a good conversation on all ends. And, as one of the colleagues mentioned -- again, bipartisan. This is all around. It doesn't matter what walk of life you're coming from; it's about getting these kids recognized for the hard work they did.

The other thing, too, is Senator McKnight asked earlier about the four-year cohorts then moving on. Again, the children we're talking about, they are completing 120 state-endorsed credits, or credits set forth by the high school and then meeting the code for the NJ DOE. So, they have hit their 120 credits. So, that alone -- again, as we're saying earlier, they

qualified for that regular diploma. But, they're not receiving it because of the IDEA component, where we're extending them out as the IEP 18-21.

I mean, what a district could do -- not that they are, or I would suggest it -- but they could simply say, "You know what, we're not sending you 18-21," and have the IEP team and child study saying, "We're not going to send you there." And, now, selfishly, that district will have that graduation rate reflect correctly. I'm not saying anybody is doing that, and I'm not saying that should be done, because it should not. But, that's on the far limb example of how it's their reality.

ASSEMBLYWOMAN CARTER: And, what you talked about is some districts may have one or two students in this transition. Some districts have, like our district -- we may have 20.

DR. YURCHAK: Correct.

ASSEMBLYWOMAN CARTER: And, we have a much larger district. But, when I'm looking at it, in trying to see-- I want to make sure that there's no disservice to not just that population of students, but all students, by us watering down. Because we had -- even within a standard, you have some students come out and you would never know that they had an IEP at all. Because they've learned how to work it, and they're very successful. Especially -- and, it's how it's categorized.

And, you're absolutely right, we have to be able to treat it, and we have to be able to talk about it. But, to me, having somebody to meet the qualifications of the 120, and with whatever manipulatives they need to help get them there, that's part of them having the IEPs and everything. They're qualified just the same way, because they will go on. Because, once I get my

diploma -- and, I've said this to students -- they have no idea that, you know what, you had an IEP in high school.

DR. YURCHAK: Sure.

ASSEMBLYWOMAN CARTER: You know what, you may have an IEP in college. But, you can succeed at it; but, we have to make sure that they understand how they work with it.

I just wanted to say that.

Thank you.

DR. SPENCER: And, if I can also add to the point that you're making there -- absolutely.

So, that's the premise of speaking to it from competency and skill space. So, there could be a young person receiving special education services who are taking advanced-placement courses, who could potentially receive an advanced diploma -- depending upon the skills and competencies that they're able to demonstrate.

DR. YURCHAK: And, these students are already identified as DLM students, as we say in the education world. I mentioned earlier that 1% -- which, again, I believe is somewhat arbitrary -- but, to your point, yes, you could have a district with four; you could have a district with 20; you could have a district with zero.

The data that Mr. Hurley shared earlier from just a short survey of 23 districts that responded in Bergen County -- those 23 districts accounted for almost 100 kids, if not more than 100 kids, year after year. So, we're talking about over a thousand students statewide every year who are affected on this. And, I'm sure that numbers are in the thousands on a yearly basis.

But, it does impact, at some point, every high school district in the State of New Jersey.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you so much.

Senator McKnight.

DR. YURCHAK: And, I also want to add the solutions, and -- that Dr. Spencer mentioned. There's no financial impact on this, other than just resources and both sides or all sides sitting down and working this out, to the point of making sure that everything is not watered down and that the criteria is set. All of that could be laid out; all of it could be laid out right now.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you.

Senator McKnight.

SENATOR McKNIGHT: Thank you so much.

Dr. Spencer, Senator Cryan was right -- we were all looking down and writing--

(laughter)

SENATOR McKNIGHT: --with everything you were saying, so please do send that to us.

DR. SPENCER: Sure.

SENATOR McKNIGHT: Just to piggyback on what Senator Testa said, in reference to unintended consequences. So, we should definitely look at other states that are doing this, and what they look like. Are there any other consequences that happened over there? Because we don't want to have another unintended consequences for our students.

But, thank you so much.

I appreciate you, and I appreciate you also for answering my question.

SENATOR TESTA: Assemblyman Simonsen--

ASSEMBLYWOMAN REYNOLDS-JACKSON: Yes.

ASSEMBLYMAN SIMONSEN: I'm getting blocked over here.

(laughter)

ASSEMBLYMAN SIMONSEN: Come on, with this hair, you had to see me -- got to see me over here.

What was I going to say?

No, thank you for that information.

I think there's a couple simple fixes. One is we don't call affordable housing "affordable housing" anymore; we call it "workforce housing." And, I think the whole alternative, that word alone-- And, I've worked in alternative schools where they actually rename the school because they didn't want it to be called the "alternative school" anymore. So, that's one; whatever that may look like on a diploma.

And, then, the other issue is-- And, again, I agree we should look at other states, and what other states are doing, because this needs to be fixed, and it's been a long time coming. And, it's-- Every child who graduates should be counted towards the graduation rate, whether it's a sending district, or wherever they are. So, that's some things that we need to work on as legislators.

UNIDENTIFIED SPEAKER: Absolutely.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Thank you so much, Assemblyman.

Any other? (no response)

Well, I definitely want to thank you all for this information. I feel like in-person is always better than on Zoom. It's just a different type of communication that happens in real time. You all gave us more than what we received before.

I appreciate everyone coming out, but we definitely want to be able to look at all of the alternatives, and really getting down to the root cause of this particular problem that we have here in calculating our most vulnerable students. Because, we do want to celebrate them and not penalize districts. And, I think that's extremely important.

Senator Cryan?

SENATOR CRYAN: No, (indiscernible)

ASSEMBLYWOMAN REYNOLDS-JACKSON: Well, thank you so much for coming, everyone.

DR. YURCHAK: Thank you, all

UNIDENTIFIED SPEAKER: Thank you.

(MEETING CONCLUDED)