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PUBLIC HEARING

before

ASSEMBLY EDUCATION COMMITTEE

"Current regulations and procedures for State Department
of Education monitoring of local school districts
under the 'T&E' law (P.L. 1975, c.212), as these
regulations and monitoring effect overall educational
quality in local school districts"

April 3, 1990
New Brunswick High School
New Brunswick, New Jersey

COMMITTEE MEMBERS PRESENT:

Assemblyman Gerard S. Naples, Chairman
Assemblyman Joseph M. Kyrillos, Jr.

ALSO PRESENT:

David J. Rosen
Office of Legislative Services
Aide, Assembly Education Committee

Hearing Recorded and Transcribed by
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New Jersey State Legislature
ASSEMBLY EDUCATION COMMITTEE
STATE HOUSE ANNEX, CN-068
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REVISED

NOTICE OF PUBLIC HEARING

The Assembly Education Committee will hold a public hearing on the following issue:

Current regulations and procedures for State Department of Education monitoring of local school districts under the "T&E" law (P.L. 1975, c.212), as these regulations and monitoring effect overall educational quality in local school districts.

The hearings will be held at the following places at the date and time listed:

Tuesday, March 6, 1990
9:30 a.m.

Toms River High School North
Auditorium
Old Freehold Road
Toms River, New Jersey

Tuesday, March 13, 1990
9:30 a.m.

Ben Franklin Middle School
Auditorium
Taft Road
Teaneck, New Jersey

Tuesday, March 20, 1990
9:30 a.m.

Voorhees High School
Auditorium
Route 513
Glen Gardner, New Jersey

Tuesday, March 27, 1990
9:30 a.m.

Glassboro High School
Auditorium
Bowe Blvd.
Glassboro, New Jersey

*Tuesday, April 3, 1990
1:30 p.m.

New Brunswick High School
Auditorium
Livingston Avenue
New Brunswick, New Jersey

The public may address comments and questions to David J. Rosen, Committee Aide and persons wishing to testify should contact Joanne Rafalski, secretary, at (609) 984-6843. Those persons presenting written testimony should provide 10 copies to the committee on the day of the hearing.

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ASSEMBLYMAN GERARD S. NAPLES (Chairman): We could get started now. You know, I still don't know when that tape begins rolling. I don't know what comments are mine which I didn't want to be heard this past four weeks which have been. Oh well.

Okay. This the last in a series of public hearings on monitoring in New Jersey. It is not -- and I want to say this, and I want to stress this -- a hearing on the School Intervention Law. The Subcommittee of the Joint Committee on Public Schools, Chaired by Assemblyman Bill Pascrell of Passaic County, will address the issue of school takeover. I have been doing some homework, literally, last night; trying to distill the essence of what I've heard these many hours listening to so very, very many people. That briefcase could barely close, I have so many statements in there. Plus, I've gotten a lot of phone calls.

Let's get right into the festivities First I'll introduce those persons who are present. First on my right Assemblyman Joe Kyrillos, Monmouth County. On my left is Dr. David Rosen of the Office of Legislative Services and Larry Hamm of the--

UNIDENTIFIED MEMBER OF AUDIENCE: I can't hear you. Speak a little louder, please.

ASSEMBLYMAN NAPLES: Oh. What do you want me to repeat?

UNIDENTIFIED MEMBER OF AUDIENCE: From the beginning.

ASSEMBLYMAN NAPLES: On my right is Assemblyman Joseph Kyrillos of Monmouth County, the 13th District in Monmouth County. I'm Assemblyman Gerard Naples -- oops I forgot something -- 15th District, Chairperson of the Committee. On my left is Dr. David Rosen of the Office of Legislative Services and to his left is Larry Hamm of the Democratic Assembly Office.

Assemblyman Pascrell, Assemblyman Rocco, and Assemblyman Cimino could not be present for this reason. After the first hearing in Toms River, so many people testified and there were a lot of questions asked, understandably, and there were a lot of good answers, and you sometimes can't separate quality from quantity. I put it as nicely as I could there. Had five people been there asking questions, I reasoned on the way home that we'd be there another two days. So I established a de facto subcommittee system. I told Bill Pascrell who lives in Passaic, don't bother coming to Glassboro. I told John Rocco who lives in Camden County, don't bother coming up to Teaneck. I worked it out that way, and it's been, I think, very, very beneficial and helpful. I briefed Committee members on what's taking place, and I'm going to meet with Assistant Commissioner McCarroll who is here -- Dr. Walter McCarroll, Deputy Commissioner for County and Regional Services -- some time this week. Sandy, I'll give you a call, and we can get together.

Okay let's get to our speakers. Dr. Walter J. McCarroll, excuse me, Sandy, Assistant Commissioner New Jersey Department of Education.

A S S T. C O M M. W A L T E R J. M c C A R R O L L:
Everybody has a lot of different titles today. Chairman Naples and members of the Committee.

ASSEMBLYMAN NAPLES: Excuse me Sandy, are you going to read the whole statement?

ASSISTANT COMMISSIONER MCCARROLL: Yes I am.

ASSEMBLYMAN NAPLES: Okay go ahead.

ASSISTANT COMMISSIONER MCCARROLL: It won't take me that long. I promise.

ASSEMBLYMAN NAPLES: Go ahead.

ASSISTANT COMMISSIONER MCCARROLL: On behalf of the approximately one million pupils attending New Jersey's public schools, and the taxpayers of this State who support these

schools, I would like to thank you for your interest in the local district monitoring process; that system of accountability which the State Board of Education has adopted to insure that the children of this State receive their constitutionally guaranteed thorough and efficient public education.

During the five hearings conducted by the Committee you've heard testimony both supporting the current monitoring system as well as opposing it. Those who have supported monitoring have acknowledged that the system of accountability for public education has resulted in improved educational opportunities for children--

ASSEMBLYMAN NAPLES: Excuse me, Assistant Commissioner McCarroll. (discussion follows regarding PA system and microphone)

ASSISTANT COMMISSIONER MCCARROLL: I'll speak up.

ASSEMBLYMAN NAPLES: Well, could you move down a little bit, sir? (conversing with member of audience) It might be helpful rather than cause these speakers to shout. In other words, just come down from the bleachers into the box seats, no extra charge. If you get hit by a foul ball, literally or figuratively, it's not my fault. Sandy, do you want to continue?

ASSISTANT COMMISSIONER MCCARROLL: Okay. Those who have supported the monitoring have acknowledged that the system of accountability for public education has resulted in improved educational opportunities for children. Those who are critical of monitoring have characterized the process of evaluating our schools as burdensome, intrusive, and time-consuming.

At the outset of my remarks, let me make it clear that my primary purpose is to try and present an objective perspective of the current monitoring system, and why it is essential to the credibility of public education in New

Jersey. Any assessment of the system of monitoring public schools must consider several basic issues:

One, no valid assessment of the public schools will be perfect. Any statewide accountability system will be found to have some flaws. The sheer complexity of monitoring 582 districts ranging in size from 40 -- and that is 40 in number -- to 50,000 students, and applied by 21 separate units, using 43 indicators of performance, gives a suggestion as to the enormous challenge that monitoring presents.

As I said in my conclusion of the report that was prepared for the State Board of Education: "The monitoring process initiated in 1984 and revised in 1987, is an evolving process that needs to be reviewed and refined periodically to ensure that the State system of evaluation of local school districts is both fair and consistent," and that's the report that I provided to the Committee before these hearings.

Secondly, systems of accountability are not usually very popular. They are not intended to be universally acclaimed by all of those whom they affect, especially those who have special interests that may conflict with the purpose of accountability.

And the third consideration is, the only valid test of a system of monitoring is the results that it produces in relation to the purposes it was designed to serve. In the case of the monitoring of public schools, that purpose is to serve the welfare of children.

I know the strengths of the monitoring process and I know its limitations. And since time does not afford the opportunity to allow me to go into the detail that a fair assessment of monitoring requires, let me state its greatest strengths and its major limitations.

The current monitoring system clearly and unequivocally identifies deficiencies in local school districts

that impact upon the quality of education received by children. It offers a fair and equitable system of accountability to parents, school officials, and legislators. An objective review of monitoring since its revised implementation in 1984 clearly shows that it has resulted in improved education for thousands of New Jersey's pupils. And as an aside, the only objective analysis that I'm aware of that has been done about monitoring to date, was conducted by School Boards about four years ago. They looked at the Level II monitoring process, and they published in their November 1986 "School Leader," a research update that indicates that monitoring receives an "A" in terms of fairness, county assistance, and board involvement.

The greatest limitation in the monitoring process lies in the fact that absolute consistency cannot be achieved. As long as monitoring is applied by people, consistency will be an ongoing challenge. Any monitoring process will have flaws. Consequently, it is essential to have a system of oversight that provides an ongoing -- almost on a daily basis, the ability to identify problems within the monitoring process and address these problems quickly.

Since the inception of monitoring in 1984, the Department of Education's oversight system has included the following activities:

A system of monitoring the monitors initiated in all 21 counties was conducted by a small team of staff from the central offices in Trenton who accompanied monitors on visits to local school districts and critiqued their implementation of the monitoring system. Reports prepared as a result of this activity were reviewed by me with each of the 21 county superintendents, and areas of inconsistency were eliminated.

Monthly meetings of county superintendents helped identify monitoring issues that needed to be clarified or

revised. These modifications, designed to ensure consistency, were then communicated to local school districts by way of clarifying memos.

During the second cycle of monitoring, the county superintendents reviewed the findings of districts they had monitored with their 20 colleagues at monthly county superintendents' meetings. In effect, any district that has been initially determined not to have met monitoring standards, is reviewed by all 21 county superintendents to ensure that the initial findings were appropriate. This process has been quite successful in identifying areas where deficiencies of opinion, or differences of opinion regarding whether or not a district has met a monitoring standard.

In May 1989, I initiated a review of the monitoring process in preparation for the development of the Administrative Code for the State Board of Education. With the monitoring code due to expire in January 1992, it was necessary to conduct a deliberative review of the current monitoring process and to prepare recommendations for the State Board of Education's consideration. Three major changes are being considered for the third cycle of monitoring. These changes are based upon the premise that, with the completion of the second cycle of monitoring, most districts in the State of New Jersey will have been reviewed twice under a fairly rigorous compliance monitoring system.

Given those circumstances, it was determined that the following major revisions would be developed for State Board of Education consideration:

- 1) The third cycle of monitoring should reflect a balanced monitoring system that includes a regulatory/compliance base, focusing upon essential regulatory requirements and including significant incentive and qualitative components;

2) the third cycle of monitoring would include an incentive based component that would acknowledge districts that had consistently met previous monitoring standards;

3) the monitoring system should focus more on a qualitative assessment of the district's programs and practices. For example, with specific reference to the district's curriculum and instructional programs, the process would be modified to provide a more in-depth appraisal of the quality and effectiveness of programs rather than to simply establish that they exist.

During the last nine months a committee of county superintendents has surveyed local school district administrators and conducted follow-up interviews. The purpose of these inquiries is to provide field administrators with an opportunity to influence the third cycle of monitoring, and more importantly, for us to gain the insights of practicing administrators as to the appropriateness and effectiveness of the monitoring process.

In January of this year, in accordance with State Board of Education Administrative Code development procedures, I met with the Department of Education's Code Committee which includes representatives of all of the major educational organizations. At that time, I shared my views as to how the monitoring process should be revised in Cycle III.

Now let's look at some of the facts that have emerged from the monitoring of the public schools of New Jersey since 1984.

In the first cycle of monitoring from January 1984 to December 1986, 80% of the districts monitored met the standards of T&E in Level I. To date, in the second cycle of monitoring initiated in September of 1988, 77% of the districts have met the T&E standards in Level I.

Despite the fact that the second cycle of monitoring

is admittedly more rigorous than the first cycle, the results achieved by local districts are strikingly similar.

A brief analysis of deficiencies found in the two monitoring cycles reveals some very interesting findings:

In the first cycle of monitoring, approximately 12% of the districts failed to meet minimum curriculum standards, meaning that they didn't have in place required State mandated programs. In the second cycle, 12% continue to fail to meet the curriculums standards despite the fact that it's a more rigorous process.

Secondly, in the first monitoring cycle, 34% of the districts failed to meet facility standards. During the second cycle, 13% had failed facility standards.

Thirdly, during the first monitoring cycle, 11% of the districts have failed standards for staff certification, evaluation and attendance. During this cycle of monitoring, 5% have failed standards for staff certification and evaluation. In the last example, during the first cycle, 4% failed standards for student attendance. During the current cycle only 1.5% of the districts failed standards for student attendance.

What is the conclusion? More students in the State of New Jersey -- thousands of more students -- are attending schools regularly, receiving the benefits of better curriculum, being educated in safer, healthier and more adequate school facilities, and being taught by properly licensed teachers, who are absent less frequently, and who are supervised more effectively.

If the current system of monitoring is supposed to be designed to improve public education for children -- and that is its primary purpose -- these findings enable you, as legislators, to announce to your constituencies that monitoring has improved public education in New Jersey.

With regard to the question of burden that is created by the current monitoring process, I would suggest that any comprehensive assessment of the public schools of New Jersey required to ensure that the children are receiving their constitutionally guaranteed thorough and efficient system of education will present some burden to local school districts. The real question is: Is that burden reasonable, and should one expect school districts meet the requirements of preparing for the monitoring process without any undue hardships? Any discussion of the burden of monitoring should first consider that school districts are monitored only every five years.

I believe that the current level of preparation that is required in the monitoring of local school districts is reasonable, and most school districts adjust to it with a minimum of difficulty. Those districts that delay preparing for monitoring until a few months before the monitors arrive will certainly be overburdened. Those districts that do not maintain compliance with essential regulations that guide the education of public school children in New Jersey and must, of necessity, make major changes in the operation of the district or play catch up, as the case may be, will also be overburdened. Much of the alleged burden being experienced by school districts in preparing for the monitoring process is self-inflicted. Local school officials often exceed the required documentation. This is an issue that I think can be addressed and resolved in a cooperative manner between the Department of Education and local school districts.

If the preparation for the monitoring process did not require an effort on the part of local school districts, if the preparation for monitoring did not require local school districts to clearly demonstrate that they are meeting minimum standards for children, then I believe it is entirely possible that this Committee would be reviewing the monitoring process

because it would have the reputation of being not rigorous enough, or in fact, too easy.

If the issue of the alleged burdensome preparation is a legitimate concern of school districts, it is a relatively simple issue to resolve. In administering the monitoring process, we have established procedures for reviewing issues that arise, determining their legitimacy, and acting quickly to resolve them. I think on the basis of the testimony presented to this Committee thus far, that the preparation aspect of monitoring needs to be reviewed. However, allegations of a burdensome monitoring process should not, in and of themselves, persuade the legislative Committee that the monitoring process is seriously flawed. It may be no more of a problem than changing a tire on a car.

If a monitoring process is to provide a credible examination of public schools, then it should be sufficiently rigorous so that those responsible for the public schools -- the Legislature, the executive branch of government-- And as you are aware, in the final analysis, public education is a State responsibility in New Jersey. Those branches of government should be confident that the accountability model is securely in place.

I suspect that the airlines complain about the FAA. I'm sure that brokerage houses are inconvenienced on occasion by the Securities and Exchange Commission, and I am sure that the administration of the Jersey City Public Schools, under State management, will be inconvenienced and perhaps overburdened by the Joint Legislature Committee's review and assessment of that district's progress. But before deciding that these potential burdens are too great, one must weigh the benefit of those accountability systems that are represented as examples that assure the safety of airline passengers, the fiscal integrity of American investors, and the education of the public school children of Jersey City. So, too, must you

ask yourselves, is the inconvenience or the burden, or the alleged intrusiveness for that matter of the monitoring process reasonable, in view of the fact that its sole purpose is to protect the rights of school children in New Jersey?

For the first time since 1975 when the T&E laws were passed, New Jersey has a credible monitoring process. Before determining that the current process is too much of a burden for local school districts, I respectfully suggest that you ask yourselves, "But is it better for children?"

In conclusion, I respectfully offer the following observations about the monitoring process that you need to consider before you decide to change the monitoring plan:

- * Monitoring isn't supposed to be popular. Fair, yes; consistent, yes; rigorous, yes; but popular, no!

- * Quality education for New Jersey's one million children is a bipartisan concern.

- * There can be no quality without accountability.

- * There can be no accountability without a fair but rigorous process of assessment, and there can be no rigor without some burden.

- * With respect to evaluating the quality of education, easier isn't better; less rigor -- less burden isn't in the interest of those who monitoring is designed to protect; the children of the State of New Jersey.

Thank you very much.

ASSEMBLYMAN NAPLES: Sandy, I just want to say, "Very good." It was a 10-page statement, and our attention was riveted. It went by quickly because you had something to say. It was a very, very well written statement and a very fair, objective one. Assemblyman Kyrillos, any questions?

ASSEMBLYMAN KYRILLOS: Thank you Mr. Chairman. First of all let me just take a brief opportunity to apologize for my tardiness. I didn't realize--

ASSEMBLYMAN NAPLES: It's a big congressional district. We understand, Joe.

ASSEMBLYMAN KYRILLOS: --that I would hold up the hearing. I was in Hudson County at a public hearing with the Assembly Drug and Alcohol Policy Committee. This is my day for hearings, and with the rain and whatnot, it was tough to get down the Turnpike.

Thank you for your eloquent statement, Doctor. You know, a couple of things really struck me from your remarks. I guess most of all is your remark that systems of accountability are not popular, never are popular. As a student I never enjoyed taking tests or taking pop quizzes, although they sometimes made me better prepared for class. Certainly as legislators we have to face the electorate every other year. We sometimes feel that's too often -- and maybe too often -- but that keeps us sharp. It may not be a very pleasant experience for us sometimes, but it's necessary and it's essential for our system of government for the democratic process, and I think our system of monitoring as you have said, is essential for the credibility of the public schools.

You do recognize, because we've talked about it, and you've said it here today, that the preparation aspects and other aspects of monitoring may need to be reviewed, should be reviewed, But I do like your parallel to the FAA or the Securities and Exchange Commission.

ASSEMBLYMAN NAPLES: Or ELEC.

ASSEMBLYMAN KYRILLO: Or ELEC as Chairman Naples says. We need those agencies to provide oversight for those various systems of public service, and I think we need this system. Maybe we've got a flat tire or a couple of flat tires, or some problems with the motor, but I think this set of hearings conducted under the leadership of Chairman Naples will bring some of that to light for us.

ASSEMBLYMAN NAPLES: Thanks a lot. Let me say this. Anytime a question is asked in the classroom it's a form of monitoring. It's evaluation by any other name. If I ask you a question in conducting a discussion, even if unconsciously, I'm grading you. It's a form of monitoring and evaluation. But despite the fact that we have to have monitoring, and despite the fact that monitoring is here to stay, and I'm going to just tell you all to disabuse yourselves of any notion, as a few people would like in this State, that county superintendents are going to go back to the days when they processed papers indicating that suspensions of students were five days or greater or just funneled certification papers from (indiscernible) office to the local school districts. Those days are gone.

The question poses itself ostensibly then, can we improve the monitoring system? We're monitoring the monitoring system here. We're critiquing it. And any good record is something to be built upon and not sat upon. Some will say it's not a good record. I've got to sit here and be objective and sift through all these things, and try to distill the substance and the essence of what I heard shared with the Committee. Talk to you, talk to the administration, and we've talked a lot over the years about this, and I just want to say that -- and this is for the record; this is very, very important. I don't know what form the recommendations will take, whether they will take the form of legislation-- Now don't forget, there are going to be a couple hundred of these transcripts handed out. Anybody, any legislator can read them and drop the bill in the hopper. I don't know what can be forthcoming. Any Senator or Assemblyperson, they could take the form, the recommendations from this Committee and I'm certainly going to talk to Senator Feldman too, on making recommendations as per changes in regulation; maybe changing the regulations, involving the State Board of Education.

That's crucial. So right now we are gleaning information. We're gathering data, and today is the final day in that process. Then the tough work begins. Sandy, thank you very, very much.

ASSISTANT COMMISSIONER MCCARROLL: Thank you very much.

ASSEMBLYMAN NAPLES: And I'll be calling you before the end of the week, as I said.

ASSISTANT COMMISSIONER MCCARROLL: I look forward to meeting with you. Gentlemen, thank you.

ASSEMBLYMAN NAPLES: Okay. Charles Boyle, the Superintendent of Schools in Edison called me and he indicated that he could not be present. I was sorry to hear that because he's one outstanding educator. Jim Moran, the Executive Director of the NJASA could not be present. He had signed up to testify. But let me say something here. Were it not for Jim Moran and Hank Miller -- a lot of people help, I realize that -- but Jim Moran and Hank Miller took the lead and NJEA and AFT for today's hearing in particular. But were it not for those two individuals in terms of getting superintendents, principals -- administrators to testify, we would not have had the success that we've enjoyed.

Countless people testified at the first four hearings: superintendents, principals, directors, people with approved and unapproved titles, and they told it like it was and is. They didn't read any terminology or jargon laden statements. They told what they perceived to be the truth, and it's all anybody can ask. So I just wanted to pay tribute to Jim Moran.

Jack Eisenstein, the Director of Urban Affairs, New Jersey Association of School Administrators will also be representing the Executive Director, Jim Moran. Jack, welcome.

DR. J A C K E I S E N S T E I N: Thank you. I am representing Jim Moran right now in this testimony. He's the Executive Director of New Jersey Association of School

Administrators, speaking on behalf of the Association's concerns relative to the monitoring process.

I'd first like to commend Assemblyman Gerard Naples and the members of the Assembly Education Committee for their diligent effort to ascertain problems within the current monitoring process in order to create a revised process which improves accountability to the varied publics and reduces the degree of effort, fear, and concern existing in the present process.

Evolution is an essential aspect of all improvements and, at times, such evolution proceeds more slowly than one would desire. Recognizing this fact, we commend the current Department of Education for having attempted to revise the original process and to make the existing process better than its predecessor. We know that efforts are currently underway to further revise the process, to improve it for all concerned, and to reduce the level of tension and cost, both in manpower and in actual money surrounding the present process. To this end, we urge the members of the Assembly Education Committee to work with the State Board of Education and the Department of Education in an oversight manner and to convey to the Department and the State Board their findings relative to this important area of accountability.

It is important that monitoring become a win/win process for all concerned. By "win/win" I mean:

- 1) that the public will have the accountability it deserves for the outstanding support it gives education in our State;
- 2) that the students will have continuing improvement to educational program; and
- 3) that the unwieldy and negative aspects existing in the current process will be modified or eliminated.

Numerous recommendations have been made by individuals throughout the many meetings held by the Assembly Education

Committee. Of these, the most important would seem:

1) To focus on the districts needing help and to provide the help required to create a thorough and efficient educational climate for students of those districts;

2) to extend the interval between monitoring visits to a period up to 10 years for those districts which have consistently been rated in the monitoring process as "thorough and efficient";

3) to eliminate indicators that by their very nature, call for the "Mickey Mouse" type decisions as the pass/fail;

4) to provide time between Levels I and II or Levels II and III to correct minor deficiencies which, if left uncorrected, would result in failure and a movement to a subsequent level.

5) to weight the value of monitoring indicators in order that discernment and prioritization may take place;

6) to provide within the process a means of applauding the substantive progress of deficient districts.

I am sure that the many meetings held will result in cooperation of the educational coalition -- the New Jersey Association of School Administrators, the New Jersey School Boards Association, New Jersey Education Association, New Jersey Association of Principals and Supervisors, New Jersey Association of School Business Officials, New Jersey Congress of Parents and Teachers, the State Board of Education, the Department of Education, and the Legislature of the State of New Jersey in achieving what we all desire -- a thorough and efficient system of public education for all the children of New Jersey.

Finally, all involved should learn to weigh the words thorough and efficient in the priority order in which they occur. Education must be thorough and, within the concept of thorough, as efficient as possible.

ASSEMBLYMAN NAPLES: Good statement, Jack.

DR. EISENSTEIN: And that's Jim's statement.

ASSEMBLYMAN NAPLES: Good statement, Jim. Oh, I'm sorry.

DR. EISENSTEIN: That's all right. No, it is a good statement and I think Jim has encompassed much of the testimony that you've probably heard or some of the main thoughts calling for an extension of time, calling for consistency, the lending of the helping hand. I know this a cry from many of our urban districts who do have to overcome a great many problems. Many of our urban educators -- and you're going to hear from some of them in a moment -- are not against monitoring per se, but they are against some of the discrepancies in the existing system which they feel need changing, and I'll let them speak for themselves. But a lending of a helping hand, I think, would go farther in the State of New Jersey to help the educational process, as opposed to the "gotcha" attitude which again, I know you have heard in previous testimony --

ASSEMBLYMAN NAPLES: Have I!

DR. EISENSTEIN: --because I reviewed it too. So, with that in mind--

ASSEMBLYMAN NAPLES: Let me ask, let me ask you a question here. A lot of people have talked about the gotcha, the iron fist rather than the velvet glove approach. Do you believe that sometimes State monitors -- and every monitor is a different personality, or constitute a different set of, let's put it this way, personal beliefs and values -- do you believe that some monitors come down a little too hard, to use the vernacular, and could be more helpful?

DR. EISENSTEIN: I think so. Again, we're dealing in 21 counties, with a multitude of people. You're dealing with the personalities of people, and I do know for a fact, that some county superintendents really come in with a helping hand and want to help tremendously, with a particular superintendent, and if they have a good rapport, then it goes

that way. If there's some hostility between two individuals, that hostility -- and you've heard the testimony -- it's going to come out in that monitoring process. So that the consistency has to be worked on and the instrument where the evaluation or whatever it is, the document-- It's like NCAA regulations. There's 700 pages of them.

ASSEMBLYMAN NAPLES: I know that.

DR. EISENSTEIN: I've been hearing, you know with this thing with Las Vegas and everything taking place, the same thing holds true. This document's pretty cumbersome and many times the interpretation of it, you can-- There's a difference. There shouldn't be, but there's a difference, an inconsistency from county to county sometimes. That shouldn't be.

ASSEMBLYMAN NAPLES: While you were talking, I wrote a note to myself, and I showed it to Assemblyman Kyrillos. Now that we have all this information, and here's my writing, a big question now: "HOW?" Let me ask you. How you would go about bringing that to fruition, and I refer to your statement three; that the unwieldy and negative aspects existing in the current process will be modified or eliminated?

DR. EISENSTEIN: Well, I think you've heard enough testimony from the various educational groups. I think if you could bring in -- and I know that, well, you've worked with the Department, that is, the urban superintendents on a couple of different matters that have come up -- and I think if you could bring a small group, a representative group of maybe 10 or 20 people -- that might sound like a lot -- but really charged with going over the document with State Department officials and giving firsthand documentation or evidence as to what might be right or wrong with that particular paragraph. Or if it's a legislative Committee that's going to prepare some legislative changes, I think that you would get sufficient input that you would come up with maybe a more streamlined document; one that

would be better. At least it would be input from the people out in the field, the practitioners.

ASSEMBLYMAN NAPLES: Assemblyman? Okay, thanks very much Dr. Eisenstein. I appreciate it.

DR. EISENSTEIN: Okay, thank you.

ASSEMBLYMAN NAPLES: Let me just add here parenthetically -- no, not so parenthetical after all. There weren't too many people who thought that the Department of Education was engaged in some kind of a cabal against them. Everyone who looked at the system as being negative looked at a process rather than a person. Almost everyone. There were one or two people who took it personally. Next, Dr. Basil Goldman, New Jersey Association of Pupil Personnel Administrators. Dr. Goldman?

DR. B A S I L G O L D M A N: Both myself, and Mr. George Scott who will also testify, represent approximately 200 administrators of pupil personnel services within the State. We will testify about only two areas of monitoring for which pupil services administrators are responsible; that of special education and basic skills education or basic skills instruction, although some of our comments will be applicable to other areas as well. Before commencing our testimony, it is important to understand that the monitoring concerns which we will enumerate are compounded in these two areas, because of all areas of education, special education and basic skills instruction are so overregulated that the regulations alone are like an albatross around our necks and leave little room for the creativity -- and this is the important part -- and flexibility so vital to the development of successful programs for children. We want to see the emphasis on successful programs for children. The burden of intrusive monitoring -- and there's that word again -- of minutiae exacerbates the problem because the monitoring process itself adds many more layers of unnecessary regulation.

I'd like to have a little aside here and just give you an example, and I was going to bring it with me--

ASSEMBLYMAN NAPLES: Yeah, I was going to-- Do you have a prepared statement?

DR. GOLDMAN: Yes I do, and I'll be submitting it.

ASSEMBLYMAN NAPLES: Okay.

DR. GOLDMAN: I was going to bring this with you for a demonstrative point of view, but I'll just explain it. I don't know if any of you've ever seen child study team records of a youngster we picked up at age three and carried sometimes to age 21. It could easily be an inch-and-a-half to two inches thick.

ASSEMBLYMAN NAPLES: And then they go to the Department of Human Services until age whatever. Let's not forget that.

DR. GOLDMAN: That is correct. The monitoring process alone has added somewhat between 35 and 50 pages of copies of notices to parents and things like that. This is the kind of minutiae we're talking about. At this time I'd like to turn the microphone over to Mr. George Scott, Director of Special Services from the Hamilton Township Public Schools in Mercer County. He'll testify in the area of special education, and I'll follow up with testimony in reference to basic skills instruction.

ASSEMBLYMAN NAPLES: Can I ask you a question before you go on? You mentioned special ed, basic skills. Is there any reason why you didn't mention bilingual ed and voc ed?

DR. GOLDMAN: Only because all of our directors are not responsible for bilingual education and almost none of us are responsible for vocational education.

ASSEMBLYMAN NAPLES: I was once principal of a school with a big special ed population, a big basics, a big bilingual population. I needed one administrator just to handle programs in the school.

DR. GOLDMAN: Well, one more aside, and then I promise no more asides.

ASSEMBLYMAN NAPLES: Go ahead please.

DR. GOLDMAN: I will try not to be personal, but in a way I have to be. I'm in a small community, and I work for the Millburn Township School District, and since for a small community I have five areas myself that I was monitored on: special education, basic skills instruction, English as a second language, affirmative action, and Chapter I, so if I seem worn out and frayed a little bit, you'll understand why.

ASSEMBLYMAN NAPLES: That's all right. That's what I want to hear.

DR. GOLDMAN: These two areas are the ones that really gave us extra gray hairs.

ASSEMBLYMAN NAPLES: Okay, okay. Hey, you're being honest; I appreciate your candor.

DR. GOLDMAN: So with that, I'd like to turn it over to George Scott, okay?

DR. ROSEN (Committee Aide): You can remain up there.

ASSEMBLYMAN NAPLES: Sit down. Sit up there.

The last set of hearings were telecast and I had to sit there very erect, West Point style. Now I can relax and take my coat off. Sometimes in an atmosphere like that, one gets more done. Go ahead.

G E O R G E S C O T T: Assemblyman Naples and other members of the Assembly Education Committee. I appreciate the opportunity to share a bit with you from a personal perspective, acknowledging the fact that this is the end of a long road for all of you in terms of the public hearings. I may come on a little bit charged and a little fresh from my perspective recognizing that some of the things that I may touch on are things that you've heard several times in many different ways throughout New Jersey in the hearings that you've had.

The emphasis that we hope to bring this morning is not at all in the sense of the unimportance of monitoring. Dr. Goldman has, I think, very succinctly indicated -- and I know of Mr. Naples' background and involvement in special education -- his interest in special education. The special education services in the State of New Jersey are not only highly regulated by New Jersey but also highly regulated by the Federal government. Probably of all the aspects that I'm familiar with in New Jersey, there is no more cross your t's, dot your i's tighter look than there is with regard to the education of the handicapped student.

ASSEMBLYMAN NAPLES: The reason I'm laughing is I wrote the word "negativity" down last week and in distilling this essence I forgot to cross the "t" and I just did.

MR. SCOTT: We believe that the adherence to code, both Federal and State, is absolutely important for the delivery of services to the children in New Jersey. The anxiety that's produced, I believe, is produced by the stories that are shared among directors -- those who have not yet gone through the monitoring process; the inordinate amount of time that is spent making sure that all the t's are crossed and all the i's are dotted and, in spite of the fact that in your heart you know that it's true, and trying to carry on the business of the education of the handicapped while at the same time preparing fourteen months in advance for monitoring.

I sit next to Dr. Goldman who is relieved because he's been through it. My district has not been through it. I am not so relieved, and it is that sense of anxiety that we hope to persuade the Committee, to look hard at the application of monitoring and in the way that it's applied -- for its consistency or inconsistency throughout New Jersey.

One of the parallels and one of the examples that was brought to me, and it drives the message home a bit more personally, if the State of New Jersey had indicated that

through the Division of Youth and Family Services all of our homes would be visited and monitored in order to assess whether or not we were meeting the standard of appropriate parenting, I think it would raise our own anxiety because we all believe in our own hearts that we're doing what's right for our kids. Apply a standard that is not personalized, and of course, you're going to find differences.

If I were to believe, that equalized throughout the State of New Jersey, that all of the standards were applied equally and fairly and open-mindedly, then I would believe that it was advancing the cause of promoting fair, thorough and efficient education, and a free and appropriate public education for the handicapped students of New Jersey. My sense is from the information that I've received from other directors, that is not necessarily so. There's no greater fear among the local directors than to be the responsible party for having a district fail monitoring.

That does not fare well with other directors within your own district. It certainly does not fare well with superintendents and with boards of education. We carry a bit of the onus of responsibility for the scrutiny of the inch-and-a-half records that Dr. Goldman has indicated, kind of a standard for the students of the local districts.

I would like to refer to some comments that will be shared with you in writing in an effort to try to take a balance between what the monitors -- not monitoring, but what the monitors will expect, and what the regulations expect.

ASSEMBLYMAN NAPLES: Very, very, very deftly and delicately put.

MR. SCOTT: Overregulation has created for the local school districts in special education an urgency to create more paper. The paper is not necessarily productive to the actual instruction of students in the classroom, but it is in terms of making sure that there are proficient copies in all buildings,

that teachers carry them around, know where they can be located in the event that a monitor pops from around the corner and asks to produce that document.

It doesn't seem to be sufficient enough that the district has the document, but everyone associated with the student in the district needs to have the exact copy of that document, and the promulgation of these records becomes burdensome and increases the paranoia among the staff responsible.

The amount of preparation: I had indicated we, in our local district, have been preparing for fourteen months. There are other things that do need to go on, and I -- the bigger part of me -- agrees with Assistant Commissioner McCarroll's comments in terms of the need for a watchful eye and an assistance. I'm not so worried about the assistance; I am worried about the watchful eye. I would love to have assistance from a lot of directions, in terms of how we can do better in local districts -- in what ways other districts have been able to beat the burden of paper and have been able to deliver quality programs to students. I have not yet heard where monitoring has left behind the seeds of better ideas or new ideas or different ideas, but rather the onus of meeting the standard, regardless of whether or not it's productive for the students.

The process overemphasizes record keeping and constantly maintaining a paper trail of everything that we do to a point where our personnel wonders how they can find the time to provide services to kids. Professional and clerical personnel are forced to spend endless hours preparing forms, collecting copies of the numerable notices and letters and reports, and constantly checking those i's and those t's. Special Services directors spend most of their time checking on people who are checking on people in order to see that the services are provided.

ASSEMBLYMAN NAPLES: That's right.

MR. SCOTT: In some counties the monitors have indicated that, in fact, they must find some areas of need, because that's the way that they prove that the monitoring has been successful.

ASSEMBLYMAN NAPLES: That's what I just whispered to Assemblyman Kyrillos.

MR. SCOTT: I feel like I'm telepathic here. We'll have to link on further in the afternoon, Assemblymen.

ASSEMBLYMAN NAPLES: We've been through it, Doctor.

MR. SCOTT: And the checking on and the checking on becomes nonproductive. In fact, it becomes counterproductive.

Although monitoring in all areas is supposed to be a snapshot in time, in the areas of special education, we are checked for code violations that sometimes go back as four or five or six years. We are in a process and are constantly in the mode of improving and meeting changes in code. However, our records which have a historical perspective of the student, sometimes carry old violations. We would like to be commended for the changes, and we would like to be acknowledged that we have, in fact, seen the old violations ourselves and are in the process of constantly self-monitoring.

In some counties the monitors have been very fair and willing to understand the mitigating factors or explanations that involve a particularly unique situation with a family or the handicapping element of a student. However, in some other counties we are told, that understanding and that respect for the individual differences is not always asked for, nor is it always accepted. Prior to monitoring visits, when districts learned from the experiences in some other districts that a correction was needed, the correction was made in anticipation of monitoring, but districts were cited for having had the problem to begin with.

Just as a state of summary: I think when the standard of monitoring is established, I think it's established with absolute, great intent. I think as that standard becomes dissipated throughout the State and hits the local level, in fact, even within a local district down to the level of the teacher or the child study team, I think if you were to compare the initial standard with the final standard there isn't a major difference. The teachers and the child study teams in this State are interested in providing programs for handicapped kids. Right now the administrators are catching them up in the anxiety of preparation for monitoring. If there's anything that the Education Committee can do in terms of implementation of monitoring, that's where the greatest relief will be brought to the students in this State. Thank you.

ASSEMBLYMAN NAPLES: You've hit the nail right on the head when you said "great intent." The other night I watched a film of President Lyndon Johnson's original announcement of the war on poverty, and he gave a beautiful speech in that southern drawl about what the goals of the Federal government would be. Well, you know and I know, that something happened along the way. The war on poverty was never won; a lot of people felt that it never began. Some people even go so far as to say it forgot to involve the poor, and I'm a Democrat here speaking. I think Lyndon Johnson was a sincere man, the same as Sandy McCarroll is a sincere man.

We've heard a lot of complaints about monitoring, and I've sat here week after week, trying to be fair. Some of you might be wondering, who have heard about the way I've questioned witnesses, why I haven't dug in and grilled some of you? It's not my function here because we don't have a bill before us. This is not a Committee meeting. This is not a public hearing on a particular bill. There's two types of public hearings: 1) to glean information so that the State could take action based upon the information received, and 2) a

hearing on a given piece of legislation to guide a legislative body and, ultimately, the Legislature as a whole.

But let me ask you this question: Let's take the other side of the coin. A very high ranking Department of Education official told me one time that, very often, it is the local school district which creates its own anxiety, and Assistant Commissioner McCarroll sort of alluded to this. In embellishing -- and these were his words -- in embellishing the process, more forms were created by the local school districts sometimes, and I have some figures this individual gave me, at a ratio of 5 to 1. For every form the State had, some districts -- not everyone -- had five forms, five pieces of paper. Our central administration, now let's dichotomize this-- Our central administrations and school based people, two separate entities which are at odds as much as the State Department of Education and the local school district per se--

Are the people in high places -- the hierarchy -- trying to impress the State? And are people at the school level, administrators, principals, guidance counselors, vice principals -- I shouldn't say guidance counselors; a lot of them will take exception to that because of the bargaining units they're in -- but, non-classroom people, vice principals, assistant principals, teachers certainly; are they the ones who are doing the work while the real work has been created, not by the State Department of Education, but by the local school district hierarchy? I'm being objective. You'll never know whether that question is rhetorical or not. What is your response, or your reaction?

MR. SCOTT: If I could respond directly--

ASSEMBLYMAN NAPLES: Sure. I want you to be direct.

MR. SCOTT: --and accept it as a-- I will accept it as a nonrhetorical question. I think your perception is accurate. I think that, in fact, many local school districts produce 5 to 1 ratios in preparation for monitoring.

ASSEMBLYMAN NAPLES: Would you say the majority of them do?

MR. SCOTT: I don't have a sense of that so I would really be speaking out of turn--

ASSEMBLYMAN NAPLES: Okay, so would I.

MR. SCOTT: --if I were to respond favorably either way because I don't know that. The conclusion I would draw, however, is different. I don't think that at the local level any district works 5 to 1 to impress the State.

ASSEMBLYMAN NAPLES: Interesting.

MR. SCOTT: I think that if the local districts didn't take monitoring seriously, you would see a laissez-faire attitude, and it wouldn't matter whether you came in and cited them or not. I think the preparation is because they've received monitoring as extremely important, and are responding to it. Now the import, however, may be beyond what was intended by the State. And I think in a sense of preservation, protection, protecting the images of one's district, of being able to respond to the constituency in a district, I think a local district will pull out all stops and go to any measure to make sure that it passes monitoring.

ASSEMBLYMAN NAPLES: Probably human nature. It's probably endemic to the beast. Nobody wants to look bad. Nobody wants to be disapproved of. Let me just say this about-- You mentioned special education and my interest in it. I'm not the only one interested in it. Assemblyman Kyrillos is, and most members of the Legislature are. But I'm a member -- I don't know if I've been reappointed or not -- of the Education Commission of the States of the National Conference of State Legislatures, and you have some real top-grade people on that committee. I went to a workshop in Annapolis in November of 1988. It was a few days after the election because one of the candidates called me, and I remember he came to thank me, so I remember that date for that

reason. While talking about special education, one legislator from Vermont whispered in my ear and said, "It seems we have"-- and there were only 15 states there because it was the Eastern Regional, Northeastern Regional. Some people came from Ohio and Indiana anyway. Their school districts paid their way or their city governments paid their way so they took it upon themselves to improve themselves by going, I take it. But he whispered in my ear -- and I never forgot his words -- "It seems we have in this nation 50 P.L.94-142s when implemented by 50 states." And next year, I've been-- I'm in the process of contacting an aide to Congressman Hawkins of California, and I've also talked to Senator Biden about this issue. I think changes have to be effected in that Federal law or what's going on in New Jersey and in other states will continue to go on. And by the way, 504 is being reviewed either the end of this year, or early next year in terms of its application to education. And, my own Congressman, Chris Smith, and Senators Bradley and Lautenberg are interested in this. I've talked to them about it. Something has got to be done at the Federal level. If it's not, special education itself can tear education in New Jersey asunder all by itself. So, I concur wholeheartedly with you, and it's beyond our Legislature -- believe me, our Governor. It's got to be done at the Federal level. Well, thank you very much. Assemblyman, questions?

ASSEMBLYMAN KYRILLOS: No.

ASSEMBLYMAN NAPLES: Go ahead.

DR. GOLDMAN: In the area of basic skills instruction, our Association has the following concerns: Once again the area of basic skills instruction is much too regulated and the regulations, particularly the Federal Chapter I Code, is overly complex and very confusing. The instructional manuals for doing annual evaluations of test evaluation and so forth of the children and applying for the funding process, is a nightmare to comprehend and to complete.

Anyone who has ever seen these regulations, you'll know what I mean. These forms, year after year, have added pages upon pages of useless data that takes a professional a full month to complete.

Years ago I could do this job in about three days: Apply for the funding which is something around \$50,000 or \$60,000, and do the studies to compare how the students have done from year to year to show their growth. Now it takes one professional person a full month of the summer just to apply for the funds and to do that report. I had to hire somebody to do this, and spend some Federal and State moneys to pay for this person. That's not what the money should be used for. So once again, it's overly complex. By the way, the booklet started out at probably about ten pages long; now they're 80 to 90 pages long. The application itself is about 85 pages to apply for \$60,000. So, you have to understand, this is a precursor.

ASSEMBLYMAN NAPLES: No, we're-- That's all right.

DR. GOLDMAN: The monitoring forms for State Compensatory Education Monitoring in Chapter I were almost redundant. In fact, we were told by the monitors if you comply with one and have the evidence for one, it automatically takes care of the other. Well why they didn't have one monitoring document for both is hard to understand, but we still had to get duplicates of everything to prepare for the monitoring. We were told this the day of the monitoring, that they would be the same, not prior to that.

Districts were required to provide data and programs precisely how State officials felt they should be done, rather than permitting districts to provide the remedial programs in a manner appropriate to local needs and conditions. Even districts who had exemplary success records -- Millburn happened to be one of those -- had to conform to narrow requirements and procedures for developing individual student

improvement plans, reporting student progress to parents, and instructing remedial programs. The regulations themselves give very little room for flexibility and creativity.

Again, as we said in special education, there were many inconsistencies from county to county. For example, and this is pretty basic, in one county the monitors insisted that kindergarten children had to be provided with additional remedial instruction. And by the way, you know kindergarten students attend school about two-and-a-half hours a day. But you have to determine if they're below a standard. Then you have to give them some more help, and you have to give it during the school day, so you're taking it from the two-and-a-half hours.

ASSEMBLYMAN NAPLES: My own prejudice is, I think almost all kids need full day kindergarten. But, I shouldn't have done that. I'm not supposed to--

DR. GOLDMAN: Now at the same time these programs were required in certain counties, other monitors said they were not required in their particular county, so there was inconsistency in that respect.

Although the book which was given to districts for developing these individual student improvement plans was to be used only as guidelines -- that's all they were intended to do -- if districts did not design these individual student improvement plans to include every element suggested in the booklets, they were frequently cited for noncompliance. If the State wanted certain forms to be created in very specific ways -- and this is a big bugaboo -- they should have created the forms themselves and mandated their use. And, by the way, they do this constantly with all kinds of board policies and things like that. They require, for example in special education, 11 policies. We've asked the State, please create the policy for us, and then we'll have 532 districts in the State that have a policy that's similar. All they do is give us an idea, then they say we have to do it, and if we don't do it according to

what's in somebody's mind, then we're criticized for it. I think that's one of the concerns. That's the inconsistencies we're talking about.

Many districts were also cited because they utilized individual funding sources, State Compensatory Education funds, Chapter I funds and local funds, for specific remedial projects rather than using part of all three funding sources for all of the projects. If we were told in advance that that's what they wanted us to do, we would have been happy to take a little of each of the funds for each of the programs. It was very easy to do. I found out we had to do that the day of monitoring and, by golly, we were cited for that. It was a miniscule thing. We could have been told about it, but not cited for it.

Some districts failed certain elements based on inaccurate monitoring, without giving the districts the appropriate opportunity to demonstrate that they could show evidence of compliance. They took that moment in time and explanations really weren't accepted. When appeals were made -- and this came from one district -- when appeals were made to hire officials at the State level, they were heard by Department personnel who were directly involved in the development of the monitoring policies and practices. So therefore, some people felt it really was not an impartial judgment, since the people who designed the whole process were making the judgment whether that citation was appropriate or not.

In summary, the New Jersey Association of Pupil Personnel Services Administrators would like to go on record by stating that although the State monitoring program has very good intentions -- and we really believe that -- to insure that New Jersey students receive a thorough and efficient education, the process itself -- and this is the most important things we're going to say -- the process itself puts the emphasis, as my social worker likes to say, on the wrong syllable; that of

intrusive checking on mountains of trivia, and the complete absence of evaluating the quality of services to children. Now I have to say thank you, and applaud Mr. McCarroll for making a recommendation that in future monitoring, they'll be looking at the quality of programs for kids. That's where the action is, not on the trivia.

ASSEMBLYMAN NAPLES: He's been very cooperative throughout these five sessions. Let me just ask a couple of quick questions. No one has raised this point, but I go back to 1962 when Dr. Conant and Admiral Rickover criticized New Jersey as -- these are my words, I'm paraphrasing -- being a mecca of educationalism and methodology; in effect called New Jersey a cultural and intellectual vacuum, criticized State colleges and teacher preparation in particular, because it didn't produce scholars. Do you think that education in New Jersey and monitoring should be more subject matter oriented rather than more oriented toward methodology?

DR. GOLDMAN: I think it should be focused more on the programs that are delivered to children, therefore the curriculum. Yet the analysis of whether our curriculum are complete and comprehensive, and the activities that we have that promote that curriculum, is appropriate, and unfortunately, the monitoring basically checks on code.

ASSEMBLYMAN NAPLES: Right, right.

DR. GOLDMAN: There's too much of an emphasis on that.

ASSEMBLYMAN NAPLES: What I'm doing here-- You can see four or five different color inks there. I've been taking notes and from that's going to come my summary and conclusions, and what I'm doing is bouncing, you know, a lot of these off people right now.

Dr. Kelly of Ewing Township from my own legislative district, I'm happy to say, made a suggestion. He shocked a lot of people with it in Toms River. He said we should have a one-year moratorium on monitoring. Stop the show. Go back to

the drawing board. Stop any future mistakes for a year, and then go back and do it right, as opposed to continuing the process, as opposed -- let me put it this way -- as opposed to catching up while keeping up. His proposal was, in effect, let's just catch up, institute a new system, and then catch up, and keep up, all at one time, henceforth. What do you think of Dr. Kelly's suggestion that we have a one-year moratorium on monitoring?

DR. GOLDMAN: I think it has some merit because otherwise you really can't continue in the monitoring -- what is it, two more years or three more years? -- and change drastically what you've done before. Then you're really monitoring over that five-year period on different standards and so forth, and I don't think that would be fair. So maybe a little-- It doesn't have to be a year, but some time to reflect and maybe make some of the changes that Assistant Commissioner McCarroll has suggested, I think, could have some value. That's just one person's opinion.

ASSEMBLYMAN NAPLES: Dr. Kelly's statement when he first made it stunned a lot of people, but I've heard a lot of people around the State comment on it very favorably, and I just wanted to know what you thought. What's your opinion?

MR. SCOTT: Well, Dr. Kelly and I usually agree on many subjects.

ASSEMBLYMAN NAPLES: Then you're a good man, too.

MR. SCOTT: I'm from your legislative district. But, let me comment on the idea. I think that if the Committee gets the sense from witnesses that the process is running wild, or running on, or running without appropriate controls, then I think the best sense is you don't kill the system, but you slow it down enough to take a better look at it with the information that you have. I would wholeheartedly support that kind of a slowdown and that kind of a moratorium in which the final product, the revision of the monitoring, would, in fact,

promote the kinds of things that we're suggesting need to happen in education within New Jersey, so I think I could speak on behalf of a number of colleagues in promoting that idea; proving that idea.

ASSEMBLYMAN NAPLES: Interesting. Okay. Joe? (negative response). Thank you very much, gentlemen. Next we go to Mr. Frank Sinatra, the Superintendent in Perth Amboy, counterpart of my good buddy Assemblyman/Mayor George Otlowksi, the Mayor of Perth Amboy. By the way, Assembly Speaker Joe Doria said he would try to stop by, as did the Senator and former Chairperson of the Assembly Education Committee, Joe Palaia. Thanks, Frank.

F R A N K M. S I N A T R A: Good afternoon. My name is Frank M. Sinatra, and I am Superintendent of Schools in the City of Perth Amboy. I have spent my entire professional career as an educator with almost 40 years of experience in the Perth Amboy Public Schools. I have held various certificated positions in Perth Amboy and have risen through the ranks to become Superintendent in 1976.

I appreciate the opportunity I have to meet with you today in order to bring to your attention my personal feelings and beliefs concerning the monitoring process as it exists in the New Jersey schools. I possess no fear or intimidation concerning my ability to speak my mind concerning my beliefs of the strengths and weaknesses of the monitoring process, since I have already expressed them to our County Superintendent of Schools, Dr. Virginia Brinson, as well Commissioner Cooperman and his staff through the Executive Board of the Urban Schools Superintendents Association of New Jersey.

Perth Amboy is now a fully approved T&E district pursuant to the monitoring regulations. We reached this status as a result of hard work and dedication on the part of our faculty and student body. Perth Amboy has a long tradition of being a proud community and school district. We have

accomplished a great deal to improve the educational opportunities afforded our students over the past several years, and some of these improvements have been a direct result of the monitoring requirements.

Educators do need to be held accountable to the students and parents in the communities that they serve. The standards set forth in the monitoring process do establish goals and benchmarks that should be met in order to be deemed acceptable. Where monitoring falls down is in its rigidity to an absolute standard which does not take into account the amount of growth and progress a district may have attained. It only reports out that a district has failed an indicator and thereby, is not approved and must go into the Level II mode of operation.

There is much that I have been able to achieve as Superintendent in the Perth Amboy Public Schools to improve my district by utilizing the monitoring standards in order to have our students and staff possess a common sense of mission. However, in some instances the paper chase and resulting mountains of forms and letters needed for documentation may have impeded our ability to make even more progress.

Perth Amboy did not achieve an approved rating in the monitoring process without some unnecessary tribulations. We initially had to develop a Level II remedial plan because six more students failed to pass the 6th grade standardized test in reading at one of our two middle schools, even though the total number of 6th graders in the district passed the State test at the 6th grade level and made the standard. And I have to point out--

ASSEMBLYMAN NAPLES: What bin were they in, Frank, the kids who failed? I mean what bin did they fall into?

MR. SINATRA: Some of them were extremely close, and I go into explaining this in a minute. And by the way, we had

approximately 350 students in the 6th grade in that particular year, so I'm not talking about a small group.

We passed with flying colors in the other 51 of the 52 indicators that were in place at that time, as well in grades 3 and 9 in the indicator that was deficient. Needless to say, it's the testing indicator. When this was occurring, we analyzed the status of the 29 students at that school that failed the test and found that 18 had exited the bilingual program at the end of the previous year. As you may know, Perth Amboy is a heavily concentrated Hispanic district with over 75% of our students being nonnative English and over 20% being enrolled in the former bilingual program. In addition, four failing students had moved into the district from another community within three months of the test and two failing students had transferred from our other middle school within a few months of taking the test.

We gave the students who failed the test, and who had exited the bilingual program an equivalent test in Spanish, the CTBS Espanol -- a State approved test -- and found that eight passed it. In our formal appeal to the Department of Education, we asked that the scores for these unique students be substituted for the test scores in English, and were denied.

Our County Superintendent, Dr. Virginia Brinson and her staff were very helpful in our appeal by assisting me to present our case. However, it was to no avail. Rigidity prevailed. We never did receive a written denial with reasons stipulated as a result of the appeal.

The dip in morale of our students, staff, and community when this occurred, was most pronounced. Our pride, for a time was shattered. However, with great effort on the part of all involved, we were able to bounce back and achieve the approved status the following year.

As I understand it, and what I just heard here a little earlier today, my tale of woe is only one of perhaps

hundreds that you have heard-- Let me say for the record, however, that given all that has occurred within the monitoring process as well as the many excellent individuals involved in it, that I would urge that it not be totally tossed to the four winds, and I was happy to hear a little earlier, where you indicated that as your intention. I believe your responsibility should be to obtain from it those ingredients that are actually necessary to make educators accountable, without being involved in a mindless paper chase and a "gotcha" mentality.

ASSEMBLYMAN NAPLES: I must have heard "paper chase" and "gotcha" 150 times.

MR. SINATRA: I guess it's a catchword when it comes to monitoring, right?

The type of monitoring that is now being endured is not necessary to take place every five years. The Middle States Accreditation Association does an outstanding job of accrediting high schools, and this process occurs once every ten years with periodic reviews during that period of time.

You know -- and this is an aside -- as a practicing School Superintendent at the present time and testifying at this time right after the Governor's budget message concerning funds for education particularly as they impact on my own district, I can't help but tie this next part into the monitoring process because it's really part and parcel of it.

The responsibility of the State, in not fulfilling its obligation to adequately fund education pursuant to the Thorough and Efficient Law, should also be taken into account in the results of monitoring in the school district. In Perth Amboy during the past three years we have received \$2,726,667 less in entitlement formula aid. For the 1990-91 school year, if Governor Florio's education budget prevails, we will receive in 1990-91 alone, \$3,6639,375 less than we are entitled to receive.

ASSEMBLYMAN NAPLES: Anticipation or actual dollars in the coffers?

MR. SINATRA: Anticipated under the formula.

ASSEMBLYMAN NAPLES: Okay, okay.

MR. SINATRA: Has the State monitored itself in this regard, and graded itself on the basis of a rigid standard? It may very well be that in order to meet the fiscal restraints that are being imposed on the district that I will be recommending reductions in our educational program and facility maintenance program, which will result in our failing the monitoring visitation that is scheduled for December of 1991.

The 1990-91 school year is our review year. And we have been placed in a position, by the failure of the State to live up to its own laws to thoroughly and efficiently fund school districts, to dismantle the programs, and activities that we need in order not to be caught in the gotcha process.

Education is a form of growth. If we are to have a form of monitoring in place, I believe growth should be rewarded and recognized, since everyone has not started from the same starting line. The other factors that go into a child's ability to learn, his motivation to learn as well as the district's fiscal ability to deliver educational services, are not recognized and taken into account in the present monitoring system. These factors should be, if we truly want to provide equal educational opportunities to all students.

In closing, let me state in clear terms that monitoring can be a benefit to the schools in our State, if, in fact, it is organized and implemented in a way that emphasizes the positive, and offers real assistance in the negative areas with no punitive threats and actions.

Thank you for your time. I'll try to answer any questions.

ASSEMBLYMAN NAPLES: Assemblyman? Go ahead, Joe.

ASSEMBLYMAN KYRILLOS: No, it's been very balanced testimony. Appreciate it.

MR. SINATRA: Thank you, sir.

ASSEMBLYMAN NAPLES: I have one quick question to ask you. You mentioned you had met in the second go-around all of the requirements. Overall, in your professional opinion as Superintendent of the district, do you believe that you are a better district, Perth Amboy, because of the T&E imprimatur or approval? When I say T&E, I talk about the Chapter 212 variety, rather than the constitutional. Are you a better district because you met all those requirements?

MR. SINATRA: I believe we are, yes.

ASSEMBLYMAN NAPLES: Do you think that without the prodding of the State, you would not only not have done what is in the elements and indicators, but might not have initiated some things?

MR. SINATRA: I think I might have initiated them, whether or not I had the prodding of the State, but whether or not I would have been able to get everybody on board in the system to join with me, may not have been able to occur. It would have been a different test of my administrative ability.

ASSEMBLYMAN NAPLES: Good answer. Last question. Do you think that because you were so preoccupied with what the monitors were looking for, that you might have been able to innovate, but didn't have enough hours in the day to both read the mind of the State and innovate on your own?

MR. SINATRA: I think at times I became bogged down in the minutiae, if that's what you're talking about. I heard the previous testimony concerning special education, all of the documents-- My wife is a former special ed director, and you know, I'm well aware of that and what that has done to the district and everybody else concerned.

ASSEMBLYMAN NAPLES: The country. The whole country.

MR. SINATRA: Right. So, I do think though that the idea of if you are not acceptable, then you're completely unacceptable, without taking into account all of the factors, really is a much greater hindrance to many of the schools than it need be in the manner of presentation. In deference to the Department, I think the news media has at times skewed what the Department might have been trying to accomplish in this regard. However, we've got to deal with the real world, and the news media being what it is, that's the way they're going to treat anything that might come out that may be regarded in a negative manner.

ASSEMBLYMAN NAPLES: Okay, thank you very much, Doctor. I appreciate it very much, Frank.

MR. SINATRA: Okay sir. Thank you. By the way, Dr. Campbell called me shortly before I left my office. I don't think he came in. He has an emergency in one of his schools in Newark. Whether or not he makes it or not, we'll have to see. However, he will send you written testimony. He told me to tell you that. Okay.

ASSEMBLYMAN NAPLES: I'll call him tomorrow. Thanks very much Frank. Next, Steve Block of the Education Law Center. Steve? (no response) Okay. Eugene Campbell, the Executive Superintendent for the Newark School District? Dr. Sinatra just indicated would not be able to make it or if he did make it, he would be late. So, we'll go on. Thank you, David. I missed somebody, myself. That's how tired I am. T. Josiah Haig, Superintendent the East Orange School District. I hope I pronounced that name right.

DR. T. J O S I H A H A I G: Josiha, sir. (corrects pronunciation)

ASSEMBLYMAN NAPLES: Josiha, excuse me.

DR. HAIG: Thank you very kindly for allowing me to come here today. A presentation-- The testimony I should say

sir, should last no more than three to four minutes. I apologize for not having copies of the presentation.

ASSEMBLYMAN NAPLES: We want quality, even if it means quantity.

DR. HAIG: Okay. I'd also like to acknowledge the Assemblypersons and the others on the platform.

Let me begin by saying my name is T. Josiha Haig, I'm Superintendent of Schools of the East Orange School District. On March 23, 1984, the East Orange Board of Education received an audit report conducted by the State Department of Education disclosing a deficit reported as high as \$7.9 million. In the wake of that news, the State appointed a fiscal monitor for the East Orange School District to oversee the management of the district's finances. This action predated the State monitoring process we know of today, but in essence, it was State intervention with a slight twist. The Board operated in a semiautonomous manner. However, unlike State takeover as we see in Jersey City, the fiscal monitor worked with the Board of Education and the Superintendent at that time to correct the deficiencies in accounting and record keeping functions. Corrective practices were put in place. Legislative action made moneys available to the district for payment of debts, and a repayment schedule was arranged. Early reports estimated several years will be required to correct the uncovered deficiencies and eliminate the deficit.

On February 7, 1986, the district's official audit report indicated that as of June 30, 1985, the East Orange Board of Education had obtained a balanced budget. We had received our first unqualified audit in years which reflected our commitment to responsible fiscal practices. Excuse me. In what amounted to two short years, the cooperative efforts of the State Legislature, the State Department of Education, and a local urban school district accomplished what some thought impossible. Since that time, the fiscal monitor left the

district's finances in the hands of the East Orange Board of Education, and the Board has had an unqualified audit each year.

The East Orange School District's experiences with State monitoring did not stop there. In 1986, while still under the intervention of the fiscal monitor, East Orange was given a comprehensive review by the State's new monitoring plan, one of the first school districts to be so monitored. We did not meet minimum State standards in seven of 10 instructional, managerial, financial, and physical plant areas of concern. East Orange was found to have one or more problems in comprehensive curriculum and instruction, student attendance -- excuse me -- building and facilities, professional staffing, staff mandated educational programs, financial accountability, and sufficient numbers of students capable of passing the State mandated Basic Skills Test.

The district immediately went into the improvement planning process of the monitoring plan, with once again, a small twist. Since August 1984, the East Orange School District was one of three urban school districts participating in the New Jersey State Department of Education's three-year school improvement project entitled, "The Urban Initiative -- Operation School Renewal" or OSR for short.

ASSEMBLYMAN NAPLES: I remember you from the meetings.

DR. HAIG: Yes sir. The chief thrust of the State's project was to execute long-range strategic plans to improve urban schools. Basically this was a cooperative effort involving the East Orange school community and the State Department. Many of the areas addressed are being addressed under OSR with the very same areas found lacking in the monitoring report.

OSR provided State support during the planning phase by lending staff to the district, and some funds were made available to East Orange School District during the implementation phase. Ultimately, a number of the plans

developed through the OSR planning phase were used to address the concerns from the monitoring report.

A published report in The Star-Ledger dated Wednesday, February 8, 1989, quotes Dr. Elena Scambio, then the Essex County Superintendent of Schools as follows: "Today, in comparison, the State is citing the East Orange district with just two complaints: 1) use of some substandard classrooms, while 2) many of the District's students continue to fail the State's Basic Skills Test." Dr. Scambio said that the District's onetime \$7.9 million deficit, and deficient management controls are, 'a faint memory.' In effect, the East Orange School District not only cleared a \$7.9 million deficit, but has also reduced from seven to two the number of failing areas in the State monitoring process. Because of our success, the district remained in Level II rather than moving into the more serious Level III monitoring mode, the step before State consideration of takeover. Dr. Scambio concluded her statement that evening by saying, 'I hope and fully expect to recommend the State Department of Education certify the East Orange School District in the not too distant future.' She continued, 'I'm very optimistic about that.'"

ASSEMBLYMAN NAPLES: And so are we.

DR. HAIG: If the State monitoring plan is to work, plans to address concerns must be developed based on the resources and constraints of the school district. Acceptable levels of financial and professional support must be agreed upon and made available. This is what's happening in East Orange.

Can the State monitoring plan work? Yes, when as in East Orange's case, it's tempered with a cooperative spirit acceptable to all parties.

ASSEMBLYMAN NAPLES: Thank you very much. Your last statement, your last clause, "when it is tempered with--" I'll

ask you a direct question. Do you think that monitoring is as negative as the iron fist rather than the velvet glove?

DR. HAIG: Well, I think, what I tried to do was to put--

ASSEMBLYMAN NAPLES: As it's applied, not as it's conceived.

DR. HAIG: I think what I tried to do was to put for East Orange -- and is relative to East Orange -- the concept of monitoring within a context of the problems that we've had, and given that, that context obviously has worked for us. The East Orange School District was, what I call as a Superintendent, operationally unsound as well as organizationally unsound. It was that and other things that I suggested, in cooperation with the State Department of Education that has allowed soundness to come about in our school district, and to be perfectly honest with you, being sound allows us to move the school district forward.

ASSEMBLYMAN NAPLES: Let me ask this question, and I wish I had an overhead projector here. But, in yesterday's Home News on page 29, it had a high school design of the future type cartoon. And I'll read it aloud to you, I don't expect you to-- Anybody that can see that can be a .400 hitter. On the far left -- Childcare Wing, this is one school building here, the next wing and they're all connected. It's one school -- Teen Healthcare Wing. The next wing, Drug Detox Wing. The next wing, Parental Wing, then the Education Wing.

Inasmuch as schools -- and I'm not going to comment on whether it's right or wrong -- rightly or wrongly have assumed many of the functions which heretofore were attended to and addressed by other institutions in our society, do you think in order to effectively evaluate and monitor schools, that those entities have to be evaluated as much as the instructional program, inasmuch as they impact the instructional program? I looked at that cartoon yesterday and a million questions went

through my mind. One of my colleagues was making a very boring speech -- nice guy, but I was getting bored -- and I opened the paper and I saw this, and I cut it out immediately. What's next? Do we have monitoring by Human Services? Do we have monitoring by the Department of Health? Do we have exit conferences among the monitors of the various departments? Food for thought, certainly. Oh, and food for thought: a Nutrition Wing, too.

DR. HAIG: Are you asking me to respond to this, sir?

ASSEMBLYMAN NAPLES: Yes, please.

DR. HAIG: I think the complexities-- Let me attempt to respond to that outside of the context of my presentation, because I think that's very, very important. The issues that you're referring to, have a direct, a comprehensive, an integral part -- play an integral role in how we maintain and move our school districts. In order for that to be respectfully assessed, the philosophy of public education in this State has to change altogether.

Given philosophical change, in my opinion one could develop responsible indicators and responsible assessment instruments that allow one to see the impact of the things that we're doing -- is having on that philosophy. In the current philosophy, it precludes that from being assessed. That's my judgment.

So, it's not fair to even introduce that, in my opinion, unless of course, the philosophy changes. If the philosophy changes, I think we would have a responsibility to organize, to manage our budgets, to shape attitudes and behaviors reflective of that philosophical change.

ASSEMBLYMAN NAPLES: It's already been introduced from a de facto point of view, and I just wonder at what point this thing is going to be approached in a more synergistic, comprehensive manner?

DR. HAIG: Well, I think it will. Sandy talked earlier about the evolutionary process of the monitoring system. It's when that evolutionary process begins to be directly impacted by the different philosophical orientation, in my opinion, then those two will come together more responsibly. Until that happens, you'll begin to see, sort of, the assessment being done in the absence of very, very responsible information relative to the areas that you're talking about.

ASSEMBLYMAN NAPLES: Okay. Thank you very much.

DR. HAIG: Thank you. Thanks for the time.

ASSEMBLYMAN NAPLES: Joe, do you have any questions?

ASSEMBLYMAN KYRILLOS: No.

ASSEMBLYMAN NAPLES: Okay, Next, Mitchell Potempa, Superintendent of Elizabeth. Welcome, Doctor. I thought you were Walt Chesney there for a second, representing Hank Miller of PSA.

M I T C H E L L S. P O T E M P A: Not at all, I'd just like to represent one institution. Mitchell Potempa, Superintendent of Schools, Elizabeth, the fourth largest urban district in the State, comprised of the largest high school in the State, with over 4000 students.

ASSEMBLYMAN NAPLES: And the best basketball team, too.

MR. P O T E M P A: Yes, as you know, we did win the Tournament of Champions basketball. I'd like to indicate that I'm very proud of the administrative staff and the instructional staff of Elizabeth, because they're all access oriented, and they direct their energies in that direction. So there are adversities, but we overcome these and look ahead. I'd like to make a statement here in regard to Level I monitoring. The Elizabeth Public Schools are presently being monitored in accordance with the Public School Education Act of 1975. Monitoring in Elizabeth started four weeks ago on March 5 and will continue through April 12.

Preparation for this monitoring was officially set in motion when the Union County Superintendent's monitoring team provided the initial pre monitoring orientation for Elizabeth's central office monitoring staff. From that day on, the district has received continuous technical assistance.

Technical assistance, included ongoing clarification of rules, regulations, policies, procedures, and an extensive pre monitoring of the 30-plus school buildings in the district. Technical assistance gave the district's staff information and guidance to plan and proceed with confidence and assurance.

Preparation for monitoring followed a district wide format of monthly turnkey in-servicing of staff at all levels from the Superintendent, to administrators, supervisors, teachers, child study teams, nurses, all teaching staff members, even custodians, food service personnel, and supportive staff. The parameters of each of the 43 indicators were reviewed through central staff meetings, then turnkeyed during monthly building staff meetings under the leadership of the principals, as well as monthly departmental meetings under the direction of directors and supervisors. Preparation for monitoring in Elizabeth was a massive team effort which resulted in benefits throughout the district. In anticipation of the Level I monitoring visiting teams, directors, principals, and supervisors expressed the following:

- 1) Own classroom organization in terms of district goals and priorities. Articulation between subject areas and grade levels was increased, thereby, improving overall continuity between programs and schools. The impending arrival of monitors caused all staff members to pay particular attention to many in-house details.

- 2) A supervisor stated, "This whole process has been a marvelous organizational procedure for all of us, in all areas. My staff and I have been able to scrutinize and

streamline programs, materials, and procedures that we might otherwise have left for another time."

3) A new supervisor reported that the preparation for Level I monitoring was an extremely beneficial crash course on process, policies, preparations, and procedures that required detailed knowledge in the position.

4) One director said that the monitoring process enabled the district to demonstrate high quality collective teamwork and accountability for all, including board members and the community.

5) A second director concluded that the process fine-tuned the entire district. Monitoring prompted intense in-servicing for teaching staff, supportive personnel, and district administrators. Record reviews ensured that all mandated documents were provided.

Staff members now have a clear understanding of program mandates, of unity, and cooperation. Areas of weakness were identified during self-studies and action plans, and new management procedures were put into place where needed. A new orderliness within the district which resulted from preparations for Level I monitoring has improved not only the processing of paperwork and morale, but pride in evidential proof to the parents and community that the staff are accomplishing quality education from which the district and students benefit.

6) One supervisor compared monitoring to a gigantic mirror. In his opinion, we have a chance to get a good look at ourselves in that mirror. As we looked, we all saw different things that needed to be corrected, and we did them. Now, when all is said and done, we will continue to be affected by the reflections in the monitoring mirror in the succeeding years.

7) Other supervisors reported that the district's preparation which included reporting on their disciplines, enlightened principals and administrators -- even all

participants -- and giving all participants a perspective into our integral network of continuity provided by new programs in the district.

Monitoring may also be seen as a tool that can be used constructively, efficiently and effectively, or in less skilled hands, negatively and destructively.

In general, the staff in Elizabeth believe preparations for Level I monitoring and the monitoring process itself encourage school staff to look more closely at themselves; to do self-evaluations which should lead to improvement in instruction and the education of our youth. This process can serve as a vehicle which enables personnel to review the various components of the school mosaic as a unified whole.

Monitoring in Elizabeth has really been a process of receiving technical assistance. It has been a most positive experience through which the district was able to rise and raise its awareness level by reviewing programs, facilities, policies, procedures, etc., through the objective eyes of the monitors.

The visits of the monitors have been seen as an opportunity to show our programs to very special guests. In fact, monitors reported that several teachers seemed disappointed that the interviewers did not question areas of teachers who wished to discuss, so that they extended the visits themselves by volunteering information about classes and programs.

It seems to be a consensus that Level I monitoring without county or State monitors visiting the district would indeed simply be a paper process.

Suggestions for change:

- 1) Indicators should be not weighted equally. A specified number of indicators should be required to be acceptable while others should be allowed conditional approval

pending a corrective action plan. For example, if a district were to fail on one indicator, a corrective action plan should suffice to gain certification.

2) Consideration should be given to revise Element 8. Perhaps test results should be reported as in the past on the district's performance instead of a school's performance. It seems inequitable for one district to be required to have 22 schools pass while another school district is accountable for one, two, or even a half dozen schools.

3) Monitoring cycles should be dependent on the district's status. Districts that are in Level I monitoring might be reviewed every seven years with a self-study interim written report after, perhaps, the fourth or fifth year, similar to Middle States review. Districts that are in Level II might continue with the five-year cycle. Level III reviews should continue to be ongoing.

Thank you.

ASSEMBLYMAN NAPLES: Assemblyman?

ASSEMBLYMAN KYRILLOS: Thank you, Mr. Chairman. I'm just sorry Dr. McCarroll isn't here. I'm quite certain he would have been pleased with your report. We haven't had too many assessments like yours, and I'm pleased to see what you have to say. I know his very able assistant, legislative liaison, Jean, will take that back to him. I appreciate your comments. Do you have any feelings from some of the prior testimony today, and I don't know if you've heard about--

MR. POTEMPA: Well, I do feel that basically the whole process could be compressed somewhat--

ASSEMBLYMAN KYRILLOS: And you have made some suggestions.

MR. POTEMPA: --and to streamline it and so on. It does bring vividly, accountability to everyone, including the taxpayers and perhaps the State with the shortfalls in entitlements, etc., and it brings everybody into a common

sync. Certainly it's everybody going down one road, and they're affecting the district objectives and goals, and making education where it should be, leaving things perhaps. And it all depends on the size of districts, and the amount of moneys that come in and support the programs. There might be conditions where lethargy may prevail and you wait for the next monitoring, but as monitoring should be, it should be everyday; it should be through every hour; it should raise the expectations of the teachers of the students, of themselves; it should improve teacher attendance, student attendance; it should deal with the dropouts. It should deal with, of course, the testing process and, of course, the categorical programs, etc. It brings the whole thing to a close, and if everybody's with it, and if you have organization, good administration, and you put everything in certain lineage, then it will work. It will work.

There's no doubt that it would be a fallacy just to wait for this thing every seven years. It should be an ongoing thing. And let's face it: If everybody did their job, if everybody was dedicated and committed, you wouldn't need this because it would be taking place there now. If the boards of education, the taxpayer supported buildings, and the State gave you enough money, teachers taught, administrators administrated, they were leaders and so on, it would be there. And it's all part of, holistically, the goals where educators seem to want to go.

ASSEMBLYMAN NAPLES: Thank you, Mr. Potempa. Question: You talked in the statement about a lot of things which your very fine staff had done under your leadership, but you said before, a moment ago, if you had this if you had that, we could do that. Am I to glean from that statement, that without monitoring from the State and the County Office, many of these things would not have been done without it?

MR. POTEMPA: I would say that, and it all depends on the district's size.

ASSEMBLYMAN NAPLES: Oh yeah, oh yeah.

MR. POTEMPA: If I had a school sized district of two schools and I was in the administration building, I could look out the window and see that things are working right. The roof is not leaking, the windows are there, the teachers are in, the kids are coming to school, and so on. But, if you have a large district, there has to be organization. The people have to be in charge to give the type of guidance that's necessary in order make vivid in everybody's mind the true district objectives and the goals, where are you going, and everybody goes in the same direction.

ASSEMBLYMAN NAPLES: So it's like Operation Overlord.

MR. POTEMPA: You get that message through, it will work.

ASSEMBLYMAN NAPLES: Operation Overlord; like the invasion of Normandy, almost it is. In a way it is.

MR. POTEMPA: Well, you would probably need that. You may not have to be that authoritarian, but I mean it still needs that leadership.

ASSEMBLYMAN NAPLES: No, no, no. I mean in terms of preparing.

MR. POTEMPA: You know, when you talk about leadership, it really means leadership. You have to guide, you have to look, you have to evaluate, you have to provide and get involved, and the same thing goes from the superintendent right on down to the teachers.

ASSEMBLYMAN NAPLES: So the bigger the entity-- The reason I mentioned Operation Overlord, the bigger the entity the more structure needed by the district superintendent in order to tie together a workable, efficacious type unit in order to do the job.

MR. POTEPA: That's correct, that's correct. I don't see this just by a formulating, by telephone call, or just meeting with your directors and having them be responsible for that. The responsibility has to go right down, and everybody has to move in that same direction to achieve the goals.

ASSEMBLYMAN NAPLES: If General Eisenhower had just a battalion and General Montgomery had just a battalion, their organization would have been different, is the point I was making.

MR. POTEPA: That's true. I'd just like to indicate, you know, the staff that we have, I said should be lauded. They came out of a strike. There was a lot of morale building and strengthening that had to go on. In the throes of this, we're preparing for Level I monitoring.

ASSEMBLYMAN NAPLES: It was a tough one.

MR. POTEPA: And, as I said, our athletic programs, our academic programs are working well. We have G&T programs from grades 2 right through--

ASSEMBLYMAN NAPLES: You clobbered Trenton High last year.

MR. POTEPA: Well, I'd like to clobber them academically as well as athletically. But still and all, there is a perfect balance. And we certainly avail ourselves of all the programs, our evening programs, our ABE and our high school equivalency, also dealing with our G&T and our LAVSD programs, vocational programs. We have a comprehensive type of program. And you know, just urban areas are always looked on as the stepchild and so on.

ASSEMBLYMAN NAPLES: Yeah, yeah.

MR. POTEPA: They have problems. There is a money problem. Nobody could tell me that I could do what I'm doing now, looking at the philosophy of President Bush with the 1000 bright lights, because they would have been out a long time

ago, because nobody had the money to pay the electricity. But I'm just saying you need money in order to give the teachers--

ASSEMBLYMAN NAPLES: If Michael Dukakis said that he might be President.

MR. POTEPA: --a decent raise to make them feel that they're respected, that they're professionals, to get them involved -- and it does help -- provided you provide adequate buildings and supplies of everything else that's necessary.

ASSEMBLYMAN NAPLES: Thank you very much. Very, very informative. George Trogler, Art Supervisor for the Elizabeth School District.

DR. GEORGE E. TROGLER: It's not always--

ASSEMBLYMAN NAPLES: Are we talking about the fine arts here or liberal arts?

DR. TROGLER: We're talking about the visual arts.

ASSEMBLYMAN NAPLES: Visual, okay.

DR. TROGLER: It's not always that you get to follow your superintendent and--

ASSEMBLYMAN NAPLES: It's a tough act to follow.

DR. TROGLER: --it's a tough act to follow.

ASSEMBLYMAN NAPLES: Yes, he is a good man.

DR. TROGLER: We really have had a very positive monitoring approach in Elizabeth, and I certainly appreciate this opportunity to speak to you about my experiences with Level I monitoring. My name is Dr. George E. Trogler. I will speaking to you today as the Supervisor of Art Education for the public schools in the city of Elizabeth. In this position, it is my direct responsibility to supervise 28 full-time art education teachers. I am responsible for the visual arts only. Before assuming this position four years ago, I was an art education teacher, also in Elizabeth, for 25 years. I think that's a pretty good recommendation that I believe in Elizabeth.

My remarks this afternoon will not present a rationale regarding the importance of the arts in education, but will be based upon an assumption and a strong conviction that the arts are basic to education. I would hope that everyone here this afternoon would share the same conviction; therefore, how can monitoring help school districts evaluate the quality of their art programs.

As you know, Level I monitoring indicates 10 elements to be addressed and on your paper, I indicated those.

The Element 1 in Planning: As part of the planning stage, the Board of Education in Elizabeth funded a curriculum development workshop with teachers actively involved. However, I discovered that good teachers are not necessarily trained in skills that are important in curriculum writing. Also, I realized that scheduling adequate in-service training would be helpful for implementing the guide, but it would be difficult. Nevertheless, funds were provided as an outgrowth of this curriculum development to purchase books and art reproductions that teachers found useful. But additional problems emerged as you will see. Let me explain.

Element 3 is Comprehensive Curriculum and Instruction, and I believe a comprehensive curriculum in art education should address the areas of:

- 1) art production,
- 2) art history,
- 3) art vocabulary, and
- 4) art criticism.

At the same time, a comprehensive curriculum should include scope and sequence with evaluation of the total program included as an integral factor that is dependent upon facilities, scheduling, materials, and equipment. And here is where the problem lies because the areas are not adequately addressed by Level I monitoring.

Facilities: Where does it say that every art teacher should have an art room? At the elementary level, teachers are often called upon to teach art in a regular classroom. We call this "art on a cart." I suggest that you try teaching basketball in the classroom. In other words, I contend that art teachers need art rooms, and the size of the room is as important as the size of a regulation football field. Incidentally, an architect last year told me that 1000 square feet was the minimum size, but I'm still trying to find the authority at the State Department of Education who indicated that. And did that include storage facilities?

Incidentally, the monitoring team in Elizabeth has been concerned that kilns are vented, that mobiles are not hanging from light fixtures, and that art rooms are neat and tidy. None of these items seems essential for quality instruction and although the venting of kilns is a relatively new regulation, in a large district it involves considerable expenditure. Therefore, I planned to have kilns vented over a three-year period, but we're now in the second year and some kilns in the elementary school are not yet vented. The monitors weren't quite sure what should be done about this and thoughts ranged from removing the kilns from the school buildings to putting metal bands around them. What was not truly realized was the fact that kilns can not be disconnected by simply pulling a cord. They must be disconnected by an electrician, and this is an expensive proposition.

I'm told money is a problem; and I know money is a problem. Then I learned that a teacher had several rolls of paper stacked on the floor. It was indicated that a paper storage rack would solve the problem: Cost, \$400. This represents the budget I have for art materials for one year for 100 students in the elementary program. But even greater problems are related to scheduling.

Teachers need time to prepare materials. Getting clay ready for a class of 25 is slightly different from having children pull their reading books from their desks. Consideration should be given for this, but it is not. Not only does the art teacher prepare for each and every class, but they get called upon to provide the bulletin board displays in the hallways, prepare scenery for music programs, and in general make the school and classroom alive with art. This takes time which should be provided the teacher. This is not included in monitoring. Therefore, my point is, perhaps it's not important.

ASSEMBLYMAN NAPLES: Well, let me just interrupt here. It is important. You mentioned it a moment ago. It goes to the heart of finances. I know that when I was principal in one of the biggest junior high schools in the State there was-- I know that there were some teachers I wanted to give four periods and two prep periods to because I could always call upon them to do some of these things. But it was just a question of money, and then when we had a slight RIF, and we lost two or three teachers it became impossible despite my-- Well, the vice principal already did all the scheduling work -- I don't mind giving credit where it's due -- but no matter how much scheduling prowess she had, if the money wasn't there, it couldn't be done.

DR. TROGLER: Perhaps it's the priorities. Had it been included with the monitoring objectives such as the mandated programs where we see remediation--

ASSEMBLYMAN NAPLES: Good point. Yeah, Joe Doria said that last-- Three years ago when we talked about school intervention, he said something along those lines.

DR. TROGLER: I don't mean to attack other programs--

ASSEMBLYMAN NAPLES: No, no, no.

DR. TROGLER: --but I see it's very easy to say that money isn't there, but I look what is spent for the sports

jackets for students, and we're very proud to have the number one teams, but I'm talking about basic education.

ASSEMBLYMAN NAPLES: I agree, I agree.

DR. TROGLER: Student scheduling poses additional concerns at the elementary school level. Students are scheduled for art usually once a week for about a 45 minute period. Now I ask you, who said that children learn best when they have a subject only once a week? If this were the case, reading and mathematics could be taught once a week. Consequently, it is obvious that if the arts are a basic subject like reading and mathematics, they need more time. If you look at this realistically, you can see that students who have one class per week may have only 35 classes per year. And this translates to seven full weeks of instruction per year where the subject is taught everyday. Consequently, it would indicate that by the end of fifth grade the student would have completed the first grade text. And, I'd like to tell you that it doesn't get any better in the middle school schedules, because the High School Proficiency Test now becomes important, and that's with Element 8. You are aware that the high school graduation requirements in arts education is inadequate. The one credit specified is in the fine, performing, or practical arts, and therefore, this can mean typing or drafting.

Element 10 now focuses on the financial, and I'd like to know who could tell me how much it costs to run a quality art program? Does it cost more to buy materials for the elementary, middle school, or high school student? Is it true that a course such as photography might cost three times as much as a course in ceramics, but then, aren't kilns expensive?

Now, I'm given \$60,000 a year for art materials. At first this appears to be a very impressive figure, but when it's broken down into actual expenditures, it is not adequate.

ASSEMBLYMAN NAPLES: How many students are we talking about? I'm not reading ahead, I'll be honest with you.

DR. TROGLER: All right, no, you don't have to. And this is where it's a difficult figure to translate. At the elementary level, I have approximately 7000 students. In the middle school I have, let's say, 5000 students, but the scheduling then is different--

ASSEMBLYMAN NAPLES: Right, right.

DR. TROGLER: --because they do not see their teachers every day, and each middle school is different.

ASSEMBLYMAN NAPLES: Do you have individualized scheduling in your middle school?

DR. TROGLER: It depends. Yes, it depends basically upon the school the students are in. It's the prerogative of the principal.

ASSEMBLYMAN NAPLES: Okay.

DR. TROGLER: I have a Gifted and Talented Program where the students have art all year long for the full year.

ASSEMBLYMAN NAPLES: It's a forgotten part of GT, unfortunately. I agree with you.

DR. TROGLER: At the high school it's basically an elective, other than the fact that the one credit for graduation. And courses like photograph cost approximately \$40 a student. I have three full-time photography students, therefore, multiply that by 125. I have one full-time ceramics teacher, 125 students, that costs about \$15 a student. Then I have drawing and painting that has another figure, so how many students I have is misleading. It's easy to focus on the elementary with the 7000. If you take 7000 times four, you immediately come up with \$28,000 which is relatively half of your total budget.

ASSEMBLYMAN NAPLES: No, I understand.

DR. TROGLER: Okay. What I'm saying is, this four dollars a student is simply not enough money, based on experience. But what is an adequate budget? The monitoring really doesn't say, and at the Department of Education I don't

know who I would call, and I'm pretty familiar with the Department of Education working with people there.

I'm also concerned in this respect financially about students taking trips and being exposed to cultural experiences. My recent knowledge is that the Department of Education has not allocated for the coming year the \$130,000 for the New Jersey State Teen Arts Program. Therefore, what is going to happen to that program where my students can use school buses to go to? Perhaps this Committee could investigate that? Now that amount is supported by \$80,000 from the New Jersey State Council on the Arts. They're under a 47.5% budget cut, so again, it's a ripple effect. Working with the New Jersey State Council on the Arts in the programs in addition to the Teen Arts, I'm finding people like the Paper Mill Playhouse, the Princeton Ballet are saying we're going to have to cut our arts and education programs.

So this all gets back to schools and the quality of education for the students, and monitoring doesn't address these issues. In other words, to be realistic I have been forced to put together a curriculum guide that caters to scheduling, facilities, and budgets more than to quality instruction. I was optimistic to think that monitoring might help me, but instead, I learned that the important concerns for quality arts education are quite simply not a priority in Level I monitoring and without your help and understanding they probably never will be.

I thank you for listening and I welcome your questions. I have some additional materials to leave with you.

ASSEMBLYMAN NAPLES: I thank you. Assemblyman?

ASSEMBLYMAN KYRILLOS: No. Thank you, Mr. Chairman.

ASSEMBLYMAN NAPLES: Excellent statement from an instructional -- from an administrative, instructional, standpoint. I liked it very, very much. I like your sincerity. I just wish we had a few more dollars to implement

programs of that nature for yours and many other programs around the State. Thank you very much.

DR. TROGLER: Thank you.

ASSEMBLYMAN NAPLES: Okay, next. Dr. Dennis Kelly, Superintendent, Ewing School District. Welcome, Dennis.

DR. D E N N I S G. K E L L Y: Good afternoon gentlemen. I'm Dennis Kelly, Superintendent of Ewing Township Schools. This is my second time in front of this Committee. I spoke to you last on March 6 in Toms River. I don't think my opinions have changed drastically since then, but over the past month, like you, I've had the opportunity to talk to a number of colleagues and friends about monitoring, and I do have a few additional ideas I'd like to share with you.

I'd like to emphasize today the difference between the promise and the reality of monitoring. I want to give you five ideas for making monitoring a more effective, efficient process that I think most school districts can look forward to in the future:

Idea No. 1: Simplify the process. Monitoring is, I think, a living testimony to what happens when we try to do too much for too many. The idea behind monitoring is a solid one. We can all learn from being evaluated and we all need to be accountable. Often people from outside of our organization can see things a little bit more clearly and be a little bit more objective than those people within the organization. But with monitoring, we've taken what is basically a simple idea and have attempted to make it as complex as possible. We have 10 elements and 43 indicators. We have a monitoring manual that is roughly two inches thick and constantly changes. This creates problems in districts like my own that are about to be monitored. We are attempting to hit a moving target, and it creates problems for us. In my opinion we have created in monitoring, a monster that feeds on paper, time, and money.

Idea No. 2: Relate monitoring to quality. There's currently no direct relationship between those districts who pass monitoring and quality educational programs. Some very good districts fail monitoring and some very poor districts pass monitoring. The only two districts in Mercer County where I come from to have failed monitoring are Trenton and Princeton. I'll leave it up to you gentlemen to decide what those two districts have in common. Very few elements in monitoring relate to quality. It's currently a process that regulates education but doesn't necessarily improve it.

Idea No. 3: Concentrate our important resources. Monitoring costs money for everybody; for the school districts who are monitored and for the State who does the monitoring. It's painfully clear over the last two weeks that we have very limited resources in New Jersey for education. It's important that we concentrate our resources where they'll best benefit kids. Not all school districts in New Jersey need to be monitored exactly alike. We need a simplified process for all districts and an in-depth process for those troubled districts who desperately need State assistance. When you consider our limited resources, wouldn't it better for the State to focus in on several dozen school districts who are troubled and provide them extensive assistance rather than attempt to cover 582 school districts?

Idea No. 4: I think we need to change some basic attitudes. There's a feeling among quite a few educators in New Jersey that the intention behind monitoring wasn't to help them, but to get them. This feeling is probably understandable. It's human nature. It grows from the basic fact that many of us don't particularly like to be evaluated, and also that monitoring has grown to be a top-down bureaucratic form of management. I think the reasons for monitoring being unpopular are valid. Middle States is a way of assessing districts. It has a very good reputation.

Monitoring doesn't. Why? What are the differences between those two systems? With changes in monitoring there needs to come a positive public relations effort. We need to stress working cooperatively together with the best interests of kids in mind.

And lastly,

Idea No. 5: It's broken, so let's fix it. There's an old adage that says, "If it ain't broke, don't fix it." I'm here today to suggest to you gentlemen, that it is broken and we'd better fix it. The majority of people that have talked to you, even Mr. McCarroll, have indicated there are problems, so how do we go about fixing the process? When I last spoke to you in March, I made a suggestion that I think, with the passage of time is even more appropriate today. And that suggestion is that we should call a moratorium to monitoring. We all know there are serious problems with the process. It is not immoral or unethical or illogical to admit what the public already knows. Lee Iococca built a career in the automotive industry around telling people the truth; looking the consumer straight in the eye and saying, "Folks, we screwed it up, and here's what we're going to do to solve the problem." Why don't we follow Mr. Iococca's example with a straightforward public acknowledgement that while we all know that monitoring is a very valuable tool to assess schools, in its current state it's flawed? Then let's declare a one-year moratorium on monitoring public schools in New Jersey. I think we need a moratorium because it's extremely difficult to change the tire on your car when it's going down the road at sixty miles an hour. And that's where we are in the process right now.

ASSEMBLYMAN NAPLES: Catch up and keep up. That's what I said before.

DR. KELLY: It's also not very logical to publicly admit and acknowledge that we have a flawed process and then continue to use it. After a moratorium is declared, I think a

blue ribbon panel should be created and empowered to write a specific plan for reorganizing and revamping monitoring. We need to streamline and simplify the process; probably place it on a ten-year cycle for all but very troubled school districts. This, I think, would make a more credible, effective process for everybody in New Jersey.

Thank you for giving me the opportunity to be heard. Good luck with the final decision.

ASSEMBLYMAN NAPLES: Assemblyman, questions?

ASSEMBLYMAN KYRILLOS: Thank you Mr. Chairman. Thanks, Dr. Kelly for your testimony. I don't know if you were in the auditorium earlier when Chairman Naples talked about your suggestion of last March.

DR. KELLY: Yes, I was. I was uncomfortable in that people agreed with me. Often when too many agree I wonder whether I can possibly be right.

ASSEMBLYMAN KYRILLOS: It's like that club that Woody Allen wants to join. He's not sure if they want him but he wants it. I'm just curious about why Princeton had its troubles?

DR. KELLY: Princeton as I understand it had its troubles because it was not in compliance with physical education requirements. It was curriculum.

ASSEMBLYMAN NAPLES: You should have heard some of the calls. I represent Princeton, incidentally. You should have heard some of the calls. But, it's part of the process, physical education, and it's got to be looked at as a whole.

Let me ask you this, Dennis. In the interim if, let's assume that we declare a one-year moratorium on monitoring as we know it -- monitoring with a capital "M" because we're talking about a specific set of criteria here -- what do we replace monitoring in general, generically with a small "m" with? How do we evaluate in the interim?

DR. KELLY: I think there are a number of indicators that our school districts are currently being monitored by. Certainly anyone who ever takes a dollar from the State or the feds, has a reporting process to follow through on. We still have Mid States -- Middle States.

ASSEMBLYMAN NAPLES: I made a note while you were talking, the original commissioner of education national criteria. If I have some time, I'd like to check with them. I think they're headquartered in Chicago and-- No, they're in New York. But, I'd like to see what criteria they have for all, I believe there are seven in the nation, so they're in Central, Western-- That's very, very interesting. Okay, Dennis, thank you very, very much, and I'm very proud that somebody from the 15th District has come not once, but twice.

DR. KELLY: Thank you very much, sir.

ASSEMBLYMAN NAPLES: Okay, Greg Clarke. Mr. Clarke? Oh, he's the gentleman that said he could not be here until 5:00. I am willing to wait for him if I have to wait all alone. Some of you are not. I saw some of you who reached for their coats. I was hoping he would walk in earlier. I'm going to wait for him. It's a public hearing and he signed up. And when we're done with the testimony, in terms of who is on this list, anybody that would like to take a break and come back--

(RECESS)

AFTER RECESS:

ASSEMBLYMAN NAPLES: Mr. Clarke, seriously this is a series on monitoring and while it is in some ways related to the School Intervention Law, it is not on the School Intervention Law. Remembering that T&E Law, Chapter 212 in monitoring evolved by the Cooperman administration antedated the School Takeover Law enacted--

UNIDENTIFIED MEMBER OF AUDIENCE: 1976.

ASSEMBLYMAN NAPLES: --early, in 1987, right?

UNIDENTIFIED MEMBER OF AUDIENCE: Which one, 212?

ASSEMBLYMAN NAPLES: No, no, it was '75. But the School Takeover Law was passed in '88, early '88, okay? And the issue poses itself whether, basically, whatever beneficial effects accrued to monitoring, whether there is a counterveiling offsetting detriment inherent in districts spending so much time on compliance that they have little if any time for education. And let's go back to the other side of the coin: whether monitoring prompts districts to do what it would not do without it, and then to go back to the other side of the coin again. And I'm summing up -- whether districts would have innovated but because they were trying to second-guess the State, they didn't innovate. That's basically it.

G R E G C L A R K E: All right. May I ask who you are?

ASSEMBLYMAN NAPLES: I'm sorry. I'm Assemblyman Naples, Chairperson of the Assembly Education Committee, Assemblyman Gerard Naples -- I'll give you my card -- from Mercer County. I represent Trenton. And you're Mr. Clarke. What do you teach?

MR. CLARKE: I am not a teacher. I am a social worker.

ASSEMBLYMAN NAPLES: Okay.

MR. CLARKE: And I work in a public high school, in one like this.

ASSEMBLYMAN NAPLES: We've had two or three social workers testify throughout the course of the hearings.

MR. CLARKE: Oh, I didn't know that. Do you recall their names?

ASSEMBLYMAN NAPLES: No, I don't.

MR. HAMM (Assembly Majority staff): They're on the list. They were in special ed. They were teachers. Right?

ASSEMBLYMAN NAPLES: No, there was a social worker in Glen Gardner, I think it was.

MR. CLARKE: Well, anyway I happen to be the President of the New Jersey Association of School Social Workers, and my remarks reflect feedback from the members of our organization. So I'm not just testifying--

ASSEMBLYMAN NAPLES: Oh, you're representing-- Okay.

MR. CLARKE: --for myself, although I could talk for another three hours on the subject.

ASSEMBLYMAN NAPLES: Go ahead, go ahead.

MR. CLARKE: I'd like to read what we wrote.

ASSEMBLYMAN NAPLES: Do you have a prepared statement for me?

MR. CLARKE: I've given 10 copies to you as was requested.

ASSEMBLYMAN NAPLES: Okay, thanks a lot.

MR. CLARKE: The New Jersey Association of School Social Workers is a professional organization of 250 active members employed in direct service at the local district level. As mental health professionals and parent/child advocates our expertise and experience within the school environment allows us to provide a unique and balancing view of public education. I, myself, do not have any educational background per se in the teaching profession. I was trained as an economist.

ASSEMBLYMAN NAPLES: I understand. I'm principal of a school. I understand, and I was principal of a special needs facility.

MR. CLARKE: Okay. Our testimony refers to the monitoring of special education within the framework of general education. We would like to comment on three areas: First, the redirection of professional energies caused by the current monitoring procedure; second, the impact of monitoring on services to children; third, the use of overregulation and monitoring to reduce the cost of special education.

Special education, first under the Beadleston Laws in New Jersey and then under Federal Law 94-142--

ASSEMBLYMAN NAPLES: You're the first person to mention that. Thank you. Beadleston.

MR. CLARKE: I've taught the subject.

ASSEMBLYMAN NAPLES: No, I forgot all about it.

MR. CLARKE: Then under Federal 94-142 has been an enlightened effort to provide for the educational needs of children who could not negotiate the regular educational system without assistance because of a myriad of handicapping conditions. As a reaction to funding problems and an era of growing litigiousness, special education is now grossly overregulated and has become adversarial in nature. The current monitoring process as it pertains to special education tends to exacerbate this trend. It focuses on the minutia of the letter of the law rather than its intent; that is, to help children learn. This comes at a time when social issues such as homelessness, family disorganization, drug and alcohol abuse, teen pregnancy, cults and gangs, and suicide to name but a few, are prohibitions to education. Monitoring diverts professional energies from direct effort to resolve those problems towards compliance with bureaucratic rules and regulations. Some of our members report years of preparation for monitoring favoring record keeping over service to children. I'd like to comment there that I mean years; I don't mean months, or days or weeks.

ASSEMBLYMAN NAPLES: I understand.

MR. CLARKE In my own district our head of Special Services talked of nothing but monitoring for the last two years and we are not scheduled to be monitored for a year-and-a-quarter. No other input of any significance--

ASSEMBLYMAN NAPLES: How big is your district?

MR. CLARKE: The high school has 1300 kids. I would guess there would be another 3600 in the younger grades.

ASSEMBLYMAN NAPLES: So you're talking 5100 kids?

MR. CLARKE: Something like that.

ASSEMBLYMAN NAPLES: How many are classified, either mainstreamed or in self-contained classrooms?

MR. CLARKE: At the high school there are 170.

ASSEMBLYMAN NAPLES: No, the whole district.

MR. CLARKE: That I can't answer accurately --

ASSEMBLYMAN NAPLES: Okay.

MR. CLARKE: --but I would say about 12%.

ASSEMBLYMAN NAPLES: That's high. Okay.

MR. CLARKE: I consider it low from what I see on a daily basis.

ASSEMBLYMAN NAPLES: Do you really?

MR. CLARKE: We're not touching--

ASSEMBLYMAN NAPLES: Well, I'm using it in relation to other situations in the State. But you want to know what? In terms of the numbers of kids that should be receiving help, it is low, and I'll tell you why. I had a very interesting conference with a kid and his parent at school, where I'm principal, today, and we talked about a kid who should be receiving services. So I agree.

MR. CLARKE: I would guess the figure to be closer to 20%, if everyone that I see--

ASSEMBLYMAN NAPLES: I agree in terms of what should be, all right, the way you do.

MR. CLARKE: Yes, but there's a regulation I guess that prohibits it.

Some of our members report years of preparation for monitoring favoring record keeping over service to children. They say as monitoring approaches, services may cease from the point of referral to implementation of program. None of this expenditure of hours and funds results in benefits to a handicapped child.

The professionals who work with the most difficult and troubled students in our society experience a high level of stress. Monitoring increases the stress on line staff, further lessening their ability to perform effectively. It has become increasingly evident that special education is the element most vulnerable to failure in the monitoring process. When failure occurs, professional staff are seen as incompetent by administrators, boards of education, parents and the community when they may actually have been doing creditable work, if service were the criterion.

When faith in staff is wrongfully undermined, not only does morale fall, but important relationships with students and parents, which are crucial to our functioning, are destroyed. Further, the reaction to failure of monitoring by the general public when voting on the local school budget can be devastating. Special education and the children it seeks to help are blamed for budget defeats. The result is fewer funds are available for both regular and special education and animosity rather than cooperation is fostered. Our Association questions whether the hysteria that monitoring focused on minutia creates, is worth this price?

There is a serious question centering on whether the conscious, punitive monitoring of inconsequential detail is actually a means for cutting the cost of special education? Special education programs are expensive. The costs tend to increase as the severity of the handicapping condition increases. When resources are so bound by red tape it becomes obvious that fewer children will be identified and thereafter served. While many bureaucrats are dismayed by the numbers of children with special needs, the fact is that they exist and have the right to appropriate education.

Our Association does not oppose monitoring. On the contrary, monitoring based on a positive service oriented model

is necessary and welcome. Some suggestions for change are as follows:

With regard to the rules and regulations themselves, the very nature of special education does not lend itself to codification. While certain laws must remain to govern the rights and responsibilities of those involved, the complexity of the individuals and implementation of services demand flexibility and individualization in the interaction process. Guidelines rather than rigid rules are required to ensure consistency in professional activities in all sections of the State. And that is another big problem.

ASSEMBLYMAN NAPLES: I know that.

MR. CLARKE: What is classifiability in Elizabeth or Camden or Newark is not classifiability necessarily here, and vice versa. Deregulation of the mandated interaction between principles, and I don't mean principals of schools--

ASSEMBLYMAN NAPLES: Go ahead, it's all right.

MR. CLARKE: --would allow professional resources to be used more effectively where student needs are evident.

Further, legislation is needed to amend the current thinking that local boards of education are responsible for services required to students with extreme social, emotional, and physical needs which go well beyond the legitimate educational expectations. I really think there is a confusion today between mental health and the requirement to provide services for those individuals--

ASSEMBLYMAN NAPLES: It was the linchpin of the discussion with this parent today. It's amazing.

MR. CLARKE: Okay, right. And while it's probably heresy to say that sometimes education comes second, I think that there is a case for that. And I happen to be a mental health professional. Local boards of education are immediately responsible to the public for a finite budget. As you well know, your local budget can go down, then you're given a

certain amount of money to spend, and when you try to do a good job for the kids with greater problems, something's got to give someplace. And, when you wind up in a hearing, the judge does not want to hear that you didn't have the money to spend. He simply wants to hear why the service wasn't provided. I have been in such a hearing. Local boards of education are immediately responsible to the public for a finite budget. They have neither the resources nor the funding base to meet noneducational needs.

When new rules and regulations are developed and promulgated, direct service professionals should be encouraged and possibly required to provide meaningful and respected input. This would ensure a balance between well-meant theory and practical reality.

With regard to monitoring per se, the current system pass/fail should be replaced by one promoting excellence in the program. Monitors should be viewed as helping agents of the State Board of Education whose role is to foster the legally required services to children. Positive suggestions and alternatives should be identified as a priority. Sound or worthwhile programming should be acknowledged.

To ensure that services are offered consistently throughout the State, monitors might gather information on the following: Monitors should ascertain whether there are students in regular education who possess characteristics which indicate they should receive special education services. They should assess whether there are sufficient professional and support personnel to meet the needs of the--

ASSEMBLYMAN NAPLES: Can I interrupt you there? Can I ask you a question there? Is that a plug for "P2R" in a sense?

MR. CLARKE: No, because "P2R" is currently suffering from the same problems that special education is. They blame "P2R", those that work there, when actually it's the over bureaucratization of the system.

ASSEMBLYMAN NAPLES: I agree with part of what you said, okay.

MR. CLARKE: All right. My wife happens to be trainer in "P2R", so I'm not unaware of that either, and we argue about it all night long. I think that "P2R", to me as an individual, does not require that people are told the truth about their children. I think sometimes you have to call things the way they are, and if a child is emotionally disturbed, I'm not happy with that, but you have to say it, because that is what's really going on. If there is retardation or all the rest of the things, they have to be named in some way. Now you don't have to put a label on someone's forehead--

ASSEMBLYMAN NAPLES: You're not happy with the nomenclature.

MR. CLARKE: Right.

ASSEMBLYMAN NAPLES: Okay.

MR. CLARKE: I don't think, for example that if you say a person needs a full day program which is what "P2R" would have after you determine eligibility, that you can put a retarded child with a bright ED child when both need a full day program.

ASSEMBLYMAN NAPLES: No way. I agree.

MR. CLARKE: There have to be ways of sorting through that kind of thing.

ASSEMBLYMAN NAPLES: I agree with you.

MR. CLARKE: It's extremely critical. Are child study teams actually free to prescribe what they see as needed, or are they limited to what the local district currently provides? Now, again in my own district, we used to have something called supplemental instruction. When there was a court case and supplemental teachers got the right to certain tenure rights and medical benefits and all the rest of the things that regular teachers have, immediately our district cut that program out. Now there are certain acting out children,

or kids who get in the way of other children's learning, who can make use of one-to-one instruction. In addition, on that one the law needs to be changed to allow a subject to be granted in supplemental instruction.

Currently the rules and regs say you can't do that, and at the secondary level that becomes quite a problem. If Johnny should have Algebra I, it should be deliverable one-to-one if he can't be contained but has sufficient IQ to make it in a regular classroom. You can't have him disrupting everybody else's education.

ASSEMBLYMAN NAPLES: Where you going to put him though, in the interim?

MR. CLARKE: In the interim where am I going to put them?

ASSEMBLYMAN NAPLES: Yeah, where would anybody put them?

MR. CLARKE: I'm doing the best I can.

ASSEMBLYMAN NAPLES: No, no, no. The question was not intended to be of a nature to put you on any kind of spot.

MR. CLARKE: You put them in regular education and sometimes it's backed up with, let's say, a resource room for study skills--

ASSEMBLYMAN NAPLES: Okay.

MR. CLARKE: --and it's not adequate at all.

ASSEMBLYMAN NAPLES: You know, I agree. I agree with that.

MR. CLARKE: There are some ways of getting around it, but you're getting around it. You're not getting to the meat of the problem.

ASSEMBLYMAN NAPLES: I'm trying to play board member here. Insulting myself, right?

MR. CLARKE: What provisions are made for bright handicapped students, especially those with emotional or behavioral problems. Right now there's a girl in my high

school who is clearly paranoid schizophrenic. She's not classified. You can see her wandering around in the halls. Nothing is being done for her. They keep trying to extend regular education for her, but she's totally disruptive.

Are those pre-vocational subjects taught in the mainstream equally available to special education students? Here we have another problem. In my particular high school there are many kids who need vocational -- what we'll call pre-vocational training. You have upped the ante on the subjects they're required to pass to such a degree that they can't then have the programs that they themselves need, because they keep failing the ones that they're required to take: like science increased, math requirements increased; you have English requirements. After they've failed a few of those, they get themselves in a deficit in terms of credits and they can't then be filtered into these. If they could be accepted-- And the problem is that they cannot be accepted because their same behavioral problems disrupt those classes too. We need a lot more clout in that particular area.

Are certain regular education classes overloaded with special education students beyond the capacity of teachers to individualize? There's another heavy question. I have great respect for teachers in regular ed who are trying--

ASSEMBLYMAN NAPLES: You're talking about kids who have gone into the mainstream because self-contained classes are regulated by statute?

MR. CLARKE: That's right, that's right. I'm forced to put them someplace where I would rather not put them so they can get enough credits to graduate and maybe learn something in the process. This puts a tremendous stress, though, on regular ed when I, as a professional, would not ask them to take that responsibility. They also often get greater numbers. In a resource room you're allowed to have up to five children and I go into, let's say a math class, and I find that there are 10

of our children in that class, or an art class or any other kind of class, and they can't work individually enough with them to provide them a reasonable education.

Our Association wishes to thank the Assembly Education Committee for allowing rank and file professionals an opportunity to testify on the monitoring issue. The fact that this topic was identified by the Committee as important enough to hold hearings is an indication that there's hope for much needed change. Our Association believes that change in the State's role which acknowledges local reality while encouraging positive service will ultimately be in the best interest of our children.

ASSEMBLYMAN NAPLES: Good statement. Very good statement.

MR. CLARKE: I have a couple of horror stories if you wish to listen to them--

ASSEMBLYMAN NAPLES: I do. Go ahead. I do.

MR. CLARKE: --because I hear things as I go through the day. The first one is that of a comatose child, a very young child who was being studied for possible educational services. The child was unconscious at the time of this study. The monitor came in and was reading the record at monitoring time and said, "You have not had a speech and hearing evaluation," which is of course, required under the law. This was the second case from providing them with the 10% or whatever it is that they have to have to fail monitoring. The professional staff objected, saying that it was absurd to have a child who was unconscious be given a speech and hearing test at that time because obviously they couldn't take part in it. The monitor is alleged to have replied, "Yes, that is absurd, but it is also the law." And they failed that case.

ASSEMBLYMAN NAPLES: I believe you, but it's frightening.

MR. CLARKE: It's hard to believe, but the woman who told me this is our treasurer--

ASSEMBLYMAN NAPLES: Oh, I believe it, but I don't just--

MR. CLARKE: --and I would trust her as far as anything.

ASSEMBLYMAN NAPLES: Maybe this is arbiter dictum on my part or just a bias I have as a professional educator -- and it's difficult to separate the educator from the legislator here -- but one or two monitors like that who do that three or four times in a cycle, can give what is a noble process such a bad name. I mean that was so cold and callous, a state like that, it just beggars the imagination literally.

MR. CLARKE: All right. Another one concerns my wife, and she happens to work in a large urban school district as a social worker. She was monitored last week, and they passed monitoring. For ~~six months~~ prior to being monitored she worked -- she goes to work at 8:00 like everyone else does -- she worked till 8:00 at night -- I got no supper -- and sometimes on Saturday. So did all of the rest of the staff.

ASSEMBLYMAN NAPLES: Did she give you an exact account?

MR. CLARKE: The expenditure of time and energy, let alone dollars, was enormous, but no child benefited from anything that was done. If those hours had been put into something productive-- My wife is a talented person and perhaps somebody would have been helped.

We've had word ~~nothing~~ sometimes ~~no more~~ approaches, an edict comes down ~~and~~ there will be no more referrals. Why? Because ~~we~~ ~~we~~ look ~~at~~ monitoring. So the procedure itself ~~comes~~ to a screeching halt.

Now I'm going to tell you one that happened to me ~~last~~ week. I work in a high school, as I said. A secretary that we

MR. CLARKE: It's hard to believe, but the woman who told me this is our treasurer--

ASSEMBLYMAN NAPLES: Oh, I don't doubt it, but let me just--

MR. CLARKE: --and I would trust her as far as anything.

ASSEMBLYMAN NAPLES: Maybe this is arbiter dictum on my part or just a bias I have as a professional educator -- and it's difficult to separate the educator from the legislator here -- but one or two monitors like that who do that three or four times in a cycle, can give what is a noble process such a bad name. I mean that was so cold and callous, a statement like that, it just beggars the imagination literally.

MR. CLARKE: All right. Another one concerns my wife, and she happens to work in a large urban school district as a social worker. She was monitored last week, and they passed monitoring. For six months prior to being monitored she worked -- she goes to work at 8:00 like everyone else does -- she worked till 8:00 at night -- I got no supper -- and sometimes on Saturday. So did all of the rest of the staff.

ASSEMBLYMAN NAPLES: Did she give you an expense account?

MR. CLARKE: The expenditure of time and energy, let alone dollars, was enormous, but no child benefited from anything that was done. If those hours had been put into something productive-- My wife is a talented person and perhaps somebody would have been helped.

We've had word that sometimes as monitoring approaches, an edict comes down on high, there will be no more referrals. Why? Because we want to look pretty for monitoring. So the procedure itself comes to a screeching halt.

Now I'm going to tell you one that happened to me last week. I work in a high school, as I said. A secretary that we

call Attila the Honey, came in to see me. She says, "Mr. Clarke, you have to talk to this young man. He's saying that he needs to talk to somebody like a psychiatrist." Now this woman is not known for her warmth--

ASSEMBLYMAN NAPLES: Tact.

MR. CLARKE: --as you can guess, but even she could read that this kid was hurting. So I asked his name, and I never heard it before, so I didn't think maybe somebody else should be talking to him. I told her to bring him in. Meanwhile I snuck quickly to our records and looked up his report card grades, and I found that very recently he had begun to get D's when he had been getting A's and B's. The kid came in, and he was quite articulate. He began to tell me, because he had heard from a girl, that I was somebody he could talk to, that his mother was a very bad person. I'm not going to bore you with all those details, but he went on and on for a half-an-hour, discussing his relationship with his mother. Finally, my training is always to think about what he's not talking about, so I asked him about his father. His father died when he was 10. He's now 15. I asked if he had gone to the funeral for his father and whether he had ever cried. For an hour-and-a-half he cried all over my desk and I exhausted my--

ASSEMBLYMAN NAPLES: He didn't go to the funeral, did he?

MR. CLARKE: He did not grieve at all is the point, and suddenly this overwhelmed him which is why he felt there was something wrong. He thought it was his mother, and until I made it conscious for him, he wasn't dealing with what was really wrong. At the end of an hour-and-a-half -- it's now 3:30 -- the kid gets up, comes around the desk, shakes my hand. And he says, "I have seen several psychiatrists and I think that, I have thought that all of this kind of stuff was" -- and I'll use the word -- "bullshit. You have given me some

concrete ideas on what I can do in this situation, and I wish to thank you for that." And he turned around and left. I went home that night and I told my wife that I thought I had done something that day, that we had a readiness situation -- an adolescent, and this is the thing you wait for; for all of them was, "Oh my God, I need help," and that's when you leap on them.

Next day I had a discussion with my boss's boss on our role in monitoring, and in order to let him know what we're trying to do because he seems to have a wrong focus in my opinion, I told him this story. My immediate boss was present and her jaw dropped. She said nothing for about a minute. He said nothing for about a minute. And then he said, "Mr. Clarke, that is not your job. Your job is to pass monitoring." Now I have a witness if that should ever be necessary.

ASSEMBLYMAN NAPLES: Oh, I believe you. I believe you. But, can I say this to you? Is that the fault of the State Department of Education or the fault of somebody in the district?

MR. CLARKE: I'm telling you that I did more ten years ago than I can do today.

ASSEMBLYMAN NAPLES: No, but in that particular--

MR. CLARKE: In this case this man is so terrified by what monitoring will mean if we go down that he's doing the right thing if you want to be expedient.

ASSEMBLYMAN NAPLES: So you're saying it's wrong, but there's a mitigating circumstance: fear.

MR. CLARKE: That's right, pure fear.

ASSEMBLYMAN NAPLES: Okay.

MR. CLARKE: And it's a realistic fear because of the things I tried to--

ASSEMBLYMAN NAPLES: No one wants to be disapproved

of. As a therapist or a professional in the field, you're familiar with that term and evaluation.

MR. CLARKE: And the man I'm talking about is a very bright man, and he's been in this field for 30 years.

All right, I've said pretty much what I want to say. I'm going to make one other obiter dictum; we're into that. My daughter is also a social worker. She's a gerontologist. She worked for five years in that field. She left it. Her reason for leaving? The monitoring of the nursing home situation. And she's a marvelously talented person.

ASSEMBLYMAN NAPLES: I was talking to somebody about that a little earlier about--

MR. CLARKE: The same thing is going on in DYFS. I've been asked to go and work with them on their new regulations -- Division of Youth and Family Services. Okay? They're codifying now everything that they do because they've been told they have to put it into the law, just as special education's been told it must do. That's got to stop. It's harmful in the long run. It only focuses on blame and pieces of paper, as evident, for one thing or another. We can't be preparing court cases every time we try to work with an individual. Now I will shut up.

ASSEMBLYMAN NAPLES: You made a lot of sense. I'm glad we waited for you. I must commend you for your dedication. I was doing a little joking when I thought you weren't coming, but now I'm being as serious as I possibly can. Anybody who is willing to come this late must be commended, and I commend you formally. I also want to commend everybody else who had a part in these hearings, my Committee members, Dave Rosen, and Larry on my left here.

But that was some very telling testimony and even though these hearings were not about special ed, and I tried to stay away from specific monitoring because if you get into special ed, voc ed, basics, bilingual, you could be tied down

in the specifics. And I want to see the forest rather than a couple of particular trees. But inasmuch as you've touched upon an area which I let people roam on today more than I did at previous meetings, special ed, I'll comment. And you tied it into monitoring very nicely. The two were related very, very well.

I said before that this has got to be solved at the Federal level. And let me just say this. If anybody ever said to me as principal of a school, "No more referrals," to impress some State official or to impress anybody at all, and I went along with that, I would not be professionally worthy of my proverbial soul, because if that kid needs help, the kid needs help.

I know of a principal in Mercer County who was criticized because he made the statement, "While many of these kids are not classified," -- and I'd written to him, in fact I wrote his reply for him -- "they are still classifiable." And I think that somebody who is one step above the political hack stage who's got a high ranking title in the school district wrote a blistering, nasty letter to this principal which, there was an exchange which I responded to, and he signed. If a kid needs help, a kid needs help, and you're there to promote success, not to avoid the allusion of failure, and there's a hell of a difference. That's one of the things wrong with our society.

But getting back to it, I've said it before, I've said it again. I'm going to go to Washington and talk to some people. Next year 504 is going to be reviewed in terms of its application to education and I've spoken to Senator Biden. I've been in contact with -- no, I didn't get through -- I'm trying to reach Congressman Hawkins in California to talk about this. And our own Senator Lautenberg is interested, Congressman Smith about this particular problem --

But the problem is this. A legislator in Vermont said you had 50 different P.L. 94-142s in this nation. And he hit it right on the money. We were at a meeting of the Education Commission of the States in Annapolis, and this is not going to be solved in New Jersey. It's not going to be solved in Vermont or Oklahoma. It's going to be solved in Washington, if they solve it. That's where it's got to be; that's where it started, and there are so many different interpretations. Quite often we've got to go to other states, in New Jersey, to check correspondence between school districts and those states and the Federal Department of Education in Washington to guide us. And if there ever was a need for codification, it's in this area: recodification.

But you do have some professionals who will say things like that, you know: "No more referrals." There, you can't legislate morality; you can't legislate ethics. It's just an unfortunate circumstance there. But I agree with almost everything you said, particularly the nomenclature, and in particular, the one dealing with emotionally disturbed. That's a bad-- I never liked that because what do you think of Freddie or Jason, some ax wielding maniac going around, and that kid's got that tag. It's a very, very traumatic experience for the kid. I don't know what it could be changed to.

MR. CLARKE: Well the psychiatric manual is that thick, and they're all different. (demonstrates)

ASSEMBLYMAN NAPLES: Oh, I know. I went through the DSM II, trying,--

MR. CLARKE: It's IIIR now. It's up to IIIR.

ASSEMBLYMAN NAPLES: And my school psychologist said to me, she said, "Gerard, yeah, but if you change it, what are you going to change it to?" I haven't been able to answer that question yet, but I agree with you, and I reiterate my commendations to you and I'm going -- when I speak to officials

in Washington -- allude to this testimony and it was very, very thought provoking, intrigant, and interesting.

MR. CLARKE: Well, if there's anything our tiny, little association can do to be helpful, we'd like to--

ASSEMBLYMAN NAPLES: I'm going to take your name and address. I'm going to give you my card. I appreciate it. Well, I'm going to officially close the hearings. If one of my invisible colleagues has nothing to say, I will close the hearings and thank everybody. I'll be getting-- Well, you'll probably read about what eventually is done. Thank you all very much.

(HEARING CONCLUDED)

APPENDIX

TESTIMONY BY WALTER J. MC CARROLL, ASSISTANT COMMISSIONER
OF EDUCATION, BEFORE ASSEMBLY EDUCATION COMMITTEE ON
APRIL 3, 1990

MONITORING OF LOCAL SCHOOL DISTRICTS

CHAIRMAN NAPLES, MEMBERS OF THE COMMITTEE:

ON BEHALF OF THE APPROXIMATELY 1,000,000 PUPILS ATTENDING NEW JERSEY'S PUBLIC SCHOOLS AND THE TAXPAYERS OF THIS STATE WHO SUPPORT THESE SCHOOLS, I WOULD LIKE TO THANK YOU FOR YOUR INTEREST IN THE LOCAL DISTRICT MONITORING PROCESS, THE SYSTEM OF ACCOUNTABILITY WHICH THE STATE BOARD OF EDUCATION HAS ADOPTED TO ENSURE THAT THE CHILDREN OF THIS STATE RECEIVE THEIR CONSTITUTIONALLY GUARANTEED THOROUGH AND EFFICIENT PUBLIC EDUCATION.

DURING THE FIVE HEARINGS CONDUCTED BY THE COMMITTEE, YOU HAVE HEARD TESTIMONY BOTH SUPPORTING THE CURRENT MONITORING SYSTEM, AS WELL AS OPPOSING IT. THOSE WHO HAVE SUPPORTED MONITORING HAVE ACKNOWLEDGED THAT THE SYSTEM OF ACCOUNTABILITY FOR PUBLIC EDUCATION HAS RESULTED IN IMPROVED EDUCATIONAL OPPORTUNITIES FOR CHILDREN. THOSE WHO ARE CRITICAL OF MONITORING HAVE CHARACTERIZED THE PROCESS OF EVALUATING OUR SCHOOLS AS BURDENSOME, INTRUSIVE AND TIME-CONSUMING.

AT THE OUTSET OF MY REMARKS, LET ME MAKE IT CLEAR THAT MY PRIMARY PURPOSE IS TO TRY AND PRESENT AN OBJECTIVE PERSPECTIVE OF THE CURRENT MONITORING SYSTEM, AND WHY IT IS ESSENTIAL TO ENSURE THE CREDIBILITY OF PUBLIC EDUCATION IN NEW JERSEY.

ANY ASSESSMENT OF A SYSTEM OF MONITORING PUBLIC SCHOOLS MUST CONSIDER SEVERAL BASIC ISSUES.

1. NO VALID ASSESSMENT OF THE PUBLIC SCHOOLS WILL BE PERFECT. ANY STATEWIDE ACCOUNTABILITY SYSTEM WILL BE FOUND TO HAVE SOME FLAWS. THE SHEER COMPLEXITY OF MONITORING 582 DISTRICTS RANGING IN SIZE FROM 40 TO 50,000 STUDENTS, AND APPLIED BY 21 SEPARATE UNITS, USING 43 INDICATORS OF PERFORMANCE GIVES A SUGGESTION AS TO THE ENORMOUS CHALLENGE THAT MONITORING PRESENTS.

AS I SAID IN A REPORT ON MONITORING PREPARED FOR THE STATE BOARD, "THE MONITORING PROCESS INITIATED IN 1984 AND REVISED IN JANUARY 1987 IS AN EVOLVING PROCESS THAT NEEDS TO BE REVIEWED AND REFINED PERIODICALLY TO ENSURE THAT THE STATE SYSTEM OF EVALUATION OF LOCAL SCHOOL DISTRICTS IS BOTH FAIR AND CONSISTENT."

2. SYSTEMS OF ACCOUNTABILITY ARE NOT USUALLY VERY POPULAR. THEY ARE NOT INTENDED TO BE UNIVERSALLY ACCLAIMED BY ALL OF THOSE WHOM THEY AFFECT, ESPECIALLY THOSE WHO HAVE SPECIAL INTERESTS THAT MAY CONFLICT WITH THE PURPOSE OF ACCOUNTABILITY.
3. THE ONLY VALID TEST OF A SYSTEM OF MONITORING IS THE RESULTS THAT IT PRODUCES IN RELATION TO THE PURPOSES IT WAS DESIGNED TO SERVE. IN THE CASE OF THE MONITORING OF PUBLIC SCHOOLS, THAT PURPOSE IS TO SERVE THE WELFARE OF CHILDREN.

I KNOW THE STRENGTHS OF THE MONITORING PROCESS, AND I KNOW ITS LIMITATIONS -- AND SINCE TIME DOES NOT AFFORD THE OPPORTUNITY TO ALLOW ME TO GO INTO THE DETAIL THAT A FAIR ASSESSMENT OF MONITORING REQUIRES -- LET ME STATE ITS GREATEST STRENGTHS AND ITS MAJOR LIMITATIONS.

THE CURRENT SYSTEM OF MONITORING CLEARLY AND UNEQUIVOCALLY IDENTIFIES DEFICIENCIES IN LOCAL SCHOOL DISTRICTS THAT IMPACTS UPON THE QUALITY OF EDUCATION RECEIVED BY CHILDREN. IT OFFERS A FAIR AND EQUITABLE SYSTEM OF ACCOUNTABILITY TO PARENTS, SCHOOL OFFICIALS AND LEGISLATORS. AN OBJECTIVE REVIEW OF MONITORING SINCE ITS REVISED IMPLEMENTATION IN 1984 CLEARLY SHOWS THAT IT HAS RESULTED IN IMPROVED EDUCATION FOR THOUSANDS OF NEW JERSEY'S PUPILS.

ITS GREATEST LIMITATIONS LIE IN THE FACT THAT ABSOLUTE CONSISTENCY CANNOT BE ACHIEVED. AS LONG AS MONITORING IS APPLIED BY PEOPLE, CONSISTENCY WILL BE AN ONGOING CHALLENGE.

ANY MONITORING PROCESS WILL HAVE FLAWS. CONSEQUENTLY, IT IS ESSENTIAL TO HAVE A SYSTEM OF OVERSIGHT THAT PROVIDES, ON AN ONGOING, ALMOST DAILY BASIS, THE ABILITY TO IDENTIFY PROBLEMS WITHIN THE MONITORING PROCESS AND ADDRESS THESE PROBLEMS QUICKLY. SINCE THE INCEPTION OF MONITORING IN 1984, THE DEPARTMENT OF EDUCATION'S OVERSIGHT SYSTEM HAS INCLUDED THE FOLLOWING ACTIVITIES:

- . A SYSTEM OF "MONITORING THE MONITORS", INITIATED IN ALL 21 COUNTIES, WAS CONDUCTED BY A SMALL TEAM OF STAFF FROM THE CENTRAL OFFICES IN TRENTON WHO ACCOMPANIED MONITORS ON VISITS TO LOCAL SCHOOL DISTRICTS AND CRITIQUED THEIR IMPLEMENTATION OF THE MONITORING SYSTEM. REPORTS PREPARED AS A RESULT OF THIS ACTIVITY WERE REVIEWED BY ME WITH EACH OF THE 21 COUNTY SUPERINTENDENTS AND AREAS OF INCONSISTENCY WERE ELIMINATED.
- . MONTHLY MEETINGS OF COUNTY SUPERINTENDENTS HELPED IDENTIFY MONITORING ISSUES THAT NEEDED TO BE CLARIFIED OR REVISED. THESE MODIFICATIONS, DESIGNED TO ENSURE CONSISTENCY, WERE COMMUNICATED TO LOCAL SCHOOL DISTRICTS BY WAY OF CLARIFYING MEMOS.

DURING THE SECOND CYCLE OF MONITORING, THE COUNTY SUPERINTENDENTS REVIEWED THE FINDINGS OF DISTRICTS THEY HAD MONITORED WITH THEIR 20 COLLEAGUES AT MONTHLY COUNTY SUPERINTENDENTS' MEETINGS. IN EFFECT, ANY DISTRICT THAT HAD BEEN INITIALLY DETERMINED NOT TO HAVE MET THE MONITORING STANDARDS, IS REVIEWED BY ALL 21 COUNTY SUPERINTENDENTS TO ENSURE THAT THE INITIAL FINDINGS WERE APPROPRIATE. THIS PROCESS HAS BEEN QUITE SUCCESSFUL IN IDENTIFYING AREAS WHERE DIFFERENCES OF OPINION MAY EXIST REGARDING WHETHER OR NOT A DISTRICT HAS MET A MONITORING STANDARD.

IN MAY 1989, I INITIATED A REVIEW OF THE MONITORING PROCESS IN PREPARATION FOR THE DEVELOPMENT OF ADMINISTRATIVE CODE FOR THE STATE BOARD OF EDUCATION. WITH THE MONITORING CODE DUE TO EXPIRE IN JANUARY 1992, IT WAS NECESSARY TO CONDUCT A DELIBERATIVE REVIEW OF THE CURRENT MONITORING PROCESS AND TO PREPARE RECOMMENDATIONS FOR THE STATE BOARD OF EDUCATION'S CONSIDERATION. THREE MAJOR CHANGES ARE BEING CONSIDERED FOR THE THIRD CYCLE OF MONITORING. THESE CHANGES ARE BASED UPON THE PREMISE THAT, WITH THE COMPLETION OF THE SECOND CYCLE OF MONITORING, MOST DISTRICTS IN THE STATE OF NEW JERSEY WILL HAVE BEEN REVIEWED TWICE UNDER A FAIRLY RIGOROUS COMPLIANCE MONITORING SYSTEM. GIVEN THOSE CIRCUMSTANCES, IT WAS DETERMINED THAT THE FOLLOWING MAJOR REVISIONS WOULD BE DEVELOPED FOR STATE BOARD OF EDUCATION CONSIDERATION:

1. THE THIRD CYCLE OF MONITORING SHOULD REFLECT A BALANCED MONITORING SYSTEM THAT INCLUDES A REGULATORY/COMPLIANCE BASE FOCUSING UPON ESSENTIAL REGULATORY REQUIREMENTS AND INCLUDING SIGNIFICANT INCENTIVE AND QUALITATIVE COMPONENTS.

2. THE THIRD CYCLE OF MONITORING WOULD INCLUDE AN INCENTIVE-BASED COMPONENT THAT WOULD ACKNOWLEDGE DISTRICTS THAT HAD CONSISTENTLY MET PREVIOUS MONITORING STANDARDS.
3. THE MONITORING SYSTEM SHOULD FOCUS MORE ON A QUALITATIVE ASSESSMENT OF THE DISTRICT'S PROGRAMS AND PRACTICES. WITH SPECIFIC REFERENCE TO THE DISTRICT'S CURRICULUM AND INSTRUCTIONAL PROGRAMS, THE PROCESS WOULD BE MODIFIED TO PROVIDE A MORE IN-DEPTH APPRAISAL OF THE QUALITY AND EFFECTIVENESS OF PROGRAMS RATHER THAN THEIR SIMPLE EXISTENCE.

DURING THE LAST NINE MONTHS, A COMMITTEE OF COUNTY SUPERINTENDENTS HAS SURVEYED LOCAL SCHOOL DISTRICT ADMINISTRATORS AND CONDUCTED FOLLOW-UP INTERVIEWS. THE PURPOSE OF THESE INQUIRIES IS TO PROVIDE FIELD ADMINISTRATORS WITH AN OPPORTUNITY TO INFLUENCE THE THIRD CYCLE OF MONITORING AND, MORE IMPORTANTLY, TO GAIN THE INSIGHTS OF PRACTICING ADMINISTRATORS AS TO THE APPROPRIATENESS AND EFFECTIVENESS OF THE MONITORING PROCESS.

IN JANUARY 1990, IN ACCORDANCE WITH STATE BOARD OF EDUCATION ADMINISTRATIVE CODE DEVELOPMENT PROCEDURES, I MET WITH THE DEPARTMENT OF EDUCATION'S CODE COMMITTEE, WHICH INCLUDES REPRESENTATIVES OF ALL OF THE MAJOR EDUCATIONAL ORGANIZATIONS. AT THAT TIME, I SHARED MY VIEWS AS TO HOW THE MONITORING PROCESS SHOULD BE REVISED IN CYCLE III.

LET'S LOOK AT SOME FACTS THAT HAVE EMERGED FROM MONITORING THE PUBLIC SCHOOLS OF NEW JERSEY SINCE 1984.

- . IN THE FIRST CYCLE OF MONITORING FROM JANUARY 1984 TO DECEMBER 1986, 80 PERCENT OF THE DISTRICTS MONITORED MET THE STANDARDS OF T & E IN LEVEL I.

- . TO DATE, IN THE SECOND CYCLE OF MONITORING INITIATED IN SEPTEMBER 1988, 77 PERCENT OF THE DISTRICTS HAVE MET THE T & E STANDARDS IN LEVEL I.

DESPITE THE FACT THAT THE SECOND CYCLE OF MONITORING IS MORE RIGOROUS THAN THE FIRST CYCLE, THE RESULTS ACHIEVED BY LOCAL DISTRICTS ARE STRIKINGLY SIMILAR.

A BRIEF ANALYSIS OF DEFICIENCIES FOUND IN THE TWO MONITORING CYCLES REVEALS SOME INTERESTING FINDINGS:

IN THE FIRST CYCLE OF MONITORING:

- A. 12 PERCENT OF THE DISTRICTS FAILED TO MEET MINIMUM CURRICULUM STANDARDS.
- B. 34 PERCENT FAILED TO MEET FACILITY STANDARDS.
- C. 11 PERCENT FAILED STANDARDS FOR STAFF CERTIFICATION/EVALUATION.
- D. 4 PERCENT FAILED STANDARDS FOR STUDENT ATTENDANCE.

IN THE SECOND CYCLE OF MONITORING:

- A. 12 PERCENT FAILED TO MEET CURRICULUM DESPITE MORE RIGOROUS STANDARDS.
- B. 13 PERCENT FAILED FACILITY STANDARDS.
- C. 5 PERCENT FAILED STANDARDS FOR STAFF CERTIFICATION/EVALUATION.
- D. 1.5 PERCENT FAILED STANDARDS FOR STUDENT ATTENDANCE.

WHAT IS THE CONCLUSION? -- MORE STUDENTS ARE:

- . ATTENDING SCHOOL REGULARLY.
- . RECEIVING BENEFITS OF BETTER CURRICULUM.
- . BEING EDUCATED IN SAFER, HEALTHIER, AND MORE ADEQUATE SCHOOL FACILITIES.
- . BEING TAUGHT BY PROPERLY LICENSED TEACHERS, WHO ARE ABSENT LESS FREQUENTLY AND WHO ARE SUPERVISED MORE EFFECTIVELY.

IF THE CURRENT SYSTEM OF MONITORING IS SUPPOSED TO BE DESIGNED TO IMPROVE PUBLIC EDUCATION FOR CHILDREN -- AND THAT IS ITS PRIMARY PURPOSE -- THESE FINDINGS ENABLE YOU, AS LEGISLATORS, TO ANNOUNCE TO YOUR CONSTITUENCIES THAT MONITORING HAS IMPROVED PUBLIC EDUCATION IN NEW JERSEY.

WITH REGARD TO THE QUESTION OF BURDEN THAT IS CREATED BY THE CURRENT MONITORING PROCESS, I SUGGEST THAT ANY COMPREHENSIVE ASSESSMENT OF THE PUBLIC SCHOOLS OF NEW JERSEY REQUIRED TO ENSURE THAT CHILDREN ARE RECEIVING THEIR CONSTITUTIONALLY GUARANTEED THOROUGH AND EFFICIENT SYSTEM OF EDUCATION WILL PRESENT SOME BURDEN TO MOST SCHOOL DISTRICTS. THE REAL QUESTION IS: IS THAT BURDEN REASONABLE AND SHOULD ONE EXPECT THAT SCHOOL DISTRICTS MEET THE REQUIREMENTS OF PREPARING FOR THE MONITORING PROCESS WITHOUT ANY UNDUE HARDSHIPS? ANY DISCUSSION OF THE BURDEN OF MONITORING SHOULD FIRST CONSIDER THAT SCHOOL DISTRICTS ARE MONITORED EVERY FIVE YEARS.

I BELIEVE THAT THE CURRENT LEVEL OF PREPARATION THAT IS REQUIRED IN THE MONITORING OF LOCAL SCHOOLS IS REASONABLE AND MOST SCHOOL DISTRICTS ADJUST TO IT WITH A MINIMUM OF DIFFICULTY. THOSE DISTRICTS THAT DELAY PREPARING FOR MONITORING UNTIL A FEW MONTHS BEFORE THE MONITORS ARRIVE WILL CERTAINLY BE OVERBURDENED. THOSE DISTRICTS THAT DO NOT MAINTAIN COMPLIANCE WITH THE

ESSENTIAL REGULATIONS THAT GUIDE THE EDUCATION OF PUBLIC SCHOOL CHILDREN IN NEW JERSEY AND MUST, OF NECESSITY MAKE MAJOR CHANGES IN THE OPERATION OF THE DISTRICT OR PLAY "CATCH UP", AS THE CASE MAY BE, WILL ALSO BE OVERBURDENED. MUCH OF THE ALLEGED BURDEN BEING EXPERIENCED BY SCHOOL DISTRICTS IN PREPARING FOR THE MONITORING PROCESS IS SELF-INFLICTED. LOCAL SCHOOL OFFICIALS OFTEN EXCEED THE REQUIRED DOCUMENTATION. THIS IS AN ISSUE THAT I THINK CAN BE ADDRESSED AND RESOLVED IN A COOPERATIVE MANNER BETWEEN THE DEPARTMENT OF EDUCATION AND LOCAL SCHOOL DISTRICTS.

IF THE PREPARATION FOR THE MONITORING PROCESS DID NOT REQUIRE AN EFFORT ON THE PART OF LOCAL SCHOOL DISTRICTS; IF THE PREPARATION FOR MONITORING DID NOT REQUIRE LOCAL SCHOOL DISTRICTS TO CLEARLY DEMONSTRATE THAT THEY ARE MEETING MINIMUM STANDARDS FOR CHILDREN, THEN I BELIEVE THAT THIS COMMITTEE WOULD BE REVIEWING THE MONITORING PROCESS BECAUSE IT WOULD HAVE THE REPUTATION OF NOT BEING RIGOROUS ENOUGH AND, IN FACT, BEING TOO EASY.

IF THE ISSUE OF THE ALLEGED BURDENSOME PREPARATION IS A LEGITIMATE CONCERN OF SCHOOL DISTRICTS, IT IS A RELATIVELY SIMPLE ISSUE TO RESOLVE. IN ADMINISTERING THE MONITORING PROCESS, WE HAVE ESTABLISHED PROCEDURE FOR REVIEWING ISSUES THAT ARISE, DETERMINING THEIR LEGITIMACY, AND ACTING QUICKLY TO RESOLVE THEM. I THINK, ON THE BASIS OF THE TESTIMONY PRESENTED TO THIS COMMITTEE, THAT THE PREPARATION ASPECT OF MONITORING NEEDS TO BE REVIEWED. HOWEVER, ALLEGATIONS OF A BURDENSOME MONITORING PROCESS SHOULD NOT, IN AND OF THEMSELVES, PERSUADE THE LEGISLATIVE COMMITTEE THAT THE MONITORING PROCESS IS SERIOUSLY FLAWED. IT MAY BE NO MORE OF A PROBLEM THAN CHANGING THE TIRE ON A CAR.

IF A MONITORING PROCESS IS TO PROVIDE A CREDIBLE EXAMINATION OF PUBLIC SCHOOLS, THEN IT SHOULD BE SUFFICIENTLY RIGOROUS SO THAT THOSE RESPONSIBLE FOR THE PUBLIC SCHOOL -- THE LEGISLATURE, THE EXECUTIVE BRANCH OF

GOVERNMENT (ULTIMATELY PUBLIC EDUCATION IS A STATE RESPONSIBILITY IN NEW JERSEY) -- SHOULD BE CONFIDENT THAT THE ACCOUNTABILITY MODEL IS SECURELY IN PLACE.

I SUSPECT THAT THE AIRLINES COMPLAIN ABOUT THE FAA. I AM SURE THAT BROKERAGE HOUSES ARE INCONVENIENCED ON OCCASION BY THE SECURITY EXCHANGE COMMISSION. I AM SURE THAT THE ADMINISTRATION OF THE JERSEY CITY PUBLIC SCHOOLS, UNDER STATE MANAGEMENT, WILL BE INCONVENIENCED AND PERHAPS OVERBURDENED BY THE JOINT LEGISLATURE COMMITTEE'S REVIEW AND ASSESSMENT OF THAT DISTRICT'S PROGRESS. BEFORE DECIDING THAT THESE POTENTIAL BURDENS ARE TOO GREAT, ONE MUST WEIGH THE BENEFIT OF THESE ACCOUNTABILITY SYSTEMS THAT ARE REPRESENTED AS EXAMPLES TO ENSURE THE SAFETY OF AIRLINE PASSENGERS, THE FISCAL INTEGRITY OF AMERICAN INVESTORS, AND THE PUBLIC SCHOOL CHILDREN OF JERSEY CITY. SO TOO, MUST YOU ASK YOURSELVES, IS THE INCONVENIENCE OR THE BURDEN, OR THE ALLEGED INTRUSIVENESS FOR THAT MATTER, OF THE MONITORING PROCESS REASONABLE, IN VIEW OF THE FACT THAT ITS SOLE PURPOSE IS TO PROTECT THE RIGHTS OF SCHOOL CHILDREN IN NEW JERSEY.

FOR THE FIRST TIME SINCE 1975, WHEN THE T & E LAWS WERE PASSED, NEW JERSEY HAS A CREDIBLE MONITORING PROCESS. BEFORE DETERMINING THAT THE CURRENT PROCESS IS TOO MUCH OF A BURDEN FOR LOCAL SCHOOL DISTRICTS, I RESPECTFULLY SUGGEST THAT YOU ASK YOURSELVES, "BUT, IS IT BETTER FOR CHILDREN?"

IN CONCLUSION, I RESPECTFULLY OFFER THE FOLLOWING OBSERVATIONS ABOUT THE MONITORING PROCESS THAT YOU NEED TO CONSIDER BEFORE YOU DECIDE TO CHANGE THE MONITORING PLAN.

- . MONITORING ISN'T SUPPOSED TO BE POPULAR. FAIR, YES; CONSISTENT, YES; RIGOROUS, YES; BUT POPULAR, NO!!

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- . QUALITY EDUCATION FOR NEW JERSEY'S 1,000,000 CHILDREN IS A BI-PARTISAN CONCERN.

- . THERE CAN BE NO QUALITY WITHOUT ACCOUNTABILITY.
- . THERE CAN BE NO ACCOUNTABILITY WITHOUT A FAIR BUT RIGOROUS PROCESS OF ASSESSMENT.
- . THERE CAN BE NO RIGOR WITHOUT SOME BURDEN.

WITH RESPECT TO EVALUATING THE QUALITY OF EDUCATION -- EASIER ISN'T BETTER -- LESS RIGOR, LESS BURDEN ISN'T IN THE INTEREST OF THOSE WHO MONITORING IS DESIGNED TO PROTECT -- THE CHILDREN OF THE STATE OF NEW JERSEY.

THANK YOU.

WJM:DM/43/085

10 X

MONITORING TESTIMONY BY REPRESENTATIVES
OF THE NEW JERSEY ASSOCIATION OF PUPIL PERSONNEL
SERVICES ADMINISTRATORS - APRIL 3, 1990

We will testify about only two areas of monitoring for which pupil services administrators are responsible, that of special education and basic skills education, although some of our comments will be applicable to other areas as well. Before commencing our testimony, it is important to understand that the monitoring concerns which we will enumerate are compounded in these two areas -- because of all areas of education, special education and basic skills instruction are so over-regulated that the regulations alone are like an albatross around our necks and leave little room for the creativity and flexibility so vital to the development of successful programs for children. The burden of intrusive monitoring of minutiae exacerbates the problem because the monitoring process adds many more layers of unnecessary regulation.

Mr. George Scott, a Director of Special Services from Hamilton Township in Mercer County will testify about our association's concerns in the area of Special Education. I will testify about basic skills instruction. Our concerns are as follows:

1. The monitoring process in special education checks to see if school districts are following every minute regulation in both state and federal code, emphasizes monitoring of procedures and records and completely ignores evaluating the most critical element, that of the delivery of quality educational programs to children. Monitoring in special education stresses the trivial and side-steps the most important elements of our work.
2. The monitoring process has a negative focus because it concentrates on discovering what may be wrong with procedures and programs and does not permit commendations for quality performance. This approach never has and never will encourage people to improve a process.
3. The monitoring process in special education also assumes that special services personnel will short-change students and parents, and therefore, they must be policed to obey the rules. This is an affront to people who have devoted their professional lives to helping handicapped children.
4. The over-regulation in this area compounded, by the promulgation of more regulation via monitoring, creates an atmosphere of fear and distrust, i.e., an adversarial relationship between clients and professionals, the worse way to stimulate cooperative, sharing relationships towards a common cause, that

of helping needy children.

5. The amount of preparation for monitoring, which takes hundreds of hours of work, takes precious time from our most important role, i.e. diagnosing the special needs of handicapped children and providing them with creative, dynamic, meaningful educational programs.
6. The process over-emphasizes record keeping and constantly having to maintain a paper trail of everything we do to a point where our personnel wonder how they can find time to provide services to children. Professional and clerical personnel are forced to spend endless hours preparing forms, collecting copies of innumerable notices, letters and reports, and constantly checking to see that every "i" is dotted and every "t" is crossed. Special services directors spend most of their time checking to see that everything is documented. It is a complete waste of our talents and energies.
7. One of the most frustrating elements of monitoring is the inconsistency from county to county. Even though the department of special education has tried hard to increase consistency, unfortunately monitors continue to bring their own interpretations to code elements that are often unclear and vague with which to begin. Examples of this inconsistency can be found in a wide array of monitoring practices relating to: parent notification, evaluation plans, contents of IEP's and Annual Reviews of IEP's, timelines, reporting techniques, design and content of forms and a host of other procedures contained in the New Jersey Academic Code for special education.
8. In some counties monitors have indicated that they must find some area of need in their reports for fear they will be criticized for not doing a thorough job. Occasionally, monitors have cited districts for not having a particular procedure or form in place when the title used in the procedure or on the form was different from the name designated in the code. This is an example of need to find something to criticize.
9. Although monitoring in all areas is supposed to be a "snap shot" in time, in the area of special education we are checked for code violations that occurred as far back as 5 years ago.
10. In some counties monitors have been very fair and willing to understand mitigating factors or explanations of why some element was missing or

some timeline was not met; in other counties the monitors did not accept logical explanations.

11. Prior to monitoring visits when districts learned from experiences with monitoring in other districts that a correction was needed, if the monitors discovered that the correction was of recent vintage, districts were cited because the procedure wasn't in effect earlier. It seemed to be an "I gotcha process" rather than "It's good that you corrected this problem as soon as you heard about it" type of process.

In the area of basic skills instruction our association has the following concerns:

1. Once again, the area of basic skills instruction is much too regulated and the regulations, particularly the federal chapter I code, is overly complex and very confusing. The instruction manuals for doing annual evaluations and applying for funding is a nightmare to comprehend and to complete. These forms, year after year, have added pages upon pages of useless data that takes a professional a full month to complete. Years ago we could do the job in two or three days.
2. The monitoring forms for State Compensatory Education and Chapter I were unnecessarily redundant.
3. Districts were required to provide data and programs precisely how state officials felt they should be done rather than permitting districts to provide the remedial programs in a manner appropriate to local needs and conditions. Even districts who had exemplary success records, had to conform to narrow requirements and procedures for developing ISIP's, reporting student progress and constructing remedial programs.
4. Again, there were many inconsistencies from county to county. In one county, the monitors insisted that kindergarten children had to be provided with additional remedial instruction; in other counties, programs for kindergarten students were not required.
5. Although the booklet given to districts for developing ISIP's were to be used only as guidelines, if districts did not design their ISIP's to include every element suggested in the booklets, they were frequently cited for non-compliance. If the state department wanted certain forms to be created in very specific ways, they should have created the forms and mandated their use. The same inappropriate citations were given

for a host of other procedures and forms prepared by districts without being given specific sample documents to use.

6. Many districts were cited because they utilized individual funding sources, i.e., State Compensatory Education, Chapter I and local funds for specific remedial projects rather than part of all three funding sources for all projects. Districts were cited without ever being told that this procedure was necessary if we wished to receive funds for all students below the minimum standards.
7. Some districts failed certain elements based on inaccurate monitoring without giving the districts the opportunity of demonstrating that they could show evidence of compliance. When appeals were made to higher officials at the state level, they were heard by department personnel who were directly involved in the development of monitoring policies and practices. Some districts felt that they did not get an impartial judgment.

In summary, the New Jersey Association of Pupil Personnel Services Administrators would like to go on record of stating that although the state monitoring program has very good intentions, to insure that New Jersey students receive a "Thorough and Efficient" education, the process itself puts the emphasis on the wrong "syllable", that of intrusive checking on mountains of trivia and the complete absence of evaluating the quality of services to children.

Basil G. Goldman
4/3/90

*Director of Special Services
Millburn Public Schools
Millburn, N.J. 07041*

Perth Amboy Public Schools

ADMINISTRATIVE OFFICES
178 BARRACKS STREET
PERTH AMBOY, NEW JERSEY 08861
(201) 826-3360

Frank M. Sinatra Superintendent

George R. Zupko, Asst. Superintendent

April 3, 1990

Good Afternoon. My name is Frank M. Sinatra. I am Superintendent of Schools in the City of Perth Amboy. I have spent my entire professional career as an educator with almost 40 years of experience in the Perth Amboy Public Schools. I have held various certificated positions in Perth Amboy and have risen through the ranks to become Superintendent in 1976.

I appreciate the opportunity I have to meet with you today in order to bring to your attention my personal feelings and beliefs concerning the monitoring process as it exists in New Jersey schools. I possess no fear or intimidation concerning my ability to speak my mind concerning my beliefs of the strengths and weaknesses of the monitoring process since I have already expressed them to our County Superintendent of Schools, Dr. Virginia Brinson, as well as Commissioner Cooperman and his staff through the Executive Board of the Urban Schools Superintendents Association of New Jersey.

Perth Amboy is now a fully approved "T & E" district pursuant to the monitoring regulations. We reached this status as a result of hard work and dedication on the part of our faculty and student body. Perth Amboy has a long tradition of being a proud community and school district. We have accomplished a great deal to improve the educational opportunities afforded our students over the past several years and some of these improvements have been a direct result of the monitoring requirements.

Educators do have a need to be held accountable to the students and parents in the communities that they serve. The standards set forth in the monitoring process do establish goals and benchmarks that should be met in order to be deemed acceptable.

15X

Where monitoring falls down is its rigidity to an absolute standard which does not take into account the amount of growth and progress a district may have attained, it only reports out that a district has failed an indicator and thereby is not approved and must go into the Level II mode of operation.

There is much that I have been able to achieve as Superintendent in the Perth Amboy Public Schools to improve my district by utilizing the monitoring standards in order to have our staff and students possess a common sense of mission. However, in some instances the paper chase and resulting mountains of forms, letters, etc. needed for documentation may have impeded our ability to make even more progress.

Perth Amboy did not achieve an approved rating in the monitoring process without some unnecessary tribulations. We initially had to develop a Level II remedial plan because six more students failed to pass the 6th grade standardized test in reading at one of our two middle schools even though the total number of 6th graders in the district passing the State test made the standard. We passed with flying colors in the other 51 of the 52 indicators at that time as well as in grades 3 and 9 in the indicator that was deficient. When this was occurring we analyzed the status of the 29 students at the school that failed the test and found that 18 had exited the Bilingual Program at the end of the previous year. As you may know, Perth Amboy is a heavily concentrated Hispanic district with over 75% of our students being non-native English and over 20% being enrolled in the formal Bilingual Program. In addition, 4 failing students had moved into the district from another community within three months of the test and 2 failing students had transferred from our other middle school within a few months of taking the test.

We gave the students who failed the test and who had exited the Bilingual Program an equivalent test in Spanish (CTBS Espanol, a State approved test) and found that 8 passed it. In our formal appeal to the Department of Education we asked that the scores for these unique students be substituted for the test scores in English and were denied.

16X

Our County Superintendent, Dr. Virginia Brinson, and her staff were very helpful in our appeal by assisting me to present our case, however, it was to no avail. Rigidity prevailed. We never did receive a written denial with reasons stipulated as a result of our appeal.

The dip in morale of our students, staff and community when this occurred was most pronounced. Our pride for a time was shattered. However, with great effort on the part of all involved we were able to bounce back and achieve the approved status the following year.

As I understand it, my tale of woe is only one of perhaps hundreds you have heard. Let me say for the record, however, that given all that has occurred within the monitoring process as well as the many excellent individuals involved in it that I would urge that it not be totally tossed to the four winds. I believe your responsibility should be to obtain from it those ingredients that are actually necessary to make educators accountable without being involved in a mindless paper chase and a "gotcha" mentality.

The type of monitoring that is now being endured is not necessary to take place every five years. The Middle States Accreditation Association does an outstanding job of accrediting High Schools and this process occurs once every ten years with periodic reviews during that period of time.

The responsibility of the State in not fulfilling its obligation to adequately fund education pursuant to the Thorough & Efficient Law should also be taken into account in the results of monitoring in a school district. In Perth Amboy during the past three years we have received \$2,726,667.00 less in entitlement formula aid. For the 1990-'91 school year if Governor Florio's educational budget prevails we will receive in 1990-'91 alone \$3,639,375.00 less than we are entitled to receive. Has the State monitored itself in this regard and graded itself on the basis of a "rigid" standard? It may very well be that in order to meet the fiscal restraints that are being imposed on the district that I will be recommending reductions in our educational program and facility maintenance program which will result in our failing the monitoring visitation that is scheduled for December of 1991.


17X

The 1990-91 school year is our review year and we have been placed in a position by the failure of the State to live up to its own laws to "thoroughly and efficiently" fund school districts, to dismantle the programs and activities that we need in order not to be caught in the "gotcha" process.

Education is a form of growth. If we are to have a form of monitoring in place, I believe growth should be rewarded and recognized since everyone has not started from the same "starting line". The other factors that go into a child's ability to learn, his motivation to learn as well as the district's fiscal ability to deliver educational services are not recognized and taken into account in the present monitoring system. These factors should be if we truly want to provide equal educational opportunities to all students.

In closing, let me state in clear terms that monitoring can be of benefit to the schools in our State if, in fact, it is organized and implemented in a way that emphasizes the positive and offers "real" assistance in the negative areas with no punitive threats and/or actions.

Thank you for your time and if you have any questions I would be pleased to attempt to answer them.



Frank M. Sinatra
Superintendent of Schools

**Outline for April 3, 1990 Public Hearing
Regarding Level I Monitoring**

Preparation

Technical Assistance

Benefits

Suggestions

Board of Education
OFFICE OF THE SUPERINTENDENT
500 North Broad Street
Elizabeth, New Jersey

MITCHELL S. POTEMPA

Superintendent of Schools

Phone (201) 558-3021

The Elizabeth Public Schools are presently being monitored in accordance with the Public School Education Act of 1975. Monitoring in Elizabeth started four weeks ago on March 5 and will continue through April 12.

Preparation for this monitoring was officially set in motion when the Union County Superintendent's monitoring team provided the initial premonitoring orientation for Elizabeth's central office monitoring staff. From that day on the district has received continuous technical assistance.

Technical assistance included ongoing clarification of rules, regulations, policies, procedures and an extensive premonitoring of the 30 plus school buildings in the district. Technical assistance gave district's staff information and guidance to plan and proceed with confidence and assurance.

Preparation for monitoring followed a districtwide format of monthly turnkey inservicing of staff at all levels - from the superintendent, to administrators, supervisors, teachers, Child Study Teams, nurses, - all teaching staff members - even custodians, food services personnel and supportive staff. The parameters of each of the 43 indicators were reviewed, through central staff meetings; then, turnkeyed during monthly building-level staff meetings under the leadership of principals, as well as monthly departmental meetings under the direction of directors and supervisors.

20X

Preparation for monitoring in Elizabeth was a massive team effort which resulted in benefits throughout the district. In anticipation of the Level I Monitoring visiting team, directors, principals and supervisors expressed the following:

1. One principal reported monitoring compelled all staff members to look closely at their own classroom organization in terms of district goals and priorities. Articulation between subject areas and grade levels was increased; thereby, improving the overall continuity between programs and schools.

The impending arrival of monitors caused all staff members to pay particular attention to many inhouse details.

2. A supervisor stated, "This whole process has been a marvelous organizational procedure for all of us, in all areas. My staff and I have been able to scrutinize and streamline programs, materials and procedures that we might otherwise have left for another time."

3. A new supervisor reported that the preparation for Level I Monitoring was an extremely beneficial "crash course" on the process, policies, preparations and procedures that required detailed knowledge in the position.

4. One director said the monitoring process enabled the district to demonstrate high quality collective teamwork and accountability for all including board members and the community.

5. A second director concluded that the process fine-tuned the entire district. Monitoring prompted intense inservicing for teaching staff, supportive personnel and district administrators. Record reviews ensured that all mandated documents were included.

Staff members now have a clear understanding of program mandates, of unity and cooperation. Areas of weakness were identified during self-studies and action plans and new management procedures were put into place where needed. A new orderliness within the district which resulted from preparations for Level I Monitoring has improved not only the processing of paperwork, morale and pride in evidential proof to the parents and the community that the staff are accomplishing quality education from which all the students benefit.

6. One supervisor compared monitoring to a gigantic mirror. In his opinion, we had a chance to get a good look at ourselves in that mirror. As we looked, we all saw different things that needed to be corrected and we did them. Now, when all is said and done, we will continue to be affected by the reflections in the monitoring mirror in the succeeding years.

7. Other supervisors reported that the district's preparation which included reporting on their disciplines, enlightened principals and administrators, giving all participants a greater perspective into the integral network of continuity provided by many programs in the district.

Monitoring may also be seen as a tool that can be used constructively, efficiently and effectively or, in less skilled hands, negatively and destructively.

In general, the staff in Elizabeth believe preparations for Level I monitoring and the monitoring process itself encourage schools to look more closely at themselves and to do self-evaluations which should lead to improvements in instruction and the education of our youth. This process can serve as a vehicle which enables personnel to review the various components of the school mosaic as a unified whole.

Monitoring in Elizabeth has really been a process of receiving technical assistance. It has been a most positive experience through which the district was able to raise its awareness level by viewing programs, facilities, policies, procedures, etc., through the objective eyes of the monitors.

The visits of the monitors have been seen as an opportunity to show our programs to very special guests. In fact, monitors reported that several teachers seemed disappointed that the interviewers did not question areas teachers wished to discuss, so they extended the visits themselves by volunteering information about their classes and programs.

It seems to be a consensus that Level I Monitoring without county or state monitors visits to the district would indeed simply be a paper process.

Suggestions for Change

1. Indicators should not be weighted equally. A specified number of indicators should be required to be "acceptable" while others should be allowed "conditional approval" pending a corrective action plan, for example, if a district were to fail by one indicator, a corrective action plan should suffice to gain certification.
2. Consideration should be given to revise Element 8. Perhaps test results should be reported as in the past on the district's performance instead of a school's performance. It seems inequitable for one district to be required to have twenty-two schools pass while another school district is accountable for only one, two or even a half dozen school.
3. Monitoring cycles should be dependent on the district status, i.e., districts that are in Level I Monitoring might be reviewed every seven years with a self-study, interim written report after the fourth or fifth year (Similar to Middle States Review). Districts which are in Level II might continue with the 5 year cycle. Level III reviews should continue to be ongoing.

TESTIMONY GIVEN BY
GEORGE E. TROGLER, ED. D.
SUPERVISOR OF ART EDUCATION
ELIZABETH PUBLIC SCHOOLS

TO THE
ASSEMBLY EDUCATION COMMITTEE
APRIL 3, 1990
NEW BRUNSWICK HIGH SCHOOL
NEW BRUNSWICK, NJ

I appreciate this opportunity to speak to you about my experiences with Level I Monitoring. My name is Dr. George E. Trogler. I will be speaking to you today as the Supervisor of Art Education for the public schools in the city of Elizabeth. In this position, it is my direct responsibility to supervise twenty-eight full time art education teachers. I am responsible for the visual arts only. Before assuming this position four years ago, I was an art education teacher in New Jersey for twenty-five years.

My remarks this afternoon will not present a rationale regarding the importance of the Arts in education but will be based upon an assumption, and a strong conviction, that THE ARTS ARE BASIC TO EDUCATION. I would hope that everyone here this afternoon would share the same conviction. Therefore, how can monitoring help school districts evaluate the quality of their art programs?

As you know, Level I Monitoring indicates ten elements to be addressed:

- ELEMENT 1: PLANNING
- ELEMENT 2: SCHOOL AND COMMUNITY RELATIONS
- ELEMENT 3: COMPREHENSIVE CURR. AND INSTRUCTION
- ELEMENT 4: PUPIL ATTENDANCE
- ELEMENT 5: FACILITIES
- ELEMENT 6: STAFF
- ELEMENT 7: MANDATED PROGRAMS
- ELEMENT 8: MANDATED BASIC SKILLS TEST
- ELEMENT 9: EQUAL EDUCATIONAL OPPORTUNITY/
AFFIRMATIVE ACTION
- ELEMENT 10: FINANCIAL

ELEMENT 1: PLANNING

As part of the planning stage, the Board of Education in Elizabeth funded a curriculum development workshop with teachers actively involved. However, I discovered that good teachers are not necessarily trained in skills that are important in curriculum writing. Also, I realized that scheduling adequate in-service training which would be helpful for implementing the guide would be difficult. Nevertheless, funds were provided to purchase some books and art reproductions that teachers found useful but additional problems emerged as you will soon see. Let me explain.....

ELEMENT 3: COMPREHENSIVE CURR. AND INSTRUCTION

A comprehensive curriculum in art education should address the areas of:

- (1) Art production,
- (2) Art History,
- (3) Art vocabulary, and
- (4) Art criticism.

At the same time a comprehensive curriculum should include scope and sequence with evaluation of the total program included as an integral factor that is dependent upon (1) facilities, (2) scheduling, and (3) materials and equipment. And here is where the problem lies, because these areas are not adequately addressed by Level I monitoring.

ELEMENT 5; FACILITIES

Where does it say that every art teacher should have an art

room? At the elementary level teachers are often called upon to teach art in a regular classroom. We call this "Art on a cart." I suggest that you try teaching basketball in the classroom. In other words, I contend that art teachers need art rooms and the size of the room is as important as the size of a regulation football field. Incidentally, an architect last year told me that 1000 square feet was the minimum size, but I'm still trying to find the authority at the State Department of Education who indicated that and did that include storage facilities? Incidentally, the monitoring team in Elizabeth has been concerned that kilns are vented, that mobiles are not hanging from lighting fixtures, and that art rooms are neat and tidy. None of this items seems essential for quality instruction and although the venting of kilns is a relatively new regulation, in a large district it involves considerable expenditure. Therefore, I planned to have kilns vented over a three-year period. We're now in the second year and some kilns in the elementary schools are not yet vented. The monitors weren't quite sure what should be done about this. Thoughts ranged from removing the kilns from the school buildings to putting metal bands around them. What was not truly realized was the fact that kilns can not be disconnected by simply pulling a cord, they must be disconnected by an electrician and this is an expensive proposition. And I'm told money is a problem.

But then I learn that a teacher has several rolls of paper stacked on the floor. It was indicated that a paper storage rack would solve the problem. Cost \$400. (Thjs represents with the budget I have to be art materials for a year for 100 students.) Even greater problems are related to scheduling.

SCHEDULING

Teachers need time to prepare materials. Getting clay ready for a class of 25 is slightly different from having children pull their reading books from their desks. Consideration should be given for this, but it is not. Not only does the art teacher prepare for each and every class, but they get called upon to provide bulletin board displays in the hallways, prepare scenery for music program and in general make the school and classrooms alive with art. This takes time which should be provided the teacher.

Student scheduling poses additional concerns. At the elementary school level, students are scheduled for art usually once a week for about a forty-five minute period. Now I ask you, "Who said that children learn best when they have a subject only once a week?" If this were the case, reading and mathematics could be taught once a week.

Consequently, it is obvious that if the Arts are a basic subject like reading and mathematics, they need more time. If you look at this realistically, you can see that students who have one class per week may have only thirty-five classes per year. This translates to seven full weeks of instruction per year where the subject is taught every day. Consequently, it would indicate that by the end of fifth grade the student would have completed the first grade text... and I'd like to tell you that it doesn't get any better in the middle school schedules, because the High School Proficiency Test now becomes important (Element 8). Furthermore, you are aware that the high school graduation requirements in arts education is inadequate. (One credit in the fine, performing, or practical arts....this can mean typing or drafting.)

ELEMENT 10: FINANCIAL

Who can tell me how much it costs to run a quality art program? Does it cost more to buy materials for the elementary, middle school or high school student. Is it true that a course such as A"Photography" might cost three times as much as a course in "Ceramics", but then aren't kilns expensive?

I'm given \$60,000. a year for art materials. At first this appears to be an impressive figure, but when it is broken down into actual expenditures for students, it is not adequate. For example, \$4.00 per student per year at the elementary school level is simply not enough money, but nothing in the monitoring guide would give any indication regarding what an adequate budget might be and I don't know who would be able to supply this information at the New Jersey Department of Education.

I'm also concerned about students taking trips and being exposed to cultural experiences. Monitoring guidelines do not address these issues.

In other words, to be realistic, I have been forced to put together a curriculum guide that caters to scheduling, facilities, and budgets more than to quality instruction. I was optimistic to think that monitoring might help me, but instead I learned that the important concerns for quality Arts education are quite simply not a priority in Level I Monitoring and without your help and understanding they probably never will be.

3/X

I thank you for listening. I welcome your questions and would like to leave with you some additional materials for your examination.

- (1) The Literacy in the Arts Task Force Report,
- (2) Goals for Schools
- (3) Strengthening Arts Education in Schools, and
- (4) Parents : A Quality Education includes Art Education
- (5) Philosophy for Arts Basic to Education

32X

PHILOSOPHY
FOR
ARTS BASIC TO EDUCATION

It is in the public interest that the Arts be recognized as an integral part of basic education. The Arts are basic to learning and contribute to life-long learning.

Direct contact with living artists, live performances and exhibitions can provide students with the real experience of Arts.

It helps them to understand works of the arts, how artists create, and the nature of the creative process. Artists and Arts institutions are an important resource in strengthening the Arts curriculum and the entire education process.

The foundation for learning is laid in a child's early years. Therefore, strengthening Arts education in preschool and primary grades is necessary in order to provide a child with a basic level of knowledge and understanding.

Arts education can provide access to the highest quality Arts experiences for all students including the disadvantaged and special constituencies, as well as the artistically gifted.

Arts education includes classic, contemporary and traditional Arts forms of cultures throughout the world. This multi-cultural education can provide students with the ability to understand people of various cultures and how they have used the Arts to express themselves.

A quality Arts education provides all students with a sense of the Arts in civilization, of creativity in the artistic process, of the vocabularies of artistic communication, and of critical elements necessary to making informed choices about the products of the Arts. Such an Arts education can be assessed for effectiveness, can be required for graduation from high school, and can be established by colleges and universities as a criterion for entering and graduating students.

PHILOSOPHY FOR ARTS BASIC TO EDUCATION

-2-

A quality Arts education is taught by qualified teachers and artists with opportunities provided for professional growth and strengthened by state/community arts resources as an essential component of the curriculum. Teachers who know the value of Arts resources can use them effectively to achieve learning objectives throughout the curriculum.

A balanced and sequential educational curriculum provides a high quality Arts education to students in grades K-12. Arts resources are an integral part of such a curriculum and can be used effectively to achieve learning objectives.

A balanced curriculum provides regular Arts instruction for every child everyday and includes visual, performing, media and literary arts.

A supportive environment that includes appropriate funding, scheduling, facilities, and instructional materials/ supplies reflects a school district's commitment to Arts education.

WHAT YOU CAN DO

Share this Goals Statement with educational decision-makers in your community.

Use it to secure support from legislators, teachers, parents, and community leaders.

Urge the school board in your district to focus on these goals as reasonable, valid and reachable.

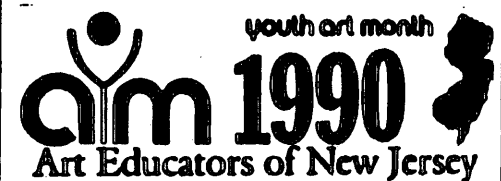
Give this statement to newspapers and other media with the request that they use it to share with your community.

RESOURCES

For further clarification regarding art education programs in elementary and secondary schools and the preparation of qualified art educators see: *Purposes, Principles and Standards for School Art Programs* and *Standards for Art Teacher Preparation Programs*. Both booklets are available from the National Art Education Association, 1916 Association Drive, Reston, VA 22091.

QUALITY ART EDUCATION

Goals for Schools



The National Art Education Association
1916 Association Drive, Reston, VA 22091

WHAT WE BELIEVE

Because we believe that all students in public and private schools, from Kindergarten to Grade 12 shall receive art instruction in the schools by certified or otherwise qualified art teachers, the NAEA Board adopted the following goals for achievement by 1990.

It is our purpose to promote and maintain the highest possible degree of quality instruction in visual arts programs throughout the United States.

These goals have been designed in harmony with those of other associations of teachers; they aim at gaining a place for art as an equal partner in the total school enterprise, and they represent a minimum for the achievement of our warranted educational objectives.

In the implementation of these goals, the members of the National Art Education Association will work toward the improvement of art instruction at all levels.

NAEA GOALS FOR QUALITY ART EDUCATION

1. All elementary and secondary schools shall require students to complete a sequential program of art instruction that is balanced to include the study of aesthetics, art criticism, art history, and art production.
 - 1.1 art instruction shall be conducted by qualified teachers of art;
 - 1.2 visual arts courses shall be required in middle, junior and senior high schools, and should not be scheduled to conflict with other required courses.
2. For graduation from high school, every student shall be required to complete at least one year of credit in one of the fine arts.
 - 2.1 an acceptable course in visual arts shall include in-depth study in the techniques of at least one art medium; practice in several media; and studies in art history, aesthetics and criticism.
3. For admission to a college or university, every student shall be required to have at least one year of credit in visual art. (See 2.1 above)

36X

37X
8. The local focus for decision-making about arts services and arts education, including local control over curricula, must be respected. Within this framework, ways must be found at the local level to meet or exceed the goals and standards established by professional arts education associations and accreditation authorities. This should include criteria for school programs, certification of personnel, the participation of arts organizations, and for artist and teacher preparation programs.

9. Arts education programs, which are designed to increase cultural literacy, will build audiences and strengthen community volunteer and funding support for cultural, visual, and performing arts organizations and institutions. Therefore, these organizations should allocate significant resources and efforts in support of arts education.

10. We must establish for arts education a coordinated policy-making process that includes the arts and arts education communities. Over time, this will vastly increase our ability to affect the policies of others whose support is needed to make the arts and the study of the arts more central to the educational mission of communities throughout the country.

11. Basic research, model projects, and advocacy efforts are critical to establishing a consistent and compelling case for increasing the economic base of support for arts education in schools and in the community at large. While the primary responsibility for increasing budget allocations in support of education programs rests with local school boards and administrators, we all must recognize our share in this responsibility as members of the larger society. We must build a powerful community constituency at local, state, and national levels among arts and arts education organizations to initiate a step-by-step process for change.


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The National Art Education Association (NAEA) is a non-profit professional organization dedicated to advancing art education through professional development, service, advancement of knowledge, and leadership. NAEA publishes numerous monographs, anthologies, standards, booklets, and brochures on art education, and sponsors a national convention each year. NAEA also publishes a journal, *Art Education*, a research quarterly, *Studies In Art Education*, and *NAEA News*.

PARTICIPATING ORGANIZATIONS Ad Hoc National Arts Education Working Group

Alliance for Arts Education
Alliance of Independent Colleges of Art
American Association of Museums
American Association of Theatre for Youth
American Council for the Arts
American Dance Guild
American Symphony Orchestra League
The College Music Society
Dance U.S.A.
High Fidelity/Musical America
International Council of Fine Arts Deans
Kennedy Center Education Program
Maryland Institute College of Fine Arts
Music Educators National Conference
National Art Education Association
National Assembly of Local Arts Agencies
National Assembly of State Arts Agencies
National Association of Jazz Educators
National Association of Schools of Art and Design
National Association of Schools of Dance
National Association of Schools of Music
National Association of Schools of Theatre
National Band Association
National Dance Association
National Guild of Community Schools of Art
National Music Council
Opera America
State Arts Advocacy League
Very Special Arts
Young Audiences

Strengthening Arts Education in Schools

youth art month
 **1990**
Art Educators of New Jersey

National Art
Education Association
1916 Association Drive
Reston, VA 22091

In the spring of 1986, leaders from professional arts education associations, arts performance organizations, and arts advocacy groups met in Philadelphia to discuss arts education. This group, named the Ad Hoc National Arts Education Working Group, developed the "Philadelphia Resolution" and subsequently developed "Concepts for Strengthening Arts Education in Schools".

PHILADELPHIA RESOLUTION

March 24, 1986

WHEREAS, American Society is deeply concerned with the condition of elementary and secondary basic education; and

WHEREAS, the arts are basic to education and have great value in and of themselves and for the knowledge, skills and values they impart; and

WHEREAS, the arts are a widely neglected curriculum and educational resource in American schools; and

WHEREAS, numerous national reports have cited the arts as one of the most basic disciplines of the curriculum; and

WHEREAS, every American child should have equal educational opportunity to study the arts as representations of the highest intellectual achievements of humankind;

THEREFORE, the undersigned individuals, representing a broad cross-section of national arts organizations, agree:

THAT EVERY elementary and secondary school should offer a balanced, sequential, and high quality program of instruction in arts disciplines taught by qualified teachers and strengthened by artists and arts organizations as an essential component of the curriculum;

THAT WE PROMOTE public understanding of the connections between the study of the arts disciplines, the creation of art, and development of a vibrant, productive American civilization;

THAT WE URGE inclusion of support for rigorous, comprehensive arts education in the arts development efforts of each community;

THAT WE PURSUE development of local state and national policies that result in more effective support for arts education and the professional teachers and artists who provide it.

OPERATIONAL CONCEPTS FOR STRENGTHENING ARTS EDUCATION IN SCHOOLS

To increase the level of artistic literacy in the nation as a whole, the arts must be taught with the same rigor, passion, and commitment as they are created and presented to the public. The primary responsibility to educate students rests with teachers, school administrators, and ultimately, local school boards who represent the public. But we all have a stake in this undertaking: artists, arts organizations, professional and community schools of art, arts teachers and administrators, those who teach the next generation of artists and teachers, and all those who believe the arts should be an integral part of people's lives.

We will work to establish the arts as an equal partner in the educational enterprise. The arts and arts education communities define common goals and discover the role each will play to further a vision of the future that includes the arts at the center of American values and practice.

Together, we advance these philosophical and operational concepts:

1. The arts should be taught as disciplines to all students. This includes student involvement in creating, studying, and experiencing the arts.

2. Regular instruction in the various arts must be a basic part of the curricula in all elementary and secondary schools; such instruction must be integrated with the highest quality arts experiences both in schools and in theatres, concert halls and museums; such experiences must be integrated with instruction as part of comprehensive curricula.

3. Arts curricula should be for the development of skills in and knowledge of the arts. In addition, learning about and experiencing the arts can develop critical and creative thinking and perceptual abilities that extend to all areas of life. These benefits are best imparted through instruction in the basic skills in and knowledge of the arts.

4. The arts relate naturally to much of the content of the total educational curricula. For this reason, all teachers should be encouraged to incorporate arts skills and knowledge into their instruction in order to enliven, broaden, and enrich all learning.

5. The curricula of teacher education programs in general should have a stronger arts component as part of the pedagogical preparation of all teachers.

6. Pre-service and in-service training of both teachers and artists should be augmented to include significantly greater experience of one another's working methods. Arts education benefits when arts teachers have high levels of artistic skill and knowledge of the arts, and when artists develop teaching abilities and knowledge of childhood development.

7. Resources to form the foundation for quality arts education programs in each local community are often already available through individuals and arts organizations and in elementary/secondary and postsecondary education to form the foundation for quality arts education programs in each local community. These resources must be identified, integrated, utilized, and expanded.

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WHAT YOU CAN DO

- Make your school superintendent and principals aware that you believe art education programs are essential for all students
- Communicate to your local school board members that you want art education supported in your schools
- Contact members of your state board of education to share your interest in supporting and improving art education
- Write or call your state legislator recommending appropriate funding for art education programs

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RESOURCES

For further clarification regarding art education programs in elementary and secondary schools and the preparation of qualified art educators see: *Purposes, Principles and Standards for School Art Programs* and *Standards for Art Teacher Preparation Programs*. Both booklets are available from the National Art Education Association, 1916 Association Drive, Reston, VA 22091.

Parents

A Quality Education Includes Art Education

A checklist developed by
The National Art Education
Association

Dear Parent,

The members of the National Art Education Association and the state art education associations are committed to educational excellence—especially art education. We need your help. You can be a part of the drive for a strong nation through your demand for quality education for your children.

We recommend that you take the opportunity to visit and get to know your local schools. We invite you to examine the school art program and ask the questions in this brochure. We offer this checklist to you as a starter.

The National Art Education Association
1916 Association Drive
Reston, Virginia 22091

SCHOOL LEADERSHIP

Do the written goals of the school and district include the study of art? Is student art a permanent part of the school? Are student exhibits, field trips, guest speakers encouraged? Is the art program viewed as an integral part of the total education program?

FINANCIAL SUPPORT

Does the school provide a separate budget for the art programs, aside from student fees and donations from PTA's and other sources? Is there a budget for repairs or replacements of materials, furniture for each art room? Are there monies designated for professional development?

ART CURRICULUM

Is there a written art curriculum, K-12, that includes art history, art criticism, studio practice, and aesthetics? Does the curriculum present art information, concepts, and skills for elementary, middle/junior, and senior grade levels? Is the curriculum reviewed and revised every five years?

ART INSTRUCTION

Is there evidence of planned lessons, units and the recording of pupil progress in art? Are students aware of the objectives? Are art teachers involved in the establishment of an appropriate evaluation of their teaching? Are students involved in the role of artist, critic, observer, art historian?

ART PERSONNEL

In elementary schools, is there one certified art teacher for every 350-450 children? Is there one certified art teacher for every 500 students in secondary schools? Is there a district art supervisor for every 50 art teachers? Is all regularly scheduled instruction in art conducted by certified art teachers?

PROFESSIONAL DEVELOPMENT

Is there an on-going staff development program for art teachers? Are the art teachers pursuing advanced course work/degrees? Are art teachers active members of their state art education association and the National Art Education Association?

TIME AND SCHEDULING

Does each elementary student receive art instruction from a certified art teacher for at least 100 minutes per week per year? Do the elementary classroom teachers provide supplementary art experiences? At middle and junior levels, is art required for all students for at least one year of study? At senior high levels, do all art courses carry one unit of credit and is art one of the requirements for graduation? Are class sizes consistent with the staffing ratio of other teachers in the building?

CLASSROOM MATERIAL AND RESOURCES

Are art textbooks provided for each student? Are art filmstrips, slides, prints, models, or posters provided? Does the library have a collection of resources for students on art processes and techniques, history of art and artists, career information, etc.? Are art magazines and journals available?

SUPPLIES/EQUIPMENT

Are there consummable supplies e.g., clay, fibers, printing, drawing, printmaking, etc.? Does each art room have specialized art equipment e.g. kilns, presses, looms, projectors, basic hand tools, sinks, art furniture? Does each art room have an art learning resource center e.g., books, films, slides, repair of equipment?

FACILITIES

Does each elementary, middle, junior, and senior high school have specially equipped art rooms? Are there additional art rooms for every 450-500 students enrolled in the school? At junior and senior levels, are additional art rooms designed for studio and non-studio specialization? Do elementary and middle level art rooms provide 55 square feet per student, and 65 square feet per student at junior and high school levels? Does each art room have separate storage rooms, vented kilns, sinks, work tables?

**Assembly Education Committee
Public Hearing on State Monitoring
New Brunswick High School
April 3, 1990**

**Dr. Dennis G. Kelly
Superintendent
Ewing Township Public Schools**

This is my second time in front of this committee. I spoke to you on March 6th in Toms River. My opinions haven't changed drastically about monitoring. Over the past month I have had the opportunity to talk to a number of my colleagues and friends about monitoring. And I do have a few additional ideas to share with you.

I want to concentrate today on the difference between the **promise** and the **reality** of monitoring. And I want to give you five ideas for making monitoring a more effective, efficient process that most school districts will look forward to in the future.

1. "Simplify, simplify, simplify!"

Monitoring is a living testimony to what happens when we try to do too much. The original idea behind monitoring was solid. We all can learn something from being evaluated; we all need to be accountable. Often people from the outside of an organization can see things a little more clearly and be a little more objective. But with monitoring we have taken what is basically a simple idea and made it as complex as possible. We attempt to measure every conceivable index in education. We have ten elements and forty-one indicators. We have a monitoring manual that is constantly changing. This creates problems for districts who are about to be monitored. We are attempting to hit a moving target. We have created in monitoring a monster that feeds on paper, time, and money.

2. Relate Monitoring to Quality

There is currently no direct relationship between those districts who pass monitoring and quality educational programs. Some very good districts fail monitoring and some very poor districts pass monitoring. The only two school districts in Mercer County to have failed monitoring are Trenton and Princeton. I will let you decide what those two districts have in common. Very few elements in monitoring relate to quality. It is currently a process that regulates education, but doesn't improve it.

3. Concentrate Important Resources

Monitoring costs money for everybody, for the school districts who are monitored and for the State who does the monitoring. It is painfully clear that we have very limited resources in New Jersey for education. It is important for us to concentrate our resources where they will

best benefit children. Not all of the school districts in New Jersey need to be monitored exactly alike. We need a simplified process for all districts and an indepth process for those troubled districts who desperately need state assistance. Considering our available resources, wouldn't the state be better served to focus on about fifty school districts and provide them extensive assistance rather than attempting to cover almost six hundred school districts?

4. **Change Basic Attitudes**

There is a feeling among many educators in New Jersey that monitoring was not designed to help them, but to get them. This feeling is understandable. It grows from the basic fact that many of us would prefer not to be evaluated and that monitoring has grown into a top-down, bureaucratic "I gotcha" type of management.

With changes in monitoring needs to come a positive public relations effort. We need to stress working cooperatively with the best interests of our children in mind.

And lastly,

5. **"It's Broken, Let's Fix It"**

There is an old adage, "If it ain't broken, don't fix it". Well, I am here today to tell you gentlemen, it is broken so let's fix it.

When I last spoke to you in early March, I made a suggestion that I think with the passage of time is even more appropriate today. And that suggestion is that a moratorium on monitoring be declared. We all know there have been serious problems with the monitoring process. It is not immoral, unethical, or illogical to admit what your public already knows. Lee Iococca has built a career in the automotive industry around telling the truth. Looking the consumer straight in the eye and saying, "Folks we have screwed up. And here's what we are going to do to solve the problem."

Why don't we follow Mr. Iococca's example with a straightforward public acknowledgement that while monitoring can be a very valuable tool to assess schools, in its current state it is a flawed process. Then let's declare a one year moratorium on the monitoring of public school districts in New Jersey beginning on July 1st. A Blue Ribbon Panel should be created and empowered to write a specific plan for reorganizing and revamping the monitoring process. We need to streamline and simplify the process placing it on a ten year cycle for all but troubled districts. This would make for a more credible, effective process for all of us.

Thank you for permitting me the opportunity to be heard and good luck with your final decision.

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The Monitoring Of Special Education
A View of NJASSW

April 3, 1990

The New Jersey Association of School Social Workers is a professional organization of 250 active members employed in direct service at the local district level. As mental health professionals and parent/child advocates, our expertise and experience within the school environment allows us to provide a unique and balancing view of public education.

Our testimony refers to the monitoring of special education within the framework of general education. We would like to comment on three areas: First, the redirection of professional energies caused by the current monitoring procedures. Second, the impact of monitoring on services to children. Third, the use of over-regulation and monitoring to reduce the cost of special education.

Special education, first under the "Beadleston" laws in New Jersey and then under federal law 94-142 has been an enlightened effort to provide for the educational needs of children who could not negotiate the regular educational system without assistance because of a myriad of handicapping conditions. As a reaction to funding problems and an era of growing litigiousness, special education is now grossly over-regulated and has become adversarial in nature. The current monitoring process as it pertains to special education tends to exacerbate this trend. It focuses on the minutia of the letter of the law rather than its intent, that is, to help children to learn. This comes at a time when social issues such as: homelessness, family disorganization, drug and alcohol abuse, teen pregnancy, cults and gangs, and suicide to name but a few are prohibitions to education. Monitoring diverts professional energies from direct effort to resolve these problems toward compliance with bureaucratic rules and regulations. Some of our members report years of preparation for monitoring favoring record keeping over service to children. They say as monitoring approaches services may cease from the point of referral to implementation of program. None of this expenditure of hours and funds results in benefits to a handicapped child.

The professionals who work with the most difficult and troubled students in our society experience a high level of stress. Monitoring increases the stress on line staff, further lessening their ability to perform effectively. It has become increasingly evident that special education is the element most vulnerable to failure in the monitoring

process. When failure occurs professional staff are seen as incompetent by administrators, boards of education, parents and the community when they may actually have been doing creditable work, if service were the criterion. When faith in staff is wrongfully undermined, not only does morale fall but important relationships with students and parents, which are crucial to our functioning, are destroyed. Further, the reaction to failure of monitoring by the general public when voting on the local school budget can be devastating. Special education and the children it seeks to help are blamed for budget defeats. The result is fewer funds are available for both regular and special education and animosity rather than cooperation is fostered. Our association questions whether the hysteria that monitoring focused on minutia creates is worth this price.

There is a serious question centering on whether the conscious, punitive monitoring of inconsequential detail is actually a means for cutting the cost of special education. Special education programs are expensive. The costs tend to increase as the severity of the handicapping condition increases. When resources are so bound by redtape it becomes obvious that fewer children will be identified and thereafter served. While many bureaucrats are dismayed by the numbers of children with special needs, the fact is that they exist and have the right to appropriate education.

Our association does not oppose monitoring. On the contrary, monitoring based on a positive, service oriented model is necessary and welcome. Some suggestions for change are as follows.

With regard to the rules and regulations themselves, the very nature of special education does not lend itself to codification. While certain laws must remain to govern the rights and responsibilities of those involved, the complexity of the individuals and implementation of the services demand flexibility and individualization in the interaction process. Guidelines rather than rigid rules are required to ensure consistency in professional activities in all sections of the state. Deregulation of the mandated interaction between principals would allow professional resources to be used more effectively where student needs are evident.

Further, legislation is needed to amend the current thinking that local boards of education are responsible for services required to students with extreme social, emotional and physical needs which go well beyond legitimate educational expectations. Local boards of education are immediately responsible to the public for a finite budget. They have neither the resources nor the funding base to meet non-educational needs.

When new rules and regulations are developed and promulgated, direct service professionals should be encouraged and possibly required to provide meaningful and respected input. This would ensure a balance between well-meant theory and practical reality.

With regard to monitoring per se, the current system of pass/fail should be replaced by one promoting excellence in program. Monitors should be viewed as helping agents of the State Board of Education whose role is to foster the legally required services to children. Positive suggestions and alternatives should be identified as a priority. Sound or worthwhile programming should be acknowledged.

To ensure that services are offered consistently throughout the state, monitors might gather information on the following. Monitors should ascertain whether there are students in regular education who possess characteristics which indicate that they should receive special education services. They should assess whether there are sufficient professional and support personnel to meet the needs of the entire school population. Are Child Study Teams actually free to prescribe what they see as needed or are they limited to what the local district currently provides? What provisions are made for bright handicapped students, especially those with emotional or behavioral problems? Are those prevocational subjects taught in the mainstream equally available to special education students? Are certain regular education classes overloaded with special education students beyond the capacity of teachers to individualize?

Our association wishes to thank the Assembly Education Committee for allowing rank and file professionals an opportunity to testify on the monitoring issue. The fact that this topic was identified by the Committee as important enough to hold hearings is an indication that there is hope for much needed change. Our association believes that change in the states role which acknowledges local reality while encouraging positive service will ultimately be in the best interest of our children.

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