
Committee Meeting

of

Joint Committee on the Public Schools

*“The Committee will hold a follow-up meeting to the school desegregation meeting held
March 23, 2022”*

LOCATION: Meeting via Zoom

DATE: May 6, 2022
10:00 a.m.

MEMBERS OF COMMITTEE PRESENT:

Senator Joseph P. Cryan, Co-Chair
Assemblywoman Mila M. Jasey, Co-Chair
Senator Declan J. O'Scanlon, Jr.
Senator Michael L. Testa
Senator Samuel D. Thompson
Assemblyman Ralph R. Caputo
Assemblywoman Verlina Reynolds-Jackson
Assemblyman Benjie E. Wimberly
Assemblywoman Vicky Flynn



ALSO PRESENT:

Rebecca Sapp
Executive Director

Ivy Pomper
Executive Assistant

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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. James Beach
Hon. Joseph P. Cryan
Hon. Declan J. O'Scanlon, Jr.
Hon. Ronald L. Rice
Hon. Michael L. Testa
Hon. Samuel D. Thompson



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MEETING NOTICE

TO: Members of the Joint Committee on the Public Schools

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

The Joint Committee on the Public Schools will meet on Friday, May 6, 2022, at 10:00 a.m., via Zoom, to have a follow-up meeting to our desegregation of New Jersey's schools meeting held March 23, 2022.

The public may address comments and questions to Rebecca Sapp, Executive Director, at 609-847-3365, or by email at Rsapp@njleg.org

Issued April 25, 2022

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SENATOR JOSEPH P. CRYAN (Co-Chair): I think the members would like to start, so if we could, let's do the roll and move forward.

MS. SAPP: Certainly, thank you.

Senator Cryan.

SENATOR CRYAN: Here.

MS. SAPP: Senator O'Scanlon.

SENATOR O'SCANLON: Here.

MS. SAPP: Senator Testa. (no response)

I know he's here.

Senator Thompson.

SENATOR THOMPSON: Here.

MS. SAPP: Assemblyman Caputo.

ASSEMBLYMAN CAPUTO: Here.

MS. SAPP: Assemblywoman Flynn is on her way.

Assemblywoman Reynolds-Jackson.

ASSEMBLYWOMAN REYNOLDS-JACKSON: Here.

MS. SAPP: Assemblyman Wimberly.

ASSEMBLYMAN WIMBERLY: Here.

MS. SAPP: And Assemblywoman Jasey.

ASSEMBLYWOMAN MILA M. JASEY (Co-Chair):

Present.

MS. SAPP: Thank you.

SENATOR CRYAN: Becky, do you have any other business before we start?

MS. SAPP: No, Senator, we can go.

SENATOR CRYAN: Okay. So Becky, thank you.

For those who don't know me, my name is Joe Cryan. As a Co-Chair here to this appointment today, we're glad she's on -- you heard her say present -- but Assemblywoman Jasey will be, due to a cough and some things, will be listening today in a listening mode only.

Mila, thank you, we appreciate that very much that you are here and participating.

To the members, we're going to go ahead; we have an agenda today that you've hopefully received. We have a number of speakers, I'm going to read them off in order, and each of the speakers has seven minutes to speak. Becky, feel free to correct me any time you want, but they have seven minutes to speak.

I'm going to read them off in the order that they're going to speak, so that folks can plan accordingly. The first will be Elise Boddie, the second will be Reverend Dobson, third will be Dr. Payne, fourth will be Julie Borst, the fifth will be Gregory Stankiewicz, sixth will be Dr. Taylor, the seventh will be Paul Tractenberg, and to close it all out will be Harry Lee. We will introduce those folks as they speak; hopefully all are on the call.

And with that said, I would like to begin the meeting -- unless any of the members have any comments before we start.

MS. SAPP: Senator Cryan, I just want to add -- I think we do have one additional. Professor Brittain will be ending us today.

SENATOR CRYAN: Professor Brittain, okay. Thank you for that.

MS. SAPP: Thank you.

SENATOR CRYAN: All right, so with that said, any of the members have any comments before we begin? (no response)

I'm going to go with a no on that, then, unless anybody has anything -- Becky, you don't hear anybody, right?

Okay, so with that said, I would like to ask Elise Boddie. Elise is the Rutgers-Newark Director of the Institute for Study of Global Racial Justice, Professor of Law and Judge Robert Carter scholar; Founder and Executive Director of the Inclusion Project. I hope I did that correctly, and please come on forth and let's get started.

E L I S E C. B O D D I E: Thank you so much; thank you so much, Senator Cryan, and all the members of the Joint Committee on Public Schools. I'm so delighted to speak with you today.

I spent much of my career thinking about the issue of school desegregation, first as a Civil Rights Lawyer at the NAACP Legal Defense and Educational Fund, and now as a Professor at Rutgers Law School where I teach classes on civil rights, as well as in my capacity as Founder and Director of the Inclusion Project.

I have three points to make; I'll be quick. The first point is that we need to approach the issue of remedy through a systemic lens. That means that we cannot focus only on student enrollment, we also need to focus on our faculty and staff. We need to focus on bringing in superintendents and principals who are trained in the issues of racial equity and inclusion, and we need to support them with professional development.

We also need to develop a curriculum in extracurricular opportunities for our students that reflects their lives and experiences. Students need to see themselves in their school environment. We also need to pay attention to the social and emotional lives of our young people by

ensuring that schools have well-trained counselors. So when I think about what an equitable school looks like, those are some of the key ingredients.

Second, we know from earlier experiences with school desegregation around the country that racial inequality is adaptive. It mutates and spreads. This means that we have to pay close attention to promoting and advancing equity inside public schools. The first step in the process is to create structures that bring students together, but that's not the end of the story. We also have to make sure that once the students are inside the building, we create supportive systems that allow them to have the most positive educational opportunities -- allow them to have positive educational opportunities.

Tokenism is not equitable. We cannot sprinkle Black and Latino and Asian children around public schools and think we've solved the problem. We need a critical mass of students in our public schools. Schools should also focus on restorative justice practices rather than discipline, and we should oppose tracking in our public schools. We need to create systems of instruction that recognize the talents and possibilities of all children and provide professional development for teachers so that they can teach to different levels in their classrooms.

Third and finally, listen to young people. Invite them to speak, ask them what they want in their public schools. They are also experts. In February in 2020, just before the pandemic, the Inclusion Project brought 300 students and teachers to Rutgers for a daylong symposium on school segregation. They came from 15 schools in Newark, in Palisades Park, Ridgewood, Cliffside Park, Cresskill, Neptune, Hillsboro. You should have seen how they interacted with one another and spoke with one another about

their experiences and what they wanted for their education. They are hungry -- students are hungry for the opportunity to connect with students who come from different backgrounds and have different life experiences. It's incumbent on the State of New Jersey to provide them with this opportunity.

And with that, I'll end. Thank you very much for the chance to speak with you today.

SENATOR CRYAN: Thank you; thank you for the insight.

Members, any questions? (no response)

No. I thank you very, very much for the comments and the insight. Absolutely unique.

Thank you very much, Elise, thank you.

All right, next we'll hear from Reverend Dobson.

REVEREND ERIC DOBSON: Thank you, all; thank you, Committee, for allowing me the opportunity to testify today. And it is hard to follow up Professor Boddie, but let me--

SENATOR CRYAN: By the way, let me apologize, Reverend. I should have said Professor Boddie. I didn't mean to be rude, so I just want to apologize. I didn't get the right title, and that's on me. My mistake. Sorry.

Thanks Reverend.

REV. DOBSON: --So let me echo some of the things that Professor Boddie said. I think history matters here in New Jersey and we have a history of exclusion and NIMBYism in this state that has allowed our state to be what we like to tout as a very diverse state, but also allows us to

be a very segregated state. There's a difference between diversity and segregation and integration.

And the challenge for us today is to move passed just being a diverse state, but more so moving towards being an integrated state. Not only just in housing, not only just race and economics, but socially as well. Education plays a major role in that. So I would argue that the benefits of having a state which touts a great education system, but is not a great education system for everyone-- And that's what we have to understand and dismantle; and put the tools in place to allow our students to really come together and integrate, and have the networks and the resources that some of the higher-opportunity schools have -- and have them for all of our students.

The one thing I would say, when we talk about this issue around education, what's often left out of the discussion is the kids themselves. If you let kids from the elementary level come together from all different cultured backgrounds, all different experiences, and learn together and grow together -- that is an unprecedented way to see how integration can happen. And let's look at the kids at the high school -- the middle and the high school level. Our problem is not that we don't know how to fix this, because I think we have the answers within the students themselves. *They* know how to fix this. And we, as policy makers, need to get out of the way, break down those barriers, those walls that the kids didn't put up -- they had nothing to do with. It is *us* as policy makers, and our 566 municipalities, over 600 school districts that have put these walls up to not allow our kids to come together, integrate, and grow together, and learn together, and experience what we all want them to experience -- to have a healthy, safe, quality education for every kid.

So I'm going to keep my comments short because I think Elise said it all -- Professor Boddie said it all. We just need to get out of the kids' way. They didn't create this problem. Our policy makers created this problem and are the only people who can solve that, if we undo the harms that we have done in this state around education and having segregated schools.

I thank you for your time, I thank you for the opportunity to speak with you all.

SENATOR CRYAN: Gentleman, thank you. That's the intent here today, that I hope we begin the policy to correct. So thank you very much for the insight.

Members, any questions? (no response)

Thank you very much, Reverend, I appreciate you very much. Thank you.

Dr. Payne? Dr. Payne is a distinguished professor -- so Professor Payne -- of African American Studies and the Director of the Joseph Cornwall Center for Metropolitan Research.

Dr. Payne, are you available?

C H A R L E S M. P A Y N E, Ph.D.: Yes, I am available; I hope you can hear me.

SENATOR CRYAN: How are you?

DR. PAYNE: Good morning; thanks.

First, I just want to, again, thank the Co-Chairs, the members of the Committee, for the invitation to speak today.

I am a very proud product of the schools of Cape May and Cumberland County, so this topic is both of personal and professional

interest for me and I'm just delighted that the Legislature is trying to give this issue the attention it deserves.

I am hardly an expert on how to desegregate schools, but I hope it will be useful if I say something about what segregated schools are like in New Jersey right now. My center, the Cornwall Center, is in the process of preparing an overview of segregated schooling in the state. It should be available in a month or so -- we will definitely share that -- so what I can say right now is preliminary, but the overall pre-pandemic picture is very clear.

The short story is simply that segregated schooling environments, those with 90 percent or more students of color, continue to be inferior educational environments. Segregated schools across the state have more low-income students, more English language learners, more special education students. The good news is that disparities and exclusionary discipline between integrated and segregated schools over time, over something like a decade, those disparities are actually narrowing, right? But still, they can be very large. And so for out-of-school suspension, a crime that we think does the most damage, that's still twice as likely to happen to students in segregated schools as students in non-segregated schools, and that's after a period of improvement.

Chronic absenteeism bedevils the segregated schools. It is often twice the State average. Teacher attendance -- we don't know how much confidence we can have on the available data on this -- but the data we have on teacher attendance suggests that teacher attendance is also weaker in segregated schools. We have no systematic data in New Jersey on teacher quality -- something you should attend to, by the way. We have no systematic attention on how teacher quality varies across school types, but

research from every place in the nation where we have that data suggests that segregation is typically associated with less qualified and less effective teachers. We have to assume it's the same in New Jersey.

Some of the most glaring disparities have to do with who has access to advanced and rigorous coursework, and segregated school students are roughly half as likely to take an AP or an IB course than students in non-segregated schools. When those courses are offered in segregated schools, however, enrollment rates tend to be quite high, suggesting strong demand in schools that don't have enough of these qualities. Dual enrollment -- which can save families money and increases likelihood of students going to college, increasing the likelihood of them graduating from college -- shows even greater disparities, with about three to five percent of students in segregated schools enrolling in dual enrollment classes, as against 15 to 20 percent in other schools.

Students in segregated schools are also disadvantaged by a clear pattern of taking key math and science courses later in their schooling careers. They are, for example, less likely to take algebra in eighth grade, which then forecloses them from taking certain advanced math classes when they get to high school. And there are a series of issues like that about the patterns of cost-taking in segregated schools.

The particulars add up to a story where problems are being piled on top of one another. When we leave students in segregated schools, we are, on whole, leaving them in environments that can be harsher and less welcoming than those we provide for other students; where people are less connected to one another or to the institution, where the curriculum is less challenging and engaging, and where students are simply afforded fewer

bridges to further education and fewer bridges to a strong and positive adulthood. Wherever those problems began, they clearly reinforce and exacerbate one another, and we all know that the post-pandemic picture data that we'll begin to have in the fall -- the post-pandemic picture is bound to be worse.

I want to note before I close that even among our poorest districts, some of those districts are taking students further than others. Across the state, about 30 percent of students are taking at least one advanced course. If you look at just some of the larger and poorer of Abbott districts, Passaic, which claims 100 percent low-income students, has 43 percent of the census data average of 30 percent. That's 43 percent of its students taking at least one advanced class. Union City, which is at the end of the spectrum with so many metrics -- Union City has 50 percent of its students taking at least one advanced class.

If chronic absenteeism from the state is around 11 percent, many of the former Abbott districts' chronic absenteeism exceeds 11 percent. I'm sorry, chronic absenteeism in many of the former Abbott districts *often exceeds* 25 percent. But in Bridgeton, Elizabeth, Union, it's 11 percent; it's right at the state average, right? So some districts are doing good things for students, despite all of their -- faster completion rates, a good predictor of college entry. And I think of them as a proxy for adult attention to teenagers. Somebody is nagging kids, somebody is pushing kids. The range among the larger, poor Abbott districts for faster completion pre-pandemic is from barely -- actually, some of them are just below 40 percent, and some are in the middle 60 percent. So a 20-25 percent, percentage point range and a really important predictor.

These positive outliers-- It's very important that all of us learn more about the positive outliers, the schools and districts in the state that are leading. Positive outliers are important because they expand our sense of what is educationally possible. Even in the most challenging environment, dedicated educators can sometimes beat the odds, but there should be no doubt that school segregation makes that work more difficult. One of the regions-- I'll say in closing, this conversation is worth having. Because if we know that desegregated schooling can be transformative, even beyond the children who actually experience it themselves, for minority children desegregated schooling is associated with improved academic achievement, higher lifetime earnings, higher professional status, and longer, healthier lives.

And some of these positive benefits continue into the next generation. The children of people who have had desegregated education will do better than others. For majority group students, there is no negative impact on achievement and very strong, lasting, and positive impact on their comfort with social diversity, and what we call diversity skills -- their respect for the opinions of others.

Finally, I'll just say it's important to remember that school segregation is a manifestation of a long, ugly history of racial exclusion and exploitation. Some of it -- much of it -- has been State supported. And looking for ways to desegregate our schools, this Committee is helping to put an end to that history, helping to restore New Jersey to a position of national leadership in the education of disadvantaged populations.

Again, I thank you very, very much for having me this morning.

SENATOR CRYAN: Doctor, thank you for the incredible insight.

You mentioned the report -- you expect to have it next month?

DR. PAYNE: My colleague who is responsible for the report is on the line, so my answer is yes, we're going to have something to you next month.

SENATOR CRYAN: And please, I think, through the Co-Chair, I think we very much would be grateful if we could see it.

Members, any questions?

SENATOR THOMPSON: Yes, I do have a question.

The differences that you see in the segregated schools versus non-segregated schools. Now, are these differences because of the composition of the student body, or are they due to differences in how programs are put together, etc. -- faculty through school policies, and so on? In other words, if we change the students, is that going to change what's taking place in the schools?

Dr. PAYNE: Yes, that's a very important and it's a crucial question in this conversation.

SENATOR THOMPSON: In other words, are we just going to shift some students in good schools to bad schools, and they're going to get worse; or are we going to improve all the schools by changing the student representation there, as opposed to faculty and school policies?

Dr. PAYNE: Yes, and I think my answer to that question - Again, it's a crucial question, and I'm very glad that you put it on the table, because I know that question is always there.

When we create strong and positive school environments, the kinds of problems that kids -- the problems of discipline, the problems of school climate that make desegregation such a fearsome idea for many people -- when we create positive and supportive environments, those problems are minimized so that-- Some of the acting out that we see among students is a reaction to the kind of schooling environments that they have. It's not something that's baked into the kids or baked into the culture.

SENATOR THOMPSON: Well, if you're changing that, then simply changing the students that are there is not going to change what comes out of that particular school.

DR. PAYNE: No, I am-- You and I are absolutely on the same page. Let me say it a different way.

If you just measured, in terms of years of learning, between our strongest districts in the country and our weakest districts, it's about two years difference of learning, right? And some of that is, kids are learning six years of material in five years, and others are learning four years of material in five years, so there's a two-year gap. In New Jersey, it's going to be about the same.

If you look at-- You know, we don't know everything about -- there's a lot we don't know about what's driving these differences, but it's not the kids. You can control for all the characteristics of the kids you want, that gap remains, right? To put it another way: the strongest districts and the strongest schools in this country are different because of what they do as educational institutions, not because of who goes there.

SENATOR THOMPSON: That's what I would anticipate, and therefore what I'm saying here is if we simply, okay, change what the

student body is and don't make any other changes, that's not going to improve the outcome, I don't think, of the school system.

DR. PAYNE: Well, but again, I don't want to make it into an either/or. When schools have 70 or 80 percent low-income students, 20 percent English language learners, 30 percent students who are in special education, that's a population that has a lot of factors that requires a different kind of educational input. So the way in which we concentrate students with high needs in a limited number of schools is absolutely a problem. And again, some schools will do better with that than others, but all of that is going up the mountain the hard way.

SENATOR THOMPSON: Thank you.

DR. PAYNE: Thank you so much for your question.

SENATOR O'SCANLON: Chairman, Declan here. I have one quick question for the Doctor as well, if I may. And thank you, Doctor, it's insightful testimony.

You mentioned the value of advanced coursework. I am hearing -- and I have not gotten to dive into this topic yet, because I heard about it fairly recently -- a trend towards eliminating differentiating coursework such as advanced courses. Are you hearing about this trend, and does it worry you?

DR. PAYNE: I have heard about a trend towards eliminating gifted and talented education, there's been obviously, I think -- you would know about the fight over this in New York City. I have not heard that so much about AP and IB courses. If I heard it, it would worry me.

SENATOR O'SCANLON: But isn't it the same? Or similar? I mean, gifted and talented is advanced coursework. Or is there a distinction that I'm not aware of?

DR. PAYNE: Well, there's a distinction that is connected to the age of the students. So let me put it this way. I tend to push forward policies and practices that treat as many students as possible as if they were gifted and talented. That is to say, what goes on in urban schools and schools serving large numbers of disadvantaged students is the systematic underestimation of what kids can do.

I want to say so much about IB. One of my roles in Chicago was putting IB into the ghetto schools, and it's one of the things I am proudest of in my professional life. I think it had the biggest impact on kids. And we just shouted down the people who said, "Those kids can't do this kind of work." And not all kids can do it, but kids between the middle, the median and the top -- between the 50th percentile and the 99th -- they can do it with support. You can't just throw them into the situation.

So it's far more kids who are capable of doing that kind of rigorous advanced work than we think. We tend to underestimate what our children can do.

SENATOR O'SCANLON: Okay--

DR. PAYNE: Is that a partial answer?

SENATOR O'SCANLON: It is. I'm still troubled-- I mean look, you're right. Not all kids can do it. We want to have all kids have access to courses that bring them to their highest potential, I think is what you're saying. We absolutely want to do that, and certainly blanket saying that certain categories of kids can't do the work -- that is abhorrent

and I'm glad you're fighting against that, that's a good thing -- successfully -
- and I get the value of IB.

But, you know, we're talking here about segregation. I know parents have pulled their kids out of school systems because of lack of an opportunity for gifted and talented or advanced coursework, further enhancing the segregation rather than going the other way around. So I think we've got a few problems here -- both that those courses aren't available to kids who would take advantage of them and be brought to their highest potential, while also enhancing segregation when you have these districts eliminating these courses and these opportunities. I think that's something we're going to have to address.

DR. PAYNE: Yes, we're pretty close together.

I do want to emphasize that a part of the problem is racial defamation. The national data suggests that given a given student -- a student alone, given a grade point average, given a test score average -- white teachers are about one third as likely to recommend that student for gifted classes as an all-Black teacher, or brown teachers. There's a real difference in the kind of expectations that kids have based not just on color, but on what they know about the kids' family, what they know about the kids' siblings -- all of these other things affect systematically the way teachers shape expectations and shape, systematically, who gets access to the best education that we can offer.

And so that has to be taken into account. And I'm very much in favor of putting high-quality, high demand courses in places where they can serve the purpose of desegregation. I think Raleigh, North Carolina, for a while, was sort of systematically putting the most desired course

packages into inner-city schools and it had a fairly long run of success, but I lost touch with it.

But I think that should be a part of our strategic thinking.

SENATOR O'SCANLON: Thank you, I really appreciate it; insightful.

DR. PAYNE: Thank you.

SENATOR O'SCANLON: Thank you.

SENATOR CRYAN: Thank you.

Any other members?

ASSEMBLYMAN WIMBERLY: Yes, Chairman.

To the Professor, I think the one issue that we address -- or need to address, also, and I'm sure other speakers may bring it up -- is a holistic approach to this situation from prenatal care, to environmental issues, to housing issues to, you know, the economy, the jobs, to the family makeup, to systemic racism throughout 403 years in America. I mean, many of those issues have played a factor in the academic achievement of students of color and segregation.

And it's one thing that I would continue to say as we laud that we are the top public school system in America. We have to look at the zip codes. You look at the report cards of the students and you look at the Paterson's and the Trenton's, and certain areas -- when you have 15 percent proficiency, 18 percent proficiency, we shouldn't be banging the drum to how great we are. And when you have systems that have buildings that are dilapidated, and hundreds of years old and are falling apart, and are not conducive to learning, we have to address that also in this conversation.

So I'm loving the conversation, but I think we have to look at the whole approach. If you take a person from early birth and they're not getting proper healthcare, and then they live in a lead-based environment that creates other issues, then that's where these issues come in. It's just not about them being Black; unfortunately, it's the circumstance that they're in. Some do excel beyond the circumstances, but many fall victim to those circumstances when it comes to an education.

So I am loving the conversation and looking forward to hearing more. Thank you.

SENATOR CRYAN: Thank you, Assemblyman.

Members, anyone else? (no response)

Let me just comment, Dr. Payne. Thank you for adding to the conversation, and the other comments that were made with Professor Boddie and Reverend Dobson as well, and accented by the Assemblymen. We've got a whole lot more work to do along with the question, so thank you very much for your time today.

Thank you, Dr. Payne, thank you very much.

DR. PAYNE: Thank you, all of you.

SENATOR CRYAN: Julie Borst is our next speaker. Julie, I hope I do this right and got Borst correctly. You are the Executive Director of Save Our Schools New Jersey Community Organizing, and also serve as the Board President for the New Jersey Community Schools Coalition.

Julie, are you available?

JULIE L. BORST: Yes I am; thank you very much, and thank you for the invitation today to speak.

Let's just say, without saying, that I echo everything that has been said before me. And Dr. Payne, it's very nice to see you in person.

I am here today to talk about community schools and how this system of schooling could possibly be used as part of a larger set of remedies. So, community schools are public schools that serve as the hub of their neighborhood. They are set up in such a way that a site coordinator does a community assessment, determines the needs of that immediate community -- so that includes students and teachers and their families -- and then they bring in those services.

We are talking not about programs, but about systems change. Programs end. There are several great examples in the State of New Jersey and, Assemblyman Wimberly, your district is home to eight of them currently. So Paterson has full-service community schools; that is an example of a district-led community school system. They are the second-oldest community schools in the state; the oldest community school in the state is actually in Orange, and it is a partnership, a university-assisted model with Montclair State University. And then in Trenton is an example of a nonprofit being a lead agency in partnership with a district. So Mercer Street Friends, many years ago, decided that they needed to find a way to get to children and their families. They actually started a charter school to begin with, and it didn't work out quite the way that they wanted it to, and then they came across community schools.

What is in common between all three of these different types of models is they all used the Federal Full-Service Community School Grant in order to get going. And Paterson has at least four schools that are outside of that Grant now; Montclair is a long time out of that Grant; and

Mercer Street Friends -- this is the first year outside of that Grant. All of these community schools, though, have kept going due to their partnerships. So in Paterson we're talking about Catholic Charities, we're talking about Boys and Girls Club, and those kinds of building partners. And obviously, in the university-assisted model, Montclair State University has access to tremendous resources that they're able to bring in.

I think what's important about what this looks like and what this looks like nationally, is many states have been supporting community schools models for at least 25 years. Our neighbors in Pennsylvania and New York have some very fine examples of this. Those are very mature systems that the state supports with hundreds of millions of dollars in their state budget to expand current community schools and to grow them. They also have technical assistance centers located in universities to help districts get set up and get going, and to create a fidelity to the model.

I would say that in this space, we've been talking with Justice Stein, and he is very concerned about what happens to the home districts. The students there still need to have an equitable education. Community schools, the framework for this, does provide that. We know that nationally, and we know that in our schools here in New Jersey that are full-service community schools, that there are certain metrics that are true across the board. Decline in chronic absenteeism; increase in high school graduation rates; increase in children moving from one grade to the next; decline in discipline. These are all things that we want in our schools.

I would say that, as far as what a system would look like - - let's just say, for instance, that there is some decision, there has to be some remedy put in place. Community schools are something that can be put in

place immediately. We don't have to wait. Actually, we don't even have to wait for the court to say anything anyway, we should be doing this anyhow. We have had a bill in play for four years -- the current one is A1168 -- and that is to create a pilot for community schools in New Jersey. The New Jersey Community School Coalition, our board-- Actually one of my board members is here right now, Melanie Schultz from ASA is here. NJA is on the board, AFT is on the board, Montclair State University is on the board, Paterson Education Fund is on the board. These are all people who are doing the work or have become very strong advocates for it.

Nationally, we are part of The National Coalition for Community Schools. They help states set up networks, of which we are a part. Our training partner nationally is Communities In Schools. This is an organization that began in New York City, as Wall Street execs were realizing that the New York City high school graduation rate was lower than it should be; and they created a network of people to do after-school tutoring. That has grown into a multi-state organization now, and they serve 1.6 million children. I have four districts here in the state right now that are beta testing a self-assessment tool for them; so that's Wildwood City, Red Bank, Newton out in Sussex County, and Hamilton in Mercer County.

And so what I want to say about that is, we did a scan of the state about four years ago, and what we found was that some form of community school work was happening from one end of the state to the other, regardless of the district factor group, in rural, urban, and suburban areas. And when I'm talking about suburbia, I'm talking about places like Princeton. You know, these are -- this is just a reflection of the suburbanization of poverty that we see nationally, and we certainly have that

happening here. And districts are experiencing changes in what their demographics look like, and they tend to be poorer now than they were 10 years ago or 20 years ago. And what we also found was that even if districts are not thinking of themselves in the framework of community schools, they are having to provide services to their students to help them be successful.

So, as I'm sure Eric Dobson would talk about a lot, housing has a lot to do with this. We have a lot of homeless students in New Jersey; that's hidden, we don't see that, our news is not talking about those things. All of these outside mitigating factors can begin to be addressed within a school by bringing in services; and there is a key point person, a site coordinator, who acts as that point person for the district. And this is a person who is assessing what the needs are, they are creating the relationships in the communities; or in the case of many schools, they are beginning to do this in a way that I refer to as *whack-a-mole*. So you know you have a set of students with a particular need, you go out and you find somebody to address that need, and you address the next issue that comes up, and so on and so forth.

But school districts are using their superintendents, principals, teachers, and counselors -- on top of their job -- to also manage these things. It is a hard job, this is not easy work, but we know that the outcomes for students are tremendous when these systems are in place. So it's our hope that New Jersey will take a really hard look at community schools. Our Department of Education is not prepared, frankly, to take on this role, but in many states that is the case. Greg is going to talk about what California is doing and how they're doing it.

In my opinion, every Title I school in the state should be a community school; they should be organized like this. But again, we're talking about systems change here. We're not just talking about programs, what's going to work this week, it also means-- Elise, I think, touched on this. We are looking for school leaders who are agile, who are not afraid to say "I had great systems in place this year"; three years later, "Something looks very different." They can't be afraid to keep changing and moving. This is incredibly important.

So while we wait for whatever the State might do to change out segregation and get our kids together, in the meantime we can be doing this.

SENATOR CRYAN: Julie, thank you for your comments. I think Greg is also going to talk on community schools, so I'll move to him in just a moment.

Can you do me a favor -- A1168, is that the pilot bill number?

MS. BORST: Yes.

SENATOR CRYAN: Okay, thank you.

Members, any quick questions for Julie before we move on to Gregory? (no response)

Thank you, members. Julie, thank you.

Gregory Stankiewicz is going to be -- I hope I pronounced that correctly -- is going to be our next speaker. He is the Statewide Coordinator for New Jersey Community Schools Coalition.

Julie, thank you very much for your comments and your insight, thank you.

Gregory.

GREGORY STANKIEWICZ: Thank you, Senator, and I'm just going to add a few more things and really echo what this distinguished panel and this great group has been talking about today.

And that is, we know that our students are hurting. They're hurting in New Jersey, they're hurting across the country, and this hurt has only increased as a result of COVID-19. So there's a national consensus right now that community schools is very much a way to get to what Assemblyman Wimberly said -- is a holistic approach of bringing services together, intertwining them to help students and their families overcome a lot of out-of-school barriers that they face as a result of poverty, as a result of structural racism, as a result of the type of issues that are holding all our students back.

So this is an opportunity. It's an opportunity to tap into what's going on at the national level. It's also an opportunity to rethink ways of approaching our school system which is so segregated -- as Professor Boddie talked about, Professor Payne talked about -- that results in disproportionate impacts on so many of our students of color and so many of our low-income students, and those that face special needs, English language learning students and their families. So that's why we are so excited, and we want New Jersey to seize this opportunity right now. And as Julie said, this is something we can start right now. And if we don't, we are going to fall further behind other states that are doing some really tremendous things.

So we point to California as an example. But we also are doing this in a context that the Federal administration -- the Biden administration -- is a huge supporter of the community school strategy. They

have increased the amount of Federal funding, and they plan on further increasing that. We have an opportunity to tap into that. In California, there are some great minds that have come together, including their state Board of Education President, Professor Linda Darling-Hammond, to put together a five-year expansion plan to make every Title I low-income public school in California into -- transform them into a community school. They have been doing this for years now, but this they see as the chance, the opportunity to do that, especially with the higher rates of mental health issues among our students and their families. Old barriers that had been exposed by what we've all gone through over the last three years.

So in California, besides putting in a coordinator -- that Julie pointed out schools need -- they're also putting together five technical assistance centers throughout the state that have partnered with either institutions of higher education or community institutions. And their state department of education is going to be tasked with overseeing this, with producing the data to allow good evaluation and good guidance so that all of these different schools -- each one of which will approach things differently based on what the community needs -- will also have guidance on how best to do it so that we don't lose time as we ramp up.

And that's our vision, that's the vision that we want New Jersey to embrace, and this is the opportunity now. We know there's also private philanthropic dollars to help start things up, but here in New Jersey we can't access that yet because we can't point to solid evidence of funding support from the State. We know how much support there is in the Legislature for the idea; we welcome that, we thank you for that, and we're saying now is the time for us to move forward. And we're happy to bring

national and state partners in to talk about how best to do it and how to ramp it up as quickly as possible.

So thank you, thank you all, and we really appreciate the opportunity to be here.

SENATOR CRYAN: Thank you. There was a lot there, to put it mildly.

Thank you, thank you Gregory.

Members, any questions?

ASSEMBLYWOMAN REYNOLDS-JACKSON: Senator, I wanted to thank Julie and the community schools for their hard work. I know I've been working with Julie for a number of years, along with Reverend Dobson and many of our allies on this call. I want to just thank you for speaking up and speaking out about the importance of changing these systems.

You know, it's not just a one approach. And I hear the same thing over again -- that we need to address the system. We hear how New Jersey is number one, but we're also number one in the segregation category. So I just wanted to encourage you all to continue to uplift this.

Senator Cryan, I look forward to working with you on a number of bills that are out there, and possibly new things to change the systems that we currently have so that all our children can receive the best quality education.

Thank you.

SENATOR CRYAN: Thank you. And it's pretty clear community schools will be a part of that. Thank you.

Members? Anyone? (no response)

So let me thank Julie and Gregory again. Thank you for the insight. Certainly there will be follow up with that.

Our next speaker will be Dr. Ronald Taylor. Dr. Taylor is the Superintendent of Schools for the South Orange and Maplewood School District.

Dr. Taylor.

R O N A L D G. T A Y L O R, Ph.D.: Good morning, everyone, good morning. So happy to be here; so happy to see some familiar faces as well.

I will be as brief as a Superintendent can be. When you give a Superintendent a microphone and a passionate topic, we can't be held accountable for how long we go, but I do have my stopwatch here and I promise I'll do my best to be brief. But I think this is just such a, again, passionate topic. I have some comments, and I also forwarded to the Committee, through Ms. Sapp, a presentation. This is really the heart of what we're doing.

So dear esteemed Chairs and Joint Committee members, my name is Ronald Taylor and I have the honor of serving as the Superintendent of Schools for the school district of South Orange and Maplewood. And again, I hope you had a couple of minutes to look at our presentation; and if you haven't, I know that you're busy people, and we have a video that could accompany it, that I've also forwarded, that I think you will find very enlightening on this important topic.

My presentation that we shared is a real comprehensive summary of our school district's integration journey over the last four years. For those not familiar with South Orange and Maplewood, we're about 7,000 kids here in Essex County. And again, understanding that my time is brief, I

will just give you some highlights of our successful launch of our intentional integration initiative. That's what we're calling this, the *intentional integration initiative*. Those are three I's that we use throughout this work. And we've had a year-one pilot that we have completed successfully, and we also have got a recent approval from our Board of Education for year two.

So when I joined South Orange-Maplewood School District in July of 2019, it was a pre-pandemic world. I was just leaving eight years in a superintendency in South Jersey, and throughout our interview process with the Board of Education it was very clear -- very clear from our Board of Education here, that integrating our elementary schools and integrating the most rigorous courses at our high school were of the highest priority. Establishing this work was really, you know, highlighted again and again and again. Part of my interview process was giving a presentation on how I would do it, with the limited amount of information that I had during that time of the interview. Superintendents and Board of Education -- we have full plates, you know that from where you sit. And we can do incredible things when we know what the main thing is.

During my training, one of my great mentors taught me that the *main thing* is keeping the main thing the main thing. This, along with our recently approved, at the time of 2019, \$167 million building improvement and expansion construction project -- those things required my immediate attention. Being a new Superintendent in a new place is a job unto itself; being a seasoned Superintendent with years of experience in a place is still a hard job. Taking on those two giant initiatives was challenging, to say the least, but also a passionate undertaking.

And so when I joined the school district, I found that there had been some research on this topic, on integration. There were just some definite examples of segregation within our school district. And so we had, again, the full video of this presentation on our micro-site, which is on our website. So just making that statement that we have a micro-site within our website committed to this topic -- it gives a message to our community.

So here are some highlights. My first step as a new leader inheriting such an important undertaking was to do my own research. Research had been done, but I had to do my own research and I had to make no promises to our Board or our community. My only promise was that I will be thoughtful and I will be transparent. That helped me to set the level of understanding between my Board and I -- that I wasn't married to any idea that had been discussed previously. And in reviewing some of the work when I came in, the integration work had been delayed multiple times. It was, "Okay, we'll do it in 2019," "Oh no, we'll do it in 2020," "Oh no, we'll do it in 2021." It had been systematically delayed because there were interim superintendents here.

So after conducting months of review, our next step was to bring all of our stakeholders together in a large event. We called that *bringing everyone in the tent* -- right? -- and we wanted to make it a big deal that we were restarting this work, and providing this event almost like an executive summary of where we were in this work. Even though we advertised it as such, some folks came to that meeting -- over 800 people came -- expecting me to announce what our integration plan was. And I shared with them that that's not what I want to do, this is not a Ronald Taylor plan -- right? -- this is a community plan, we want to engage with you.

And so we held this large event -- and one of our experts is right here on this call, Ms. Boddie, Professor extraordinaire -- and we created this work, this event, to start from number one, why are we talking about integration? And Professor Boddie gave an expert presentation during that event around the legal aspects and the history of integration in schools. We also invited a professor from Penn State University who specializes in the research of integration of public schools. And she gave a dynamic presentation on that topic. We also invited a professor from Temple who had a great deal of expertise around equity in schools. And then I gave a presentation around our statistics, showing how our schools are integrated -- sorry, segregated within our neighborhoods and also within our different schools. That was a way for us to level-set the community.

Everyone left understanding where we were with this work, and why we had to go forward with this work. This was not optional work for us. Those closest to the results of this work, believe it or not, they sometimes know the least about it. And those are our teachers, right? We have presentations in board meetings, we have events like the one I just described, but many times our teachers -- they have young families, they're tired from their day of teaching our youngsters; and they just go home and they come back and do their job as well as they can. And so we wanted them to know where we were in this work. So we held a professional development day just for elementary school teachers, all in one auditorium, probably more than 400 folks in there, and we gave the same presentation that we gave to the full public.

And they were shocked; they didn't know that their schools were so different from one another. They also had no idea about this

\$167 million construction plan that was coming to their schools eventually. And so after that meeting--

SENATOR CRYAN: Dr. Taylor?

DR. TAYLOR: Yes.

SENATOR CRYAN: Dr. Taylor, I'm sorry, I do have to be considerate of every other speaker. So--

DR. TAYLOR: I'll be quick.

SENATOR CRYAN: And by the way, this presentation, we all have it and it is thorough to -- to put it mildly, it is thorough.

I don't want to be rude, but we do need to kind of--

DR. TAYLOR: I'll give 30 seconds and I'll be done, I promise. You can see how passionate we are about this work.

SENATOR CRYAN: Oh, I get it. (laughter)

DR. TAYLOR: (laughter) So cut to the chase, right?

What we did is we adopted the process from Berkeley, California, and we customized it for ourselves. Berkeley utilizes almost a mathematical equation, utilizing census data to identify micro-neighborhoods that identify socioeconomic status, to place students. And what that design did for us is, it stopped us from placing the burden of integration on one part of our community; and we also are growing it from our kindergarteners through our middle schools. So our pilot year this year is kindergarten. It went fantastically, and the Board approved us to now continue with next year's kindergarteners and our sixth graders.

And so exponentially our school grades will become integrated. And again, one final piece to emphasize. We are integrating based on socioeconomic status, not race. We are monitoring the impact on

race, and we see that many times the racial component of students and their socioeconomic status run closely; but there's a lot of law that shows students are going all the way to the Supreme Court, mainly in Seattle, where this work was overturned because race was used as a component for placing students. That's why we use socioeconomic status.

And I'll stop there. Sorry for running on rambling.

SENATOR CRYAN: No, your report is fascinating, I did have the opportunity to flip through it, and boy, we could spend hours on this.

I do have a request, Becky, I don't know if it's through you. But if we could get the link for the video that accompanies this and send it to each member, would that be okay?

MS. SAPP: As soon as the meeting is over, I will send it.

SENATOR CRYAN: Thank you so much.

Members, any questions for Dr. Taylor?

ASSEMBLYWOMAN FLYNN: I have a question -- more of a request.

I was hoping that as you're laying it out and you're rolling it out, if you could just keep us updated, because I find it fascinating how this is rolling out.

Thank you for your report.

DR. TAYLOR: Of course, I'll be happy to. Thank you.

SENATOR CRYAN: Thank you; and thanks for the question, that's incredibly helpful.

Members, anyone else? (no response)

Dr. Taylor, thank you for your passion. Boy, it comes through even on the Zoom.

DR. TAYLOR: Well, let me tell you, out of 511 placements last year, and probably more than 1,000 this year, I think I've had three parent complaints. So when you communicate with parents and you give them this information, and you're honest, and open, and research-based, there's usually not a lot of pushback for this type of work.

So I know some folks are worried about that, parents coming out very upset. You just have to keep communicating with them and show them that this is not charity, this benefits all kids.

So thank you.

SENATOR CRYAN: You just opened up another set of eyes, that's for sure.

Thank you doctor. Next we're going to hear from Paul Tractenberg. Paul is a Professor of Law Emeritus of the Board of Governors and a Distinguished Service Professor at Rutgers. Everybody knows Paul.

Paul, are you on? And I know you sent us your testimony.

PAUL TRACTENBERG: Yes, I am. I hope my voice holds up. I share Assemblywoman Jasey's problem of a bit of a throat issue. I came back a couple days ago from an extended period out of the country with a dislocated left shoulder, which is a problem since I'm lefthanded, and also a clogged head -- which fortunately is not Covid, I've been tested fairly well.

So I'm delighted to be here. I'm totally unsurprised by the wonderful contributions of my colleagues, most of whom I've interacted with in one capacity or another. And I have to say, I'm very encouraged by the

engaged and positive comments by the Joint Committee members. But I want to take us in a slightly different direction.

My career-- And I should say I'm a product of the Newark Public Schools. I graduated from Weequahic High School a few years ago, 1956 to be specific. And I was the Founder and first Director of the Education Law Center, which dates to April 1973; for the math wizzes among you, you will know that the Education Law Center is going to celebrate a 50th anniversary next year, which I think is a signal accomplishment.

I have been involved in these issues -- and by these issues, I mean two issues, kind of structural, global issues, that I see as inextricably linked. One is the funding of the schools in an adequate way, with funding directed to needs as well as general funding; and the creation of diverse educational environments. I've been involved in both for more than 50 years, so I'm going -- I've got my 50-year merit badge on my sweatshirt and I'm going to really try not to pull any punches. I don't know whether I've earned this, but I'm going to take advantage of the opportunity, because speaking in front of a Joint Legislative Committee on the Public Schools, whether I'm bold or politically incorrect, I'm going to talk about ways in which the Legislature has to take more of an initiative. Because when I think back over the 50 years, the dynamic has tended to be that the legislative and executive branches hold back, wait for the courts to tell them what they have to do, and even then they don't always do it effectively or adequately. And I think that's got to change.

It's got to change in part because, as my presentation -- and you have one in writing, I won't repeat-- I fear that the strategy, in a

bunch of the cases I'm currently involved in, by the State and the State's lawyers is to delay, to obfuscate. The LAN case is four years old. It's only just entered the courts, there's no sign it's going to be resolved in the short term. The Lakewood case, which I've been involved in, is eight years and counting, and it's only just gotten into the courts; and I don't think that's because of either the complexity of the matters, or Covid, or anything else. I think there is a kind of conscious and, I think, increasingly obvious strategy by the Executive Branch and the State's lawyers to kick the can down the road; and I think there are fundamental constitutional rights of students at stake, and I think it's really -- to be honest -- outrageous that this is the practice of our State.

But I don't want to let the Legislature off the hook. I want to make a couple of quick points that are in my presentation, but I'll present them in an abbreviated way. The first is if any principle -- constitutional principle -- is well-established in New Jersey, it is that the responsibility for a thorough and efficient education for all the students in the state is ultimately the State's responsibility. The State can use local districts to ask its agents to carry out day-to-day educational enterprises. It can't hide behind local districts and say, "Oh, if education is not adequate, it's the problem of local mismanagement. It's the problem of local taxpayers not raising enough money." That just shouldn't cut it, and yet that seems to be the State's major approach.

Secondly, the Legislature, in my view, has to step forward to fully meet its special responsibilities. I remind you that the State's education clause, which was the centerpiece of Abbott and is implicated in school desegregation as well, says as follows: "The Legislature shall provide

for the maintenance and support of a thorough and efficient system of free public schools, in the instruction of all the children in the state.” So the Legislature, constitutionally, is front and center. The Legislature, in my view, must also lead the way in implementing New Jersey’s unique State constitutional provision, the anti-segregation provision, which is actually the only State constitutional provision that explicitly bars segregation in the public schools.

So there’s a constitutional commitment, there’s lots of statutory embellishments of it which are on the books and have been for years and yet, as I’m sure you know and as you certainly heard, New Jersey’s record on the ground doesn’t come anywhere near its constitutional and statutory exhortations and ambitions. Talk about the Land case for a moment: It is in the courts, it will be in the courts for many more years, if we just sit back and wait. There is nothing that prevents the Legislature from coming forward and acting to discharge its constitutional and statutory obligations, and insisting that the Executive Branch does whatever is necessary. There is no reason why the court has to adjudicate this matter.

Our fourth point: Through the appropriations process, the Legislature must ensure that the school funding reform act is fully funded. Among other things, it is constitutionally required and yet it has not been done. I think it’s been done once in the first year of a 2008 statute; it’s never been done since. You must also assure that the New Jersey Department of Education has adequate resources and staffing to discharge its important responsibilities. The State Department -- the Commissioner of the State Board, they’re the cutting edge of the State’s efforts to improve education and to integrate the schools.

Years ago, then-Commissioner of Education, Bill Abberrera used to say publicly and privately how frustrated he was because the Department was loaded with more and more responsibilities at the same time as resources and staffing were being systematically reduced. And I think the problem has only worsened in the intervening year. So we need to find a way to put resources and staffing capacity into the Department. And on that connection, I want to urge the Legislature to expeditiously adopt Senate Bill A20, sponsored by Senators Cryan and Gopal, co-sponsored by Senator Ruiz, preferably with the changes recommended to you in your March hearing by the Education Law Center.

But you need to do more than that. You need to carefully monitor the implementation of this law, make any necessary adjustments. Because in my view, without a well-structured and professionally staffed division to generate programs for achieving maximum feasible diversity in our schools, to monitor the effectiveness of such programs and to make necessary changes, there is little hope that the constitutional rights of New Jersey students will be vindicated.

SENATOR CRYAN: Well, we do have your remarks. Can we--

MR. TRACTENBERG: I was finishing. I was just going to say that I've given you some examples of both the Department and the Executive Branch's delays in pursuing a litigated solution to this program; one that I think ought to be unnecessary, because there's nothing that bars the Legislature from acting. And also, what to me is an incredible lack of transparency in the Department. I've given a couple of examples; there are probably others.

So I think there's a lot of work to be done in buttressing the Department of Education, and I think the Legislature has the key role in all of these respects.

Thank you.

SENATOR CRYAN: Well thank you, not only for your comments today, but for all your work on the issue. And thanks for sending them forward. I could spend all day talking to you about this.

Members, do you have any questions for Paul? (no response)

Paul, feel better. And thanks for fighting your way through here, especially with the shoulder and the cough.

Feel better, and thank you again.

MR. TRACTENBERG: Thank you, Senator.

SENATOR CRYAN: Thank you; thank you very much.

Harry Lee is our next speaker. Harry is the President and CEO of the New Jersey Public Charter Schools Association.

Harry, are you here?

HARRY LEE: I am here; thank you, Senator Cryan. It is great to see you again this morning.

SENATOR CRYAN: How are you?

MR. LEE: Thank you to Assemblywoman Jasey and the other members of the Joint Committee on Public Schools, just for the opportunity to testify on this really important topic of school desegregation.

I lead the Charter Schools Association. We're a membership organization and represent 87 schools and 60,000 students today attending public charters throughout the state. And so thank you to

everyone who has spoken on these issues so eloquently and powerfully. I've learned a lot from the conversation.

We all know how difficult and complex this challenge is in our schools. There's a deep sense of urgency to tackle this issue in this room, within our organization, and throughout New Jersey. And my goal today is to offer to this Committee and legislators workable solutions. I want to make sure that -- I want to make it clear that school segregation long preceded the existence of charter schools when they first opened in 1997. There are a lot of great ideas and solutions that need to be explored that were shared today, and public charter schools are an important part of the solution to advance desegregation, through the creation of more diverse-by-design charter schools.

And during the LAN case, we were encouraged that the plaintiffs acknowledged that Charter Schools are part of the solution as well. Many of my extremely accomplished colleagues speaking today know how we got here and the history of school segregation in New Jersey far better than I do. Historical and racist policy decisions related to housing and transportation have resulted in many of our schools being isolated. Because students are assigned to a school based on where they live, and most school districts consist of only one municipality, many schools across New Jersey lack diversity in one of the most diverse states in the nation.

And so within the current policy of landscapes, public charter schools have two unique advantages compared to traditional school districts. The first advantage is that public charter schools are permitted to serve children across municipal boundaries, to overcome the structural impediment of neighborhood segregation. So with the approval from the

Department and within the current confines of the law, charters are permitted to serve a wider geographic region compared to traditional school districts, and they can cross municipal boundaries.

The second advantage that charter schools have is the ability to run weighted lotteries. And so public charter schools are open to all students within their district or region of residence; you cannot test into a charter school, it is a blind lottery. However, charter schools can preference educationally disadvantaged students with approval from the Department. So we have many charter schools in New Jersey that are giving additional preference for low-income students, special education students, and English learners to attend charter schools, which can help with racial and ethnic diversity as well. And charter schools can also use (indiscernible) recruitment and engagement strategies to ensure that their student populations become more diverse.

And ensuring that a student's race or ethnicity does not determine the quality of their education is pivotal. We work with an organization called the Diverse Charter Schools Coalition. They work with 235 charters in 23 states and D.C. to advance equity through the development of intentional schools; and we should be engaging organizations like the Diverse Charter Schools Coalition to make sure that our policy environment supports the creation of new diverse-by-design schools. And in order to really move the needle on this issue, the Murphy Administration and the Legislature should be exploring the creation of new charter schools in key districts that are geographically positioned to draw upon a racially and economically diverse student body.

And so when you do that, we can offer thousands of students new opportunities to attend intentionally diverse schools now, without the delay of enacting new legislation and establishing new cross-border funding models. And we have many diverse schools in New Jersey -- in fact, 3 out of the top 10 most diverse public schools in New Jersey are charter schools -- Learning Community Charter School, Ethical Community Charter School, Beloved Charter School. And these schools can serve as models for the rest of the state.

And so, in conclusion, if our goal is to remedy historical segregation patterns, there are a lot of solutions out there; charter schools have to be part of the conversation. It's a solution that could be implemented immediately due to this ability for families to cross municipal boundaries to attend a school that best meets their children's needs. So for the last 25 years, charter schools have provided families with a tuition-free, zip-code-crossing public school option that is highly accountable and successful. And we have 60,000 students today, and there is a reason why we do have 20,000 students on a charter waitlist.

And so that concludes my testimony. I thank you for your time.

SENATOR CRYAN: Harry, real quick-- On charters, are there any geographical restrictions? Just out of curiosity.

MR. LEE: There are geographical restrictions on charters in the sense that you have to give preference to your district or region of residence. And so if a charter school is located in Camden, New Jersey, they have to first give preference to the Camden students that apply; and then once they exhaust the Camden waitlist, they can take students across

municipal boundaries. Or some charter schools have multiple districts that are part of their charter -- it's a region of residence -- so you might have-- You could have possibly Newark, East Orange, and Irvington as contiguous, and you can serve the students in terms of equal weight of enrolling in school.

SENATOR CRYAN: Thank you, Harry, thanks.

Members, any questions? (no response)

I thank you very much for the insight, and the opportunity for alternatives as well.

Thank you Harry, thank you very much.

I believe our final speaker-- I'm sorry, Ralph, did you have a question? I'm sorry.

ASSEMBLYMAN CAPUTO: Yes, I did.

The last speaker, Mr. Harry Lee, indicated that charter schools have the ability to cross municipal boundaries. I don't know how extensive that's been applied presently. The charter schools I'm familiar with, I don't believe -- I could be proven wrong -- cross municipal boundaries at this point.

So in terms of the future opportunity, maybe that could be more aptly applied or stressed in terms of legislation, because it seems that what's happening with charter schools is we're taking kids out of the regular public schools and putting them in charter schools, leaving behind kids with less opportunity. So in terms of advancing ourselves, in light of a court decision, municipal boundary should be extended, I believe, to meet some of those challenges. Because it might be one piece of something that we could avoid with a court decision. I don't think that's happening to the extent that it was presented.

With all due respect to Mr. Lee, I believe that you're doing a wonderful job, but I don't know if that's really the case in most situations, Municipal lines are not really being extended.

MR. LEE: Thank you, Assemblyman. You are correct -- that because you have to give preference to your district or region of residence, a vast majority of our schools do serve our neighborhood schools and they serve the same students as district schools.

I think it's-- A possible legislative fix is to expand the definition of contiguous districts, creating countywide options to get equal preference and enroll students in charter schools. But there are a number of schools, that are drawing from dozens of districts, across municipal boundaries into their schools that cross racial and economic status lines for students. I'm happy to share more information on that.

ASSEMBLYMAN CAPUTO: Let's have a report on that - - if you can submit that to the Committee I would appreciate it, through the Chair -- on how many students are attending outside of the municipal boundaries and what schools they exist in. Okay?

MR. LEE: Absolutely.

SENATOR CRYAN: Thanks, Harry, thank you.

ASSEMBLYMAN CAPUTO: I want to thank the Chairman. This was a tremendous meeting and we've learned a lot. Some of these people we've heard from before; we have a lot of respect for all the people that testified.

So thank you, Senator Cryan, thank you so much.

SENATOR CRYAN: Thank you, Assemblyman, I appreciate it.

I do believe we have one more speaker. Professor Brittain. Is that correct, Professor? Did I get that right, it's Professor Brittain?

MS. SAPP: Yes, he's here.

JOHN C. BRITTAIN: Yes. Good morning, Senator Cryan.

SENATOR CRYAN: Okay, and Professor Brittain, do us a favor, because I have not given you a proper introduction.

So please, give us your title as well so I don't -- so we handle it right.

MR. BRITTAIN: Yes, thank you, I will.

Good morning.

SENATOR CRYAN: Good morning.

MR. BRITTAIN: Let me start by thanking the Chair, Assemblywoman Mila Jasey, for convening this hearing, and to all members of the Joint Committee for your public service and commitment to public education.

My name is John C. Brittain. I am a former Professor Emeritus at U Conn Law School. I was the Dean of the Thurgood Marshall School of Law at Texas Southern University in Houston; also the Chief Counsel of the Lawyer's Committee for Civil Rights Under Law in Washington D.C. And I am currently a Professor of Law at the University of the District of Columbia. I am one of the original counsel in *Sheff v. O'Neill*, the landmark school desegregation case decided by the Connecticut Supreme Court in 1996. And this year, in 2021 (*sic*), after 33 years of litigation, the parties have come to a mutual settlement -- soon to be hopefully adopted by the Connecticut Legislature.

I have been associated with the excellent lawyers and advocates representing the plaintiffs in the Land case, and I am also well acquainted and supportive of the educational advocates and community organizations, particularly the Education Law Center, led by David Sciarra; as well as Building One America, led by Pastor Willie Francois with the Coalition Against Racial Exclusion, NJ Care. And I am indeed in support of my dearly beloved colleague at Rutgers Law School, Professor Elise Boddie. I take my hands off in salute to Paul Tractenberg for his work; and I will be the keynote speaker at the Annual Education Law Justice lecture on June the 9th.

I want to start by expressing my full support and agreement with the remarks made by the Education Law Center speaker, Sharon Kringle, and Build One America Pastor Francois at the last hearing, who both urged the Legislature to act, and act now, and not to wait for a ruling from the courts -- not to wait 33 years like we did in Connecticut. And to the Governor, not to wait. And you should not wait either.

Second, I want to emphasize the critical importance of building community, stakeholder, and constituent input and support throughout the process. This needs to be done with a grassroots movement to both apply pressure and to support your efforts in the Legislature. You have such a group with, again, Professor Francois who leads Building One America, and the Coalition Against Racial Exclusion. For over four years, they have been mobilizing and building support across the state with congregations, school districts, parents, NAACP branches, and labor unions.

My remarks are consistent with the recommendation by Professor Orfield, Professor Wilson, and other witnesses you had at the last

hearing. The main principles of school desegregation and legislative action are as follows. One, it needs to be statewide and involve the districts. Avoid small pilot projects; avoid countywide approaches. Only statewide shuts down all the doors to white flight. You have the power and you have the constitutional mandate for a statewide remedy. The goal should be more districts and schools to better reflect the demographics of the region of the state.

Two, the State Department of Education will need to have a clear mandate. The authority and the tools are in the budget to conduct an analysis, and assign goals for each district and to create a student assignment plan. You will need the expertise of practitioners to do so.

And three, at the last hearing, Professor Francois offered multiple tools that you have at your disposal to help the districts achieve their integration goals. You should start with those. And they include a stronger school funding formula, state aid, and also to support school districts' best practices for integration of schools and classrooms; a magnet school program, including county vocational schools, can be strengthened to help regions meet integration goals. And other legislative action should include amending your school consolidation law -- passed last year -- to forbid any more succession or withdrawal, and to have an affirmative obligation to advance integration in districts and the region.

These recommendations are consistent with those made by Pastor Francois and others at the grassroots level, at the hearing, and frequently throughout the state -- along with a list of specific legislative changes you can make right now. I recommend that the New Jersey Legislature act, and act now.

Thank you very much.

SENATOR CRYAN: Doctor, thank you -- Professor, thank you very much.

And I think that is our message. Let's get to work, and let's act now. So it's a great way to close our Hearing, and I thank you very much for that.

Members, any questions for Professor Brittain? (no response)

Members? (no response)

All right, to bring this Hearing to a close, Professor Brittain, let me thank you, and everyone who has given us a source of enlightenment today -- both from policies that have been implemented in school districts, to good ideas, to community schools, to charters, to all of it. That this Committee's got a lot of work to do as we work and continue to focus on the effort of desegregation.

I want to thank Mila Jasey for allowing the opportunity to Chair; I hope you are feeling better; and for all the members of the Committee.

Members, any closing comments at all?

SENATOR O'SCANLON: Just one quick one, Chairman. It's been a really great and informative session; thank you for having it, and for everybody who participated.

I do want to say that if you pay a little attention to some of the foundational aspects of the messages we heard today, one of the things that would help solve segregation is giving parents more choices to where their kids might go to school. It would be great to have a bipartisan

examination of some of those policies that have polarized us for a long time. I would be very happy to participate in such discussions. I'm not saying that's the be-all and the end-all. It's just an underlying solution that could be a component to the foundational solutions here. So it is something we should talk about further.

But again, thank you, this was fantastic.

SENATOR CRYAN: Thank you, Senator, and I'm certain that given their comments, some of the speakers today would absolutely agree with you.

Members, any other comments? (no response)

Members, I thank you for your time; Becky, thanks for bringing us together. More work to do, and you'll hear from the real chair, Assemblywoman Jasey, moving forward. And I thank you all for your time today.

Thank you very much.

(MEETING CONCLUDED)