NJ
10
E24
1990e
v.5

P U B L I C H E A R I N G

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 affect overall educational quality in local school districts"

March 13, 1990
Ben Franklin Middle School
Auditorium
Teaneck, New Jersey

MEMBERS OF COMMITTEE PRESENT:

Assemblyman Gerard S. Naples, Chairman
Assemblyman William J. Pascrell, Jr., Vice-Chairman

ALSO PRESENT:

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

* * * * * * * * * * *

Hearing Recorded and Transcribed by
Office of Legislative Services
Public Information Office
Hearing Unit
State House Annex
CN 068
Trenton, New Jersey 08625

New Jersey State Library

GERARD S. NAPLES
CHAIRMAN
WILLIAM J. PASCRELL, JR.
VICE-CHAIRMAN
ANTHONY J. "SKIP" CIMINO
JOSEPH M. KYRILLOS, JR.
JOHN A. ROCCO

New Jersey State Legislature
ASSEMBLY EDUCATION COMMITTEE
STATE HOUSE ANNEX, CN-068
TRENTON, NEW JERSEY 08625-0068
(609) 984-6843

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.

Issued 02/27/90
Revised 03/02/90

TABLE OF CONTENTS

	Page
Dr. Vincent Doyle Board Secretary Teaneck School District	4
Dr. James M. Caulfield Superintendent of Schools Union Township School District	21
Beryl C. Zankel Superintendent of Schools Passaic School District	22
Larry Leverett Superintendent of Schools Englewood School District	28
Paula Fiduccia Supervisor of Curriculum and Instruction Lodi School District	37
Dr. Janice Dime Assistant Superintendent of Schools Paramus School District	39
Barry A. Spagnoli Superintendent of Schools Fairfield Township School District	44
Dr. James J. Fadule, Jr. Superintendent of Schools Nutley School District	47
James P. Colagreco Superintendent of Schools Cliffside Park School District	56
Dr. Paul J. Ortenzio Superintendent of Schools Clark Township School District	58
Margaret A. Fischer Superintendent of Schools Dover School District	61

TABLE OF CONTENTS (continued)

	Page
Dr. Frank P. Chiofalo, Jr. Superintendent of Schools Hawthorne School District	70
Dr. Susan Kaye Superintendent of Schools Florham Park School District	76
Dr. Gerald Lysik Superintendent of Schools Lakeland Regional School District	82
Paschal H. Tennaro North Bergen School District	84
James H. Murphy Superintendent of Schools Bayonne School District	95
Dr. Andrew F. Korshalla Superintendent of Schools Old Bridge School District	100
Glenn R. Johnson President Old Bridge Education Association	100
Dr. Joseph Sirangelo Assistant Superintendent of Schools Hudson County Vocational Technical Schools	108
David H. Knoepfel Assistant Superintendent of Schools Kearny School District	112
Marilyn Arons Parent Information Center	116
APPENDIX:	
Statement plus attachments submitted by Dr. Vincent Doyle	1x
Statement submitted by Dr. Janice Dime	35x

TABLE OF CONTENTS (continued)

APPENDIX (continued):

	Page
Statement submitted by Paschal H. Tennaro	37x
Statement submitted by James H. Murphy	40x
Statement submitted by Dr. Andrew Korshalla	43x
Letter addressed to Chairman Assembly Education Committee from Daniel Mullen Principal Marshall Hill School West Milford Township Public Schools	46x
Letter addressed to The Honorable Gerald S. Naples from Joseph Coppola, Jr. President Bergen County Education Association	48x

* * * * * * * * * *

bgs: 1-20
mjs: 21-121

ASSEMBLYMAN GERARD S. NAPLES (Chairman): May I? We're going to wait-- First, I want to admonish my Committee members that anything that is said is recorded. Now, I don't want to go into it. I'm thinking of a conversation that Jeff Moran and I had last week, and I'll say no more, just pray. We're going to wait for Assemblyman Pascrell who has come down, or up, or north, or west, I don't know. I get north of Princeton-- I get lost when I get out of the 15th District.

Let me say-- Let me tell you what I've done: I've switched to a de facto subcommittee system. Three committee members for each of the five public hearings is plenty, because with only two people there last week, and Jeff Moran and I finally taking the hint-- The hint was, "You talk too much, both of you." And I said, "I can take a hint." Finally subsiding, and after asking people to paraphrase their remarks, we still got out of there at 4:00 p.m. So, with five guys there last week -- guys because there was no female on the Committee -- we'd still be there. So, I switched to a de facto system.

Assemblyman Pascrell is here. He's making an important phone call. He will be down presently, depending on how much he's going to talk, or how important it is. We're going to wait a few moments out of respect to the Assemblyman, and then we will get going.

I'll lay down some ground rules and I'll sort of, like one of those TV mini series, brief you on what happened in Toms River, so you'll get an idea what shape the hearings are taking. And I'll introduce a few people. If I miss anybody, it's too damned bad. You can't have it both ways. We can't be here, you know, early, and be here all night introducing people. All I can say is, it's a good thing-- Speaking into these mikes, it's a good thing Moran is in a safe district.

It's my aide. She calls. Pardon me. (Chairman steps away from table; then returns)

Let me get started. I'll field the first few questions. Let me tell you how I'm going to-- I will speak and not just ask a question when the following occurs. Most of us have been teachers, and I don't mean to talk to you as though you are students. But let me just say that if I find that people are repeating themselves, however well-intentioned they might be, and conscientious they might be, relative that which they are saying, I intend to stop and give the meeting some direction in asking people to sort of digress into another area. And that's fair to everybody, I think. It will help us accomplish whatever mission-- We may accomplish nothing. It's possible. And if we accomplish nothing, we accomplish something, because at least we have closed one avenue off.

But in terms of accomplishing what we want to accomplish, we can't have a lot of repetition. So, once in a while you'll hear me go -- not as much as in Toms River-- I want to get to a half decent early return to Mercer County. I'll be stopping off in Essex to eat with a friend.

First, I want to welcome all of you here and open the second of the public hearings on monitoring. There are five. We've added a fifth one in New Brunswick. You've all been informed. There will be a little more publicity on that. Next week is Glen Gardner. The following week is Glassboro. You see, I've moved them around the State.

One of the reasons why I switched to a subcommittee system is, for example, I don't want to drag a guy like John Rocco all the way up here. And conversely, I don't want to drag Bill Pascrell down to Gloucester. I'm trying to be fair to everybody here. This is the second of the series.

I have on my left Dave Rosen of OLS -- Dr. David Rosen. And Assemblyman Pascrell is coming. We'll wait one minute. Bill, I just opened up the meeting. You didn't miss anything. I'll go on while you're walking down. And on my right, Jim Harkness, a Republican Committee aide.

Before beginning I want to thank, ever so profusely, two people. First -- and I'm a Principal myself and I'll mention Principals first: The Principal of the school, Frank Allen, for providing us this facility, and for his graciousness in receiving us, and for allowing us to jam up that parking lot. And second, of course, the Superintendent, Dr. Howard Murray. And I appreciate it. And the County Superintendent is here, I understand, Ray Kelly, the Bergen County Superintendent of Schools. And if any of the three is here currently and would like to say a few words, said person is more than willing to do so. In Toms River they spoke; they didn't hesitate, as evidenced by the time we got out. Okay, good.

ASSEMBLYMAN PASCRELL: Let's start the ball rolling.

ASSEMBLYMAN NAPLES: Let me say this: This is a hearing on monitoring, and let me admonish you on several things. On two occasions -- three occasions -- in Toms River, people started to argue and face each other, and demand answers from the person who had spoken previously. Please don't do that. If you disagree with somebody, address the Committee or the Chair, or both. If you address the Chair, you're addressing the Committee, or a particular member of the Committee, or take your argument in the back. We're here to respect each other. We could have diverse points of view and still respect each other. And I do expect that.

In terms of any particular subject: Two or three people wanted to come up here and talk about Special Ed, here and in Toms River. And I said, as much as I would like to talk about Special Education, if we get into any particular type of monitoring -- we're into Federal monitoring -- we could be here all night. We'll address Special Ed later. Let's speak to monitoring in general. Okay?

I'm going to call the first witness, Dr. Vincent Doyle, the Board Secretary, Teaneck School District. Dr. Doyle?

Bill, I just wanted to tell you that any of your remarks could be picked up here, and I didn't have the presence of mind to realize that last week in Toms River, myself.

ASSEMBLYMAN PASCRELL: What were you doing?

ASSEMBLYMAN NAPLES: Well, I'll tell you later what I said.

ASSEMBLYMAN PASCRELL: I see. We'll go into that.

ASSEMBLYMAN NAPLES: Thank you, Doctor. Okay.

DR. V I N C E N T D O Y L E: Thank you, and good morning. Welcome to Teaneck. If I can impose upon the Chair for just one moment for a minor announcement for the audience? If you aren't aware, one important facility, midway on the main hallway, down on the right, are the rest facilities.

ASSEMBLYMAN NAPLES: Thank you.

DR. DOYLE: Again, good morning. Welcome to Teaneck.

UNIDENTIFIED MEMBER OF AUDIENCE: We can't hear.

DR. DOYLE: Good morning. Any better?

ASSEMBLYMAN NAPLES: By the way, if you can't hear, just shout out in the back. All right?

DR. DOYLE: Thank you. I'd like to speak this morning on monitoring Element 5, Facilities. It addresses the statutory provision that, "Each school district shall provide for all children who reside in the district and are required to attend public schools -- suitable educational facilities, including proper school buildings, furniture, and equipment, and convenient access thereto." As interpreted by the Department of Education, local school districts are required to develop and implement a five-year comprehensive maintenance plan, perform annual inspections of buildings to ensure adherence to health and safety laws, and, under this, including the conformance to the Department's interpretation of the Uniform Construction Code on "use group" definitions, a topic about which I wish to speak considerably more.

We are required to upgrade or eliminate all substandard classrooms and review and revise annually -- every five years, excuse me -- the long-range facility plan.

What is the purpose or intent? Simply stated, the goal of Element 5, Facilities, is to insure that every New Jersey public school pupil receives an eduation in a physical environment that is hospitable to the instruction being offered, and devoid of circumstances that may endanger the child's health or welfare.

It is an appropriate goal, and one which ought to be an accomplished fact, in every building, in each of the 600 school districts in this State.

Likewise, the system of regulations, and their in-the-field interpretation, that support this goal ought to be easily understood, cost efficient, and assist local districts in providing "suitable educational facilities."

Finally, local boards of education and responsible school officials ought to be able to demonstrate that substantial progress has been made toward achievement of this end -- within reason, given available resources and cooperation with one another.

What is the problem? My purpose in coming to you today is not to debate whether children ought to be provided facilities which enhance the delivery of educational quality. It's their statutory right.

Likewise, I'm not here to oppose "accountability." I believe it would be thoroughly inconsistent for boards of education and school administrators to object to scrutiny of their stewardship. In an educational institution where we expect children to achieve, and -- over a period of time -- learn to take responsibility for their actions, adults -- within that same institution -- ought to exemplify the standard of accountable behavior.

In partnership with those who establish the paramenters for the accountability model -- "monitoring" in the Department's parlance -- they must also assume responsibility for the processes under which their system should function. These should be clear, concise, reasonable. They should enable facilities upgrades and changes-in-use to proceed expeditiously, without wasting money on paperwork or bureaucracy, while moving projects swiftly, and be responsive to the local district with a teamwork approach.

Unfortunately, monitoring procedures for Element 5, at times, evince little of this. This is the problem I wish to address.

Specifically, the practitioner must wade through a maze of statutes, Administrative Code, memoranda, interpretations, and even interpretations which we cannot identify with a name source. It creates a never-stationary target--

UNIDENTIFIED SPEAKER FROM AUDIENCE: That mike is not on.

ASSEMBLYMAN NAPLES: Doc, I don't think the mike is on. Could you speak up a little bit?

UNIDENTIFIED SPEAKER FROM AUDIENCE: If you speak directly into the mike--

DR. DOYLE: Is this one any better?

ASSEMBLYMAN NAPLES: By the way, if you can't hear a person, speak up immediately. Don't wait until he's 10 minutes into his speech. Go ahead, Doctor.

DR. DOYLE: Okay. The result is a never-stationary target. It results in excessive paperwork, I believe, and, at times, purposeless bureaucracy. The end result is excessive cost in the compliance. I'll provide some examples to the Committee very shortly.

Every facilities project or change-in-use seems to be trapped in a time warp and pursuit of, at times, tangential detail.

Finally, the Departmental agency entrusted with the facilites review and approval appears to have a completely myopic view of how to provide suitable education facilities for children. The Bureau of Facilities Planning Services appears to be more concerned with whether every item on a checklist is completed, regardless of whether it's pertinent, rather than whether an educational space can be safely put into service expeditiously, so that children receive services.

Please note, I wish to exempt from these comments, specifically, the Bergen County Office of Education, and the Assistant Commissioner for Finance, to whom the Bureau of Facilities reports. I have found both, from personal experience, to be both cooperative and constructive, especially given the circumstances and milieu in which they operate.

What are some of the examples of the inefficiency?

One, there's a lack of clear, concise, readily available procedures. More specifically, no one can show me a compendium of regulation code and administrative directive in one bound volume. It doesn't exist.

We have statute books that are updated annually. We have an Administrative Code where changes arrive, at times sporadically, and also long after adoption. We can obtain the "Register," but even then, some of the revisions are published late, or adopted on an emergency basis. Indeed, the whole process for developing educational code needs to be reviewed.

, nowhere does one annually updated compendium of facilities requirements get published. Why not? If this element is such an important phase of monitoring, of doing one's job of caring for learners' well-being, why hasn't the centralized regulatory agency compiled all of the requirements into one readily accessible source?

The second example are the documentation requirements. Without question, in my opinion, the biggest

boondoggle afflicting local school districts in the monitoring of facilities concerns the magic phrase "change in use."

As defined under the Uniform Construction Code, it is an alteration by the change of use in a building heretofore existing to a new use group which imposes other special provisions of law governing building construction, equipment, or means of egress.

Change of use specifically references use groups. Under both the U.C.C. and the Division of Community Affairs' regulations, Use Group E is defined as: "All building structures or parts thereof, other than those used for business training or vocational training, which are classified, are classified as Use Group E which are used by more than five persons at one time for educational purposes through grade 12."

Further, the words "part change in use" are codified in DCA regulation that if a portion of a structure is to a new use group -- changed to a new use group -- and that portion is separate from the remainder of the structure with required vertical and horizontal fire divisions, then the construction involved in the change should be made to confrom to the regulations of the new use group.

I want to note the difference of a separate and fire walls. The translation is, a school is a school for building code purposes.

Nowhere is it stipulated that changing a classroom grade level, changing a classroom to a computer room, converting a classroom to an office, or vice versa, creating a large storage room to a small group instruction room or vice versa, is either a change in use or a partial change in use, at least according to the building code experts.

This is strictly the interpretation of the Department of Education and codified in the Adminstrative Code -- the Educational Administrative Code -- which requires the plans of specifications, including educational specifications for

temporary and permanent construction, erection, reconstruction, alteration, coversion, and renovation of public school buildings shall be submitted to the Department, Bureau of Facility Planning Services for review and compliance. The architect or engineer licensed in the State of New Jersey is required to submit the specifications on behalf of the board.

Further, the types of work requiring this type of Departmental review include a change involving the total number of instructional spaces or the number of any one kind of instructional space; a change in the dimension, specifically volume or area, of any instructional space which could include the lowering of a suspended ceiling or the raising thereof; a change in age group or grade level of students, or a change in the general office area or the school board office building that involves instructional spaces.

What has been the impact of this specific regulation and interpretation? Let us look at some factual examples, and these are in the appendices: Hackensack School District has spent $70,000 to date to submit change of use plans to the Department -- Attachment A -- in preparation for monitoring. They passed, but they don't have any money, as I am told by the author of Attachment A, to undertake the facilities renovation.

Tenafly schools spent $18,000 to date to submit "educational plans" associated with change of use -- Attachment B. They have yet to receive the Department's response related to the "code review" component of change-of-use, which will entail more cost. Their change of use plans were submitted to the Bureau the day before the monitors came into the district.

The Paramus public schools attempted to submit educational plans prepared by staff, rather than pay for the architect. These were rejected by the Department and the district was instructed to have the architect prepare them. That's Attachment C.

In Teaneck, in preparation for monitoring, we have budgeted $50,000 solely to pay for the submission of change of use to draw the educational specifications and architectural plans that are required.

Please note, each of these four school districts cited has a reputation for educational quality, and an unwavering commitment to adhere to all legal mandates, so as to set an appropriate example for the children that we instruct.

What has this expenditure of money accomplished? Nothing. Not one dime of these expenditures has resulted in educational space being improved. That will cost more money, money which districts do not have. These thousands of dollars -- and I will have to assume hundreds of thousands of dollars on a statewide basis -- have gone for a bureaucracy's needless informational cravings, at least in my opinion.

Why? The Department insists on applying the term "change in use" to space utilization depicted on a Uniplan study of nearly 10 years ago. The Uniplan Study Group never verified its data by inspecting local conditions. Uniplan was a study designed for a purpose totally different than "monitoring."

Indeed, the current Bureau of Facilities' staff have told me that they cannot locate, in their archives, copies of our architectural blueprints for public school buildings which are over 10 years old. Consequently, districts in the monitoring process are paying to correct Uniplan factual inaccuracies.

The third item I must address as a problem, is what I term "lack of responsiveness." And again, I'm prefacing my remarks that I am referring not to the Bergen County Office of Education nor to the Assistant Commissioner of Finance. I have found both to be very cooperative and responsive.

Obtaining a prompt review of submission of any plans of the Bureau of Facilities is nearly impossible. The staff

seems to be fraught with meaningless pursuit of minutia and personal in-fighting. I'll share several Teaneck examples to support these contentions, and these, in turn, inhibit our ability to comply in a timely manner with Element 5 monitoring.

Attachment D is a complete copy of our application for a change of use for this building's Math Center. It's a small group instruction area. It's located right outside this door. It included the educational specifications, architectural floor plans with mechanical systems, the Bureau's application, etc. It was submitted on August 8, 1989.

The Bureau's response dated January 18, 1990 -- Attachment E -- states: "The plans submitted are incomplete. Provide complete architectural, mechanical, and electrical plans."

What's being accomplished by the request for the excessive detail? We're not building a new building. We're trying to comply with regulations and obtain standard approval on a 250-square foot instructional space, without going bankrupt in the process.

Let me continue the saga. Starting on the first Monday morning in November 1989, for seven consecutive Mondays thereafter, I telephoned the Bureau to ascertain the current status report on certain plans, including the small group area previously mentioned, that we had submitted. I was unable to get past the secreatry -- and I can understand the Bureau staff is busy -- and left a message each time requesting a return call.

On Friday of the seventh week -- December 15 to be specific -- I ran into Assistant Commissioner Swissler at a meeting and conveyed to him my inability to obtain a return phone call from the Bureau in seven weeks. Fortunately, Mr. Swissler is responsive. That afternoon, I finally received a return phone call from the Bureau.

Unfortunately, the story does not end there. In the course of dialogue with the Bureau's staff, I was informed that one of the plans about which I had queried, and to which the Bureau had originally posed questions to us dated June 15, 1989, and to which our architect had responded June 28 and July 19, 1989, still required further amplification. However, until that phone call on December 15, no one from the Bureau had ever communicated this additional data either to the district or to the architect. Five months, no comment from the Bureau, and our plans sit.

One final example underscores the Bureau's inability to function as a team in guiding districts toward more suitable educational facilities. Last spring, Teaneck submitted educational specifications on another change of use for review.

After a period of time, I telephoned the Bureau to ascertain a status report. I reached one of their Educational Planners. After some searching, the individual indicated that Teaneck's plans were not on his desk, but that they probably were on the desk of -- and I quote -- "The other so-called Educational Planner." I asked if my call could be transferred. The response given to me was that, "I'd really rather not." Could I please hang up, and call the individual directly?

There can be no doubt why the monitoring system for Element 5, and indeed the entire facilities approval process, is dysfunctional.

What are some of the solutions? Let us start with the easy part: What the solutions are not.

The solution is not going to be to provide more staff. Save your money. The Department of Education's contention that the "hiring freeze" has caused these delays is no longer believable. More staff will simply translate into more bureaucracy, in my opinion, and expand their attention to the inconsequential.

If the Bureau staff cannot do the job now, they can't do the job, period. It's time for a change.

Another nonsolution is the current use of the Government Employee Interchange Act -- Attachment F. Fully licensed municipal code officials can now make appointments with the Bureau to travel to Trenton to review district plans.

Given Teaneck's experience, what municipality is going to send a highly valuable, and usually very busy, fully licensed code inspector 80 miles to Trenton, when it takes seven weeks to get a return phone call?

What are some constructive solutions? The first I must offer to you deals directly with the Legislature. When it comes to facilities "monitoring," you must come to the recognition that the present system is dysfunctional. Mere "tinkering" will not resolve the issue. A new order is needed; a radical shake-up must occur.

In my opinion, the Legislature must enact, and direct the Department to refocus its mission. The prime function in facilities monitoring should be to assist local school districts and provide service. The "I gotcha" mentality must cease. Unless the order is mandated, the change will not occur. In the seven-and-a-half years I've been back in New Jersey it has only deteriorated.

To wit, the Bureau of Facilities and their entire change of use process have let monitoring Element 5.2 -- Facilities Health and Safety -- totally degenerate into a needless money-wasting fiasco.

Responsible individuals will speak out, and no longer permit to hide under the cloak of bureaucracy this dissipation of local district resources at a time when we face budget deficits of mountainous proportions, and substantial taxpayer resistance to local levies. Our education mission is too important to tolerate money being frittered away from us.

Second, the Department must be directed to prepare a complete compendium, a one-source document, of all pertinent facilities, code, statute, official-written interpretations by the Attorney General, and implementation procedures. This should be compiled and disseminated to local districts by July 31, and redistributed and updated annually.

Other states that I have worked in, accomplish this mere detail with ease. It is not beyond the scope of a well-organized, service-oriented Department.

The third constructive solution I would offer is that the term "change of use" must be statutorily redefined to its literal meaning in the Uniform Construction Code. The Department's "enhancements" have not accomplished anything constructive. Children are not receiving a better, safer education as a result of these enhancements. Indeed, a strong argument can be made that the "enhancements" have been deleterious, because they've taken money away from educational programs simply to provide plans and details which are more than excessive.

The fourth solution I would offer is to expedite the plan review, both educational and code, and I would propose the following: When new buildings, or additions to existing buildings are contemplated, educational review should still go to the Bureau of Facilities. Code review should go either to the Bureau of Facilities or the Division of Community Affairs. However, when renovations, including "change of use" within existing structures are involved, I propose that the Educational Review ought to be able to be done by the County Office of Education or the Bureau of Facilities, and the code review could be done by the local construction official, the Bureau of Facilities, or the Division of Community Affairs. The choices should be that of the local school district.

I would note to you that this would provide a more effective and efficient use of the employee in the Government

Employee Interchange Act, where local licensed officials could review the district plans without incurring time-consuming trips to Trenton. Further, if needed, on-site inspections could be done and thereby local code officials could render more informed decisions.

Fifth, a new management policy philosophy within the Bureau of Facilities is mandatory. Staff productivity must substantially increase, the senseless fetish for unnecessary data must cease, and their approach to local school districts and officials must be given a 180-degree correction. The focus must be turned to service and cooperation.

In sum, I hope this testimony is not passed off as antimonitoring. It is not. I support accountability. I do think, however, it is fair to demand a legitimate and a reasonable target specifically pertaining to Element 5 -- Facilities -- which is not the case today.

Equally, I would hope my testimony is not misread as anti-Department of Education. It is not. I have named individuals in offices who do an excellent job, and I could enumerate more. However, the office that most directly affects monitoring Element 5 -- Facilities -- needs a radical shake-up. Furthermore, there is a substantial lack of commitment, at least from my perspective, at the very top of the Department to resolving this matter. The problem has persisted for years.

Thank you.

ASSEMBLYMAN NAPLES: Thank you very much, Doctor. Before I turn the microphone over to Assemblyman Pascrell for whatever questions or comments he might have, let me just say something. It was a very fine statement, Doctor, but if everybody here -- we have 29 witnesses and a few more may straggle in -- reads verbatim his or her statement, we will be here well beyond what I would consider to be a reasonable hour. And I would ask you if you can possibly do it -- if it's

possible without diluting essence -- to paraphrase. Your written statement, verbatim, will go into the record. Okay?

Assemblyman Pascrell?

ASSEMBLYMAN PASCRELL: Dr. Doyle, good morning. Your testimony was very concise. I had just a couple of points to bring up very quickly. What you're saying -- and correct me if I'm not giving a good synopsis, or a synopsis of what you said -- there's something-- You're saying that there's something essentially wrong with the Bureau that has nothing to do, really, with the number of personnel that are there -- which could be a problem. But there's something wrong in the process. Is that correct?

DR. DOYLE: That's correct, sir.

ASSEMBLYMAN PASCRELL: Now, there's legislation that will be before us, through the Chair, sponsored by Assemblyman Mecca, that will return much of the sign-offs to local professional people, rather than depend upon the State bureaucracy. Do you accept that? And number one, if you do, could that possibly lead to-- (school bell rings)

ASSEMBLYMAN NAPLES: If you get bothered by the bells, remember we're in the school. We're on the school's turf.

ASSEMBLYMAN PASCRELL: How do we avoid, if we do -- if this legislation does pass through the committees in the Senate and the Assembly-- How do we avoid the problems of collusion, the problems of whether or not professionals really do an adequate job with the sign-off? How are we going to do that if we return this process to the local communities? Or, do you think it can be done, in the first place?

DR. DOYLE: To answer the first part of your question, Mr. Pascrell, I would support any measure that speeds up the process. Teaneck is not about avoiding or circumventing monitoring, or even opposing monitoring. I specifically stated that we support accountability measures. It's very important. But any measure that would speed up the process so that we can be accountable, would be greatly appreciated.

To answer your second question: I assume women and men are honorable until they prove otherwise. And I have no defense, nor do I intend to defend anyone who does not act appropriately within the laws and regulation of their profession. I don't support collusion. I don't support backdoor avoiding of regulation.

ASSEMBLYMAN PASCRELL: As the Business Administrator in Teaneck, although you referred in your testimony to Section 5 which deals with Facilities, primarily, you obviously would have looked at the other parts of the monitoring process. And just very briefly, are we dealing here with primarily a bureaucratic document, or can we have monitoring that is concise and meaningful? You know, that's not like the question, "When did you stop beating your wife?" either, but--

DR. DOYLE: Close. How about my child?

In all fairness, I have to say that we're up for monitoring next fall, so it has been five years. The process five years ago, which was largely in the hands of the County Office of Education, I found to be constructive, informative, relatively nonintrusive. I won't deny, and I don't think any district can deny, that we go through some extra efforts to put all of our documentation in order. There's nothing wrong with that. We do that at this time of the year, with budget especially, when we're facing what appears to be a very difficult April election.

My colleagues have not expressed any obtrusiveness in the monitoring process anywhere near to the same extent that I have in Element 5 -- Facilities. And I would, again, want to reiterate, our county came in and did a premonitoring -- and I'm not sure if this is done in all 21 counties -- but they did an excellent job. I may not always agree with some of their parameters, but that's a professional dialogue. I don't disagree with what they're doing, why they're there, and, most importantly, I don't disagree that the gentleman who came in

was very helpful, very well-intentioned, from my perspective. And, I must state, it's my perspective.

As Business Administrator in charge of the facilities, I deal with two of the 10 elements, and am responsible for that to the Superintendent. We don't have a major problem -- a major bureaucracy problem -- per se, with the monitoring process, rather with one element, and it is almost with one component -- 5.2 of one element. We clearly have to have all of the appropriate usage documents -- changes of use -- and quite honestly, this wasn't the case, for example, 10 years ago, or even five years ago. And in that interim, there have been new mandates which address very legitimate educational needs. I'm not here to argue against Math Center mandates, because they're very legitimate educational needs for children -- I also used to be an elementary Principal, at one time -- but it's just an incredible process. The fact that I had to Bob Swissler to get a return phone call on where are my plans, or that there is an additional data need-- I may not agree with the need, but at least I'll get the data-- I'll get them the information, but if I don't know there's a need, they sit there.

ASSEMBLYMAN PASCRELL: Just in conclusion, Mr. Chairman, if I may?

ASSEMBLYMAN NAPLES: Sure.

ASSEMBLYMAN PASCRELL: I can assure you of this: The people that I've spoken to on this Committee on several occasions-- There's going to be a change in the process. We're committed to that. How we ensure accountability, and at the same time uphold the integrity of some process, is going to be very important. There's going to be a change in the weather, and it's not only going to be in the bureaucracy dealing with facilities. It's going to deal with the bureaucracy which not only the Department has created, the Legislature has created. And we are going to address that, so

that that's not an obstacle to quality education, because that's what this is all about, whether we're talking about facilities--

DR. DOYLE: That's right; that's correct.

ASSEMBLYMAN PASCRELL: --or anything else, any of the other sections of the monitoring process. Are kids going to have quality education, or aren't they?

Thank you, Mr. Chairman.

ASSEMBLYMAN NAPLES: Thanks. Let me be just be a little formal here, before I called him Bill Pascrell. Let me introduce the panel: William Pascrell of the 35th Legislative District -- that's the Passaic district -- on my left, and I'm Assemblyman Gerard Naples from Trenton, the 15th District. Also we have with us, Bob Pickett, Esq. of the Governor's Counsel, representing Governor Florio. Welcome, Bob.

Assemblyman Pascrell touched upon a lot of points I was going to make, but I just want to say something. I crossed out the word "collusion" and used the words "mutual admiration society." Do we have that going on? Do we have that overlap? Now, what do I mean by "overlap"? We have the County Superintendents involved in the facility, and we have facilities per se. The process has lengthened.

There was a Principal -- who wishes to remain unnamed -- who called me last night and told me that he moved one teacher who was in an office -- she was in one of the programs -- into a classroom. It wasn't moving somebody from a classroom into an office. It was pretty open and shut. And the Principal was told, "Well, you should have waited." Well, they might have taken two months to get around to do it, but the Principal had a program he had to run, and that's something-- That's food for thought. I don't want to say too much more because I don't want to give anybody an idea as to who the Principal is, and he might be identified. I'll just give you the county, it's Middlesex. Try to figure it out.

On the issue of monitoring in general, I had said something in Toms River and said something in my original statement. In your opinion, Doctor, and it's something for all of you to ponder, a lot of people -- and I'm repeating what your colleagues had said and what I, too, a professional to a certain extent -- as a professional educator; I'm a Principal myself -- have experienced: Do you feel that the State gets involved too much in the "hows" -- H-O-W-S -- rather than the "whats," setting broad parameters, thereby lengthening, sometimes exacerbating, a situation? You're not anti-monitoring. Answer that question.

DR. DOYLE: At times, yes. At times, yes. I think the monitoring process ought to be focused slightly more on, "Let's work together to help you improve the programs and services you now deliver." I accept that the Department's staff are experts. Then help us do a good job and help us do a better job. Then if we don't do it, where we ignore you, where we refuse to let you in our building, then you have every right, and you should demand that accountability.

ASSEMBLYMAN NAPLES: Two quick questions: Do you think sometimes they're negative?

DR. DOYLE: The monitors?

ASSEMBLYMAN NAPLES: Yes.

DR. DOYLE: The ones we have had contact with -- and again my experience is five years ago-- The answer has to be no. We had a good experience.

ASSEMBLYMAN NAPLES: Okay. Glad to hear that. The last question is that of overlap, but I just want to zero in on that. I'm going to make a statement and stop, and I want you to think about it. Do we have too much review? What is the role of the County Superintendents and facilities? What is the role of facilities, per se? Is there an overlap? That is crucial; that could be very crucial. That could lead to some legislation which I'm holding in abeyance pending the

conclusion of these hearings. You can make a comment, Doctor, if you choose, or certainly Assemblyman Pascrell, but I'll conclude with that.

DR. DOYLE: I would simply offer, Mr. Chairman, that there is overlap. I think it stems from the lack -- one of my comments -- of one source bible, if you will. It's a regulation code. The whole ball of wax is: "Who must do what, when?"

ASSEMBLYMAN NAPLES: You can see by this smile on my face I'm about ready to ask him for a letter supporting the bill I'm going to introduce in about five weeks. Okay. Let's go-- Assemblyman, question?

ASSEMBLYMAN PASCRELL: No, thank you.

DR. DOYLE: Thank you, gentlemen.

ASSEMBLYMAN NAPLES: Okay. We're going to digress a moment from the schedule. Ms. Betty Zankel, Superintendent of the Passaic County School District, has to leave and I'm going to call on Dr. Zankel. Doctor?

ASSEMBLYMAN PASCRELL: There's a hand up in the back, Mr. Chairman.

ASSEMBLYMAN NAPLES: If anyone has a hand up-- Yes, sir?

DR. J A M E S M. C A U L F I E L D: (speaking from audience) In all due respect to the Committee and the speaker and the process--

ASSEMBLYMAN NAPLES: Let me ask you a question: Which number are you on the agenda?

DR. CAULFIELD: Twelve, but what I'm saying is, if we don't hold this to a three-minute or two-minute discussion, we are going to be here until next week.

ASSEMBLYMAN NAPLES: We're going to try to cut that down. If you were paying attention, I indicated that, sir.

Please continue, Ms. Zankel. (Ms. Zankel approaching witness table)

New Jersey State Library

You have gentlemen here representing districts and representing constituencies, with a charge, and they have a certain latitude. If that latitude extends itself, I, as Chair, must exercise that discretion. End of that discussion.

Ms. Zankel?

B E R Y L C. Z A N K E L: Thank you, Mr. Chairman. Can you hear me?

UNIDENTIFIED SPEAKER FROM AUDIENCE: No.

MS. ZANKEL: No? If I speak closer?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Yes, that's better.

MS. ZANKEL: Okay. I was not aware until Friday that I was to have prepared my remarks in writing and submit 10 copies. I usually feel more comfortable in just speaking, but I am going-- My presentation is not that long, and I am going to read it.

First of all, I would like to preface my remarks by stating clearly and unequivocally that I am not against monitoring. That has been said by the previous speaker. I feel that we are accountable for our programs and the implementation thereof.

However, as a veteran of a Comprehensive Review Team activity, a first monitoring activity, and now the preparation for monitoring in November 1990 in our district, I feel certain problems inherent to this monitoring process must be addressed.

I am the Superintendent of Schools in Passaic City, the only district in the State to have the dubious distinction of having been certified in 1985 and having said certification removed on January 4, 1989. In order to have been certified in 1985, the district had to meet the requirements of 10 elements and certain of the 51 indicators included therein. The Passaic City District did so and was certified. As a result of not being able to meet the requirement for math on the HSPT in 1988, our district was notified on August 22, 1988, that we had

to respond to a "show cause order" regarding the removal of said certification, and that our response had to be in Trenton on September 1, 1988. Herein lie some of my concerns about the monitoring process and the results caused by said monitoring.

To have been informed on August 22 that a response is due on September 2 is to indicate to a school district that the Department of Education shows no consideration to a local school district's activities at the end of August, when all staff members are involved with the preparation for the opening of school on September 1. Regardless of the difficult timeline, we put all our efforts together to provide the Division of Disputes and Controversies with documentation of a myriad of activities which had been taking place in our efforts to raise the math scores of our students. I called that office, literally pleading for an opportunity to personally come to Trenton to present our documentation, was summarily refused, and ultimately sent 17 pounds of documentation in response to the "show cause order." Their response was slow in coming back to us. Our plea to keep our certification was turned down. Again we asked for an opportunity to present our case, and again were refused. The final indignity occurred when we were informed, on the morning of January 4, 1989, that the State Board of Education was meeting in Jamesburg, and that morning would rescind our certification, thus placing us in Level II. This time, I raced down to Jamesburg, only to find that one is not permitted to present his/her case before the State Board of Education.

This smacks to me of a kangaroo court. It seemed to us that the certification requirements involved all of the 10 elements, and 51 indicators. On the basis of one-third of one indicator, a district should not be decertified; possibly we should have been placed on probation for math, but to have been placed in Level II was a blow to the diligent efforts of the entire school district, and certainly a blow to the morale of the district -- staff, students, parents, and community.

I share this with you only to come to the concerns I have about the current monitoring process, in which all of the indicators of all elements must be met in order to attain certification.

I cannot argue with the concern of the State regarding facilities. I, too, have great concern regarding facilities. Those of us in urban districts face a double-edged sword -- aging buildings and no funds with which to repair or replace them. Not only that, we do not have space on which to construct new buildings, were we to have the moneys with which to replace them.

What is even more unbelievable is the fact that when our district arranged for a lease purchase of $12.5 million for an addition to our middle school to alleviate overcrowding and unacceptable instructional areas -- which was done a year ago -- we were made to wait until March 1989 for the Department of Facility Planning to approve the project, thus costing us a year in additional waiting, as well as increased costs due to the wait.

It is interesting to note that we are still waiting for the final approval, and this is because we have had all of our local people go down-- Our inspectors have gone down, and we are still waiting.

The point that we see here is a picture of bureaucracy at its maximum strength. We are presently in a position where we may have to wait still another year, because the start of the construction must take place during the summer when the original building is not occupied. We are still waiting.

No one will argue with the need for equal opportunity for all students. Few will argue with the need for accountability. However, we must question the arbitrary approach attached to the overall monitoring process. We may also question the difference in interpretation from county office to county office. Some of the requirements of the

monitoring elements do not stem from reality. For example, when looking at the attendance figures for staff, no consideration will be given for days taken for bereavement. If by some misfortune, a staff member loses two family members in one year, according to our contract, that person may have a total of 10 days off in order to take care of family matters. This type of absence is not addressed in the overall approach to staff attendance. We do have to realize that we are dealing with human beings, even though they may be in education.

I have saved my most serious concern for last; that is the fact that my staff and I are spending all of our time, thoughts, and efforts in the preparation for this monitoring procedure, at the expense of that for which we are placed in our positions.

We are hired to develop and implement programs which will address the needs of our students. True, some education will take place this year, but in a district such as ours where we face all of the problems and ills of urban America, our time is better spent in attempting to solve some of the insurmountable problems which occur and which should be handled with depth and serious solutions, rather than just being able to give lip service to daily situations. We should be spending time visiting the schools, rather than preparing all of the paperwork required for the monitoring.

We are serious-minded educators. We have great hopes and aspirations for out students. We are making great efforts to provide our students with an education which will prepare them for the world in which they are to live. We must operate within the confines of employee contracts on one side, within the confines of State requirements on the other, and somewhere in the middle, we are expected to develop students' abilities to function successfully in the 21st century. The demands of this monitoring process have not allowed us to look upon it as

part of the solution. Instead, it has become part of our problem.

We are asking for realistic concern and interest for our problems. We are asking for technical assistance which recognizes our problems. We are asking, not only for funding to meet some of these problems, but also less red tape in order to address these problems within realistic timelines.

Let's do away with some of the paperwork and have the State Department of Education realize that to those of us in the districts, our students are not numbers on a report, but human beings with faces and needs. Let's change the red tape to green and progress from that point to a better understanding of the requirements of local education programs, as well as requirements of State mandates. Monitor us, yes, but within a framework which allows some autonomy to remain in the local school district.

Thank you.

ASSEMBLYMAN NAPLES: Thank you. Before I turn the mike over to Assemblyman Pascrell, do you have a copyright on that "red tape to green"? I like that very much.

Before I go on, I want to -- and when I'm wrong, I'm wrong -- extend my apology to Dr. Caulfield for the way I just spoke to him. I am not addressing a group of students. I shouldn't have said, "If you were paying attention." Doctor, please accept my apology.

Let me just go on now and say something that a lot of people have said that I said in Atlantic City in October. I didn't know which party would be in control of the Assembly, who would be Committee Chair, but in retrospect you might say it was a campaign promise when I said to the Superintendents, "Do you have any gripes?" and they all started griping about monitoring. I said, "Would you be willing to say that to a Committee?" and a lot of people said, "Yes," and it sort of led to this.

One of the things I said was-- What I said in Atlantic City was what had been said to me a few years earlier. I won't go into that story, but I said, "So many districts" -- and you seemed to allude to it toward the end of your statement, and correct me if I'm wrong, please-- Contrary to what people say, I can be told I am wrong without getting angry.

Do you think that in education, as I said in the press release -- and I may not quote myself verbatim -- that we are spending so much time proving we are doing nothing wrong -- on compliance, i.e., to the exclusion of education -- that we have, in effect, no time, or less time to do anything right, thereby making a negative evaluation a self-fulfilling prophesy?

MS. ZANKEL: I have to agree with the fact that we have 24 hours a day and seven days in a week. If you take a portion of each day and do something which is not directly involved with a specific program, or something that you would like to try, you just can't do two things at once. I must say, our county office is very cooperative with us. We have a very good relationship. I really don't want to complain about that. They are doing what they are required to do. But the amount of time and effort that is taken in preparation for this monitoring process is absolutely monumental, and you cannot do two things at one time.

So, it is obvious that it is taking time from what we are supposed to be doing.

ASSEMBLYMAN NAPLES: Sure. Okay, thank you. Assemblyman?

ASSEMBLYMAN PASCRELL: Yes. I would like the Superintendent's angle-- If you would, prepare for this Committee, at your convenience, but as soon as possible, what you mean by "technical assistance." You used the term a few times. It is a rather broad term, and I would like, if it is at all possible, that you prepare for staff and the Chairman --

through the Chair -- what you mean by technical assistance.

MS. ZANKEL: Fine. I certainly shall.

ASSEMBLYMAN PASCRELL: I would be interested to see what you mean by that.

ASSEMBLYMAN NAPLES: One other thing: Did you give me a copy of the show cause order of which I will make copies and distribute to the staff? I would like to see that.

MS. ZANKEL: Do you want the 17 pounds of documentation, too?

ASSEMBLYMAN NAPLES: Yep, yep, or a synopsis, if you have it -- paraphrasing.

MS. ZANKEL: Okay. Thank you, sir.

ASSEMBLYMAN NAPLES: Or give me a call. I would like to talk to you about it. Okay? That is crucial, I think. All right, thank you very much.

Next witness-- We are going back to the list. I am going to call everybody "Doctor." I would rather call somebody Doctor and not have a person be a doctor, than call him Mr., or her Ms.

Dr. Larry Leverett, Englewood Public Schools. What is your position, Doctor? Superintendent, excuse me. I wasn't reading.

L A R R Y L E V E R E T T: Superintendent of Schools in Englewood, and I will convey that to the Committee that is looking at my dissertation proposal.

My name is Larry Leverett, Superintendent of Schools, Englewood, New Jersey. During my career as a New Jersey educator, I have had the opportunity to view the monitoring process from several vantage points: an elected School Board member in Passaic; School Program Coordinator in Essex County and member of the Auditor General's staff assigned to the Newark Public Schools; a Principal and Assistant Superintendent in suburban South Orange/Maplewood School District; and, most recently, at present, Superintendent of Schools in an urban school district, Englewood.

At the outset, I would like to state that some form of monitoring is necessary in New Jersey. Education is big business. Our children, the economy, and the well-being of the social fabric of our society and of our communities depend largely on how well we do the job of educating all the children in this State. Monitoring is necessary to protect the interests of children, and necessary to protect the investment of tax dollars. We have a responsibility to the one-million-plus children occupying the classrooms of our public schools. We have a responsibility that the State, in cooperation with the 600-plus local education agencies and the assistance of the 81,000 teachers employed by these LEAs, provide a thorough and efficient system of education to meet the diverse needs of our population.

Taxpayers in New Jersey have earned distinction as leaders and financial support in public schools. Putting aside momentarily the equity issues that are so very seriously confronting urban school districts and those issues raised by Abbott v. Burke, New Jersey has made a financial commitment to fund public school education. New Jersey's per pupil revenues of $8153 ranks number one among the 50 states. The per pupil expenditure of $7312 ranks number two. Only Alaska's $7411 per pupil expenditure beats us out.

This huge investment, not considering the inequities between the haves and the have not districts, substantiates the need for accountability system to gauge outcomes produced by the schools of the State.

The Legislature enacted Chapter 212 to accomplish the goal of a thorough and efficient system of education to provide all children in New Jersey, regardless of socioeconomic status or geographic location, the educational opportunity which will prepare them to function politically, economically, and socially in a democratic society.

Accountability standards that measure the extent to which this noble aim is being accomplished are necessary. The present State monitoring system, however, must be reconfigured to better enable the citizens of the State to understand the return they are getting on their investment.

My district -- Englewood -- was recently monitored by the staff of the Bergen County Superintendent of Schools, Dr. M. Ray Kelly. Monitoring helped this district to focus our energies on issues that required our attention. I doubt that much of what was accomplished would have been accomplished within the time frame in which it was accomplished without the pressure of some accountability to the State Department of Education and to the Legislature.

We spent $250,000 to $300,000 to ready our facilities for State inspection. To get the things we needed done, and to help garner the financial support needed to accomplish this, monitoring has been a help. We've reviewed policies, procedures, and practices. We looked at our staff and checked certification. Curriculums were updated, and extensive amounts of time were spent reviewing programs to determine compliance status with law and code. Many of these items were positive benefits that were achieved partially as a result of the gentle hand of the county and State hovering over our heads.

State monitoring forced some issues, raised some questions, and imposed priorities that may have lingered without the presence of an accountability system. We are fortunate in Bergen County to have a top-notch group of educators on staff to head up the monitoring effort. Without exception, each member of the team involved in our monitoring was a well-informed educator whose knowledge of pedagogy extended beyond law and code. The premonitoring assistance provided by Dr. Kelly and his staff was of great benefit. It was not a game of "I gotcha." Monitors were thoughtful in

their interactions with my staff and worked with us to review elements and indicators involved in the process.

Some problems with the present system of monitoring: Educators across the State continue to express concern about the inconsistency in the application of standards across the State. Are school districts in Sussex County required to dance the same dance as school districts in Cape May? Many underfunded urban school districts are unable to provide the level of resources necessary to maintain safe and adequately maintained facilities. They are monitored according to a stock standard that is impossible for them to achieve due to the current structure of school financing.

Three, the current system of monitoring student achievement does not raise the question of value added by school districts. The requirement of 75% of the students meeting the MLP in reading, math, and writing in Millburn, is certainly not as formidable a challenge as it is for Newark, Camden, Passaic, Trenton, and other school districts.

Four, disparities in per pupil revenues and expenditures make it difficult for low wealth districts to provide the breadth and depth of programs that are affordable in high wealth districts.

Five, the county office is a compliance unit with solely regulatory and enforcement responsibilities. They are unable, due to the press of monitoring, to share their expertise and knowledge to help school districts to address improvements and conditions for teaching and learning.

Finally, the current system of monitoring only looks at standardized test results to determine educational outcomes. There is no way for multiple means of assessment to be considered in weighing the instructional effectiveness of schools.

Some recommendations:

1) To increase the chances for school and district level reform, the State Department of Education must reduce their role as enforcer and increase the attention given to the role of helper, enabler, and resource broker.

2) Revamp the existing State student assessment and testing practices to include multiple means of assessing student learning, with emphasis placed on understanding, problem solving, and skill attainment.

I recommend that the State -- the Legislature and the State Department of Education -- consider approaches that are being explored in other parts of the country, specifically conditional deregulation. Schools in this State should be provided with a choice between the traditional monitoring mode and an alternative mode designed to provide the same level of accountability, but allows the school to initiate school level planning to address targets assigned and negotiated with representatives of the State Department.

The concept of conditional deregulation is being examined by the New York State Board of Regents Committee looking at accountability and leadership issues.

3) Individual student accountability: Monitoring should be meaningful. Accountability should provide our taxpayers, our citizens, and our parents with answers to the question, "What are children learning, and how well are they doing in comparison to various subgroups within the population?" Consideration should be given to design and implementation of a State accountability system that tracks student outcomes at the individual level. While a school report card is fine, a parent can better benefit from a clear assessment of the knowledge and skills attained by their child, the learner. Multiple means of assessment beyond the standardized test should be incorporated into such a model.

Finally, alternative models to State monitoring should be considered. Districts committed to comprehensive school

improvement processes based upon effective schools' research are working on evaluation models approved by accrediting agencies such as Middle States, and should be given the option to implement a State-improved monitoring process that is flexible enough to allow the district to continue the school improvement strategy best suited to the LEA. Emphasis must be on outcome for students, and the corps of standard rules and requirements must be met.

The crosswalk approach encourages districts to pursue broad-based improvement strategies, rather than to avoid making a commitment due to the press of monitoring.

Thank you for the opportunity to share my remarks on this topic.

ASSEMBLYMAN NAPLES: Thank you very much. I just want to say before turning it over to Assemblyman Pascrell, that one of the themes in Newark -- I'm sorry, in Toms River last week, was what you said about monitoring; helping to keep districts on track. You said a lot more than that, but that was one theme which ran through the testimony at Toms River. I was looking for the testimony of one of the individuals who said it. It is in my pile here. I couldn't find it, but that was true.

Assemblyman Pascrell?

ASSEMBLYMAN PASCRELL: Thank you, Mr. Chairman. Superintendent Leverett, who governs the schools of New Jersey?

MR. LEVERETT: The State Legislature has the responsibility of governing the schools of New Jersey, as determined by the Constitution of the State. This responsibility is delegated to the local education agency to implement the laws and the requirements as defined by code.

ASSEMBLYMAN PASCRELL: Who do you think makes most of the decisions about the Englewood schools?

MR. LEVERETT: I do.

ASSEMBLYMAN PASCRELL: You do, despite monitoring?

MR. LEVERETT: Despite monitoring, I make the decisions. I provide-- As chief educational advisor to the Board of Education, it is my responsibility to offer recommendations and improvement strategies to address issues in my school district.

ASSEMBLYMAN PASCRELL: How have you balanced the requirements of monitoring and trying to respond to all of these indicators, and yet try to provide for education? I take it from your statement that you might have problems -- and if I am reading anything into what you said, tell me -- with some specific areas of monitoring and the bureaucracy. We always have problems with bureaucracy. Come to the Legislature.

But, despite that, and having said that, you are finding ways to respond to the educational needs of your students. I am not trying to imply that you are circumventing monitoring. I am not implying it. I'm saying that apparently you have addressed the educational problems, or are trying to address the educational problems, and are not hanging your hat on the hook of, "We've got to do all of these other things, and we can't really get the quality education." Do you know what I'm saying?

MR. LEVERETT: Absolutely.

ASSEMBLYMAN PASCRELL: Do you agree with me, or disagree with me?

MR. LEVERETT: I agree with you almost completely. As a Superintendent of Schools, and with the cooperation of my School Board and the talents of the people who work with me in classrooms and as heads of schools, the leadership-- The direction in our district has been to work hard and to work smart. We know what needs to be done for the children of our community. We have initiated several very broad-based school reforms in Englewood. We are in the final states of competition for RJR Nabisco. We have launched a partnership with the Machusta (phonetic spelling) Foundation on school

restructuring. We have examined the research of Ron Evans and Larry Lezotte in the School of Improvement Program based upon the tenets of effective schools research. We have also done what is necessary to meet 97.6% of the monitoring requirements. We went down on Special Education, but education and the vision for what ought to be happening to improve teaching and learning in Englewood is at the forefront.

Monitoring we must do to satisfy regulations external to Englewood. When we face the children and the taxpayers and the parents of our community, we know there is an agenda to work on math, science, thinking skills, problem solving, to prepare our children to meet the requirements of the 21st century.

ASSEMBLYMAN PASCRELL: Does monitoring -- the questions of monitoring, the problems of monitoring -- highlight, or focus our attention on the question of governance, who is in charge of the schools?

MR. LEVERETT: To a large extent, I believe that governance issues are very much a part of what must be examined when we look at State monitoring and the reformulation of the monitoring process.

ASSEMBLYMAN PASCRELL: You would like to get much more control back to the local schools, although not under the umbrella of local control. We are not talking about that. We're talking about another thing. We're talking about something very different.

You are really saying, I think, that we can have accountability. We obviously have to have monitoring if we are going to have standards, unless, you know, people are living up to the standards that, hopefully, you have input into, by the way. Do you have any input into the standards that you have to live by?

MR. LEVERETT: As a Superintendent, I have not had input into determining law and code and standards that I must

live by. Other Superintendents in the State have. The associations, fortunately and unfortunately, have been provided with voices that people at the local school district level do not have access to.

ASSEMBLYMAN PASCRELL: You are aware of school-based management?

MR. LEVERETT: Yes, I am.

ASSEMBLYMAN PASCRELL: Do you believe in district-based management?

MR. LEVERETT: Absolutely.

ASSEMBLYMAN PASCRELL: Mr. Chairman, I just have one other point when you're finished, if you have anything.

ASSEMBLYMAN NAPLES: Yeah, I just have something to say: The Assemblyman asked a very, very good question. I don't mean to take issue with you here, but in point of actual fact, the Constitution says the Legislature, then it says the State Board, of which the Commissioner is a member, and then you get down to the LEA. The Commissioner is the most powerful Commissioner in this nation, from a de facto standpoint. Given the fact that you are monitored-- First, what level are you in?

MR. LEVERETT: We are just entering Level II.

ASSEMBLYMAN NAPLES: Just into Level II; you want to stay out of Level III. Given that, do you honestly believe, from a de facto standpoint, that you are -- let's put it this way -- you are calling the shots, without a lot of concern as to whether somebody else might agree with you, and whether you might have to change the shot you call to be more consent with somebody else's point of view?

MR. LEVERETT: I don't think those ideas are mutually exclusive. As a local school Superintendent, chief school administrator, and the designee of the LEA to enforce the regulations of the Legislature and the State Board, I have the responsibility to ensure that my district complies with the exigencies of the statute and regulations.

On the other hand, above that responsibility to the State Board, I have a responsibility to my community to ensure that issues that need to be confronted, whether they are monitored or not, are confronted and dealt with in a forceful way.

ASSEMBLYMAN NAPLES: Okay, thank you. Bill?

ASSEMBLYMAN PASCRELL: One final comment before Larry leaves: I think your presentation was excellent. I wish you had not read it, because you had much more to say to us, I think, in those nonprepared statements. I know you have gone through the trouble to prepare the statement.

I think, through the Chair, that instead of people coming up here and reading their statements, that if they can summarize them, we would get a lot more out of it, and the audience would get a lot more out of it, and we could move this along.

ASSEMBLYMAN NAPLES: Right, right.

ASSEMBLYMAN PASCRELL: I'll stand on whatever the majority wants.

ASSEMBLYMAN NAPLES: As I said before -- and I agree with the Assemblyman-- I said before, "Please try to paraphrase," and Dr. Caulfield said it, too. Please try to paraphrase so that we can move-- I want to tell you something: You'll make a better presentation. And by the way, Doctor, you made some fine comments, some fine answers to some tough questions, Dr. Leverett.

MR. LEVERETT: Thank you.

ASSEMBLYMAN NAPLES: We have a substitute for Robert Pollise, Paula Fiduccia, please. A good Italian boy like me having to stumble. Wow!

P A U L A F I D U C C I A: My name is Paula Fiduccia. I am Supervisor of Curriculum and Instruction in the Lodi School District. I am reading this statement on behalf of Robert Pollise, Lodi Superintendent of Schools. I will read the

statement, but it is very brief. It is only two paragraphs. The statement is concerning the monitoring process in general.

"The monitoring process conducted by the State Department of Education has been beneficial to the Lodi School District. The premonitoring preparation provided excellent channels of communication between and among administrators and staffs. The self-study phase ultimately led to improvement efforts to benefit all students. The main focus for monitoring is to ensure that all children in New Jersey have sufficient educational opportunities. Therefore, the time expended on compliance was well spent.

"One area of the process that needs revision consideration is the five-year cycle regulation. It would be more efficient to certify districts that meet State requirements for a period of seven to ten years, instead of the five years. This revision would free districts of the frequency of the monitoring process."

ASSEMBLYMAN NAPLES: I just want to say, that is another theme that came out in Toms River, the cycle, and I was going to ask you that even if you didn't say it.

Assemblyman Pascrell?

ASSEMBLYMAN PASCRELL: So you're saying that you would extend the time frame. What if you did so well, should you be in the process anyway?

MS. FIDUCCIA: Oh, definitely.

ASSEMBLYMAN PASCRELL: Is that the only thing--

MS. FIDUCCIA: Stay in the process.

ASSEMBLYMAN PASCRELL: --that makes you accountable?

MS. FIDUCCIA: No, not necessarily.

ASSEMBLYMAN PASCRELL: Can you devise your own accountability that would be acceptable to yourself and the State Department?

MS. FIDUCCIA: Yes.

ASSEMBLYMAN PASCRELL: Do you think that's possible?

MS. FIDUCCIA: Yes.

ASSEMBLYMAN PASCRELL: I have no other questions.

ASSEMBLYMAN NAPLES: Thank you very much. Believe me, that is going to be a very -- for us -- nettlesome consideration -- vexing -- for the simple reason that there are very, very diverse points of view, each with good arguments, on what the cycle should be.

Before going on, I just want to recognize two more County Superintendents, and I'll never hear it from my colleague on the left from the 35th District: From Passaic County, Mel Persi, and also, from Union, Vito Gagliardi. Vito, thank you very much for stopping by. If I missed anybody, please pass a note down. I don't want to appear ignorant and miss anybody for that reason.

Janice Dime, Assistant Superintendent, Paramus Public Schools. Janice, please.

DR. JANICE DIME: Good morning.

ASSEMBLYMAN NAPLES: Thank you.

DR. DIME: First, I would like to preface my remarks by giving you a little bit of background that would be helpful in the monitoring process.

Twelve years ago, I worked for the State Department of Education, Bergen County Office, as a School Program Coordinator, with Dr. S. David Adler, so I have been with the monitoring process from almost its very inception as an insider, as well as an outsider.

Five years ago, I was Assistant Superintendent in the Englewood Public Schools, and successfully coordinated -- facilitated the entire monitoring process in Englewood. This past week, I successfully coordinated the monitoring experience in the Paramus Public Schools as Assistant Superintendent of Schools.

The last thing I would say is, my doctoral dissertation from Columbia University looked at the politics,

New Jersey State Library

or the perception that administrators and teachers have of the monitoring process, and that was 12 years ago. So I have been very familiar inside and out with monitoring for 12 years.

My remarks reflect the thinking of Dr. Harry Galinsky, Superintendent of Schools, as well as myself, and they were prepared before we went through the actual monitoring last week.

Five brief statements that I would like to review:

We believe that the last two cycles have been very positive and have had a very good effect on our program. We have seen facilities being improved, curriculum updated, and we have a heightened awareness that the community has had about what monitoring is all about

We spent a significant amount of time and financial resources in our efforts to comply with all of the regulations. I might add that there were things we should have done, and monitoring helped to facilitate that more expeditiously. However, I must point out to the Committee that at no time in the Paramus public schools has the daily educational program been adversely impacted. There has been business as usual and, in fact, we tried to shield the classroom teachers from any interruption to their daily routine. I believe we have been successful in that regard.

We received considerable advice and support throughout the process from the county office. There have been numerous premonitoring meetings. We had a detailed inspection of all seven of our facilities by one of the county officials. We also have attended meetings that walked us through the process so that we were prepared that there wasn't an "I gotcha" or any surprises when we actually went through monitoring last week.

Fourth, I might say, as an Assistant Superintendent who works closely with the Board of Education, we used the compliance visit to get things done expeditiously with our Board of Education. Let me give you one illustration: When you can work with a Board -- and rightfully there are certain

policies you need to help children -- it helps move the process and, instead of getting belabored and taking many years, you can move it more quickly and be about the business of educating youngsters.

Despite the good experiences during the first two cycles, we believe it is time to make changes in the monitoring process, and we believe that the successful districts -- Paramus and many others throughout the State -- having now been identified through the two processes, should be monitored less frequently. We would suggest to the Committee and the entire Legislature every 10 years, like Middle States. We would like to see there be a cycle that coincides with Middle States. We believe also that we should move from a strictly compliance pass/fail model to a more qualitative assessment that allows districts to make corrections before a final determination is made. And we believe that deregulation should be a reward for high performing districts that continue to get results. It is a greater incentive than giving more money.

In conclusion, we have not experienced many of the negative consequences that have been reported throughout the State. Bergen County may be reflecting the quality of the schools, but monitoring has not been the prime activity to the exclusion of education. They are one and the same. Education is alive and well, despite the vigorous and heavy work load that monitoring can produce. Monitoring is in need of some changes, and less regulation for districts that are getting good results should be an incentive and an outcome.

Thank you.

ASSEMBLYMAN NAPLES: Thank you. Assemblyman?

ASSEMBLYMAN PASCRELL: Thank you, Dr. Dime. I have a response -- a reaction to what you're saying. I don't know if I can accept the idea that the better a school district does -- although we are all on the same path; we want to reduce the bureaucracy-- I mean, who's against that? So, we are on the

same track there. We want to reduce the bureaucracy. Maybe the time frames have to change.

But I don't know if I can accept the idea that we need deregulation, or less monitoring, based upon how well a district does. I want to address that, if I may, through the Chair.

It seems to me that maybe we need deregulation and more autonomy in the districts that aren't doing so well. And maybe there is a direct relationship between the amount of regulation and the amount of monitoring in many of our urban -- in small urban districts where they are having problems -- although you would be surprised where they are having problems, and they are not all in urban districts-- Maybe one of the problems is that these districts don't have enough freedom to deal with local situations, to provide for a local response to the educational needs of the community.

I personally don't accept that there is a geometric scale there, and the better you are, the less -- you know, the less regulation. I don't know whether that is what you are applying.

DR. DIME: I was implying greater flexibility. I'll give you a concrete example, and I'll stay with the bilingual (indiscernible). Our own district has a growing population of predominantly Japanese and Korean youngsters. We believe that we should be able to design a program that the county office and the State Department of Education would have to approve, but would allow us flexibility to help determine, given input from the parents, etc. That is one example by which I mean deregulation, and there are others.

I might add that nationally there are states in our Union which have gone to looking at school improvements statewide and said: "Enough of the regulations. We need to give districts the freedom." When we talk about empowerment of teachers, we are talking about empowerment of districts, and I

think the Legislature needs to empower all of us. Hold us accountable -- what are the standards? -- and let us design programs. Even if the County Superintendent and the State Department approve those programs, I think we need some greater flexibility than we now have within the existing regulations.

ASSEMBLYMAN PASCRELL: But you did say that, "Deregulation should be a reward for high performing districts." I have to take issue with that. Maybe deregulation should be something that we look at across-the-board. I do believe in incentives rather than the disincentive system we do have now. But I am not so sure that we should simply relegate those districts that are not doing well to the "plethora of standards" carried down by the -- sent down by the State of New Jersey. I don't accept that at all.

ASSEMBLYMAN NAPLES: I agree with you.

ASSEMBLYMAN PASCRELL: Thank you.

ASSEMBLYMAN NAPLES: I just want to say I crossed out my comments on deregulation, my point. I agree with the Assemblyman 100%. Let me just get over to page 1: "We have received considerable advice and support from the county office as we prepared for the monitoring." Let me ask you a question: What is your tax rate, one? Two, what is your equalized valuation? Three, what is your per capita income in the district, if you know that?

DR. DIME: I can't answer those questions. Sorry, I don't have that information.

ASSEMBLYMAN NAPLES: That's important. It bears on that. Okay, I can get it from you later on--

DR. DIME: Sure.

ASSEMBLYMAN NAPLES: --or give you a call. Thank you very much.

ASSEMBLYMAN PASCRELL: Thank you.

ASSEMBLYMAN NAPLES: Nice presentation.

Number-- I'm out of order here. Whatever, I'll just call the name, rather-- Barry Spagnoli, Superintendent--

ASSEMBLYMAN PASCRELL: Spagnoli. (corrects pronunciation)

ASSEMBLYMAN NAPLES: You're going to get me kicked out of the lodge, Bill. Barry Spagnoli, Superintendent, Fairfield Township -- Essex County -- School District. My mother would kill me.

B A R R Y A. S P A G N O L I: I'll keep my remarks very brief. In regard to a suburban school district, such as where I come from, which is Fairfield-- It is a small suburban school district with 625 students, 65 professional staff members, and 100 nonprofessional people.

The monitoring process, to us, was laborious. It was difficult mainly because of the burden that was placed upon a Superintendent and two Principals. The setup work was difficult, dividing up the elements and the indicators. The information that we gathered basically reflected how we were doing. We have 90% of our students on grade level in English, math, and language arts, as based upon CAT, so we were really proving how we got to those results. It took a lot of time.

We felt that the time period was difficult, in that we say it is a five-year period, but it really doesn't amount to a five-year period. If you start monitoring and you gear up a year-and-a-half prior to it, it makes the monitoring basically a three-and-a-half-year period. Again, it seems that the burden is always there. If we get through three years, in three-and-a-half years we're doing it all over again.

I think the organizational structure has to be addressed, in that it was more than time-consuming; it was interpretive. In other words, if you are going to ask somebody, "Do you have parent involvement?"-- We proved it in three instances. Were three instances enough, or do you need 10 instances? We didn't know how much, so we probably did an overkill. We had our files and our paperwork there to a point

of giving more information than was needed, not knowing how much information was needed.

Were there good aspects of monitoring? Absolutely. It made a district organize itself. You have no choice in the matter. You must structure yourself and organize yourself. I thought the preparation work from the county level with Dr. Scambio and Mr. Carter was phenomenal. They were there to help us, and that was important for us to feel. We didn't want to be in a "gotcha" situation. There was enough pressure on us to pass monitoring without feeling that type of a cloud over one's head. The county office was wonderful. It did free moneys. The Board was eager to give us moneys. If we had a T&E monitoring label on it, it facilitated some funds from them.

The three suggestions I would have in regard to the monitoring process -- and we have completed -- we have completed successfully in all 10 elements; we got our classification in January -- is that the monitoring period be extended if you have passed the three- and five-year program to at least a seven- to ten-year program; that they streamline the process, and place the efforts on those districts which need the help, allowing our districts to prosper and put our time well spent on students' needs and community efforts.

I also think the criteria should be a little bit more concise, and not interpretive. The opportunity to correct is very important to us. We understood, under the process, that if anything was out of order, we had no time period to correct, no matter how minimal it was.

They would be the three areas where I would like to see the monitoring change.

ASSEMBLYMAN PASCRELL: Mr. Chairman?

ASSEMBLYMAN NAPLES: Yes, Assemblyman?

ASSEMBLYMAN PASCRELL: One quick question.

ASSEMBLYMAN NAPLES: Sure.

ASSEMBLYMAN PASCRELL: Thank you so much, Superintendent Spagnoli. The monitoring process-- Has it helped you review the quality of parental involvement in your school district?

MR. SPAGNOLI: Yes, it has, sir, but it wouldn't have been anything we wouldn't have done, without the process. We already-- It was a matter of us documenting what we were already doing, not that we had to make things up to do. But it certainly made us review all areas.

ASSEMBLYMAN PASCRELL: So, in the monitoring process itself -- I am just using this as an example -- you didn't attempt to change anything, or institute any new programs that might increase parental involvement in Fairfield?

MR. SPAGNOLI: Oh, in all honesty, we certainly did.

ASSEMBLYMAN PASCRELL: You did?

MR. SPAGNOLI: Yes, sir. We went to enhance some of our programs, knowing that we were going to be monitored. Absolutely.

ASSEMBLYMAN PASCRELL: Now that the monitoring process winds down, do those programs continue?

MR. SPAGNOLI: They will stay in effect, because they have been very, very-- They have been received well, and they have worked. Where they haven't worked, we will modify them or disregard them.

ASSEMBLYMAN PASCRELL: Do you think parents could be involved by using different methodologies? We hear so much about the fact that regardless of what you do, and it is only an isolated incidence that you have parents getting involved. Do you accept that?

MR. SPAGNOLI: I want parent involvement; I don't want parent control. I think that has to be up to the professionals that we are, but I do believe--

ASSEMBLYMAN PASCRELL: Are you fearful of that?

MR. SPAGNOLI: Not if I am doing my job, no, sir.

ASSEMBLYMAN PASCRELL: Thank you.

ASSEMBLYMAN NAPLES: Thank you very much.

My good friend, Mel Persi, the Superintendent in Passaic -- by the way, Assemblyman, a Trenton boy originally -- passed me a note--

ASSEMBLYMAN PASCRELL: I will not hold that against him.

ASSEMBLYMAN NAPLES: --that their District Superintendent is here; Bernie Andrews, the Superintendent in Sussex, also County Coordinating Superintendent, Northern Regional; Lou Acocella, of Hudson; Peter Carter -- that's an easy one -- Essex; and Sharon Clover, Morris. Thank you, Mel.

The next person to testify, T. Josiha Haig, Superintendent, East Orange School District.

UNIDENTIFIED SPEAKER FROM AUDIENCE: Mr. Chairman, Dr. Haig will testify at the New Brunswick hearing.

ASSEMBLYMAN NAPLES: Do we have a substitute for the Doctor?

UNIDENTIFIED SPEAKER FROM AUDIENCE: No, we do not, Mr. Chairman.

ASSEMBLYMAN NAPLES: Okay. No offense intended, but good, I want to go on. Dr. James Fadula, please, Superintendent, Nutley.

DR. J A M E S J. F A D U L E, JR.: Thank you, gentlemen. I, too, am going to be brief, but just for the record, my name is misspelled. The last letter is an "e," not an "a." All right?

ASSEMBLYMAN NAPLES: Thank God it's not "i."

DR. FADULE: Okay, gentlemen, I am in my twelfth year as a Superintendent of Schools in Nutley, and in my eighth year as an adjunct instructor at Jersey City State College, so I view the monitoring both as a practitioner and as someone who has studied it at length and taught it to teachers and administrators.

Let me start by saying this: I submit to you that the process in general -- the monitoring process in general -- has been successful. When I think of monitoring, I go right to-- I always begin the process mentally by viewing the Robinson v. Cahill case. I know the emphasis today is Abbott v. Burke, and that is another story. But in Robinson v. Cahill, the real objectives of monitoring emerge, the T&E aspect as it pertains to the State of New Jersey, and the equal opportunity aspect as it pertains to the Federal government's 14th Amendment. I have always viewed it that way. I truly believe that the monitoring process, in general, has met those goals. I think it has been successful. It needs work. You are hearing a lot of good suggestions, but in general it needs work.

Just another thing along the positive vein here: Remember several years ago when President Reagan commissioned a committee to study education in general throughout the nation? That famous study was entitled: "A Nation At Risk."

ASSEMBLYMAN NAPLES: Eighty-three, right?

DR. FADULE: Yeah. The results were alarming, because what they said was that for the first time in the history of our nation, the current generation of children achieved less well than the previous generation. That was never the case before. But the bottom line of that study was that somewhere along the line, so many schools in the nation forgot the real purpose of education -- that schools were for learning. They forgot to stress academic excellence, academic achievement, whatever. The reason I am even mentioning this is because I truly believe that monitoring in our State, despite its shortcomings, is basically positive and has focused on the education of the children. That is not going to happen in New Jersey with this monitoring system, and hopefully with corrections, it will even be better.

But we are not guilty of that oversight. We are not going to stray. We are not going to have strange agendas. We

are going to be focusing on the education of our children, and that is the positive aspect of this monitoring. It forces you-- It raises the level of awareness, and it forces you to think about our children, and so on. Okay?

On the positive side once again, we had tremendous help from Commissioner Cooperman right down to Pete Carter; before him, Elena Scambio. People have been very helpful in the Department to help us fulfill these mandates.

There are a couple of things that I think you have been hearing -- it has been a recurrent theme here -- that do need some emphasis. I don't think these things are so earthshaking that it should really dissolve the whole concept of monitoring or set it back. I would hate to see a substantial reversal of what's happening, but there is room for some correction.

One of the things that I personally think is wrong, is this business of "one and done." One of the indicators failed, and all of a sudden the district has failed. That makes no sense. Along the same line, to me it doesn't make sense that all indicators are exactly equal. That just makes no sense to me. I mean, the indicators dealing with the intellectual skills of the children, the achievement, and so on, to be placed on the same level with all the other paperwork aspects, just makes no sense to me.

Now, just to give you an example: It is possible for a district to just make a mistake on something like one of the-- You need a 10-day notice to the public before you reveal your test results at a public meeting. Now, suppose somebody makes a mistake? Suppose there is a calendar problem and you get nine days? Even a public board meeting can be called in a lot less than 10 days, but for that one day, and that one item, which really is not substantial, theoretically a district can fail. Now, that just makes no sense to me.

But the idea, as I say, the pass/fail-- That is not right. That all these indicators are treated exactly equal is not right, and I think there should be some factor in there, gentlemen, for corrections. There are times when the monitoring team is right there, and there are some paperwork things that could be corrected while they are there. Why is it so important that these districts would fail, when they could be corrected while it is there, save everybody undue embarrassment, and what would be a misrepresentation to the public, or give some reasonable period of time where some of these corrections can be made?

ASSEMBLYMAN NAPLES: Good point.

DR. FADULE: You know, that in general-- I like the idea, too, perhaps of maybe five years-- Every interval of five years is-- Maybe that is a little too close; perhaps seven would be better.

But let me go back to my main theme here, because these items I am mentioning here, I want you to know, are corrections. Okay? They are something you can look at. But I have been a little concerned lately. A lot of the things I have been reading have been really severe attacks on monitoring. I don't like the paperwork either. You know, nobody does, but I really, truly believe that in general, monitoring is serving a positive purpose. If it can be improved the way you people are trying, I think you would be doing a service to everybody, but I would hate to see any substantial reversals of the process, because I think it is basically good.

ASSEMBLYMAN NAPLES: Thank you, Doctor. Assemblyman?

ASSEMBLYMAN PASCRELL: Are you saying we should have weighted indicators? Is that what you're--

DR. FADULE: No, well, I'm not sure. What I think is-- I do think, yes-- I do think that those aspects dealing with the intellectual achievement and so on are more important

than a lot of the paperwork aspects. Don't ask me a specific, because I haven't sat down and worked it out. But, yes, I think there is a different-- I don't think they are all equal, which must mean that I believe some are more important than others, yes.

ASSEMBLYMAN PASCRELL: Your district performs very well--

DR. FADULE: Yes.

ASSEMBLYMAN PASCRELL: --as I remember. Let me ask you this question: The district that is not performing very well, and many of the students are at what we now call "high risk"-- We certainly can't blame monitoring for being the cause of this problem -- quality education -- can we?

DR. FADULE: I don't think you can blame monitoring for that.

ASSEMBLYMAN PASCRELL: Then, let me ask you this question: Can monitoring focus-- Do you believe that monitoring, as it now exists, can help us focus in on how we should be improving? Or, is monitoring simply-- Is monitoring a process which will fill out papers, but the quality of education in that community is not going to improve because of it? Or, will it improve in spite of it?

DR. FADULE: All right. The answer-- Let me tell you how-- This is going to vary with the district and with the people in charge making decisions. But in general, I personally think that the district will improve, if they follow the monitoring guidelines. What it does is, it raises your awareness and it forces you to do things which could easily slip by. Now, as I say, I don't like the paperwork or--

ASSEMBLYMAN PASCRELL: Give me an example.

DR. FADULE: Well, somebody mentioned earlier all this business of you must meet with this group, that group, and that group before such and such a thing could happen. I could envision, as a Superintendent-- I am in my twelfth year there,

and my seventeenth year overall as a Superintendent. I can envision not having those meetings. I really can. You know, you are expeditious; not trying to shut out the public, not trying to shut out the staff, but you are expeditious. You are trying to get things done. Sometimes monitoring forces you into a situation to do things that are basically positive, that you might not do otherwise.

ASSEMBLYMAN PASCRELL: Let's say we didn't have a State monitoring program.

DR. FADULE: Right.

ASSEMBLYMAN PASCRELL: Do you think that in Nutley, New Jersey, you would have been able to create a monitoring plan for your own district of evaluation, which many districts do have, by the way? But, do you think you would have been able to do it in your town?

DR. FADULE: Not as good as this one.

ASSEMBLYMAN PASCRELL: Not as good?

DR. FADULE: No.

ASSEMBLYMAN PASCRELL: You don't think you could have creatively come up with that--

DR. FADULE: Not as thorough, not as-- I personally think I could have created one, but there is a tremendous amount of time and effort and breadth in this monitoring system, and I personally don't think so.

ASSEMBLYMAN PASCRELL: Do you think the Legislature and the Department should leave it to the local districts? Do you think it would be a good idea if we left to the local districts the implementation of standards which are set by the State of New Jersey -- the implementation and the process of monitoring to be locally selected? Do you think that would be a good idea, or a bad idea?

DR. FADULE: I'm not following you on that one.

ASSEMBLYMAN PASCRELL: Instead of having a State monitoring process, let us have a county monitoring process, or

a local monitoring process. Do you think that would be a bad idea, a good idea? Or, do you think it would not help the accountability?

DR. FADULE: It certainly would-- My opinion is, the county would be fine, but I think it helps accountability to have someone outside yourself.

ASSEMBLYMAN PASCRELL: So the process would be, if it was left up to the locals-- It would simply be a self-fulfilling kind of thing?

DR. FADULE: No, no, no, no, I am not saying that.

ASSEMBLYMAN PASCRELL: You're not saying that?

DR. FADULE: I am just saying--

ASSEMBLYMAN PASCRELL: Then, what are you saying?

DR. FADULE: Now, wait a minute, I'm saying--

ASSEMBLYMAN PASCRELL: What are you saying?

DR. FADULE: I'm saying that as far as I am concerned, I think that having an outside agency deal with you on a fair basis is a good thing. I think it helps accountability. That's what I think.

ASSEMBLYMAN PASCRELL: But the question is not-- The standards-- We want to increase and improve our standards, and those standards should be high for all districts.

DR. FADULE: Yes.

ASSEMBLYMAN PASCRELL: As long as all of us involved in education, inside and out of it, believe that kids can learn and we have high expectations-- It seems to me that is number one. If we don't believe that, it doesn't matter what the State says, or what you say as a Superintendent, or what I say as a legislator.

DR. FADULE: Right.

ASSEMBLYMAN PASCRELL: But, having said that, that the standards should be arrived at by the State of New Jersey, in concert with Superintendents and parents and teachers--

DR. FADULE: Right.

ASSEMBLYMAN PASCRELL: Having said that, I mean, we have these standards, why do we have to have the State create the process of evaluating whether we are meeting those standards or not?

DR. FADULE: Well, I'll tell you why.

ASSEMBLYMAN PASCRELL: What is so sacrosanct about that? You tell me.

DR. FADULE: Yeah, I will tell you. From the point of view of everything I know about the law, it is the State's responsibility. Under the Federal Constitution, Article I, Section 10, the State gets the responsibility and has virtual plenary power over education. It is the State's responsibility to be sure that every child has a thorough and efficient education, so somewhere, somewhere--

ASSEMBLYMAN PASCRELL: Mr. Superintendent, let me respond to that by simply saying this, and I have a great deal of respect for you and the work you do in Nutley: I don't agree with you, and I will tell you why I don't agree with you. If what you say is true -- and I think you are telling me what you believe; no question about that -- if that is the responsibility of the State, then the State has the concomitant obligation to pay for it. You see?

DR. FADULE: I agree.

ASSEMBLYMAN PASCRELL: You see, we cannot be speaking out of both sides of our mouths on this situation.

DR. FADULE: I agree.

ASSEMBLYMAN PASCRELL: And I am talking about local-- I am not talking about local control. What I am talking about is: We have a lot of creativity on the local level that is being suppressed, it seems to me, from what we have heard about the monitoring process. I mean, we don't have a bunch of automatons down in the local districts, and that is true with the very teachers and parents who exist in those districts themselves. What we do is, we box it. We say, "These are the

standards, and this is the process by which we are going to evaluate whether you are meeting the standards or not."

It all sounds wonderful, and we wrap it up with a bow, and we present it. I am not convinced that 14 years of T&E -- and I believe in T&E -- has improved the quality of education in the State of New Jersey. I am saying, we are reviewing. I know you speak sincerely. I am not questioning that or your motivation. You're saying that we need to look at what is that relationship between the State and the local government--

DR. FADULE: Exactly, yes.

ASSEMBLYMAN PASCRELL: --and the monitoring process may be one of the vehicles by which we look at it.

DR. FADULE: Oh, yes, I agree with what you're saying. I don't-- I see the T&E process as burdensome, and so on, but I think districts still have room for a lot of creativity.

ASSEMBLYMAN PASCRELL: The question isn't that it is burdensome. There are a lot of things that are burdensome in life, and we have to do them.

DR. FADULE: I agree.

ASSEMBLYMAN PASCRELL: Education is burdensome at times.

DR. FADULE: I'm telling you that I think it is a positive practice.

ASSEMBLYMAN PASCRELL: But the question at hand is: Is the process facilitating the improving of education? That is all I am asking.

DR. FADULE: And I said yes several times, and I agree that basically it is. That is my opinion.

ASSEMBLYMAN PASCRELL: Good. thank you.

ASSEMBLYMAN NAPLES: I just want to say that I agree with the Assemblyman that I have my doubts as to whether the T&E process has accomplished its mission. Let me commend you. You were grilled very trenchantly. I won't-- Assemblyman

Pascrell asked a question because of it, or in spite of it. I had the same question I was going to ask you. You answered it.

But I want to commend you for saying that the 14th Amendment did play heavily -- did loom large in this. And by the way, I have only heard one other person say this. It will loom very, very heavily in Abbott v. Burke. As an aside, perhaps it is not so parenthetical after all. Last week in the Asbury Park Press, Marlene Monfiletto wrote a tremendous, tremendous article on Abbott v. Burke and how it could affect every one of you. I suggest that you all dig it out -- in fact, I just referred to it at one point -- and read it -- this past Thursday.

Thank you, Doctor.

DR. FADULE: Thank you.

ASSEMBLYMAN PASCRELL: Thank you.

ASSEMBLYMAN NAPLES: Okay, let's move along. James Colagreco--

J A M E S P. C O L A G R E C O: Colagreco. (corrects pronunciation)

ASSEMBLYMAN NAPLES: --Superintendent, Cliffside Park Public Schools. If the Sons of Italy hear about this meeting, I'm dead. Go ahead, Doctor.

MR. COLAGRECO: Thank you. Thank you for the field promotion, but it's Mister. Okay?

I have some very positive comments about monitoring in Cliffside Park. I have to attribute that basically to our county monitoring staff, first of all, headed by our County Superintendent, Dr. Kelly, and his staff, who came into Cliffside Park as partners in education, really. They were there to help us, and they did just that. So our entire experience was a very positive one, and it was demonstrated right from our county office right down.

Monitoring, basically, in Cliffside Park, made us do things that we might not have done, or it certainly, and

surely, put a time line on some of the items and the elements that comprise the monitoring. For example: We revised our entire curriculum in Cliffside Park, basically to prepare for Middle States, which is coming up -- and I will get into that in a short while -- but also for our entire--

ASSEMBLYMAN NAPLES: Question before you begin: Would you have revised it anyway without T&E, without monitoring, because of Middle States?

MR. COLAGRECO: It might not have been with that time line, but, yes.

But also, it gave us that time line and the impetus to do that. Also, I think monitoring -- again, I can only speak from my experience and in Cliffside Park -- helped in our building. We followed the manual, looked at some of the items they talked about in our Element 5, and it helped in improving some of the building items that were listed there.

It also helped in setting our goals. Each year we set goals, and also our five-year goals that we did, again, in preparation for monitoring.

I mentioned before about Middle States. I know some of the colleagues who testified before me had mentioned about the costs. In Cliffside Park, I kept mentioning the fact and comparing about the cost items. In 1982, we had a Middle States visit -- come in and at that time it cost us about $15,000. In -- obviously 10 years later -- 1992, we are preparing, and will be prepared for another Middle States visit. Well, your guess is as good as mine as to what I will put in there, but it looks more like it will be doubled, something like $30,000. We are not talking about any type-- Costs for monitoring in Cliffside Park were nil, and yet it was much more effective. It had more of an impact for us in Cliffside Park, not only for the staff, but also for our entire -- from our Board, our community, and, of course, obviously, it will help in the classroom, which is the real reason we are there.

One recommendation I might make with monitoring, and you've heard it before, but I think it is worth repeating, and that was the time line. Again, it might not be every five years, but it certainly could be seven or eight, or somewhere around there.

The other thing that I take back to my Board in my community is the fact that if I had a choice -- and I may well have a choice and it may be a local concern -- between Middle States and State monitoring, there is no question in my mind that I would go with the State monitoring.

ASSEMBLYMAN NAPLES: Okay, thank you. I want to ask-- Ah, it's already been asked. Let's move on. Thank you very much for a fine presentation.

MR. COLAGRECO: Okay.

ASSEMBLYMAN NAPLES: Paul J.--

DR. P A U L J. O R T E N Z I O: Ortenzio.

ASSEMBLYMAN NAPLES: Thank you. (indiscernible comment from Dr. Ortenzio speaking from audience) Boy, if this thing is televised secretly and my mother is watching, I'm dead. (further comment from audience; indiscernible to transcriber) A lot of people would hope that to be true, literally, I can assure you.

DR. ORTENZIO: I thank you very much for coming here, and I thank you for your invitation. Incidentally, the name Ortenzio is Bari (phonetic spelling). Caesar left General Ortenzius with his army before he crossed the Rubicon.

First of all, I am a--

ASSEMBLYMAN NAPLES: I am on the other side already trying to figure a way to swin underwater back.

DR. ORTENZIO: Okay. While I am the Superintendent of Schools in Clark, I certainly consider myself a teacher. I have taught on all levels from kindergarten through twelfth grade in the public schools. I have been at three colleges and one university teaching. But my purpose here, certainly, is to

speak about the monitoring. I am going to paraphrase what I have written.

ASSEMBLYMAN NAPLES: Thank you.

DR. ORTENZIO: The rules and regulations have been written by the State of New Jersey through the Department to ensure that there are procedures and practices that provide for an education that is fair, equitable, and, certainly efficient and thorough, as you may choose those words, for each child within the State of New Jersey.

The majority of the statements that have been made regarding monitoring are a number of horror stories. I am going to say, very candidly, that I believe that most of these horror stories have been self-inflicted gunshot wounds. I say that for this purpose: The rules and regulations require that we comply, and we will do that. They are professional in nature. The majority of the monitoring processes are for administrators. They should not add any impact to the staff by having them go through reams and reams of paperwork. If you are doing your job, you are complying with the rules as they are presently written.

I will give a literary illusion to the monitoring process, if you wish. In the middle nineteenth century, Nikolai Gogol wrote a satire entitled, "The Inspector General," in which a would-be important personage visits a town. He is followed around by Dodobchinsky and Bobchinsky, who report to the mayor and council of all the actions. They do everything they possibly can to please him, and they go about it, certainly, in a farcical way. I submit to you that some of the rules and regulations of the State have been written by Dodobchinsky and Bobchinsky. (laughter)

On the other side, on the positive side, I must say this: What we have done -- and we passed monitoring last March -- we layed out all the paperwork in relation to what we were doing. We put the process together in the most professional

manner we could. Before, and during, and after the monitoring process, we were only dealt with by the County Superintendent and his staff in the most professional way. Their role was to be of assistance to us. It was not to come around and to check to see if a water fountain spewed forth water at four-and-a-half inches in height. That was one of the horror stories that we heard. But as I again say, these were self-inflicted gunshot wounds. They miss what the vision of the State ought to be.

I am going to end very quickly by asking you to have a little exercise with me. I am going to ask you to take your hands like this (demonstrates), just like this, if you would do that, and look at that clock-- If you look at that clock with both eyes through that aperture you make, you can see it. Now, if you close your left or right eye, you will know which one is your master eye. The State has to decide which is its master eye, the left or the right.

I thank you.

ASSEMBLYMAN NAPLES: Very, very eloquently and nicely put. I like your analogy very, very much, Doctor. Good point. I don't agree with everything you said. We are going to weigh what you said. By the way, we don't comment on everything. That does not mean that the transcript will not be reviewed, the testimony will not be reviewed, and it won't be commented on at a later time, and possibly -- possibly -- incorporated into legislation, or -- or -- referred to the Department with a view toward reviewing regulation.

Thank you.

DR. ORTENZIO: I thank you. I also yield my position, which was listed again as number 16. I am listed twice. (on witness list)

ASSEMBLYMAN NAPLES: Merci, merci. No offense intended. I would like to hear you again, but not today, Doc. (laughter)

DR. ORTENZIO: I could do it in another language.

ASSEMBLYMAN NAPLES: Margaret Fischer. I'll tell you, I've been nice here today. That sort belies the impression as being a trenchant, rough guy around the State. I am misunderstood, I think.

M A R G A R E T A. F I S C H E R: Good morning. My name is Margaret Fischer.

ASSEMBLYMAN NAPLES: You just about made it -- two minutes.

MS. FISCHER: I have come before you today at this hearing not to speak only in favor of, and for the monitoring process in the State of New Jersey, but more specifically than that, to speak to you about two case studies. I noted in the information that was sent to us from the New Jersey School Boards that we were urged to not give opinion, but rather to speak about fact. And so this morning I will speak to you factually about two experiences that I have lived as Superintendent of Schools in two school districts in New Jersey -- two very different school districts in New Jersey. I will also isolate my comments to only two areas of the monitoring process. I am sure you are well aware that there are currently 43 indicators and they are broken out over 10 different elements. All of those elements, of course, are very important in the functioning of a school district. I will speak, however, only on two of them.

One is Special Education, which is 7.3, and the other area is Element 5, which is School Facilities, the safety and health regulations. I think it is interesting, as you listen to the two case studies that I will speak about in Wanaque, Passaic County, and in Dover, Morris County, that both of those areas, in fact, tie into--

ASSEMBLYMAN NAPLES: (Assemblyman Naples pauses to consult with aide) I'm sorry, excuse me. I beg your indulgence.

New Jersey State Library

MS. FISCHER: That's quite all right. (continuing) --tie into what my comments are.

Sometimes in graduate school at the doctorate level we refer to case studies as storytelling time, but I do believe that this morning, since you are interested in facts, you will want to hear the story I am going to tell you.

I served as Superintendent of Schools in Wanaque, New Jersey, which is northern Passaic County, during the time period of 1986 to 1988. I will tell you that at the time I came into the district, there were two significant problems. Even before the monitoring came in and cited us in those areas, there were significant problems in Special Education -- in how Special Education was being handled in the district -- and also with what I would term "a lack of openness for community involvement in the schools." You see, the community was interested and wanted access, but that had not been the case. That was not permitted to occur.

Due to the monitoring that occurred in Wanaque, we were, in fact, required to put in a new policy and procedures for Special Education. That did a very good thing for the Special Ed Program, because for the very first time in many years it clarified the specific steps that were going to be necessary in the referral process. It also delineated staff responsibilities.

There was, of course, at that time, pressure to review both statute and code with our Child Study Team and Special Education teachers. We found that the requirement to put into place an intervention before children were going to be referred, was, in fact, very important. Why was that? Because in 1985, in Wanaque, Special Education was about 17-1/2% of the youngsters in the district. I know you are aware that in New Jersey, 12% is about the average. So, for a small district of 1000 students, a K-8 district with two schools, to have almost

17%, you would know, by a benchmark, that something was not right.

We also were required to put the comprehensive system of personnel development -- which in Special Ed terms is referred to as the "CSPD" -- into place. That required us to meet with parents, to discuss with parents what our Special Education Program should be, and to plan, between parents, administrators, and teachers, what the vision would be for the program in the coming three years. Realize that at this point in time, parents were demanding out-of-district placements. Why did they do that? Not because they wanted their youngsters on a bus to be sent out-of-district, but because they, themselves, did not have faith and trust in the program that was established at that point in time.

I can tell you that, as a result of us being monitored through the Passaic County office, we, in fact, by 1988, were able to drop the percentage of Special Education back to about what the State level is, which is a 12% average. That is not due to the fact that there were less kids that needed special education, but rather it was due to the fact that we were required to look at that Special Education Program and to put a clear system in place that would address what the needs were for children in Special Education.

And in another way, there was even a financial positive impact on the district, because now parents felt at ease with the district, secure in the Special Ed Program, and were not insisting upon out-of-district placements. So we found that we were able to accommodate our youngsters in-district.

I will now move to the Dover experience. I was appointed last year Superintendent of Schools in Dover. I obviously was not part of the preparatory process to monitoring. They were monitored in May of '89. I am fully responsible now for the Level II situation that Dover is in,

and I must say that my colleague, Larry Leverett, summed it up very well when he spoke about the urban schools and the very difficult circumstances that we work under.

I must paint with a broad brush, so that you know what the urban schools are like, and so that you know what Dover represents. We are a "D" District Fact Grouping, despite the fact that we are located in a very rich corridor of Morris County. We are 52% minority, and I will break that out for you: 40% Latino, 8% black, and 4% other. We are, and we refer to ourselves as multicultural, and in many ways bicultural, because of the heavy Latino population.

Again, what did I find through the monitoring process in Dover? Special Education, 7.3 was failed.

ASSEMBLYMAN NAPLES: Give me that again, please.

MS. FISCHER: Seven point three, the indicator, Special Education, failed.

ASSEMBLYMAN NAPLES: Failed?

MS. FISCHER: Yes, in Dover. Okay?

ASSEMBLYMAN NAPLES: What reason was given for the failure, Doctor?

MS. FISCHER: I would say to you that the State Department does not give us reasons for failure, though they do give us findings in terms of what they have uncovered. I would say a very simple reason: Five hundred Special Education students, and not one administrator solely responsible for overseeing that program.

Dover is a district that for many years has had financial difficulties. They have not passed a budget in the last four years.

ASSEMBLYMAN NAPLES: Of the 500 -- let me just, while I have my train of thought here-- Of the 500-- What percentage of the 500 were mainstreamed, and what percentage are in the self-contained class?

MS. FISCHER: I will give you numbers, rather than percentages, as I best recall them.

ASSEMBLYMAN NAPLES: Okay, that's fine. I'm good in basic skills. I can figure it out.

MS. FISCHER: Okay. Of the 500 students, about 200 of those are speech only youngsters. The remaining 300-- One hundred-and-sixty must be sent out-of-district. We do not have space. The remaining--

ASSEMBLYMAN NAPLES: Oh, that's that third animal, okay.

MS. FISCHER: --140 are housed both in resource rooms and in self-contained classes in the school district.

ASSEMBLYMAN NAPLES: Now, as long as you mentioned out-of-district, what does it cost to send them out-of-district?

MS. FISCHER: Anywhere from $7000 to $25,000 tuition for one school year.

ASSEMBLYMAN NAPLES: Per, per-- What is the total cost, Doc?

MS. FISCHER: If you were to look at transportation on top of that-- I will tell you that our budget of $16 million-- More than $1 million of a $16 million budget is being spent on out-of-district placements in Special Education, and this in a district where, as I started, money is a difficult commodity to be dealing with.

ASSEMBLYMAN NAPLES: In my own point of view, that is sinful and immoral, but go on.

MS. FISCHER: Okay.

ASSEMBLYMAN NAPLES: It's not your fault.

MS. FISCHER: All right. I want you to know that I bring this to your attention because in the previous monitoring cycle in 1984, Dover passed monitoring. You may sit there and say, "How in the world did they pass in '84 and fail in six indicators in '89?" The Commissioner changed the monitoring process. We went from 51 indicators -- some of which you

didn't have to pass-- Dover didn't pass certain things in 1984, but they ultimately passed the process. The rules allowed that to happen.

Because those rules allowed that to happen, five years have gone by, and very, very little change occurred. There was no director put in place to head up that system. Do you know when the director was put in place? June of this past year.

ASSEMBLYMAN NAPLES: June--

MS. FISCHER: Why was the director put in place?

ASSEMBLYMAN NAPLES: --of '89?

MS. FISCHER: Of '89. Why was the director put in place? Because the district had had its exit conference and had been told that, in fact, they failed monitoring.

So my message to you today in terms of Special Education and in terms of buildings and grounds, is that once the focus of a failure of monitoring, and once the focus of being placed in Level II, community attention and being in the press as to what you said, "Who am I going to hold accountable as to why this happened?" that is what makes the change occur, with the Board of Education seeing that whether money is tight or not, changes are going to have to be made.

I want you to know that in the area of facilities -- and Shirley Clement is here with us from from the Morris County Office -- we were cited on 163 deficiencies -- excuse me, 183 deficiencies in four school buildings. Now, granted, some of these deficiencies were as minor as gas shutoffs not being in certain places, and water shutoffs not being in certain places. But others were as serious as the safety regulations not being adhered to; the inspections in the kitchens not being done.

So, we set out, as of July -- about the 6th -- to start looking at this list of 183 deficiencies, that would never have been looked at if we did not know that we failed monitoring in that area. Since July, we have been able to chip

away at the list of what has to be done in the buildings, so that when we are visited by Ms. Clement later this week, she will see a list of only 20 things remaining to be done. The 20 that we cannot do are 20 that we, right now, do not have the money to be able to complete.

So, what is my message to you today? I know that I, perhaps, have been speaking longer than you would wish to listen to.

ASSEMBLYMAN NAPLES: No, you are doing very fine.

MS. FISCHER: My message is an old adage that I know you will relate to. That adage is, "Without pain, there is no gain." How does that relate to monitoring? Without pain being brought to the community, to the Board of Education, to the administration, and, in some cases, yes, even the teaching staff, there is no gain educationally or developmentally for the students. So I believe that in the area of facilities, for safety and health aspects for our children, for proper school settings for our children, and in the area of Special Education, what we have in place now is a system that works, and it works especially well for school districts that need dramatic changes to upgrade.

Thank you for your kind attention this morning.

ASSEMBLYMAN NAPLES: Assemblyman Pascrell?

ASSEMBLYMAN PASCRELL: Madam Superintendent--

MS. FISCHER: Yes?

ASSEMBLYMAN PASCRELL: --thank you for joining us today.

I have an Army aphorism to go with your quotation: "In order to make an omelet, you have to break some eggs." There is no question about that. Doesn't it strike you that the only people who are at this hearing are Superintendents?

MS. FISCHER: I don't believe that's true--

ASSEMBLYMAN NAPLES: No, that's not true.

MS. FISCHER: --because I notice people such as Marilyn Arrens (phonetic spelling) who might be able to--

ASSEMBLYMAN PASCRELL: No, I know. I see the--

ASSEMBLYMAN NAPLES: Professionals.

ASSEMBLYMAN PASCRELL: I was talking about professionals. I am so happy to see the parents are here. Shouldn't teachers be here, also?

MS. FISCHER: I know that public hearings are open to everyone. One would think--

ASSEMBLYMAN NAPLES: Can I interrupt here?

MS. FISCHER: --that if they were interested, they would be.

ASSEMBLYMAN NAPLES: Can I interrupt here very, very quickly? The NJEA sent me a letter, and I have scheduled a fifth hearing in New Brunswick on the 3rd of April, on the grounds that many teachers can't make it during the day. I have scheduled a hearing from 1:00 -- I guess, I hope to 6:00 -- 1:00 to 6:00, with a view toward having teachers testify from 4:00 on. That was one of the problems, Assemblyman.

ASSEMBLYMAN PASCRELL: Let me ask you an unfair question.

MS. FISCHER: Don't ask, if it's unfair. (laughter)

ASSEMBLYMAN PASCRELL: You don't have to answer it. This is not investigative at all, first of all.

Let me ask you this question: We have listened, we have seen some things at Toms River and here, and we will have a few more hearings. Would you be surprised if what superintendents have to say about monitoring is different from what teachers have to say about monitoring? Would you be surprised?

MS. FISCHER: I would not be surprised at that.

ASSEMBLYMAN PASCRELL: Why wouldn't you be surprised?

MS. FISCHER: Management frequently has a different perspective and vantage point than those who are in the classrooms who are being directed or being led.

ASSEMBLYMAN PASCRELL: Okay. I am going to have some things to say about that, because I find that very interesting. I only know of one educational system, and if we are not all on the same track, then maybe I have to change my thinking, and I have done that before. Or, maybe we all have to change our thinking and get all on the same track. I mean, I hear a lot of complaints from superintendents and principals and parents about the monitoring process. I believe in high standards. I believe in evaluation and accountability. I have talked about this all my adult life.

But maybe people live on two different planets, I don't know, and we just have a general, or universal perception that there is one planet, but there really isn't. You wonder why parents are confused about things. We, "the professionals," are very capable of confusing parents. So I simply say this: I look forward to the teachers, but I hope we are not going to set up a special time for -- "Well, now the teacher side of things."

ASSEMBLYMAN NAPLES: Well, a lot of them can't make it during the other--

ASSEMBLYMAN PASCRELL: Well, that says something about us then.

ASSEMBLYMAN NAPLES: Right, or me, I schedule them.

ASSEMBLYMAN PASCRELL: Well, us. We're "us." We're not--

Thank you, Mr. Chairman. Thank you very much.

ASSEMBLYMAN NAPLES: Thank you, Assemblyman. Good questions.

Let's see-- Dr. Fischer--

MS. FISCHER: Not yet. It's on its way, though -- the doctorate.

ASSEMBLYMAN NAPLES: Where am I now? I lost my-- I have a hell of a headache. Where are we now?

MS. FISCHER: I'm done. You're down to Dr. Susan Kaye. (laughter)

ASSEMBLYMAN NAPLES: I'm sorry. Let me just say this: In terms of preparing for monitoring, how much time did you spend in preparation for compliance -- and this is the linchpin, I think, of the entire-- Everything is important here, but the real linchpin. How much time did you spend -- and it would apply to anybody, and I want to ask everybody the same question -- that you might not have spent?

MS. FISCHER: (speaking from audience now; no microphone) Did you want to ask me--

ASSEMBLYMAN NAPLES: Yeah, yeah, sure I do. I don't want an exact number.

MS. FISCHER: In Wanaque, I had only three months to prepare, because I assumed the superintendency September 1, and we were monitored December 13, 14, and 15. So there were really only three months to prepare.

ASSEMBLYMAN NAPLES: Okay.

MS. FISCHER: In Dover, I understand from what I have been told, that they took about eight months to prepare for the process. Now, when you say "prepare," it is as others have said, we are still running the school district. Education is occurring every day. We weren't doing that preparation-- (remainder of sentence indiscernible to transcriber)

ASSEMBLYMAN NAPLES: My point; my point. Okay, thank you very much.

I am going to skip to -- at the request of my good friend, Assemblyman Pascrell, who cannot stay a long time; he has other commitments, and I thank him -- Dr. Frank P.-- If you want to stay until the end, you are welcome. Dr. Chiofalo. I got that right.

DR. FRANK P. CHIOFALO, JR.: Almost.

ASSEMBLYMAN NAPLES: Oh, gee, please.

DR. CHIOFALO: It's Chiofalo (corrects pronunciation)

ASSEMBLYMAN NAPLES: If you have to give me lessons in Italian, you know, I'll tell you--

DR. CHIOFALO: Thank you, Assemblyman Napoli. (laughter)

ASSEMBLYMAN NAPLES: No, it's Napileolo.

DR. CHIOFALO: Okay. I appreciate the opportunity-- I don't know which one of these microphones work best. This one?

ASSEMBLYMAN NAPLES: The other one; the other one. You're on the wrong one.

DR. CHIOFALO: This one here?

ASSEMBLYMAN NAPLES: Yeah.

DR. CHIOFALO: Okay. Yes, you're right.

I want to thank you for the opportunity to come here today, Mr. Chairman. I, too, like many of the other superintendents who have spoken today, have favorable things to say about the monitoring process.

I believe, and I can certainly say it as one of the school districts that recently passed the process -- which, by the way, is only 40% of the districts that have been monitored during this fiscal year -- that the monitoring process, in itself, was difficult, was tough. the County Superintendent and his staff were professional and they were very, very dynamic in the manner in which they dealt with us. They came in with the attitude that they wanted to help us now, rather than to bail us out later.

We, fortunately, started the process two years prior to the visitation from the monitoring staff. But it was not an all-out activity. We met once a month in the beginning. (brief pause here) Yes, sir?

ASSEMBLYMAN NAPLES: No, no, never mind; never mind.

DR. CHIOFALO: Over this two-year period we met once a month in the beginning, where I delegated certain responsibilities to various key staff members, and they would

report to me the results of the work that had been assigned to them. This was on a noninterfering basis. We did not have-- I can say to you conclusively that there was no interruption of the learning process during that period. We spent $250,000 during that two-year period fixing up turn-of-the-century buildings that would have never passed if that money was not spent.

Hawthorne is a unique community. In the 23 years that have passed, we have only had nine budgets approved by the community. So, what always fails when your budget goes down? The buildings have the money taken out of their repair and placed into the educational process. It is the only way to go. Without the threat of failing monitoring, we would not have been able to get the town -- or I should say, the "town fathers" -- to sustain a budget that would allow us to fix up our buildings.

I do say to you, however, though, Mr. Chairman, that there is a need for some change in the process itself. As educators, as most of us are, there is something wrong someplace if 60% of the kids in your class -- if you are a teacher -- are failing, especially if all other conditions seem to be generally stable. With the 40% of us that did make it, whether it be by luck, or whether it be by the condition of the school district, in itself, being acceptable, I do feel that we must look at some changes. I have written a few of them down, many of which have been said already, but I will not bore you with repetition, however.

I believe that the State should evaluate and modify the process according to the following: First of all, I wonder if the monitoring process could not be moved to a cycle of eight to ten years. I think that would be very, very helpful. The parallel was given before with the--

ASSEMBLYMAN NAPLES: That is going to be discussed, anywhere from five to seven to--

DR. CHIOFALO: That's great; I think that's great.

ASSEMBLYMAN NAPLES: That I can promise you.

DR. CHIOFALO: Also, I think the documentation could be minimized. In many cases, we would produce evidence of, for instance, community activity in the operation of a school, and, as one of my colleagues said, "They overkilled it, not knowing how much would be required." So I do believe that things could be given to us with more specificity in relation to what type and how much documentation is required.

Also, too, it was mentioned this afternoon -- which it is now -- that, can the County Superintendent be given more flexibility in terms of coming in and finding a ceiling that might be two inches too low in a cafeteria, or a group of fire extinquishers that are not charged according to safety standards? Can a County Superintendent be given more flexibility to determine whether or not a district can take care of these deficiencies, rather than failing the district?

For instance, in the financial part, I really do not believe that monitoring, as we know it now financially, should be done in its present posture. We are being monitored on a daily basis. (bell ringing)

ASSEMBLYMAN NAPLES: Could you repeat that? I missed it because of the bell.

DR. CHIOFALO: What I am saying is, I do not believe we need a formal monitoring process in the financial operation of a school district. I believe that financially the school districts are being monitored every day, and very closely by the county office. Routine forms -- A-148, A-149 -- that must be submitted on a monthly basis-- They are being submitted to the county office every month anyway, so why should I take the last two years of my A-148s and A-149s and show them to the County Superintendent all over again? There is no need for that. I think that monitoring could be done ongoing -- on an ongoing basis.

ASSEMBLYMAN NAPLES: Ongoing?

DR. CHIOFALO: Yes. In other words, when I--

ASSEMBLYMAN NAPLES: Wait, wait, wait, a question: To what extent-- If in the other breath you said an eight- to ten-year cycle, wouldn't, one, the component part of that which occurred within a ten-year on an ongoing cycle possibly clash with the sum total of the eight or ten years?

DR. CHIOFALO: No, sir, what I am saying is strike monitoring -- rather, strike the financial process totally out of the monitoring process--

ASSEMBLYMAN NAPLES: Oh, all right.

DR. CHIOFALO: --and make it ongoing. Okay?

ASSEMBLYMAN NAPLES: Okay, I got it.

DR. CHIOFALO: I did indicate that I felt that the County Superintendent needs more flexibility. If the County Superintendent is, as you suggested to one of my colleagues, the probable person to, perhaps, conduct the monitoring process individually in each county -- which he is now, but I think you are suggesting that he be divorced from the State Ed Department in this sense -- I believe he would have to be given more flexibility to effectively complete this mission.

I would also suggest to you that in addition to -- and this is my last recommendation -- making the cycle something longer -- eight to ten years -- that perhaps the State should consider the possibility of, over that eight- to ten-year period, breaking the monitoring process down into periods of time where, perhaps, in one year academics could be done, in another year, Special Education--

ASSEMBLYMAN NAPLES: Good idea. That's a new one.

DR. CHIOFALO: --and in another year facilities. It certainly would give the Superintendents time to zero in on those individual areas, sir.

ASSEMBLYMAN NAPLES: Excuse me. Do you have a prepared statement to that effect, so I don't have to write it down?

DR. CHIOFALO: No, sir, but I will get it to you.

ASSEMBLYMAN NAPLES: Send a letter to my district office, please.

DR. CHIOFALO: I certainly will, and that completes my statement. Thank you.

ASSEMBLYMAN NAPLES: Assemblyman?

ASSEMBLYMAN PASCRELL: Thank you, Superintendent Chiofalo. Just one brief question: Do you think that the Superintendents would want the flexibility that you are talking about -- the County Superintendents?

DR. CHIOFALO: Yes, sir, I do believe that.

ASSEMBLYMAN NAPLES: Do you think the District Superintendents would want it?

DR. CHIOFALO: Yes, sir.

ASSEMBLYMAN PASCRELL: Thank you very much. We appreciate it.

ASSEMBLYMAN NAPLES: Thank you. We are going to break for lunch now. Thank you very much. (consults with Assemblyman Pascrell)

There will be a short lunch in the cafeteria. Assemblyman Pascrell may be back. In the event he is not back, I want to extend my thanks to him for being present. I want to just say to all Committee members, because I have been a slave driver-- According to Bill, I have had more public hearings than anybody could imagine on this subject. I just want to indicate that Bill -- Assemblyman Pascrell -- is also the distinguished Chairperson of the Assembly Committee on Higher Education, as well as the Chairperson of -- the Vice-Chairperson of the Committee on Education.

So, we are going to break for lunch now. We will be back -- depending on how much we eat -- presently or ultimately or sometime. Thank you.

(RECESS)

AFTER RECESS:

ASSEMBLYMAN NAPLES: Please-- All right, give me your attention. Please take your seats as quickly as possible -- within five seconds -- and try to move to the front. Box seats, not bleachers; no charge. We are going to try to move things along. We pretty much have the tone. At one point, I am going to make a statement and try to give some direction and shape to the meeting in terms of what I am looking for. I met with a County Superintendent and some people and bounced this off them, and they liked the thrust that I want to take here.

Let's get going. Assemblyman Pascrell had to leave. One of the other Committee members may pop in. I would like to talk to-- I would like to call forth Susan Kaye, Florham Park Public Schools. Dr. Kaye, welcome.

DR. S U S A N K A Y E: Hi. I promised Mr. Rosen before we started that I would keep it short.

ASSEMBLYMAN NAPLES: Thank you.

DR. KAYE: Let me introduce myself by saying that I have been in New Jersey for only two years as a Superintendent. I have been an educator in three states. I was a school teacher in Texas -- San Antonio, Texas. I was a teacher and an administrator in New York. I was a trustee of a college board, and now I am a Superintendent in New Jersey.

When I came to Florham Park two years ago, I must have walked in the door and the second day on the job I was informed that we were being monitored in four months. I called up the County Superintendent -- George Snow, at that time, who was marvelous -- and I said, "George, what are they talking about?" And George said, "Don't worry, we'll help you," and they did. The county office was enormously supportive and very, very helpful, and we did pass monitoring four months

later. We passed because I got support from teachers, from the other administrators in my district, and from the county office.

I have to say that I walked away with a concept of monitoring that might be different from those people who are most familiar with it sitting here. I had no idea that when the State came in to monitor, they had no concern for the quality of programs in my school district.

ASSEMBLYMAN NAPLES: By that, do you think they were looking for something which would tend to reflect on the results of evaluation -- something negative?

DR. KAYE: I don't think it was negative, nor do I think the whole process was pejorative. I think they were looking to see if we were in compliance with regulation.

ASSEMBLYMAN NAPLES: Period.

DR. KAYE: That was it. They found us in compliance with regulation, and I subsequently spoke with several Superintendents trying to find out more about this process of monitoring. What I understand it to be is not what is reflected in education today.

You know, I just came back from the American Association of School Administrators. Nobody talked about regulation. They talked about restructuring. They talked about restructuring in education; supported programs that give greater strength to autonomy at the local school building and the local school district level. They talked about the fact that overfocus on regulations can strangle a school district that is moving towards long-term comprehensive change.

Recently, we completed a Task Force in our district on restructuring our entire middle school. We had 30 parents, community members, and teachers on the Task Force. I don't know if anything that was done in that Task Force would ever be reflected in the monitoring process. What I do know is that when I called on the county office for support, they were there with information. I do know that the Task Force report was on

our local cable television, and not our compliance effort with monitoring.

I do know that the teachers are extremely supportive of restructuring, because we are talking about school-based management. They saw monitoring as compliance more in terms of facility regulation, I would say, than an educational process.

I would like to state that I see the State Education Department as supporting us and encouraging us to help sustain student achievement and improvement over time. I think it is a whole new definition of accountability, and I think we have to start looking at new definitions of accountability. If we are going to focus our increased participation and decision making, I think the State Ed Department has to address that issue in a strong definitive manner.

Thank you.

ASSEMBLYMAN NAPLES: Thank you, Doctor. Question: Do you dichotomize State and county monitoring? Do you think it is all one monolithic -- I don't want to say "cabal" -- monolithic thrust? Do you dichotomize State-- In other words, is there-- I will come right to the point. Is there a communications problem, or a different thrust between county and regional services on one hand, and county monitors on the other?

DR. KAYE: I didn't perceive that at all.

ASSEMBLYMAN NAPLES: Yes?

DR. KAYE: No, I did not. I perceived the county as being an arm of the State, close to--

ASSEMBLYMAN NAPLES: Theoretically, but in point of actual fact, how do you feel?

DR. KAYE: In point of actual fact, I felt that was strong.

ASSEMBLYMAN NAPLES: All right; okay. I wish a lot of you would think of that. You may have different opinions, and

if you have, please say so. Are there any-- I am the only other one here to ask questions.

DR. KAYE: That's good. I can go back to my Board meeting.

ASSEMBLYMAN NAPLES: I have no other questions. Thank you for your testimony and your time.

We are down to number 12, Dr. James Caulfield, Superintendent, Union Township Schools. I've got one hell of a headache. I'm not kidding. That is why-- I am not dyslexic. I am having a difficult time reading. I'm blurry eyed.

Doctor, I want to apologize again to you formally for that very caustic, unnecessary remark I made.

DR. CAULFIELD: The Irish are used to being battered. We don't mind at all. I'll read my remarks. It will only take four minutes.

ASSEMBLYMAN NAPLES: That's all right.

DR. CAULFIELD: Accountability is a concept I embrace without reservation. We all need someone to whom we are responsible, someone who will judge us, our actions, efforts, and achievements, and yes, point to our shortcomings.

There also must be consequences: positive for meeting or exceeding standards; penalties for failing to meet clearly defined benchmarks.

Monitoring in the only place in which I have personal experience, Union County, does just that. Furthermore, the State monitoring manual and the county office give adequate direction to those preparing for the periodic visit. Frankly, I applaud the process. What do I see as shortcomings? Well, I would like to say, don't come so often, or don't come back if you find everything in order. (laughter) But I also know that to improve the weak performing districts demands that eveyone be included. In that way, the failing districts cannot say they are being discriminated against, picked on, or otherwise targeted. Everyone is treated equally. And frankly, preparing

for monitoring, putting things in order, bringing curriculum up-to-date and up to standard brings with it the kind of creative stress that energizes and stimulates. And it involves everyone in the district -- professional and support staff, parents, and children.

Passing monitoring brings with it a great feeling of having accomplished something important; a team effort in which everyone can feel justifiably proud. In public life and in school life, there are too few of these occasions. The nearest parallel comes when a school celebrates a championship team, but this is only reflected glory. When a district passes monitoring, it is a total involvement victory.

So, what would I change? I'd restrict Element 5 to the most critical facility issues. We have spent too much time and money on checklist items of marginal real life importance to children and staff. Building toilets in pre-kindergarten and kindergarten rooms and buildings that house only primary and lower middle grade students, at a cost of $30,000, is an unnecessary State requirement and should be waived if supervised facilities are nearby.

I prefer that the process be less paper- and record-oriented, and more functional. I would look at quality and not restrict the monitors to simply determining whether something exists in the files. Admittedly, this would be more judgmental, subjective, and open to challenge than the present system.

In closing, let me say that education is a $180 billion industry in the United States; an $8 billion industry in New Jersey; and a $45 million industry in Union. People, including parents and legislators, have a right to know what is coming out the pipe and a right to have districts, administrators, teachers, and students measure up. We cannot afford to be custodial or caretaker operations. Monitoring, the imperfect tool administered by imperfect humans, is an

excellent step in the right direction. It is administered in Union County in the most evenhanded way. I ask this body to be cautious in revising the process. I implore them not to abandon its purpose or its fundamental structure. We have come too far to go back to a casual process with no controls, no direction, no leadership, and no consequences. I don't run things that way. Children deserve a firm hand at the helm.

Much success in your endeavor. Thank you.

ASSEMBLYMAN NAPLES: Doctor, a quick question: Would you have done the same thing if you had not had to do it? And two, would that which you have done have taken the same form, i.e., the same substance and essence of the elements and indicators as presently constituted?

DR. CAULFIELD: My priorities, day to day, are not necessarily these priorities, which are worthy priorities, but-- My priority the other day was finding the guy who blew the fire alarm and emptied the school in the middle of lunch. So, you know, we have our day-to-day priorities, and it is right that this process also insists that we attend to the regulations and the other kinds of things that must be attended to. Period.

ASSEMBLYMAN NAPLES: Just to piggyback on that, we get back into the hows and the whats. You agree with the what, i.e., we need monitoring. It has helped you. It can be helpful. In terms of the hows, would you have-- Perhaps you have already answered this. If you have, in a different way, tell me, and I will cease and desist.

Do you think they got too deeply involved in the "how-tos" and there should have been broad parameters in the form of whats, and left the how-tos up to you?

DR. CAULFIELD: I'm not sure I quite understand the question.

ASSEMBLYMAN NAPLES: All right. You have elements and indicators. You have broad parameters for monitoring. Do they

get too specific in terms of addressing things which you would not address, which essentially could be addressed by you in other ways?

DR. CAULFIELD: If I pass them, they're fine. If I fail them, I guess I would take exception. (laughter)

ASSEMBLYMAN NAPLES: With that I will conclude. Thank you. That's a real-- Hey, once I was asked a question, and I have to tell you about it: Do you favor the line item vetoing? Governor Kean broke a gut when he heard it. I said, "That depends," I said, "whether I'm the resolution -- whether I am the legislator with a resolution before the Appropriations Committee, or the Governor is wielding the pen." So that sort of sums it up. A very honest answer.

Okay, we have Dr. Gerald Lysik, Superintendent, Lakewood Regional School District. Welcome from afar, almost as far as Mercer County.

MR. ROSEN: Lakeland.

ASSEMBLYMAN NAPLES: Lakeland, oh. I better take my medicine. My God.

DR. G E R A L D L Y S I K: I would have corrected you, but I'm--

ASSEMBLYMAN NAPLES: No, go ahead. I could have said Lakeland, Florida, but--

DR. LYSIK: My pleasure to be here.

ASSEMBLYMAN NAPLES: Thank you, Doctor.

DR. LYSIK: I appreciate the opportunity. Like our two previous speakers, I will have to personalize my comments a little bit.

ASSEMBLYMAN NAPLES: Go ahead.

DR. LYSIK: My experience does put a particular context on my comments. This is the fourth state I have worked in as an educator, and my experience with monitoring over my four years in Lakeland has been an extremely positive experience. I do have to say, by way of comparison, that there

is nothing like monitoring that I have experienced in the other three states. I honestly do believe, from my experience, that it is certainly a much more positive relationship that one can develop with both the county office and right on to the State level.

Having all of this being handled in somewhat a consistent fashion, I think, is a very, very favorable and positive direction to be working in, particularly when the other three states--

ASSEMBLYMAN NAPLES: You think it is a good tool?

DR. LYSIK: Yes, I do--

ASSEMBLYMAN NAPLES: Okay.

DR. LYSIK: --I do, strictly from the vantage point of providing the safety net, or the minimum. In no way do I look at monitoring as only aspiring to a minimum standard. I do not in any way feel inhibited from going beyond, and we have significantly done that in our district. We received a very positive result last month from the State Board, so we have passed recently. My experience coming into Lakeland-- I began my first year finishing up my predecessor's preliminary work with Middle States, and then just built a bridge from there right on into monitoring. Quite frankly, I don't see a problem. I know our Board, teachers, administrators, all the way to our students, are all in sync, and certainly everything has been judged accordingly. So I feel very positive.

ASSEMBLYMAN NAPLES: I want to ask you a question. Are you done? I'm sorry, I didn't mean to cut you off from your statement. After you're done, I want to ask you a question pertaining to what a lot of other people have adduced here. Cycles 5, 7, 8, 10 comport with Middle States. Different schools have different time frames to comport with Middle States. Remember that sum -- 82, 92. At Trenton High School, it was 1970 to 1980, 1990 coming up. I was Chairman of

the Fiscal Facilities Committee at the High School as Assistant Principal.

How do you feel about cycles? Let me just put it this way: Do you think 10 years could be too long to comport with Middle States?

DR. LYSIK: I think it probably is overly long. I look at monitoring, quite frankly, as an never-ending--

ASSEMBLYMAN NAPLES: Let me ask you this then. Let's go to the other extreme. Do you think five years is too short?

DR. LYSIK: I'm not sure I have an opinion on that.

Just to complete my statement: Even though we have just received our recertification, we still continue to work in updating, and are continually working in the monitoring pattern. Quite frankly, I don't see that as an issue, personally.

ASSEMBLYMAN NAPLES: Right. Let me just say that that could result in some major-- That is building up to a major change. A number of people in Toms Rvier and here who have talked about that will prompt-- Let's put it this way: A lot of--

Okay, I have no further-- I keep forgetting that Bill has left. I have no further questions. Thank you very much, Doctor.

DR. LYSIK: Okay, thank you.

ASSEMBLYMAN NAPLES: Okay, we now have Paschal--

P A S C H A L H. T E N N A R O: Tennaro.

ASSEMBLYMAN NAPLES: I would have gotten it. North Bergen School District.

MR. TENNARO: This is the mike that works. Am I correct?

ASSEMBLYMAN NAPLES: (glancing at written statement) You are going to paraphrase this.

MR. TENNARO: Yes, I am; most definitely.

ASSEMBLYMAN NAPLES: Thank you. I saw the single space, small typing. Thanks, Doc.

MR. TENNARO: Right. It is a beautiful day outside, so I'm sure that is an omen of things that are going to come.

I would like to address you in a more personal way, and then allow questions in the three roles I have had: One as a Board member and a Board President in a Bergen County community, one as a T&E coordinator, and also as a Principal.

First of all, as a Board member: I was a Board member in 1983, when the district -- this was in Bergen County -- had gone through Phase 1 of monitoring and was certified. And I was Board President of the same community in 1989, which was last year, when that district went through Phase 2 of monitoring. Also, as T&E coordinator for a district-- North Bergen is in Hudson County. Hudson County, of course, is a quite unique district from the district that I served as a Board Trustee, having unique differences and characteristics.

T&E coordinator to North Bergen since 1976 to the present time, except for a two-year period, 1981 to 1982, and a school Principal of three different schools; Vice Principal of two other schools. I presently hold those positions -- T&E coordinator and also school Principal in North Bergen.

Let me just generalize each one of these roles and how I perceived monitoring: First of all, so that you understand very clearly, I am a strong advocate for monitoring. As a Board member and as a Board President, I saw a different angle of monitoring, as opposed to being an administrator of a school. As a Board member in 1983, when Phase 1 had come about, I saw a lot of effort by that school district to get certified, but it provided that Board an external monitoring system which provided quality assurance.

Most of the people in that particular community which were my constituents-- We used a quality assurance by external monitoring system, and I really feel that that monitoring at

New Jersey State Library

that time helped the chief school administrator to achieve a lot of the things that he was looking for in that district. Number one, it provided him with an opportunity to explain the capital expenditures that were required for that school district. It also allowed him to in-service that Board of Education as far as what the codes were; as far as what their role as Board members, and also enhanced his role as a chief school administrator in making recommendations for the Board for appointments for positions in the school district.

In 1989, when Phase 2 of the monitoring came about, I saw a different perspective as a Board President. I found a lot of the administrative time, and a lot of money in the school budget, being used for this new phase of monitoring, which did not translate into quality assurance for that school district. Whether monitoring was in New Jersey in the 1980s or not, that community still would be providing quality education in that community. Monitoring had no effect on that school district, other than to redefine the goals of the Board of Education in the proper direction, and also, I felt, enhance the position of the chief school administrator, and focus on community and Board needs and objectives.

T&E Coordinator: I was appointed T&E coordinator in 1976 when the first T&E Act came about. I was involved with that until 1981. I resigned the position after a two-year period, and came back in 1983. In the interim, that district had gone through Phase 1 of monitoring, but, unfortunately, was not certified. I came in in Level II and was able, through the help of someone I think was one of the finest County Superintendents, Mr. Lou Acocella of Hudson County-- He convinced me to take the position and we brought that district out of Level II to certification.

We were up for certification in 1991. I was going to invite Lou, but he is not here-- When we were certified under Phase 1, Lou told me something that I always remember, and tell

my Superintendent: Monitoring is only a device, but it is supposed to be the device used by school administrators to maintain quality. He told me, he said, "Pat, in order to provide the best for the children of Hudson County and North Bergen, monitoring should be an internal force called 'self monitoring,' which would be ongoing." Even though we are scheduled for 1991 monitoring, we in North Bergen are ready for monitoring, not allowing a lot of time to be wasted -- six months, eight months -- ahead of time.

It is my feeling that monitoring and the T&E law have brought about quality education to the children in Hudson County, quite different than my statement as a Board member in Bergen County. If it were not for the T&E law and the mandates under monitoring, we would see different educational programs in Hudson County, with different priorities. The priorities set by people in Hudson County are quite unique and quite different than the priorities and the community demands here in Bergen County.

It is my feeling that T&E has required that and focused. It also has required the Board of Education to give the Superintendent the power and authority to make appointments; also to focus the budget as an educational tool, rather than the tool they would like it used for. So, I am a strong advocate for the children in Hudson County for monitoring.

As a Principal, I also am a firm believer in monitoring, not the process of monitoring, but the model of monitoring, because monitoring and the T&E process have allowed me, as a Principal in an elementary school, to develop programs for my children, and also staff and community awareness of why these things are required.

When we do assessment devices in Hudson County and we look for curriculum revision and we look for improvement of planning and send survey forms out, many times responses are,

"I would like another crossing guard," or, "I would like 10 minutes more lunchtime," as opposed to if you send the same community survey out in Bergen County. We get an entirely different response.

So, as a Principal of a school, I feel that monitoring has tremendously helped us also. Does monitoring have drawbacks? No question. Should there be revisions? Most definitely there should be revisions. What are the revisions I feel are necessary? I have gone to many meetings in Hudson County, and also the same thing in Bergen County, of different people responsible for monitoring. I have heard nightmares. These nightmares are not based on what county offices have done, but the perceptions of people who do not want to fail monitoring.

I heard one district Superintendent tell me that when the monitors came into their district, they had a photographer follow them around and take photographs. And when they left the district, they gave them the photographic albums of their experience. I heard another district tell us they had tractor-trailers move in the weekend before monitoring and unload the school district out of all extra supplies, so when the monitors came in, there would be no stacking above 24 inches. There would be no books on top of bookcases.

This is not caused by the State Department; this is not caused by a county office. This is caused by us, the administrators, who really are paranoid and frightened of failing monitoring. Should districts fail because someone forgot to bolt a four foot bookcase? Should a district fail because the fire extinguishers are 55 feet from each other, rather than 50 feet? Should a district fail because the bookcases have books or boxes on top of them? I think the answer is no. Should safety issues be addressed under Element 5? No question. They must be. But must districts fail as a result of it? No.

We should go back to Phase 1, where the County Superintendent's Office provided technical assistance, which they still do provide -- a tremendous amount of technical assistance -- but are not required to fail a district, but allow a district the 20 days in order to rectify minor difficulties and minor problems, and also require districts to develop improvement action, improvement plans, but yet allow them an opportunity to survive in Hudson County.

ASSEMBLYMAN NAPLES: Let me ask you-- A good statement. I underlined-- I am going to tell you what I underlined here (referring to witness' written statement) that weighs fairly heavily on, I think, the reason why these hearings are being conducted. Page 3, for those of you who have it: "In conclusion, it is my belief that the intent" -- and I have "intent" heavily underlined -- continuing -- "of monitoring has positively affected educational quality." Whether that has happened in large measure determines how we are going to go, or whether we have to go anywhere.

Let me ask you several questions which a lot of people have not touched upon:

1) Do you think county monitors are involved in some sort -- or involved in a series of cabals or conspiracies against local school districts?

MR. TENNARO: No. Without question, no.

ASSEMBLYMAN NAPLES: I expected that answer. If that is not the answer -- which I happen to agree with; I do agree with you there -- and there is negativity, do you think it lies within personalities -- the answer -- individual monitors, and/or with the process of monitoring?

MR. TENNARO: The problem as I see it is-- The problem internalizes anyone who does not want to fail. From the time we were in kindergarten, none of us wanted to fail a test.

ASSEMBLYMAN NAPLES: No. Hell, no.

MR. TENNARO: As an administrator and as a Principal, I also require myself to teach classes. I feel the Principal is the educational leader of the school. Therefore, as a result, I teach 12 computer classes. It is an overwhelming task being a T&E coordinator, Principal, and also to teach, but I think it is important.

In answering your question, why are we -- am I paranoid about failing monitoring? Not because I haven't had failure in my life with my district. Not because I fear, necessarily, the media and the newspapers. Because I want to get back in my district as a Principal and a T&E coordinator, back to the job of educating our children.

I have heard stories of communities in Level II and Level III in Hudson County, and they tell us it is like quicksand. Once you step in, it is very difficult to get out.

I think that is the reason why people are fearing. It is not what the county offices are doing. In fact, only last week I had sent down part of my Element 3 for review in the county office, for technical assistance. They provided us time, access, so they do want the communities to pass. We are internalizing that, none of the paranoia of fear, but we want to get back to the job of educating the children, without the State Department putting tremendous regulations on us.

ASSEMBLYMAN NAPLES: Okay. Now, let me say this: I have a couple more questions. I think they are easy, because you can give an honest answer. You may have people disagree with you, but I think they are easy questions to answer. They are easy for an honest individual who has the guts to say what is on his mind. For some people, they are not easy, unfortunately.

How do I phrase this? Well, I am going to make the statement that there is a hell of a difference between not failing -- not succeeding, rather, and failing, or failing and not achieving the goal. There is a difference -- okay? -- and

it should be approached accordingly from the standpoint of an evaluator and an evaluatee. You are not a failure -- okay? -- if you don't achieve monitoring.

You mentioned that you are a Principal. Let's look at tables of organization, or layers. Let's go intergovernmental: State, county, LEA. You also mentioned the word "internalize." I wrote it down and I quoted it and I added another word, "externalize." You have your building levels with principals and teachers together, in relation to their own central administrations. Do you think that quite often those same central administrations, in order to blow smoke -- let me keep my language nice -- in order to embellish the process and impress those above them -- in fact, embellish the process, pile one hell of a lot of work on principals and then down to teachers, and that the problem could lie between school level people intradistrict -- principals and teachers and central administration in the same district?

MR. TENNARO: I understand what you're saying, but I am going to give you a different angle.

ASSEMBLYMAN NAPLES: That's all right.

MR. TENNARO: The problem in Hudson County -- the type of community it is--

ASSEMBLYMAN NAPLES: In other words, it is a question of externalizing.

MR. TENNARO: I understand.

ASSEMBLYMAN NAPLES: "Open your goddamned mouth."

MR. TENNARO: I understand. The problem I see in North Bergen, as well as many other communities, is, there were a very few doing a very lot. In my district we have one Superintendent and one Assistant Superintendent, myself, doing everything.

In other districts, such as Bergen County, you are able to put into your current expense budget different positions such as the committee-- When I was the Board

President, I was able to increase the positions so that these jobs could be done. In communities in Hudson County when you have to turn to the taxpayers and local politicians for an increase in the current expense budget, you have a tremendous problem ahead of you. The answer is always, always no. Historically, my community has never, ever passed a budget, either current expense or capital outlay. So, what does that mean? Very few are doing a great deal of work.

In my community -- and also I was on the Comprehensive Review Team in Jersey City, and also on the Review Team in Union City -- that has not been my experience. In the meetings I have been having in Hudson County with all the chief school administrators -- we meet on a monthly basis to discuss monitoring and developing programs to improve-- Those also were not the case.

As a Principal who has to follow direction from myself as T&E coordinator, we do a great deal in our school district, and we do a great deal in my school. In our school district, we have a staff manual for T&E implementation. What does that all mean? It is our philosophy and our belief that the purpose and the intent of monitoring is to lay the framework for an educational system. In order for teachers and community members to buy into this model and support it through the means of a budget, we have a staff handbook for the implementation. What does that mean? When you talk about Element 1 and you read the indicators, they make very little sense if you are talking to a kindergarten teacher, or you are talking to a parent. But yet when you give them the manual showing them what the district goals are, and you show them what the district objectives are, and you show them the five-year curriculum review cycle, it has meaning to them.

Is there a lot of work going on? Am I imposing a lot of documentation on my teachers? Yes. If you came into my school, you would find two filing cabinets filled with

documentation, where I have to, because I told myself as T&E coordinator-- I have to have my teachers photocopy every plan book page which shows study skills, professional improvement plan, and so on. Those are the things in the T&E process which have to be eliminated. There has to be a point where the State Department allows the County Superintendent's office--

ASSEMBLYMAN NAPLES: Autonomy?

MR. TENNARO: --to come into their district and ask the personnel, "Can you explain to me the progress you have been making on your professional improvement plan?" Do they have to have photographic copies of their plan books to show the implementation? When we review the indicator for study skills, must I have photocopies of all these things in the plan book? The answer is no. Have districts told me they are required? Yes. I would rather be safe than sorry when I am monitored, and that is why we do it. So, the answer is no to your question, but yes, yes, yes, because I require a lot.

ASSEMBLYMAN NAPLES: In other words, what I wrote down just then was documentation -- element of distrust and demanding, continual documentation. Would you agree with that?

MR. TENNARO: I wouldn't say distrust, because on each of the worksheets they say, "documentation that is required." This all comes under the county office.

ASSEMBLYMAN NAPLES: I'll put quotes around distrust. All right?

MR. TENNARO: Right. So it really is not. It is not distrust. It is required.

ASSEMBLYMAN NAPLES: Let me just say to all of you, and to you, Doctor, one of the reasons I used the words, "GD, open your mouth--" There are too many people who have complaints -- teachers to principals, principals to superintendents, superintendents to county monitors, county monitors to the office of Dr. McCarroll, Division of County

and Regional Services, who don't open their mouths. A little communication can go a long way.

Let me tell you a quick story -- two stories: In my own school, my first principalship, my Superintendent, on a complaint from me about a question from a monitor, got on that phone and called that County Superintendent and jumped all over him -- the County Superintendent is a real good friend of mine; in fact, we were on the phone last night -- jumped all over his royal derriere. That sort of solved the problem. He expressed himself. He let him know what was on his mind.

Another thing, my Guidance Counselor, I, the County Superintendent -- no, a county monitor -- and one other person, another county monitor, said to the two people, "So what, if we didn't meet that checklist. What does that mean?" I stood there a little stunned, and she pursued it. I said, "Yeah, so what? Let's go upstairs and take a look at the classroom." And we looked at the classroom. And I said, "Let's get a tape measure." And, you know what, both monitors backed off. We didn't sit there with our tail-- Well, I have to admit she took the lead, but ultimately we did not sit with our tails between our legs, afraid to open our mouths.

And, you know what she did -- the county monitor? She changed and certified us. We opened our mouths. And I was ready to prove it. I picked up the phone. I was ready to call -- Pete, his name is, the custodian, to bring a tape measure up. And they appreciated that. Maybe a little communication can go a long way.

Look, I have no further questions.

MR. TENNARO: Okay.

ASSEMBLYMAN NAPLES: Do you have any further statements?

MR. TENNARO: Thank you.

ASSEMBLYMAN NAPLES: A nice presentation. If I was a little bit blunt, please excuse me. That's my nature.

This is an easy one, Dr. James -- Mr. James H. Murphy. We'll have to get you a Ph.D., all right? Bayonne School District-- Hey, you're from the district of my Speaker. I better be on good terms with you. Hi. We've met several times. How are you doing, Jim? (indiscernible response from audience) See how nice I am to the Speaker's--

Excuse me. Was Joe on the Board when you were Superintendent -- Speaker Doria?

J A M E S H. M U R P H Y: Yes. I have been Bayonne Superintendent since 1978.

ASSEMBLYMAN NAPLES: Wow!

MR. MURPHY: I think Joe left in 1980.

ASSEMBLYMAN NAPLES: He had an overlap. He held both positions for awhile, yeah.

MR. MURPHY: And he was a former teacher also.

ASSEMBLYMAN NAPLES: I know. He is a college professor now. He is a good man. Even if he weren't, I would say he was. Do you think I'm crazy?

MR. MURPHY: As I said, I have been Bayonne Superintendent since 1978. The Bayonne School District, in 1984, and again in 1989, passed Level I monitoring. In my experience, I believe that the State monitoring process is an essential and necessary instrument to assist school districts in carrying out their mission. I also believe an accountability instrument to assure parents and the taxpaying public that the school systems are meeting at least the minimal standards.

During the past decade, the State monitoring process has evolved from a set of loose guidelines into a comprehensive and complicated bureaucratic system that, I believe, must be modified during the next few years to achieve new objectives.

Overall, in my community, the monitoring system has had several beneficial outcomes. Our school system in Bayonne was moving toward what I believe -- improving the delivery of

quality educational services before the T&E law and before monitoring. However, I really believe that the monitoring has accelerated, in Bayonne, facility repairs, curriculum revision, and focused attention in an urgent manner on the need to improve test scores, student attendance, and a variety of other components in the school system. It brought, in a sense, the school system together working -- taking the extra step, and we became resolved that we would pass, and we did.

On the negative side, the monitoring elements and associated costs completely overshadowed other district objectives or priorities. Available financial resources were used to pay the very substantial costs to achieve compliance. Other initiatives were postponed. The danger of "teaching to the test" had to be dealt with as a real concern. A distressing element of fear haunted some of my personnel. From a financial standpoint, between 1984 and 1989, although the Bayonne school budget went up $9 million, the amount of money from the State remained the same in State aid. This, of course, added to the financial problems and put an increased burden on the local taxpayer.

I believe that intensive monitoring will be necessary for additional years in a small number of school districts. I believe that the existing monitoring process can be modified for the vast majority of school districts to allow the county and the State offices to concentrate their efforts on school districts with critical problems. I say, why continue to spend time revisiting certified districts with few problems? The monitoring process has identified the districts with the critical needs. Now is the time to devise the creative solutions to assist the districts in critical condition and target the necessary human and financial resources to help them achieve the State standards.

I think we should monitor the certified districts formally every 10 years, instead of five years, but routinely

screen the annual reports required from every district in the State to detect any emerging problems. I think we should concentrate the current overextended county and State office personnel in those districts which have the obvious problems; eliminate the negative labeling aspects; give credit to districts that have made substantial progress toward certification; extend, to a degree, the timelines to enable districts to correct deficiencies detected in the premonitoring visitations; recognize that some of the elements in monitoring should have greater weight than other elements; and, finally, acknowledge the impact of State funding on the condition and health of distressed school districts.

In the future, I believe that a modified monitoring process should foster the improvement of quality educational services for the children of our State; serve as a bond between local school district and the Department of Education for the achievement of common goals in the delivery of those services; and also serve as a conduit to communicate to New Jersey citizens information regarding the positive achievement of public school districts, as well as areas that are in need of improvement.

A couple of suggestions: I am impressed with the Middle States accreditation. We were fortunate. We had monitoring in 1984. We went through Middle States Accreditation at Bayonne High School in 1982. We had broad-based committees of staff, faculty, working on curriculum revision at the high school. It is a high school of 2000 students, the only high school in town. Through Middle States, we felt we were a leg up on the monitoring, because we had just gone through, you might say, monitoring by the Middle States Association. They came with 200 recommendations. We are going to be monitored in 1992. Each year, depending on financial resources, we are knocking off some of those recommendations.

So I think maybe we confuse, to some degree, the Middle States Accreditation and monitoring. I think we need more targeted in-service for school district personnel. I think we can develop better premonitoring checklists and resource guides, and I think more involvement from the professional educational associations which have committees that work-- I think that would be helpful.

I think we want to make the process better. My Association -- NJASA -- has a broad-based monitoring committee to work. I have to say the Department has listened to some of our suggestions -- not all of them. We have suggestions before the Department at the current time, and we believe that additional improvement in the process is essential and necessary.

I would be happy to answer any questions.

ASSEMBLYMAN NAPLES: Jim, you mentioned Middle States. Several people have mentioned Middle States. Without mentioning Middle States, they mentioned the cycles. Do you really-- Now, don't forget, Middle States encompasses more states than New Jersey, like the Southern Association encompasses Georgia and Mississippi -- out of Atlanta. Do you think there could be better coordination between the regional commissioners of education -- which would be Middle States and its components -- and various states?

MR. MURPHY: I believe so. I also think Middle States is being hurt in New Jersey by the monitoring process--

ASSEMBLYMAN NAPLES: I agree with you; I agree with that.

MR. MURPHY: --because on a priority basis, I am getting ready for monitoring. But what we saw at Bayonne High School-- There was an overlap there. I think the Commissioner and the officials from Middle States-- They could, in some ways, fuse together, and you would have both-- I think Middle States would be stronger. I think Middle States, because of

its nature-- It is a peer review. By having persons come in-- It is your own peers coming in.

In the monitoring process, you have peers come in on compliance when you get to Level II or Level III. That's different. In Middle States, it is your peers coming in on Level I. Not to say that the State persons coming in-- They are coming in with set guidelines, so I think that a fusing of Middle States and the--

ASSEMBLYMAN NAPLES: It was a big difference.

MR. MURPHY: It would be helpful.

ASSEMBLYMAN NAPLES: Yeah. You mentioned "teaching the test." That could be what this is all about. I have my own philosophy as a Principal, and previously as a teacher and Assistant Principal. I am not saying this obtains for all people who teach the test. It all depends upon the degree. It all depends upon whether you hand the test out in advance and change one or two words. But, in some cases, I maintain that teaching the test is de facto cheating, and I am not the only one who has said this. Some eminent educators have agreed with me; some eminent have disagreed with me. I just feel that a district which spends all of its time preparing for monitoring is, in effect, teaching, if you will, an "administrative" test. And this is what-- Perhaps you summed it up in a way by mentioning that.

That is a little pontificating.

MR. MURPHY: We have counseled our people about -- as far as teaching from the test.

ASSEMBLYMAN NAPLES: Right.

MR. MURPHY: However, there are other ways of preparation. When you say, "preparation for monitoring," if you are talking about articulation between grade levels-- I mean, 10 years ago the second and third grade teachers never got together to talk.

ASSEMBLYMAN NAPLES: Right.

MR. MURPHY: Now, because of the process, that articulation has helped, and that is part of the monitoring process. It is a big word in monitoring -- articulation. So, I don't feel that I am getting ready for monitoring if I am doing articulation. It is something that should have been done 10 or 15 years ago, but it is being done now. It does, though, result in better communication and better test scores. That is one example.

ASSEMBLYMAN NAPLES: Thanks a lot, Jim. I appreciate it very much.

Dr. Andrew F. Korshalla, Superintendent of the Old Bridge Township School District, the former home of my Congressman, Chris Smith, now a resident of Mercer County.

DR. A N D R E W F. K O R S H A L L A: I am going to bring Glenn Johnson with me.

ASSEMBLYMAN NAPLES: That's quite all right. Move right up there. Go ahead. We have, by the way, a representative-- Are you the President?

G L E N N R. J O H N S O N: Yes.

ASSEMBLYMAN NAPLES: --the President of the -- I like this -- Old Bridge Education Association and the Superintendent together. This is the first time we have seen this. It is very, very nice. I like that. Go ahead.

DR. KORSHALLA: I'm sure he will add a new dimension to this proceeding. We have been known as the "Dynamic Duo," but in approaching the monitoring there was a--

ASSEMBLYMAN NAPLES: Excuse me.

DR. KORSHALLA: Yes?

ASSEMBLYMAN NAPLES: Who are you? Which one are you?

DR. KORSHALLA: I'm Batman.

ASSEMBLYMAN NAPLES: Okay.

DR. KORSHALLA: I'm sorry. What-- I thought you meant, which of the Dynamic Duo am I?

We are from the Old Bridge School District, which is located in Central New Jersey, Middlesex County. We certainly thank you for the opportunity to provide some input on the monitoring process, as it is now being conducted.

Old Bridge has over 50,000 residents; covers 42 square miles; and is located, as I said, in Middlesex County. Our school district is a K-12 organization; a Type II district with a student population of 8000 students. We have 11 elementary schools, two middle schools, and two high schools. The district employs more than 1000 employees.

The Old Bridge School District was successfully monitored in November and December of 1989. Not only was the process a success in terms of passing all of the 43 indications, but it also proved to be a very positive force in uniting the Board, administration, staff, the Association, the Town Council, parents, and the general community. It was during the planning stages and during the actual monitoring that a sense of pride surfaced among our staff and community members. We became a team with a strong determination to have a successful monitoring experience.

I believe the public wants its schools to be accountable. Conscientious educators welcome assessment of their performance. They want to know, "How are we doing?" Monitoring, as an accountability process, meets this need. We all agree that what gets examined, gets done.

We are a $73 million business in the town; the largest business in the town, and one of the largest in the county. I think the people have a right to ask and hold us accountable; ask what we are doing, why we are doing it, how well we are doing it.

Yes, monitoring is a thorough, vigorous, and intense process. And, yes, it may be possible that somewhere a monitor or two may tend to get "carried away" with the process. However, this was not the case with Dr. Brinson, Middlesex

County Superintendent, and her staff. They were extremely helpful, supportive, positive, cooperative, and very professional. To our employees, the "county office" were "real people." There was no fear. If you have confidence and believe in that which you do for the students, there is no need to fear.

Evaluation is good. Additionally, a school district's attitude, I think, is also key in the monitoring process. If monitoring is approached as a positive experience, it will be just that. If it's approached as a negative task, most likely it will be a negative experience for those involved.

Were there specific benefits derived from the monitoring experience? Yes, most certainly there were. Among them: Increased parent involvement in our schools; increased commitment on the part of our staff; unity of purpose among the Board, administration, staff, and parents; establishment of achievable goals and measurable objectives; articulation of curriculum; continuous curriculum evaluation and improvement; expansion of program offerings; improvement of educational services; increased attention to student achievement; much needed long-range planning; and facility repairs and improvements.

It is my understanding that there are some horror stories being circulated. No horror stories occurred in Old Bridge schools. Middlesex monitors put the staff at ease, so much so that teachers were asking them to come into their rooms. It is difficult to believe that this could be so different in other counties.

Paperwork seems to have become an issue. Maybe we at the district level, in our exuberance, documented more than we had to. We considered it very important to us to pass. Our district needed and wanted it badly. Maybe other districts were overenthusiastic, too.

I believe the monitoring process is valuable and serves to help ensure that the best interests of the students are served. But as it evaluates the work of others, it, too, should be evaluated, for it is only through honest and close scrutiny that monitoring will continue to meet the purpose for which it was designed -- to ensure a thorough and efficient system of education for New Jersey's learners.

It is with this in mind that I wish to commend the members of this Committee for conducting these public hearings. We have a good thing here with monitoring. Let's see how, where, and if we can make it better.

In summary, allow me to state that the monitoring process was a very uplifting and positive experience for the Old Bridge School District. This process helped us to work on educational improvement in a way we have never experienced before. We are all determined that there is life after monitoring, which means we will use the process on ourselves to continually measure ourselves and improve our district.

Let me conclude by saying, we believe in the process. Thank you.

ASSEMBLYMAN NAPLES: Let me say this-- Thank you. That was a nice statement. The City of Camden did what you did. It got together with the Association, the administration, the Principals' Association, the Board, the Mayor, and the City Council. They pulled together with some voluminous, huge problems and did a yeoman-like job in moving forward. I am very moved by the fact that the two of you are together. Yes?

DR. KORSHALLA: I believe this is essential. It's got to be done in cooperation. We all are responsible for the children. It's got to be a cooperative effort, and that is what it was.

At this particular time, I would ask my partner to provide his comments.

ASSEMBLYMAN NAPLES: Doctor, let me ask you this: Do you think something can be regulatory, and at the same time positive?

DR. KORSHALLA: Absolutely; absolutely, most definitely.

ASSEMBLYMAN NAPLES: All right. A lot of people will disagree with you there, but--

DR. KORSHALLA: It depends on what is--

ASSEMBLYMAN NAPLES: I just wanted to get your viewpoint.

DR. KORSHALLA: Yeah. I think it depends on what is in place. Did we do a lot of work? You better believe we did a lot of work. Do you know why we did a lot of work? Because we didn't have these things, and we needed to have them.

ASSEMBLYMAN NAPLES: Okay. Thanks very much, Doctor. Let's go on to the President of the Education Association, Glenn Johnson. What do you teach, Glenn?

MR. JOHNSON: Compensatory mathematics.

ASSEMBLYMAN NAPLES: Okay. Glenn, do you want to go ahead?

MR. JOHNSON: We now know that I am not Carol Johnson, who is my wife, who is also an integral part of our school system and the Chair of our Instructional Council. She would have been here--

ASSEMBLYMAN NAPLES: She outranks you?

MR. JOHNSON: In more ways than one probably. As you now know, we are a district that came through the monitoring process successfully. As Dr. Korshalla indicated, it was something that the district spent many hours preparing for. When it was finished, we breathed a collective sigh of relief.

It was a process which had, as was explained by the district's Superintendent, a positive effect on the district. The system had suffered through some difficult times in the preceding year, and we used the monitoring process as a

mechanism to unite the various segmented parts of the educational community. The preparing for monitoring, although tedious, proved that the administration, Association, and School Board could work hand in hand for the same goal. That attitude, I am pleased to say, still exists today, and in that respect monitoring became a means to an end for Old Bridge.

However, along the road to monitoring, the journey was not always smooth and there were moments when each of us questioned some of the criteria being reviewed and the fact that each indicator was weighted equally. Also, as the time of the actual monitoring grew near, one could almost cut the tension. Administrators seemed to be everywhere checking all nooks and crannies for violations. Teachers diligently reviewed their curriculum guides and made certain that their plan books included all the State-mandated ingredients.

It is, I suspect, the same tension a high school student must feel prior to taking the HSPT. The student ponders the thought that, if I fail, I won't get a diploma. With monitoring the fear or tension was, if a school had something wrong with it, or if I as a teacher failed to answer one of the monitor's questions adequately, the entire district would fail monitoring. As a result, although we were successful and can look back with that sigh of relief, the staff was extremely conscious of minute details which sometimes took away from the overall educational process.

Unfortunately, some of those details in the big picture of education seemed to become a source of irritation as monitoring itself drew near. Can I hang mobiles from the ceiling, are my books stacked too high, can the windows have artwork on them, and, where do I store my materials if not in my room, were questions commonly asked by staff members across Old Bridge. The answers were simple: no, yes, no, and keep them in your car. The answers were simple and direct, but in many cases served to frustrate most staff members, who found

little solace in knowing that the requirements came out from the hallowed halls of the State Department in Trenton.

Concern about artwork and stacking books, I am certain you would agree, detracts from the overall goals of the monitoring process. Curriculum development, community involvement, compliance with affirmative action guidelines, services to at-risk students, special services for educationally disadvantaged students, and the many others which impact directly on children's education are far more important, yet sometimes appear to get lost in the shuffle. Perhaps this is an area that could be looked at by this Committee and/or the-- (bell rings; witness pauses) I am conditioned by bells. I have been there too long. (continuing) --State Department of Education.

Old Bridge prepared diligently for monitoring and we passed. The members of the Middlesex County Monitoring Team were fair, professional, and well received by the district. Although it may have occurred anyway, monitoring brought the district together, and we remain that way today. It was also responsible for causing some necessary repairs in many of our buildings and, more importantly, gave Old Bridge a positive image in the community. On the downside, it created undue tension, generated a lot of what was perceived as unnecessary paperwork, and in some ways, was quite costly, not only monetarily, but in man-hours and person-hours also.

Our district understood the need for monitoring by the State Department of Education, and realizes that the process will no doubt continue in the future. They felt good when they learned that their -- and I emphasize "their," because it becomes ownership -- schools had passed, and I suspect that others felt quite the opposite when their districts were not approved. Our teachers, however, did not appreciate what they believed was a duplication of paperwork, undue tension, and some demands which they believed impeded education. They want

monitoring to be a positive experience for all districts across the State, and they look to this Committee and the State Department of Education to ensure a fair review of the current process.

I thank you for the opportunity to present my views, and I would be happy to answer any questions you might have.

ASSEMBLYMAN NAPLES: Very quickly, I underlined something you said, Glenn, and I just want to say that, last week in Toms River, there was a little more -- I don't want to say "negativity," but a little more distrust of monitoring, and a negative viewpoint thereof; not a lot, but I have seen hardly any of that here.

"Our district" -- I am reading from Glenn's statement -- "understood the need for monitoring by the State DOE, and realizes that the process will no doubt continue in the future." We expect modifications; I think everybody does. However, disabuse -- I am going to say the same thing I said in Toms River -- of any notion-- Disabuse yourselves of any notion that we will ever-- Thank God for Brendan Byrne for bringing this up about what County Superintendents did in 1978 or '77-- Disabuse yourselves of any notion that County Superintendents will go back to the days when they: 1) processed certifications; 2) received forms stating that a kid -- remember that -- was suspended for more than five days; and 3) golf or play tennis, depending on what their inclination was.

It's here. We've got to make the best of it. And monitoring, by any other name, is monitoring. You can call it a critiquing; you can call it a testing. You ask a kid a question in class. It's a form of monitoring, and it's a part of life. It is a question of how the approach is taken.

Glenn, thank you very, very much. Andy, thank you very, very much.

DR. KORSHALLA: Thank you.

ASSEMBLYMAN NAPLES: Robert Winter, Superintendent, Wayne School District.

UNIDENTIFIED SPEAKER FROM AUDIENCE: He left.

ASSEMBLYMAN NAPLES: He left? Thank God. Greta Shepherd, my former County Superintendent of Schools in Mercer. Greta, are you here? Greta is Superintendent of the Essex County--

UNIDENTIFIED SPEAKER FROM AUDIENCE: Not here yet.

ASSEMBLYMAN NAPLES: Oh, thanks, Greta. You're always good to me. You never stop.

Joseph Sirangelo, Assistant Superintendent, Hudson County Vocational Technical Schools. Dr. Sirangelo?

DR. J O S E P H S I R A N G E L O: I'll keep it brief.

ASSEMBLYMAN NAPLES: That's all right, go ahead. I'm going to be early, the way things are going.

DR. SIRANGELO: I've cut it down to a few short statements.

ASSEMBLYMAN NAPLES: Go ahead. No, we have a little time.

DR. SIRANGELO: I think I can get the gist of what I am about to say off pretty quickly. I am from the Hudson County Area Vocational Schools. We believe that the entire process that we went through was a very positive, worthwhile growth experience for our district. We improved 1000% through this process. I am not saying it was totally a great process, but I am saying that we improved a great deal through it.

During the first cycle--

MR. ROSEN: Would you use that--

ASSEMBLYMAN NAPLES: Yeah, use that mike over there. Take that seat, please. When you come up, please take the seat closest to us, near the microphone which works.

DR. SIRANGELO: In the first cycle, Level I, we didn't meet the standards set through T&E. We failed. We didn't do our homework right. We were not prepared for the monitoring

coming in. We then went into Level II. We were one of the first districts in Hudson County to be named on Level II, so we -- and also one of the first districts in the State -- received all of that stigma that goes along with being one of the very first districts to fail the monitoring. But the Level II monitoring process that we went through with the County Superintendent and his team was definitely a positive experience. Their findings were very helpful. We found them very enthusiastic and encouraging. We even felt that they were part of our team. Our self-study team felt they were working together with us to get through this entire process.

We viewed it as an entire staff development in-service program. We were not prepared in the beginning, but we became prepared through this entire process. We were a very large committee and subcommittee structured throughout our entire district. We got everybody involved right down to the janitors, teacher aides. Everyone was involved in the process. We learned a great deal about planning and documentation, and that is what the monitoring process seeked to emphasize to us.

Because we did grow through this and we did show a lot of positive and significant progress through it-- We were still not ready to pass Level II. But because of that, the County Superintendent asked for what I thought at that time was unprecedented. We got an extension on our Level II, which was a good flexibility that I thought the State eventually allowed the County Superintendents to incorporate into the monitoring process. But at that time it was not. That helped us a great deal also, because our staff morale kept going. We kept plugging along and got through the entire process. Eventually we passed, and our reputation was enhanced significantly because of it.

That process is still ongoing. We have our self-study team continuing right now. We are prepared for Cycle 2. There

New Jersey State Library

et with Tom Corcoran and share with him the results of the rst two hearings, because the Governor has some definite eas. I don't know whether they are 100%, but he wants-- He nts something changed. Obviously there is something wrong, d he wants to make things right. I hope nobody can sconstrue that winner.

David Knoepfel, Assistant Superintendent of Schools -- rrect me, go ahead -- Kearny Public Schools.

A V I D H. K N O E P F E L: Thank you, Mr. Chairman. I ink I can probably meet the time constraints that we all rtainly would appreciate, if you would just hold the applause wn after every comment. That would help a great deal. aughter) I just told you not to do that.

When we prepared this statement for presentation, we ally felt no need to mention our county office nor the State nitoring personnel. In 1985 when we were last monitored, we ssed 51 out of the 51 indicators, and obviously felt good out the monitoring teams that came in, and even better about r school district, our personnel, and our students. What we ve done in this particular instance is take a look at -- spite the fact that we did so well the first time -- our rious concerns, very briefly put, which I will read to you, I may. You are about to see for the first time the wearing glasses by David H. Knoepfel, so if that causes a problem -- m serious -- I apologize.

The stated purpose of the monitoring "... to provide l children in New Jersey ... the educational opportunity ich will prepare them to function politically, economically, d socially in a democratic society," is, without question, lmirable and worthy of everyone's best efforts.

Unfortunately, the avowed purpose is being hindered, not defeated, by the process. The process mandates that an due amount of money, time, and effort are spent trying to event failure, rather than to promote better education. It's

tantamount to the proverbial "road to hell being paved with good intentions."

ASSEMBLYMAN NAPLES: I already underlined that part, Doc.

MR. KNOEPFEL: Good. If the same amount of time, effort, and money was put into our educational goals, it would assure that all would benefit.

We suggest that the best, and certainly the most prudent, solution to the current dilemma faced by the vast majority of New Jersey's school districts is a moratorium. I do believe that is the first time the word has been mentioned at either of these hearings, since one of our Principals attended the previous hearing and brought back copious notes, and neither word that he had down on his paper mentioned moratorium. This moratorium would begin immediately and apply to all of those districts which now have successfully passed Cycle 1 or Cycle 2. There could then be an all-out thrust providing much needed aid to any and all districts currently in Level II or Level III status.

When we study the six "Characteristics of Effective Schools," we are struck by the lack of reference to square feet per pupil, stained ceiling tile, or foot lumens of light on a desk's surface. Effective schools find their strength in human beings working with and for human beings in an atmosphere conducive to learning. The atmosphere is made conducive by providing strong leadership and an overall feeling that all are safe from harm. There is no mention, in any of the characteristics, of books not being on the floor of a closet nor of the danger inherent in a book being on a shelf more than "X" feet high.

One year ago tomorrow, Dr. Lezotte, the Director of the National Center for Effective Schools Research and Development, addressed the New Jersey State Department of Education at a Special Seminar on School Improvement. In his

presentation he describes two very different schools in Maryland. One is a park-like setting in a neighborhood of fine homes which house, for the most part, the children of college faculty. The other is a typically urban school set in an area of "dilapidated streets and houses." Based on what you see, the assumption is that the facility, the setting, and the type of students, by those characteristics alone, guarantee higher student achievement in "park-like" as opposed to "dilapidated." Wrong! The average achievement in "park-like" is above the 70th percentile, but the achievement, "across the grades, is higher" in "dilapidated." So much for facilities and hurray for leadership, school climate, and high expectations.

We desperately need to rethink our priorities. We need to dispel the notion that the massive movement of paper, usually referred to as "documation" -- "documendation," pardon me; I told you those glasses would do it -- can be, in and of itself, the reason for more effective schools. We must, in short, put our concerted energies into doing what is best and most effective for the young people in our charge.

Call a moratorium. Work diligently with the neediest districts. Provide help and resources where needed.

By doing these things, we will undoubtedly see impressive strides toward a more thorough and efficient education for New Jersey's students.

Certainly, putting the resources of the State and county offices behind these neediest schools best fits the intent of the thorough and efficient mandate. There will be personnel available, via the aforementioned offices, to provide guidance, supervision, and hands-on aid directly to those who can, and should, be helped now.

I thank you.

ASSEMBLYMAN NAPLES: I just want to say first, thank you, Doctor. The propounding of a moratorium last week was one

of the highlights of the hearing in Toms River. Dr. Kelly of Ewing Township, in my 15th District, made a similar proposal; a little different, but he did indicate that he is for a moratorium. I am quite certain that if you and Dr. Kelly talked, you would be very, very much in agreement.

Let me quote from part of your statement: "Unfortunately, the avowed purpose is being hindered, if not defeated, by the process. The process mandates that an undue amount of money, time, and effort are spent trying to prevent failure, rather than to promote better education. It's tantamount to the proverbial road to hell--" Would you say that comports with my statement that we are spending all our time proving we are doing things wrong, and have no time to do anything right?

MR. KNOEPFEL: It certainly does. I am not so sure about either one of us saying that these are end lines, but I am certain that somewhere in-between there is an undue amount of time, effort, money, and so forth going to do things that are being pretty well done.

I did notice -- and I think it is part of the answer to your question -- that a lot of the districts that were very much in favor of the monitoring process, found it to be an excellent tool to get their constituencies to provide what they felt they needed. We feel very good about the fact that in our particular district, we have always had the cooperation of the town and the town's people, the Board of Education, and the county office, so we really don't have that-- Maybe we are looking at it in a much too myopic view, where we see it as being so good, what's all the confusion about; what's the noise about; and what's the input of the money about?

But, we honestly feel that there are districts that are in desperate need, obviously, from the results of the monitoring, for what we are benefiting from, and they need it. It is one of those kinds of things.

ASSEMBLYMAN NAPLES: Okay. I have no further questions. Thank you very, very much.

It is getting late in the day, and I appreciate all of you for staying, by the way, even those of you who have testified.

Next we have Donna Lloyd, of the Parent Information Center. Ms. Lloyd? Donna Lloyd? Okay, apparently she is not here. Okay, next Judy Gilfillan, Parent Information Center.

UNIDENTIFIED SPEAKER FROM AUDIENCE: She's gone.

ASSEMBLYMAN NAPLES: She's gone, okay. Marilyn Arons -- I see Marilyn here. Ms. Arons, please come forward.

M A R I L Y N A R O N S: Thank you, Mr. Naples. Both Ms. Lloyd and Ms. Gilfillan are parents, and I would like to ask the audience, as a framework for my responses -- which will be informal, because the formal response-- You've had a lot of information that I will mail you. Is there anyone in the audience who is not employed by a school district? (no response) That proves my point, and my principal area of concern.

ASSEMBLYMAN NAPLES: A few hands went up.

MS. ARONS: I'm sorry. You're not employed by a school. Are you parents? There were three hands raised. Are you parents? (indiscernible response from audience) Are you here as parents, or are you here as professionals, or are you here as both?

UNIDENTIFIED SPEAKER FROM AUDIENCE: Both.

MS. ARONS: Both. The input at the Information Center is that there is a fundamental flaw in the monitoring elements themselves. I point out to the Committee that the citation governing thorough and efficient is in N.J.S.A. 18A:7A-2, and I would particularly like to point out parens 5 and parens 6. No one has mentioned those specifically in their presentations, and yet clearly they are the hallmarks of that legislation passed in 1976. They say, and I quote: "In order to encourage

citizen involvement in educational matters, New Jersey should provide for free public schools in a manner which guarantees and encourages local participation consistent with the goal of a thorough and efficient system serving all of the children of the State."

Parens 6 reads, and I quote: "A thorough and efficient system of education includes local school districts in which decisions pertaining to the hiring and dismissal of personnel, the curriculum of the schools, the establishment of district budgets, and other essentially local questions, are made democratically, with a maximum" -- it doesn't say "minimum" -- "with a maximum of citizen involvement and self-determination, and are consistent with statewide goals, guidelines, and standards."

Mr. Naples, I have listened since 9:00 this morning and can tell the Committee that I have personally been in every single one of the school districts presented before you today, with the exception of two, and those two-- We have been very actively involved with the parents in those two districts. I personally have been in over one-half of the 611 school districts throughout the State of New Jersey. Based upon that experience, as well as 30 years as a professional educator, I can attest to the fact that at no level in any district of my firsthand knowledge in this State, is there a bona fide citizen involvement/parent involvement component that is not politically controlled in some way.

In the elements that you are measuring in these school districts, I think it is vital that you recommend to the Governor and to the Legislature that you must redesign components of these measurements to address the citations I have given you. There are none there. Rather, in this State, parent involvement and citizen involvement is a matter of which parents and community members are handpicked by various school districts. There are no parent elections, and every one of

your current Advisory Councils are handpicked because they agree with the political positions of the board, the political positions of the State, and the political positions of the various people at administrative levels within the local school districts.

That's politics. That's fine, and essentially we are dealing with a political issue here. We are dealing with empowerment. We are dealing with empowerment of citizens and parents, as opposed to unions, school board associations, and people who would be elected to the Legislature. That's perfectly fine. But if you want T&E to work, and you are questioning -- which I have heard you do since 9:00 this morning -- why it hasn't worked -- and on a personal level, I don't think it has-- I believe the reason it hasn't worked is because you have never -- not, of course, you personally -- but the State has never made a commitment to disseminate the law, translate it into practicable, usable pieces of information and strategies for parents who are black, who are Hispanic, who are poor, who are middle class, and who are rich. There is an elitist quality to this law.

How many of you here work in the Camdens, in the Patersons, in the Newarks? We are there. We are there on a daily basis with our parents, with our children in those districts. Those parents aren't trained. Those parents want to be trained.

I believe that the fiscal issues confronting Governor Florio, in terms of what will ultimately happen momentarily with Abbott v. Burke, will ultimately deal with the ability of the citizens of our State to handle the financial crunch each district will be faced with, and what they can contribute to assist each of their local schools to allay what will happen when we are forced with reorganization, which we must ultimately be.

To that point, the Parent Information Center has five recommendations I would ask you respectfully to take back.

ASSEMBLYMAN NAPLES: Can I just say this to you?

MS. ARONS: Yes.

ASSEMBLYMAN NAPLES: I have argued with the State Department on that, but you are correct. I have not incorporated it into-- Let's put it this way: I have not fashioned legislation mandating that with the bill. You are correct.

MS. ARONS: It is statutory, Mr. Naples, and the concern is, though it has been statutory since 1976, it has never been implemented. The five recommendations we would like to make to you are:

1) An active parent, school, and community training program must be developed to disseminate the T&E laws and provide instruction as to how they are to be implemented. Ms. Lloyd would have recommended to you, for example, that the minute parents are registered with their kindergarten-age children, they are given a copy of the T&E laws so that they know exactly what their rights are as parents, and as citizens of the State of New Jersey. Clearly, before citizens are asked to do a job, they must be given the skills with which to do that job successfully.

2) Teachers' unions, the New Jersey School Boards Association, and business corporations need to reassess their leadership roles in the provision of thorough and efficient education, and provide political and financial support for power sharing and decision making within individual communities. I would ask the New Jersey Legislature, for example, to look at the work of Dr. Fernandez in New York City, in which he has recently recommended businesses actually sponsoring schools on-site within the business' -- the Board of Education in Livingston providing the teachers and the books.

This would help us in our State enormously with single-parent families and with the fiscal issues we will be confronting.

3) School site management councils. Now, I use that term in a different way.

ASSEMBLYMAN NAPLES: Repeat that, please, Marilyn.

MS. ARONS: School site management councils -- I alert you, I am not using it in the way that it has been used twice thus far today -- similar to those presently being developed by Dr. Fernandez in New York, and to those presently existing in Chicago, should be created within the 611 school districts in the State of New Jersey. It is indeed ironic that former Education Commissioner of New Jersey, Carl Marburger, has pioneered these councils in several other states, and yet is a prophet without honor in his own State -- school site management councils incorporating, democratically, parents, teachers, administrators, each making decisions jointly, without one person having more power or more vote than another. This has proven very successful in other states. We have never implemented it, to my knowledge, in New Jersey.

4) All parent advisory positions at every level and in all areas of regular, compensatory, special, and gifted education, must not be appointed by State, county, or local education officials. Parents have the right and, in fact, Federal law requires that they elect their own parent representatives to any advisory position at any level of government. I point out, as a matter of law, parents cannot be handpicked and appointed. They must be elected by other parents to any federally funded parent advisory council.

The present State selection of parents to such council is analogous -- with all due respect -- to putting the fox in charge of the chickens.

5) All school-based decisions must occur on a nonpartisan basis. Respect must be given to those of differing

opinions, if the richness of choice and options within our State is to be preserved.

Indeed, according to the statutory language of T&E, education is an evolving and growing concept based upon the ability to adapt to new demands of our world. We owe a disciplined and questioning approach to this evolution of nurturance and instruction of our children in New Jersey, if our grandchildren and, indeed, our planet, are to survive.

The hope for our future is the vision of our State forefathers, who looked wisely ahead and knew that all citizens had to be involved in a democratic and meaningful -- emphasis on "meaningful" -- way. We hope we are finally, after 15 years of T&E -- actually 14, since 1976 -- we will finally have the opportunity to become meaningfully involved.

Thank you very much.

ASSEMBLYMAN NAPLES: Thank you, Ms. Arons. I appreciate it. By the way, Ms. Arons is, in my opinion, one of the leading advocates in the State in the area of developmental disabilities, and has done a lot to help mucho, mucho parents in the State. There is a chapter in each county. Thank you, Marilyn.

Last, Ruth Watson, PIC -- Parent Information Center?

MS. ARONS: (speaking from audience) She could not come because--

ASSEMBLYMAN NAPLES: She could not make it. We also have a couple of other people -- Ann Cirillo, Parent Information Center, Teaneck School District -- or, Teaneck School System. Ms. Cirillo? (no response) She is not here, I take it. Okay. I guess that's it.

Where do we go from here? Well, two places. We sift through the information at the next place, Glen Gardner, next week. Thank you very much. I appreciate it.

(HEARING CONCLUDED)

APPENDIX

ELEMENT #5: FACILITIES

Testimony to the Assembly Education Committee
regarding

"Monitoring of Local School Districts under
the 'T and E' Law"

presented by

Vincent Doyle, Ph.D.
School Business Administrator/Board Secretary
Teaneck Township Public Schools

March 13, 1990

(Note: All opinions expressed herein are solely the author's)

What Is Element #5?

Element #5, Facilities, of the Department of Education's "monitoring of local school districts," addresses the statutory provision that:

> "Each school district shall provide, for all children who reside in the district and are required to attend public schools..., suitable educational facilities including proper school buildings and furniture and equipment, and convenience of access thereto..." (N.J.S. 18A:33-1, et seq.)

As interpreted and implemented by the Department of Education, local school districts are required to:

a) develop and implement a five-year comprehensive maintenance plan (N.J.A.C. 6:8-4.3(a)5i);

b) perform an annual inspection of buildings to insure adherence to health and safety laws (N.J.A.C. 6:8-4.3(a)5ii);

> ... including conformance with the Department's interpretation/enhancement of Uniform Construction Code (U.C.C.) "use groups" definitions;

c) upgrade or eliminate all substandard classrooms (N.J.A.C. 6:8-4.3(a)5iii); and

d) review and revise the long range facility plan every five years (N.J.A.C. 6:8-4.3(a)5iv)

What Is the Purpose and Intent?

Simply stated, the goal of monitoring Element 5: Facilities, is to ensure that every New Jersey public school pupil received an education in a physical environment that is hospitable to the instruction being offered, and devoid of circumstances that may endanger the child's health or welfare.

It is an appropriate goal, and one which ought to be an accomplished fact, in every building, in each of the 600 school districts in this state.

Likewise, the system of regulations, and their in-the-field interpretation, that support this goal ought to be easily understood, cost efficient, and assist local districts in providing "suitable educational facilities."

Finally, local boards of education and responsible school officials ought to be able to demonstrate that substantial progress has been made toward achievement of this end --- within reason, given available resources and cooperation of other (appropriately) participating authorities.

What Is the Problem?

My purpose in coming before you today is not to debate whether children ought to be provided with facilities which enhance the delivery of quality education. It is their statutory right.

Likewise, I'm not here to oppose "accountability." It would be thoroughly inconsistent for boards of education and school administrators to object to scrutiny of their stewardship. In an educational institution where we expect children to achieve, and (over a period of time) learn to take responsibility for their actions, adults (within that same institution) ought to exemplify the standard of accountable behavior.

In partnership, those who establish the parameters for the accountability model --- "monitoring" in Department of Education parlance --- must also assume responsibility for the processes by which their system functions. Such procedures (minimally) should:

- be clear, concise (i.e. reasonable), and readily available/accessible,
- enable facilities upgrades, changes-in-use, and documentation requirements to be accomplished efficiently and expeditiously (i.e. without wasting money on the "paper-work" and bureaucracy, and while moving projects and applications swiftly), and
- be "responsive" (i.e. proceed with a teamwork attitude, not encumbered with an "I gotcha" approach)

Unfortunately, the "monitoring" procedures for Element #5: Facilities evince little of the above. That is the problem I wish to address.

The practitioner must wade through a byzantine maze of statute, administrative code (sometimed labeled "enhancements"), memoranda, and "interpretations" (which are not in print, altered almost by season, and are routinely attributed to unnamed sources in Trenton). This never-stationary target results in excessive paper-work and purposeless bureaucracy --- that needlessly cost districts money that otherwise could have gone into facilities rehabilitation. (Examples will be provided shortly.)

Every facilities project or "change-in-use" proposal seems inevitably trapped in a warp of time delays and pursuit of tangential detail. The system's inefficiency substantially inhibits districts' ability to meet the requirements of Element #5. (Again, examples will be provided momentarily.)

Finally, the Departmental agency entrusted with facilities review/approval has a completely myopic view on how to provide "suitable educational facilities" for public school children. The Bureau of Facilities Planning Services is more concerned with whether every item on some checklist is completed (regardless of whether it is pertinent), rather than whether an educational space can safely be put into service, expeditiously, so that children receive services.

The Bureau exhibits no vision of purpose as to why they are in existence. Their purpose should be to assist local districts in getting needed instructional spaces "certified" and functioning in as rapid a time as possible (i.e. to "facilitate" education). Instead, they've become a bureaucratic impediment to progress. Again, actual examples will be cited.

- - - -

Please note, I wish to exclude from these comments the Bergen County Office of Education, and the Assistant Commissioner for Finance (to whom the Bureau of Facilities reports). I have found both to be cooperative and constructive, especially so given the circumstances in which they function.

- - - -

What Are the Examples of These Inefficiencies?

1. Clear, Concise, Ready Available Procedures. To evince the byzantine nature of the "system," can someone please show me that one compendium of regulation under which our facilities are monitored?

   It doesn't exist.

   We have statute books, that are updated annually. Insert pages to administrative code arrive sporadically, and long after adoption. The New Jersey Register is available, revisions though are sometimes published late or adopted on an "emergency" basis. Indeed, the whole "process" for developing educational code, and especially incorporating "input" needs to be radically altered. We also receive Department memoranda, which seem to have the effect of administrative code, and verbal "interpretations" thereof, sporadically.

   All are important, but nowhere does one, annually updated compendium of Facilities requirements get published. Why not? If this element is such an important phase of "monitoring" --- of doing one's job of caring for learners' well-being, --- why hasn't the centralized regulatory agency compiled all of the requirements into one readily accessible source?

2. Documentation Requirements. Without question, the biggest boondoggle afflicting local school districts in the "monitoring" of Facilities concerns the magic phrase

   "change in use."

   As defined in the Uniform Construction Code (U.C.C.) (of the Building Officials and Code Administrators) National Building Code (BOCA), change in use is

   > an alteration by change of use in a building heretofore existing to a new use group which imposes other special provisions of law governing building construction, equipment or means of egress...

   (Section 201., emphasis added, thus)

4X

Change of use specifically references change of use groups (i.e. from one to another), both in the U.C.C., and in the administrative code of Community Affairs (see N.J.A.C. 5:18-1.5).

They specifically define

USE GROUP E, EDUCATIONAL USES

> All buildings and structures, or parts thereof, other than those used for business training or vocational training, shall be classified in Use Group E which are used by more than five persons at one time for educational purposes through the 12th grade including, among others, schools and academies.
>
> (Section 304.1 of the U.C.C., and N.J.A.C. 5:18-1.5. Emphasis added by underscore, thus.)

Further, the words "part change in use" are codified as:

> Part change in use: If a portion of the structure is to a new use group, and that portion is separate from the remainder of the structure with the required vertical and horizontal fire divisions..., then the construction involved in the change should be made to conform to the requirements of the new use group..."
>
> (N.J.A.C. 5:23-2.6(c))

Translation: a school is a school is a school, for building code purposes.

Nowhere is it stipulated that changing a classroom grade level, or changing a classroom to a computer room, or converting a classroom to an office (or vice versa), or converting a large storage room to a small group instruction room (or vice versa) is either a

. change in use group, or

. partial change in use group

in the opinion of building code experts (i.e. the BOCA people and the New Jersey D.C.A.).

It is strictly Department of Education that has superimposed its desires beyond the building code experts. To wit, school districts are required to submit:

> Plans and specifications (including educational specifications) for the temporary and permanent construction, erection, reconstruction, alteration, conversion and renovation of public school facilities ... to the Department of Education, Bureau of Facility

Planning Services whenever a review for compliance with this chapter is necessary. An architect or engineer licensed in New Jersey shall submit the plans and specifications on behalf of the district board of education.

(N.J.A.C. 6:22-1.1(b))

Further, the types of work requiring this Departmental review include (among others):

- A change involving the total number of instructional spaces or the number of any one kind of instructional space;
- A change in the dimensions (volume and/or area) of any instructional space;
- A change in the age group or grade level of the students assigned to the school;
- A change in the general office area or the school board office building that involves instructional spaces;

(N.J.A.C. 6:22-1.1(c))

What has been <u>the impact</u> of this?

Look at some factual examples -- Hackensack school district has spent $70,000 (to date) to submit change of use plans to the Department (see attachment "A") in preparation for "monitoring." They passed, but they don't have any money (as I'm told by the author of attachment "A") to undertake facilities renovation.

Tenafly schools has spent $18,000 (to date) to submit the "educational plans" associated with change of use (see attachment "B"). They have yet to receive the Department's response to the "code review" component in change-of-use (as I'm told by the author of attachment "B"), which will entail additional costs to pay for architectural plans to meet "code" information review needs (of the Department). Their change of use plans were delivered to the Bureau of Facilities the day before the monitors walked into the Tenafly district to commence "monitoring."

The Paramus public schools attempted to submit educational plans prepared by staff, rather than pay an architect. These were rejected summarily by the Department, and the district was instructed to have an architect prepare them (see attachment "C").

In Teaneck in preparation for "monitoring," we've budgeted $50,000 to pay for Change of Use --- to draw educational specifications and architectutal plans, so that we may pass Element #5: <u>Facilities</u>.

Please note, each of these four school districts cited has a reputation for educational quality, and an unwavering commitment to adhere to all legal mandates, so as to set an appropriate example, for the children that we instruct.

So, what has all of this expenditure of money accomplished for children?

Nothing. Not one dime of these expenditures has resulted in one educational space being improved. That will cost more money, money which many districts do not have. These thousands of dollars --- and hundreds of thousands of dollars on a statewide basis --- have gove for a bureaucracy's needless informational cravings.

Why?

The Department insists on applying the term "change in use" to space utilization depicted in the Uniplan study of nearly 10 years ago. The Uniplan group never verified its data by inspecting local conditions. Uniplan was a study designed for a purpose totally different than "monitoring."

Indeed, current Bureau of Facilities staff have told me that they cannot locate, in their archives, their copy of architectural blueprints for public school buildings which are over 10 years old. Consequently, districts -- in the monitoring process -- are paying to correct a study (i.e. Uniplan) that contains factual inaccuracies.

3. Lack of Responsiveness. Obtaining a prompt review on the submission of any plans to the Bureau of Facilities is impossible. The staff is fraught with meaningless pursuit of minutia and personal in-fighting. I'll share several Teaneck examples to support these contentions.

Attachment "D" is a copy of Teaneck's application for Change of Use for this building's Math Center --- a small group instruction area. The application included: Educational specification, architectural floor plan with mechanical systems noted, the Bureau's application, etc.

It was submitted on August 8, 1989.

The Bureau's response, dated January 18, 1990 (attachment "E"), states:

> "The plans submitted are incomplete -- provide complete architectural, mechanical and electrical plans."

What's being accomplished by this pursuit of excessive detail? We're not building a new building; we're trying to comply with regulations and obtain "standard approval: on a 250 square foot instructional space, without going bankrupt in the process.

Let me continue the saga. Starting on the first Monday morning in November (1989), and for seven consecutive Mondays thereafter, I telephoned the Bureau, attempting to ascertain the "current status" on certain plans, including this small group area, that had been submitted. I was unable to get past the secretary, but left a message each time requesting a return call.

On the Friday of the seventh week (December 15th, to be specific), I ran into Assistant Commissioner Swissler at a meeting, and conveyed to him my inability to obtain a return phone call from the Bureau in seven weeks.

Fortunately, Mr. Swissler is responsive. That afternoon, I (finally) received a return call from the Bureau.

Unfortunately, the story doesn't end there. In the course of dialogue with the Bureau's staff, I was informed (that on one of the plans about which I queried) that one of the Bureau's questions, originally posed on June 15, 1989, and responded to on June 28 and July 19, 1989 by Teaneck's architect, still required amplification. However, until that phone call (on December 15, 1989), no one from the Bureau ever communicated this additional need for data: to either the district, or the architect.

Five months -- no comment from the Bureau -- plans sit.

One final example underscores the Bureau's ability to function as a team in guiding school districts toward more "suitable educational facilities." Last spring Teaneck submitted educational specifications (i.e. change of use) for review.

After a period of time I telephoned the Bureau to ascertain a status report on their review. I reached one of their Educational Planners. After some searching, the individual indicated that Teaneck's plans were not on his desk, but that they probably were on the desk of

> "the other so-called Educational Planner."

I asked if my call could be transferred. The response given to me was that

> "I'd really rather not.
>
> Could I please hang up, and call that individual directly?"

- - - -

There can be doubt why the monitoring system for Element #5: Facilities, and indeed the entire facilities approval process is dysfunctional.

WHAT ARE THE SOLUTIONS?

Let us start with the easy part --- what the solutions are not.

The solution is not to provide the Bureau with more staff. Save your money. The Department's contention that the "hiring freeze" caused the delays is no longer believable. More staff will simply translate into more bureaucracy, and expand their attention to the inconsequential.

If the Bureau cannot do the job with its current staff, then it can't do the job -- period! It is time for a change.

Another non-solution is the current use of the Government Employee Interchange Act (see attachment "F"). Fully licensed municipal code officials can now make appointments with the Bureau of Facilities, to travel to Trenton, to review local district plans.

What municipality is going to send fully licensed code inspectors 80 miles down the Turnpike to endure a Bureau that took seven weeks to return a phone call?

What are Some Constructive Solutions? The first solution must start with the Legislature. When it concerns Facilities "monitoring," you must come to the cognition that the present system is so dysfunctional that mere "tinkering" is a waste of time.

A new order is needed, a radical shake-up must occur.

The Legislature must enact, and direct the Department to refocus its mission. Its prime function, and purpose for being is to provide "service to local school districts." The

"I gotcha"

mentality must cease. Unless the order is mandated, change will not occur.

To wit, the Bureau of Facilities and their entire Change-of-Use process have let monitoring Element #5.2 Facilities ... health and safety totally degenerate into a needless money-wasting fiasco.

Responsible individuals will speak out, and no longer permit to hide under the cloak of bureaucracy this dissipation of local district resources at a time when we face a budget deficit of mountain-ess proportions, and substantial taxpayer resistance to local levies. Our educational mission is too important to tolerate money being frittered away from us.

Second, the Department must be directed to prepare a complete compendium, a one source document, of all pertinent facilities statute, code, official/written and signed (Attorney General) opinions, and implementation procedures. This should be compiled, and disseminated to local districts by July 31st, and updated and re-distributed annually.

Other states accomplish this mere detail with ease. It is not beyond the scope of a well organized, service oriented Department.

Third, the term "Change in Use" must be statutorily redefined to its literal meaning in the Uniform Construction Code. The Department's so-called "enhancements" have accomplished nothing constructive. No child is receiving a better/safer education as a result of these so-called enhancements. Indeed, a strong argument can be made that the "enhancements" have been deleterious, because they have needlessly taken money away from educational program.

Fourth, to expedite the review of plans, both educational and code, I would propose the following revisions. Where new buildings or additions to existing buildings are contemplated:

. educational review -- Bureau of Facilities, and

. code review -- Bureau of Facilities, or Division of Community Affairs.

Where only renovations (including Changes in Use within existing structures) are involved:

. educational review -- County Office of Education, or Bureau of Facilities, and

. code review -- Local construction official, Bureau of Facilities, or Division of Community Affairs.

Where options exist, the choices should belong to the local district.

Note, this would produce a more effective and efficient use of the Employee Interchange Act. Local licensed officials could review district plans without incurring the time consuming trip to Trenton. Further, where on-site inspection of conditions was deemed desirable, the local official could do so, thereby rendering more informed decisions.

Fifth, a new management philosophy within the Bureau of Facilities is mandatory. Staff productivity must substantially increase, the senseless fetish for unnecessary data must cease, and their approach to local school districts and officials must be given a 180 degree correction. The focus must be turned to "service," and "cooperation."

IN SUM

This testimony must not be passed off as anti-monitoring. It is not.

I support accountability. I do, however, demand a legitimate, reasonable target. Pertaining to Element #5: Facilities, that is not the case today.

My testimony must equally not be misread as being anti-Department of Education. It is not. I've named individuals and offices that do an excellent job, I could enumerate more.

However, the office, which most directly affects monitoring, Element #5: Facilities, needs a radical shake-up. Furthermore, a substantial lack of commitment exists at the very top of the Department to resolving this matter. This condition has persisted for years.

It is the focus and intent that underlies Element #5, before real progress and accountability can be made.

A T T A C H M E N T S

ATTACHMENT "A"

HACKENSACK PUBLIC SCHOOLS
355 STATE STREET
HACKENSACK, N. J. 07601
646-8000

REV. GREGORY JACKSON
PRESIDENT
BERNARD J. SACCARO, M.D.
VICE PRESIDENT
EDWARD J. AZZATO
FRANK GAYESKI
RICHARD A. KRUSE

ANTHONY M. MARSEGLIA
SUPERINTENDENT
PETER J. CAPONE
ASST. SUPERINTENDENT FOR
BUSINESS/SECRETARY

February 15, 1990

Dr. Vincent Doyle
Teaneck Board of Education
Board Secretary
One Merrison Street
Teaneck, N.J. 07666

Dear Vince:

As per your request for the total amount of fees paid to our architect for submittal of change of use plans to date, the amount is in excess of $70,000.

If additional information is required, please don't hesitate to call.

Very truly yours,

Peter J. Capone
Assistant Superintendent

PJC:jd

ATTACHMENT "B"

Tenafly Public Schools
TENAFLY, NEW JERSEY 07670

(201) 569-4400

OFFICE OF
BUSINESS ADMINISTRATOR/
BOARD SECRETARY

March 7, 1990

Dr. Vincent Doyle
Board Secretary/
Business Administrator
Tenafly Board of Education
One Merrison Street
Teaneck, NJ 07666

Dear Dr. Doyle:

Tenafly Board of Education expended approximately $18,000 or $600 per room to comply with the State Department's interpretation of the Change of Use Law.

The cost involved the development of educational plans as well as the room plans to be submitted for any classroom that was not being used as originally intended according to the District's uniplans. These classrooms had no structural changes, but rather changes in the instructional services.

Sincerely,

Nancy T. Bocassi
Business Administrator/
Board Secretary

NTB/ij

ATTACHMENT "C"

BOARD OF EDUCATION

PARAMUS, NEW JERSEY

JEROME F. BOHNERT
BUSINESS ADMINISTRATOR-SECRETARY
(201) 261-7800

Administrative Offices and Business Office
145 SPRING VALLEY ROAD
PARAMUS, NEW JERSEY 07652

January 23, 1990

Mr. Kenneth C. Stevenson, A.I.A., Director
Bureau of Facility Planning
New Jersey Department of Education
225 West State Street - CN 500
Trenton, New Jersey 08625-0500

Dear Mr. Stevenson:

Two representatives from your Department were at the Bergen County Business Officials meeting on January 18. At that meeting, numerous concerns were raised regarding the new requirement to have an architect or engineer prepare plans for Change of Use approval.

In the past, school districts have been required, in accordance with the Administrative Code and the Department of Education Facility Planning Bureau's regulations, to submit an 8½" x 10" drawing, educational reasons for Change of Use, and basic room data in compliance with a questionnaire prepared by the Department. This year, districts who have submitted this information have had this information rejected and were directed to have an architect or engineer prepare an application for Change of Use approval by the Department of Education Bureau of Facility Planning. Upon questioning representatives from your Department, it was determined that this change in procedure was being followed based upon a revised interpretation by the Department of the Administrative Code.

In the past, districts have on many occasions changed the use of a room to a non-instructional area and merely obtained approval from the local code building official in accordance with what was the interpretation of the Department of Education. Today, if we are using, or planning to use, a facility that was originally non-educational for another non-educational purpose, we are now required to utilize the services of an architect and submit the plans to your Department for a Uniform Construction Code review.

This process requiring the Department to ascertain additional information seems to be inappropriate at this time when the Department does not have the appropriate staff to complete such a task. Our district is currently waiting seven months for an auditorium renovation approval and there are numerous other districts waiting as much as one year for other renovation approvals.

I would request that the Department consider modifying its position so as to allow districts to utilize local code officials in their district and the Office of the County Superintendent of Schools to approve Change of Use applications and to continue utilizing the Department of Facility Planning for approval of new construction and major renovation projects. Determination could be made by the Department as to what would be a major renovation project affecting educational adequacy (for example, $50,000., $100,000., etc.)

I would suggest that this procedure be implemented for a one-year trial period. During this period of time, the Department could monitor the program's effectiveness and the effect the modified program would have on improving the length of time for approval of major projects.

If the Department cannot move in this direction, it would be requested that the Department officially notify all districts of the action it has taken this year in changing the interpretation of the State's rules and regulations and in turn, allow districts to give input to the State Department of Education prior to implementing this change or further changes of this nature.

I would be glad to provide any additional information you request concerning this matter as I know many of my colleagues in Bergen County are just as anxious to provide input to the Department in regard to these recent changes in procedures.

Sincerely,

Jerome F. Bohnert

JEROME F. BOHNERT
Business Administrator-Secretary

dg

cc: Commissioner of Education
County Superintendent of Schools
Dr. Harry A. Galinsky, Superintendent, Paramus Public Schools

FRED H. THOMAS, ARCHITECT

2560 N. Triphammer Road
Ithaca, New York 14850
(607) 257-1300

666 Old Country Road
Garden City, New York 11530
(516) 222-2177

742 Alexander Road
Princeton, New Jersey 08540
(609) 243-9420

August 8, 1989

ATTACHMENT "D"

Bureau of Facility Planning Services
New Jersey State Education Department
225 West State Street
CN 500
Trenton, New Jersey 08625

Re: Franklin Middle School
Change-in-Use
Teaneck School District

Architect's Project No. 2799

Gentlemen:

This project involves a change-in-use of a storage space to a Math Center at the Benjamin Franklin Middle School in the Teaneck School District.

We have submitted the following documents to the Bureau for Final Approval.

1. One copy of the floor plan.

2. Two copies of the Final Application for Approval.

3. Two copies of the Educational Specification.

4. A check, No. 3413, in the amount of $20.00 payable to the Treasurer, State of New Jersey, as the minimum fee for the Department review of the project with the Plan Review Schedule.

Please call our office in Garden City, New York, if you have any questions regarding this submittal.

Very truly yours,

FRED H. THOMAS, ARCHITECT

Charles Dvorak

Charles Dvorak
Partner

CD:lag

Enclosures

cc: Dr. Roy Kelly, County Superintendent
Dr. H. Morris, Superintendent
W. Wisbauer, FHTA
FHTA - Princeton Office
File

16X

State of New Jersey - Department of Education
Division of Finance
Bureau of Facility Planning Services
225 West State Street
Trenton, New Jersey 08625

FINAL APPROVAL APPLICATION

Date August 4, 1989

Secretary
State Board of Education

Dear Sir:

Submitted herewith in duplicate for examination and approval are the complete plans and specifications properly signed and sealed for the following described school construction project.

A. IDENTIFICATION

School District of Teaneck County Bergen

Name of School Benjamin Franklin Middle School

Location (Main access street, avenue or road) Taft Road

Name of Secretary Dr Vincent Doyle

Mailing Address One Morrison Street, Teaneck, New Jersey 07666

Grade levels to be housed 6 to 8. Planned functional capacity 834

New Building _____ Addition _____ Alteration _____ Other (Specify) Change in use

B. COST DATA

Funds available for this project.....$ 1250.
Estimated overall cost of project.....$ 1250.
Estimated cost of CONSTRUCTION ONLY.....$ 1000.
(Exclude all fees, cost of land, paving, walks, landscaping, caissons, piling, movable furnishings and equipment)

C. SITE

Total area of site: 13 acres

D. ANALYSIS OF BUILDING

~~XXXXXX~~ Class of Construction: 2C Frame _____ Noncombustible _____ Fire Resistive _____
(As certified on bond issue)

Fire Alarm System: Manual _____ Automatic _____ Sprinkler _____

Emergency Lighting: Battery _____ Generator _____ None (Explain) _____

R-102 (8/74)
NJDE 1003-40 (Rev. 11/77)

17X

E. ANALYSIS OF SPACE

1. Instructional Areas: Attach appropriate Worksheets from the School Capacity Bulletin.

	Number	Area (Sq.Ft.)
2. Ancillary Areas: Phys. Educ.Locker Rooms	_____	_____
Phys. Educ. Shower Rooms	_____	_____
Student Activities Rooms	_____	_____
Administration Offices	_____	_____
Guidance Offices	_____	_____
Teachers' Rooms	_____	_____
Other Offices	_____	_____
Storage Rooms	_____	_____
Nurse's Rooms	_____	_____
Kitchen	_____	_____
Other (Specify)	_____	_____

F. AREA AND CUBAGE DATA: TO COMPUTE AREA: Follow procedures outlined in A.I.A. Document No. D-101, THE ARCHITECTURAL AREA AND VOLUME OF BUILDINGS.

Measure from exterior faces of exterior walls of each story. Covered walkways, open roof-over areas that are paved, porches and similar spaces shall have architectural area multiplied by .50. Do not include pipe trenches, exterior terraces or steps, chimneys, roof overhangs, etc.

TO COMPUTE CUBAGE: The sum of the products of the area defined above and the height from the underside of the lowest floor construction system to the average height of the surface of the finished roof above.

TYPE OF SPACE	AREA (SQ.FT.) Base Bid	AREA (SQ.FT.) Alternate	VOLUME (CU.FT.) Base Bid	VOLUME (CU.FT.) Alternate
Useable building space	_____	_____	_____	_____
Porches, breezeways, covered walkways, etc.	_____	_____	_____	_____
Total net building area or cubage	_____	_____	_____	_____

G. CONSTRUCTION DATA: (ADDITIONS AND NEW CONSTRUCTION ONLY)

1. Structural System

a.___Wood frame
b.___Steel frame
c.___Reinforced concrete
d.___Interior bearing walls
e.___Other (specity)

2. Floor Construction

a.___Bar joist
b.___Slab on fill
c.___Pre-cast concrete
d.___Metal pan concrete slab
e.___Other (specify)

3. Exterior Walls

a.___Wood
b.___Steel
c.___Curtain wall
d.___Concrete block, painted
e.___Wood with masonry veneer
f.___Concrete block, masonry veneer

4. Roof Construction

a.___Bar joist
b.___Wood joist
c.___Pre-cast concrete
d.___Truss (wood-steel)
e.___Other (specify)

5. Partitions

a.___Wood
b.___Steel
c.___Demountable
d.___Concrete block
e.___Other (specify)

6. Interior Finish

a.___Plaster
b.___Paneling
c.___Plaster board
d.___Painted block
e.___Other (specify)

7. Window Construction

a.___Steel sash
b.___Aluminum sash
c.___Other (specify)

8. Window Type

a.___Casement
b.___Projected
c.___Double-hung
d.___Other (specity)

9. Window Glazing

a.___Plate glazing
b.___Insulating glazing
c.___Plastic glazing
d.___Screens
e.___Other (specify)

10. Artificial Lighting of Instructional Areas: Footcandles Shown on Drawing

a.___Direct fluorescent
b.___Direct incandescent
c.___Indirect incandescent
d.___Direct-indirect incandescent
e.___Indirect fluorescent
f.___Direct-indirect fluore
g.___Other (specify)

11. Water Supply*

a.___Public system
b.___Private drilled well
c.___Other (specify)

12. Sewage Disposal*

a.___Public system
b.___Sewage treatment plan
c.___Septic tank & drain f
d.___Other (specify)

*Date approved by New Jersey Department of Health and/or Environmental Protection ___19___(water) ___19___(sewage)

13. Heating & Ventilation

a. Fuel

(1)___Oil
(2)___Gas
(3)___Electric
(4)___Other (specify)

b. Type

(1)___Steam
(2)___Hot Air
(3)___Hot Water
(4)___Other (specify)

c. Equipment

(1)___Convector
(2)___Radiant panels
(3)___Roof-top units
(4)___Central system
(5)___Unit ventilators
(6)___Heat recovery
(7)___Other (specify)

14. Heating Control

a. Zoning

(1)___Multi-zone
(2)___Individual rooms
(3)___Other (specify)

b. Type

(1)___Electric
(2)___Pneumatic
(3)___Other (specify)

15. Air Conditioned Areas

a. ___ Offices
b. ___ Open-plan
c. ___ Classrooms
d. ___ Auditorium
e. ___ IMC (library)
f. ___ Other (specify)

Equipment Used

a. ___ Roof-top units
b. ___ Central system
c. ___ Unit ventilators
d. ___ Self-contained units
e. ___ Other (specify)

16. Energy Conservation

Insulation Values

U		R
____	Roofs	____
____	Walls	____
____	Floors	____

17. Give Brief Statement on Energy Conservation

_____

_____

_____

_____

H. ARCHITECTURAL AFFIDAVIT

I hereby certify that to the best of my knowledge the above information is true and that the plans and specifications submitted herewith have been prepared in compliance with the requirements of the "CODE FOR SCHOOL PLANNING AND CONSTRUCTION" and the statutes of New Jersey relating to school buildings.

Fred H. Thomas Fred H. Thomas N.J.License No. 09447

Fred H. Thomas, Architect
Firm Name

666 Old Country Road
Street Address

Garden City, New York 11530
City State Z

(516)222-2177
Telephone No.

I. SOURCE AND AUTHORIZATION OF FUNDS

A. Source of funds Capital Outlay

B. Authorization Date March 7, 1989

C. Date of Attorney General's Approval of bonding procedures N.A.

J. APPROVAL BY LOCAL BOARD OF EDUCATION

I hereby certify that the plans and specifications submitted herewith have been approv by the board of education.

Jacqueline B. Kates
President or Vice President's Signature

20X

EDUCATIONAL SPECIFICATION

FOR

MATH CENTER

AT

BENJAMIN FRANKLIN MIDDLE SCHOOL
TEANECK SCHOOL DISTRICT
TEANECK, NEW JERSEY

AUGUST 1989

FRED H, THOMAS, ARCHITECT

ITHACA
2560 N. Triphammer Rd.
Ithaca, NY 11530

PRINCETON
742 Alexander Rd.
Princeton, NJ 08540

GARDEN CITY
666 Old Country Rd.
Garden City, NY 11530

21X

The educational specification for the Math Center at the Benjamin Franklin Middle School reflects a change in use to provide the necessary educational space for small group instruction.

Harold Mann
Superintendent of Schools

Caroline B. Kates
President, Board of Education

NAME OF PROGRAM/FUNCTION: Math Center

TOT. NO. OF STUDENTS IN PROGRAM PER CYCLE, SEMESTER,OR YEAR: 50

NO. OF OCCUPANTS: 8 PERIODS/WEEK/STUDENT: 5

TOT. NO. PERIODS IN SCHOOL WEEK: 35

NO. OF SPACES DESIRED: 1

PHILOSOPHY AND OBJECTIVES: Provide certain students with opportunities for individual and small group instruction using computer technology.

ACTIVITIES: Individual and small group instruction, independent study.

FURNITURE, EQUIPMENT (BUILT-IN MOVABLE): (See attached)

SPECIAL DESIGN CONSIDERATIONS

AUDIO-VISUAL USE:

COMMUNITY USE: None

COMPUTER USE: Eight Stations

DISPLAY CABINETS: None

LIGHTING: Flourescent

LOCATION: Near classrooms

PLUMBING: None

SHAPE, SIZE & CEILING HEIGHT: Rectangular, 250 sf., min 9'6" ceiling height.

STORAGE: Cabinets

STUDENT LOCKERS/WARDROBE: None

TEACHER'S OFFICE: None

UTILITIES: Min. 6 electric outlets

WALL SURFACES: Tackboard

WINDOWS: Preferable

OTHER COMMENTS: Provide adequate ventilation and temperature control.

New Jersey State Library

SCHOOL NAME: Benjamin Franklin Middle School

ROOM NUMBER:

PERMANENT USE: Math Center

MAXIMUM NUMBER OF OCCUPANTS AT ANYTIME: 8

FURNITURE AND EQUIPMENT TO BE IN ROOM:

Name of Item	No. of Items to be in Room	Approx. Length(ft)	Approx. Width(ft)	Unit Area (sq. ft.)	Total Sq. Ft.
1. Teacher's Chair	1	3.5	2.5	8.8	9
2. Teacher's Desk	1	2	2	4	4
3. Student's Chairs	7	1.5	1.5	2.3	16
4. Computer Stations	7	3	2	6	42
5. Bookcase	1	5	1	5	5
6. Table (Printer etc).	1	6	2.5	15	15
7. Cabinet, Storage	1	4	2	8	8
8. Cabinet, Filing	1	2.5	1.2	3	3
9. Unit Ventilator	1	5	1.4	7	7
SUB TOTAL					109
10. Net area for occupants	8			20	160
TOTAL					269

55-216
212

PETTY CASH ACCOUNT

THE BOARD OF EDUCATION

SCHOOL DISTRICT
TOWNSHIP OF TEANECK, N. J.

3413

PAY TO THE ORDER OF	CHECK NUMBER	DATE	AMOUNT
TREASURER, STATE OF NEW JERSEY	3413	8-1-89	$20.00

TEANECK, N.J. 07666
BD OF ED. $20 AND 00 CTS

PEOPLES TRUST OF NEW JERSEY
A United Jersey Bank
TEANECK, N. J. 07666

SECRETARY OR ASS'T SEC'Y

⑆021200216⑆ 403⑈00002 5⑈

25X

Teaneck School District
Franklin Middle School
Math Center

BUREAU OF FACILITY PLANNING SERVICES
DEPARTMENT OF EDUCATION

_____
Plan Number

PLAN REVIEW FEE SCHEDULE: NEW BUILDINGS/ADDITIONS

==========

1. **Building Construction Fee:**

USE GROUP E — Volume _____ x .0116 = $_____
of Building

*** Note: Applicant must calculate the volume of the building in accordance with N.J.A.C. 5:23-2.28

==========

2. **Plumbing Fees:**

Total number of fixtures and stacks _____ x $4.00 (each) = $_____

(include, but not limited to all sinks, urinals, water closets, bathtubs shower stalls, laundry tubs, floor drains, drinking fountains, dishwashe garbage disposals, clothes washers, hot water heaters or similar devices

Total number of special devices _____ x $25.00 (each) = $_____

(grease traps, oil seperators, water-cooled air conditioning units, pump utility service connections, boilers and furnaces)

==========

3. **Electrical Fees:**

A. Total number of electrical fixtures and devices.
FIRST 50 _____ is $20.00 = $20.00

(Lighting outlets, wall switches, fluourescent fixtures, convience receptacles or similar fixtures and motors or devices less than 1 H.P. or 1 Kw)

B. Increments of 25 additional fixtures or devices ____ x $3.00 = $_____
and motors of less than 1 H.P. or 1 Kw

C. Each service panel of 100 Amps or less _____ x $10.00 (each) = $_____
and service conductors, feeders, switches, switchboards and panel boards

D. Service panels in excess of 100 Amps _____ x $5.00 = $_____
Fee to be increased $5.00 per 100 Amp increment in excess of 100 Amps

E. Each motor or electric device of more than 1 H.P or 1 Kw (Motors, control equipment, generators, transformers and all heating, cooking or other devices consuming or generating electric current) x $4.00 = $_____

==========

4. Mechanical Fee: (H.V.A.C.)

Fee is 10 % of architectural volume fee _____ x 0.10 = $_____
(item 1) (each)

==========

5. Elevator Fee:

Multiply number of elevators _____ x $150.00 = $_____

==========

6. ADD ALL FEE CALCULATIONS (ITEM 1 THRU 5) TOTAL $_____

7. Architectural Fee:

Fee is 20% of total fee calculations _____ x 0.20 = $_____
(item 6)

MINIMUM PLAN REVIEW FEE IS $20.00

==========

8. Renovations, Alterations and Repair Fees:

A. Estimated cost up to and including $50,000
$10.00 per $1,000 = $_____

B. $50,001.00 up to and including $100,000.00
Add $8.00 per $1,000 = $_____

C. Above 100,000.00 Add $6.00 per $1,000 = $_____

(Applicant shall submit to the Department's cost data by the Architect or Engineer of record, a recognized estimating firm, or by contract bid. The Department will review the construction cost for acceptability)

D. For any fees not listed, please refer to Subchapter 4, Uniform Construction Code, Section 5:23-4.20 "Fees" = $_____

Total Fee Calculation = $_____

Fee is 20% of total fee calculation = $_____

Minimum Plan Review Fee is $20.00 = $ 20.00

==========

9. Standpipe Fee:

Multiply number of standpipes _____ x $100.00 = $_____

==========

10. Sprinkler Fee:

Based upon number of sprinkler heads being installed

[ ] 1 - 20 = $25.00 [ ] 201 - 400 = $250.00

[ ] 21 - 100 = $50.00 [ ] 401 - 1000 = $350.00

[ ] 101 - 200 = $100.00 [ ] over 1000 = $450.00 = $_____

==========

11. PLAN REVIEW FEE:

Calculate the total plan review fee by adding items #7,#8,#9 and renovations, alteration and/or repair fees <u>if applicable</u>

ITEM 7 $_____

ITEM 8 $_____

ITEM 9 $_____

ITEM 10 $_____

<u>TOTAL REVIEW FEE</u> $ 20.00

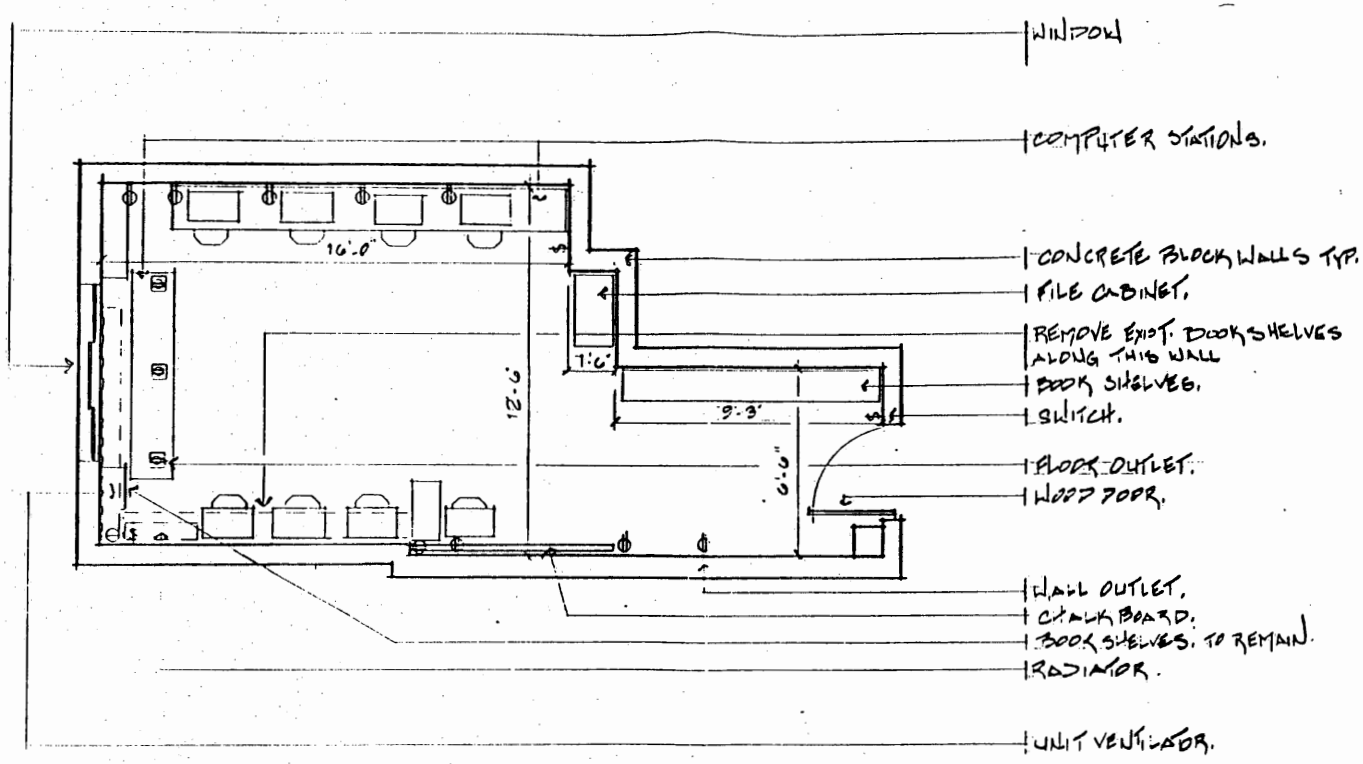
ALL CHECKS SHALL BE MADE PAYABLE TO <u>"TREASURER, STATE OF NEW JERSEY"</u>

==========

<u>NOTE:</u>

B.O.C.A. Code Variation Fee - Class I Buildings = $150.00

*** Applicant must submit variation application with above fee ***



1 SK-1 MATH CENTER FLOOR PLAN

SCALE: 1/4" = 1'-0"

Fred H. Thomas Architect
Princeton Junction N.J.

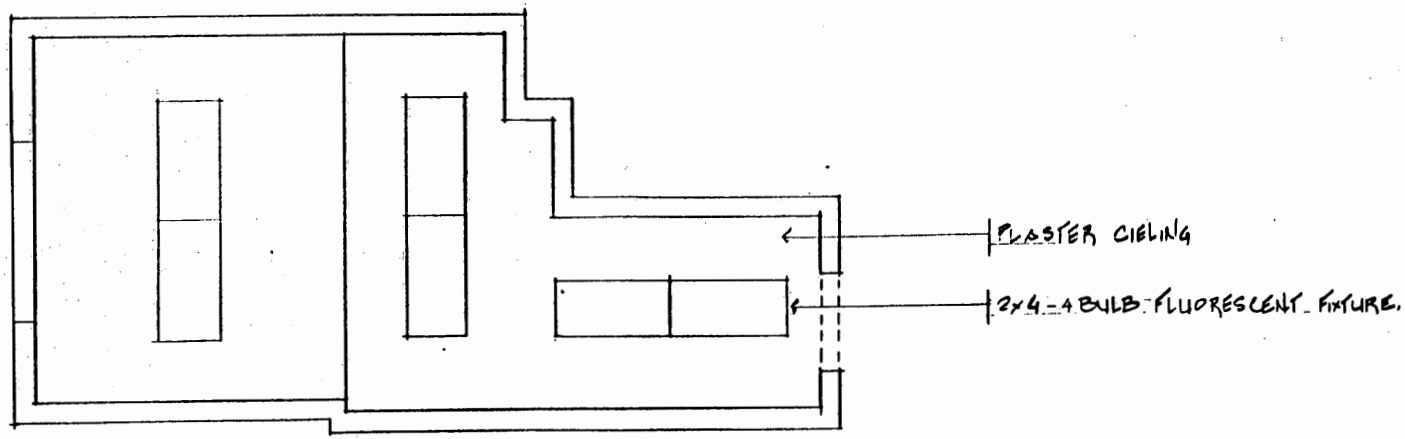
TEANECK CENTRAL SCHOOL DISTRICT
FRANKLIN MIDDLE SCHOOL
MATH CENTER

Job No. 2799
Date: 7-11-89

Drawing No.
SK-1

Fred H. Thomas

29X



1 SK-2 REFLECTED CIELING PLAN
SCALE: 1/4" = 1'-0"

Fred H. Thomas Architect
Princton Junction N.J.

TEANECK CENTRAL SCHOOL DISTRICT
FRANKLIN MIDDLE SCHOOL
MATH CENTER 30X

Job No. 2799
Date: 7-11-69

Drawing No.
SK-2

1/26/90

ATTACHMENT "B"

State of New Jersey
DEPARTMENT OF EDUCATION
225 WEST STATE STREET
CN 500
TRENTON, NEW JERSEY 08625

January 18, 1990

Fred Thomas Associates
Mr. Charles Dvorak, Partner
642 Alexander Road
Princeton, NJ 08540

Re: Teaneck School District
B. Franklyn M.S.-(Grades 6-8)
Change-in-use
Project No. @799
Bergen County
State Plan #90146

Dear Mr. Dvorak:

Our review for Code compliance of your final plans and specifications for the above project has been completed. Before we can recommend approval to the State Board of Education, it is necessary that we receive additional information and/or clarification for the following which are listed by sub-code:

GENERAL REVIEW-EDWARD J. CACACE

1. The plans submitted are incomplete-provide complete architectural, mechanical and electrical plans. Provide a key plan showing location of proposed project.

Note: A "change-in-use" as defined in the "School Facility Planning Services" (N.J.A.C. 6:22) regulations is different then the term "change of use" as used in the "Uniform Construction Code" (NJAC 5:23) which relates to a change of use group (changing a storage room to math center) and requires the new use to fully comply with all code requirements.

This is to confirm my telephone conversation with you on December 18, 1989, Irv Peterson of your office and Dr. Vincent Doyle on December 15, 1989.

Your prompt submission of a letter, together with two copies of a signed and sealed revised drawings, specifications and/or addendum, whichever is applicable to eliminate all of the above items, by sub-codes, will expedite approval of this project. Please mark in red one copy of the above material indicating the corrections.

Sincerely,

Kenneth C. Stevenson, A.I.A.,
Director
Bureau of Facility Planning

KCS/EJC/dmo

C: County Superintendent
Superintendent
Board Secretary
Board President

ATTACHMENT "F"

STATE OF NEW JERSEY
DEPARTMENT OF EDUCATION
CN 500
TRENTON, N.J. 08625-0500

OFFICE OF THE COMMISSIONER

August 28, 1989

TO: School Board Presidents
Chief School Administrators
Board Secretaries/Business Administrators

FROM: Saul Cooperman
Commissioner

SUBJECT: New Steps for Expediting State Reviews of School Construction Plans

I am keenly aware of the problems many of you have faced in receiving state approval of school building construction plans. As I have previously described to you, last year's state job freeze prevented the department from hiring staff to meet the recent increase in demand for reviews of school construction plans. Since I last communicated with you, the Department of Education has taken direct action to improve the situation. We have also introduced a new option to help expedite school construction plan reviews.

Here are the key steps we are taking:

- To expedite reviews of school construction plans, the Department of Education has hired 16 licensed reviewers who are working part time three nights a week. In the past several weeks these reviewers have significantly reduced the number of backlogged plans. Thanks to these redoubled efforts, we have completed all school construction reviews that were awaiting approval for September 1989 and are starting to review plans scheduled for September 1990.

- Next month, the state will begin awarding contracts to state-licensed private code review firms who will be hired by the department as subcontractors to review school construction plans.

- Most significantly, we have developed a new option in consultation with the Attorney General's office and authorized by the Government Employee Interchange Act, N.J.S.A 52:14-6.10 et seq. Under this plan, local municipalities will be permitted to allow their fully licensed, local municipal code officials who are willing to participate to travel to Trenton on behalf of their home school districts and review local

school construction plans under a specific agreement with the Bureau of Facility Planning Services.

This new option could be the best promise for quickly reducing the remaining backlog of school construction plans. It is designed to assist the department and local school boards through a written agreement that would allow designated Uniform Construction Code (HHS) license holders from a municipality in which the school building will be constructed to be "loaned" to the Bureau of Facility Planning Services. The municipal inspector would arrange with the Department of Education to work in Bureau of Facility Planning Services offices in Trenton during regular business hours and review plans for school construction planned within that municipality only. The local building inspector will be responsible for the certification of the assigned work and must sign construction plans he or she reviews. Final plan approval will be the responsibility of the Bureau of Facility Planning. School boards interested in participating in this temporary, optional construction plan review agreement should write to the Director, Bureau of Facility Planning Services, New Jersey State Department of Education, 225 West State Street, CN 500, Trenton, New Jersey 08625.

It is important to note that I have directed an analysis of other options that will have a long-term affirmative impact on facilities construction reviews. I know this has been a difficult and frustrating time for all school officials who have been planning to build new facilities. As a former school superintendent, I realize there are serious educational and fiscal considerations involved when vital school construction plans are delayed. I assure each of you, however, that we are doing everything possible to resolve the current situation.

I encourage local school districts and their municipalities to consider using the new option. In the meantime I will continue to keep you posted about our progress. Thank you for your patience and cooperation.

SC/rhs/5:220P

TESTIMONY

OF

DR. HARRY A. GALINSKY, SUPERINTENDENT OF SCHOOLS

AND

DR. JANICE DIME, ASSISTANT SUPERINTENDENT OF SCHOOLS

PARAMUS, NEW JERSEY 07652

MARCH 13, 1990

HONORABLE MEMBERS OF THE ASSEMBLY EDUCATION COMMITTEE:

We would like to share with you the Paramus experience with the T&E monitoring process and to make the following points:

1. We believe that the last two cycles of monitoring have had a positive impact on the overall program in our district. Facilities have been improved, curriculum updated, and a heightened awareness of the process by the entire community has been developed.

2. We have spent a significant amount of time and financial resources in our efforts to comply with all the regulations. However, at no time has the daily educational program been adversely impacted. Business as usual has been the theme as we have looked to shield the classroom teachers from any interruptions to their daily routine. We have been successful in this regard.

3. We have received considerable advice and support from the county office as we prepared for the monitoring process. A pre-monitoring visit to review facilities, workshops, and responses to questions have been the normal process in Bergen County. It certainly reduced the anxiety as well as prepared districts for all the requirements. There were no surprises.

4. We have used the compliance visit to get things done by our board and staff that might not have moved as quickly and with as much support as we have encountered in other years. As one illustration -- the board policy manual was revised and updated; a priority that we have addressed before but without as much success.

5. Despite good experiences during the first two cycles, we believe that it is time to make changes in the monitoring process. We believe that the successful districts having now been identified should be monitored less frequently (every ten years like the Middle States model with a five year mid-term report). We believe that we should move from a strictly compliance model pass/fail to a more qualitative assessment that allows districts time to make corrections before a final determination is made. We believe that deregulation should be a reward for high performing districts that continue to get results. It is a greater incentive than more money.

In conclusion, we have not experienced many of the negative consequences that have been reported throughout the state. Bergen County may be reflecting the quality of its schools, but monitoring has not been the prime activity to the exclusion of education. Education is alive and well despite the rigorous and heavy workload that monitoring can produce. Monitoring is in need of changes, and less regulation for districts that are getting good results should be an incentive and outcome.

PRESENTATION BEFORE : PUBLIC MEETING FOR MONITORING

LOCATION : BEN FRANKLIN MIDDLE SCHOOL

DATE : MARCH 13, 1990

PRESENTER : PASCHAL H. TENNARO

My name is Paschal Tennaro and I have been employed as the T&E Coordinator in the District of North Bergen in the County of Hudson since 1976. In addition to being the T&E Coordinator for the District, I am also principal of John F. Kennedy School, 1210 - 11th Street in North Bergen which is a K through 8 school. In addition I am a former Board of Education President of a Bergen County Community. It was during my term as President that this school district was monitored.

Therefore, based on my professional background as a former Board President, T & E Coordinator, Principal and mostly as a team leader who brought our district out of Level 2 to certification, I feel my testimony can knowledgeably address the topic: How Regulations and Monitoring Affect Educational Quality.

Up until 1976 almost every industry, except for education, had procedures set for quality assurance based upon given indicators of success. Hospitals, for example, have a Joint Commission Survey in which every 3 years an external group evaluates the hospital based upon set criteria. Failure to comply means a loss of federal funding. As a resident who uses a community hospital, it is important that they are monitored and certified. I, as a lay person, can only look at the exterior and can only evaluate the quality of care with laymen' knowledge. It is reassuring to know that an outside agency is setting the standard and requires hospital professionals to meet the mark. Should schools be any different? How can the average citizen who sends their child to school feel certain that standards have been set and are being monitored? How can a Board of Education, comprised of mostly lay people, know that the professional staff is truly meeting established standards? It was in 1976 with the passage of the Public School Act that the State Department began its long road toward quality assurance.

The educational system needs a quality assurance mechanism which monitoring provides. I strongly believe that if we in New Jersey are to maintain and increase the quality of education for all children that we have an external monitoring system. The state board has done that which, I feel is imperative. They have established a framework in which all districts should operate, outlined in the 10 elements of the monitoring manual. Each element outlines the standards of performance, by way of the indicators in these elements. Having this blueprint, the State Board has set in place a way for all children in New Jersey to have the educational opportunity which will prepare them to function politically, economically and socially in a democratic society.

We in Hudson County are extremely fortunate in having an exceptional County Superintendent. He encourages creativity and new programs in the county and also recognizes talent in his county. Through the many meetings he holds, he encourages districts to share and help each other to provide the best for their students. With his county staff, he provides technical assistance where needed. It was this assistance that enabled our district to move out of Level 2 and be certified. It

was then our responsibility to maintain constant and vigilant internal monitoring. We have done this for the last three and a half years and feel confident that this self monitoring has maintained the quality of our district.

As a Board President I felt that monitoring enabled the board to have an external instrument in which to measure the success of its district. I also felt that the indicators in the monitoring manual were assisting the Chief School Administrator in his attempt to in-service the board concerning the operation of the school district. It was also a vehicle that was used in explaining to the taxpayers why certain funds were needed for capital outlay. This new monitoring did have drawbacks. Many activities wanted by the Board of Education had to be put on hold by the Chief School Administrator since most of his energies had to be used to prepare for monitoring. It also required expenditures of funds to create additional secretarial and administrative positions in preparation for monitoring. I did not find this to be the case in 1983 with the previous monitoring model. While significant administrative time was required in preparation, additional staff was not required. In addition, the district was allowed 20 days to rectify problems that were observed. I question if the change in monitoring justifies the amount of money spent on additional personnel and supplies for monitoring. Does it also justify the entire focus of the school district for that year in preparation for monitoring? To the question I answer no. I know for certain that the Supt. of that district would rather have redirected his energies, used funds to develop or enrich different programs and directed his staff in more productive activities.

As an administrator, I have seen the great effect monitoring has had on the districts in Hudson County. Each element directs the operation of the school district. The required planning focuses on educational needs, on concern for the physical plant, on assessing new students, on improving teacher attendance, on involving the community in the decision process. Above all a budget was formulated which truly became an educational document. Districts working collectively as support systems, as evidenced in hudson County, evolved because of monitoring. Parents feel secure that the school their children attend meets the same standards as other New Jersey schools. School Superintendents have the authority to recommend appointments to the board without overt political interference.

While I am a advocate for the intent of monitoring based on established standards I must restate its major drawback. With the change in monitoring called Phase 2 - the amount of time spent by teaching staff and administrators in preparation for monitoring is not translated into quality education for the children of New Jersey. Each school in our district has one to two file cabinets with documentation covering each one of these indicators. In order to fill this file, teachers are required to: keep minutes of all meetings held, have agenda sheets and sign-in sheets if a meeting deals with an indicator, keep a weekly log to document 150 minutes a week of health/phys. ed., photocopy pages of their plan book which reflects their FIP, Study Skills, Library Skills, Cultural Week, etc., etc.. etc.. You may ask why are they doing all this work. The answer is very simple. Districts have heard stories from other districts throughout the state concerning all areas of monitoring. You must document everything. The amount of preparation time and instructional time lost is being compounded as districts near monitoring. Administrators also loose productive time. They are concerned that during monitoring a person uses an extension cord, someone places a book onto of a shelf closer than 24 inches from the ceiling, someone forgot to bolt a filing cabinet, a fire-extinguisher was placed 55 feet from another one, rather than 50

feet. Are these fears real or imaginary? We have heard stories of districts who had these experiences and have failed as a result. These safety issues are important and should be required. Required to be repaired immediately but should not cause a district to fail monitoring.

In conclusion, it is my belief that the intent of monitoring has positively affected educational quality. There must be a change in what is perceived as punitive monitoring, usurping the time of many talented people.. Must districts go to the extent of making photographic albums of the monitoring experience to give to the monitors when leaving? Couldn't those energies have been better utilized elsewhere, not to mention the cost to the taxpayers. Do districts really have to hire tractor trailers, as was the case in one district, where they cleared their schools of all extra supplies so no one was tempted to stack materials within 24 inches of the ceiling? I'm happy to say these activities haven't happened in Hudson County.

Why do we fear not being certified? Yes, it is true no one wants to fail. Yes it is true that we want positive news media that will enhance our community support. Our true fear in our district is that if we do fail, it is like stepping in quick sand. The amount of time spent on preparation for monitoring is nothing compared to what is required when you enter Level 2. This is a direct quote from some communities who are in Level 2 and 3.

It is my recommendation to this committee that we maintain monitoring in the form it held in the early 1980's and allow the county office to continue their role as a support system providing technical assistance.

BAYONNE PUBLIC SCHOOLS
BAYONNE, N. J. 07002

JAMES H. MURPHY
SUPERINTENDENT

(201) 858-5817

TESTIMONY OF JAMES H. MURPHY BEFORE THE ASSEMBLY EDUCATION COMMITTEE

MARCH 13, 1990
BEN FRANKLIN MIDDLE SCHOOL, TEANECK, NEW JERSEY

I am James H. Murphy, Superintendent of Schools for Bayonne, an urban school district which successfully passed Level I state monitoring in 1984 and again in the spring of 1989.

I believe that a state monitoring process is an essential and necessary instrument to assist school districts in carrying out their mission and also an accountability instrument to assure parents and the taxpaying public that school systems are meeting at least minimal standards.

During the past decade, the state monitoring process has evolved from a loose set of guidelines into a comprehensive and complicated bureaucratic system which must be modified during the next few years to achieve new objectives.

Overall, in Bayonne, the monitoring system has had several beneficial outcomes. Our school system was moving forward to improve the delivery of quality educational services before the T&E Law and monitoring. Monitoring accelerated facility repairs, curriculum revision, and focused attention in an urgent manner on the need to improve test scores, student attendance, and other components of the school system. The entire school community worked together, took the extra step, and resolved that the standards would be met.

continued.....

On the negative side, the monitoring elements and associated costs completely overshadowed any other district objectives or priorities. Available financial resources were used to pay the very substantial costs to achieve compliance. Other initiatives were postponed. The danger of "teaching to the test" had to be dealt with as a real concern. A distressing element of fear haunted some personnel. Realize that from 1984 to 1989 the amount of state aid received by Bayonne did not increase but the school budget grew by $9 million thereby shifting an increased burden to the local property taxpayer. Monitoring added to the financial problems with no financial help from the state.

While intensive monitoring will be necessary for additional years in a small number of school districts, I believe that the existing monitoring process can be modified for the vast majority of school districts to allow the county and state education offices to concentrate their efforts on school districts with critical problems. Why continue to spend the time revisiting certified districts with few problems? The monitoring process has identified the districts with the critical needs. Now is the time to devise the creative solutions to assist the districts in critical condition and target the necessary human and financial resources to help them achieve the state standards.

Monitor the certified districts formally every ten years instead of five years and routinely screen the annual reports required from every district to detect any emerging problems. Concentrate the current over extended county and state office personnel in those districts which have the obvious problems. Eliminate the negative labeling aspects, give credit to districts who have made substantial progress toward certification, extend to a degree the timelines to enable districts to correct deficiencies detected in the pre-monitoring visitation, recognize that some monitoring

continued.....

elements should have a greater weight, and acknowledge the impact of state funding on the condition and health of distressed school districts.

In the future, a modified monitoring process should foster the improvement of quality educational services for the children of our State; serve as a bond between local school district and the Department of Education for the achievement of common goals in the delivery of those services; and, serve as a conduit to communicate, to New Jersey citizens, information regarding the positive achievement of public school districts, as well as areas that are in need of improvement.

The fusing of Middle States Accreditation and monitoring, targeted in-service for school district personnel, the development of pre-monitoring checklists and resource guides, and more involvement by the professional educational organizations are thoughts to consider.

We want to make the process better. My association, New Jersey Association of School Administrators, has a broad based monitoring committee at work to assist the process. The State Education Department has implemented some of our suggestions. We believe that additional improvement in the process is essential.

Thank you for this opportunity to allow me to express my thought to you today.

James H. Murphy
Superintendent of Schools
Bayonne Public Schools

PUBLIC HEARING
NEW JERSEY ASSEMBLY EDUCATION COMMITTE ON THE CURRENT REGULATIONS AND PROCEDURES FOR MONITORING OF LOCAL SCHOOL DISTRICTS (P.L. 1975, C.212)

Dr. Andrew Korshalla, Superintendent
Old Bridge Township Public Schools,
Middlesex County

I want to thank you for this opportunity to provide some input on the monitoring process as it is now being conducted. The community of Old Bridge has over 50,000 residents, covers 42 square miles and is located in Middlesex County. Our school district is K-12 and a Type II district with a student population of 8,000 students. We have 11 elementary schools, 2 middle schools and 2 high schools. The district has more than 1000 employees.

The Old Bridge School District was successfully monitored in November and December of 1989. Not only was the process a success in terms of "passing" all of the forty-three indications, but is also proved to be a positive force in unifing the Board, Administration, Staff, Union Leadership, Town Council, Parents and the general Community. It was during the planning stages and during the actual monitoring that a sense of pride surfaced among our staff and community members. We became a team with a strong determination to have a successful monitoring experience.

The public wants its schools to be accountable. Concientious educators, welcome assessment of their performance. They want to know, "how are we doing?" Monitoring as an accountability process meets this need. We all agree that what gets examined gets done!

Yes, monitoring is a thorough, vigorous and intense process. And yes it may be possible that somewhere a monitor or two may tend to get "carried away" with the process. However, this was not the case with Dr. Brinson, Middlesex County Superintendent and her staff. They were extremely helpful, supportive, positive, cooperative and most

professional! To our employees the "County Office" were "real people". There was no fear. If you have confidence and believe in that which you do for the students, there is no need to fear evaluation and in fact you should welcome it.

A school distirct's attitude is also key in the monitoring process. If monitoring is approched as a positive experience it will be just that. If it's approached as a negative task it will most likely result in a negative experience.

Where there specific benefits derived from the monitoring experience? Yes, most certainly there were. Among them:

1. Increased parent involvement in our schools.
2. Increased commitment by our staff.
3. Unity of purpose among the Board, Administration, Staff and Parents.
4. Establishment of achievable goals and measurable objectives.
5. Articulation of curriculum.
6. Continuous curriculum evaluation and improvement.
7. Expansion of program offerings
8. Improvement of educational services.
9. Increased attention to student achievement.
10. Much needed Longe-Range planning.

I've heard some concerns about the monitoring process. Let me react to some of these complaints as monitoring happened in our district.

I've heard people say monitoring is expensive, even into six figures. Maybe if we counted all the time and the money spent on facilities, it could have come close. But our time was spent on educational tasks like curriculum, students in need, remedial, disaffected, disruptive and of course special education. In reviewing for monitoring, we concentrated on making certain that our curriculum was what we wanted to be and that no student fell between the cracks without the help needed. I do not consider that a waste of time or money on non-educational tasks.

Also, maybe if we counted what we spent on facilities, that six figure might have been reached But what we spent in facilities was badly needed to provide healthy and safe buildings as required by law. Monitoring brought these needs to the attention of the Board and

they put forth the money to bring us to the minimum of where we should have been.

It is my understanding that some horror stories are being circulated. No horror stories occurred in our district. The Middlesex County monitors put the staff at ease, so much so that teachers were asking them to come into their rooms. It is difficult to believe that it could be so different in other counties.

Paperwork seems to have become an issue. Maybe we at the district level, in our exhuberance, documented more than we had to. We considered it very important to us to pass. Our district needed and wanted it badly. Maybe other districts were over enthusiastic also.

I believe that the monitoring process is valuable and it serves to help insure that the best interests of the students are served. But as it evaluates the work of others it too should be evaluated. For it is only through honest and close scruting that monitoring will continue to meet the purpose for which it was designed--- to insure a "Thorough and Efficient System" of education for New Jersey's learners.

It is with this in mind that I wish to commend the members of this committee for conducting these public hearings. We have a good thing here with monitoring. Let's see how, where, and if we can make it better.

In summary allow me to state that the monitoring process was a very uplifting and positive experience fore the Old Bridge School District. This process helped us to work on educational improvement in a way we had never before experienced. And we are determined that there is "life after monitoring" which means we will use the process on ourselves to continually measure ourselves and improve our district. . We believe in the process.

WEST MILFORD TOWNSHIP PUBLIC SCHOOLS
MARSHALL HILL SCHOOL

OFFICE OF PRINCIPAL

210 MARSHALL HILL ROAD
WEST MILFORD, N.J. 07480

TELEPHONE: 728-3430

March 12, 1990

Assemblyman Charles Naples
Chairman, Assembly Education Committee
Education Section
Trenton, New Jersey 08625

Dear Assemblyman Naples,

I am pleased that your committee has provided the public with an opportunity to express views regarding State Laws and Regulations Governing Public Schools. It is an honor to communicate with you on this matter.

First, I wish to speak to the areas of facility inspection. As Principal of Marshall Hill School in West Milford, I have had the opportunity to have our building inspected to determine whether our room use is in compliance with regulations. I have reorganized the room usage so that the building will be better utilized. The library was moved to a bigger location. The music room was moved to an area which is separate from the mainstream of the school so as not to be distracting to the other classrooms. The nurse's office was moved to a larger area. When we were inspected we were told that these rooms may not be approved because they were not on the original approval list. Whereas it was agreed that the changes were in fact, for the better, the change may not be continued because the rooms would not meet the new state standards.

A specific example has to do with the school nurse's area. Our original nurse's room is much too small. It was built when our building was approximately 1/3 the size that it presently is. By changing it's location, the nurse's office now has enough room for cots, testing, the maintenance of records and medications. The facilities inspectors agreed that this was so. However, to meet the new regulations we would have to have a nurse's office that would be something like a physician's office. Because we don't have a waiting room, a separate nurse's area and separate examination rooms, we are not in compliance with new regulations. Therefore, although this room is better, and although the state facilities inspectors agree that it is better, we have to go back to the original room. This means that the state requires that we use the least effective locations because of regulations.

I switched the location of the music room and the library. This places the library in the center of the building and the music room away from the primary classroom instructional areas. My thinking was that the sound of trumpets and drums would be better placed away from classroom study areas. Again, all agreed that this made educational sense. Present regulations require a ceiling height for music classes that far exceed the requirement for regular classrooms. Therefore, because the building was designed to meet the old regulations, not the new ones, I am forced to switch the rooms back to the original locations. This puts me in compliance even though the library size will still be below present regulation demands, the music room ceiling will still be too low, and the drums and trumpets will be played right in the middle of the class study areas. I find this situation to be bizarre!

(continued) 46X

I know that we all have to comply with laws. We are, as has been so often said, a nation of laws. When the laws and regulations trample on common sense, I become incensed. In my judgment there is absolutely no sense at all to having a situation where we must use an inferior facility when a superior facility is available.

I could go on into many areas with regard to regulations. However, I think that this room use situation sums up my view on this area. We are required to fill out all kinds of forms, go through inspections and generally be placed in a position of explaining why we are attempting to improve our situation. This is the height of folly.

I might add that the system that we use for monitoring districts as a whole is deficient. I believe that we need to find a way to examine the quality of programs rather than how much paperwork we can pile up to "document" that we have complied with regulations. A school principal is supposed to be an educational leader. Educational leadership, in my judgment, has to do with being in the classroom, meeting with parents, and doing all the other things that have to do with helping a school run efficiently. Most of my year is spent trying to maintain files that somebody is going to read next year to decide whether or not we have a good educational program. You know and I know that someone who is good at generating paper can make anything look good. Whereas I am anxious to have a system in New Jersey whereby we can continuously strive for an improved educational environment, I am opposed to the way things are done at this time. It seems that we are more in the business of justifying bureaucracy to keep the presses rolling than we are to actually providing guidance and support to local educational agencies.

I truly hope that you will accept my views as constructive. I in no way wish to indicate that I don't believe that our state leadership is making every effort to improve education. In fact, I think there are many steps that have been taken which are doing exactly that. However, I believe that the emphasis has become more towards paper compliance with a Damocles Sword as a monitoring approach. It is always easy to criticize. It takes real intelligence and insight to help. My hope is that our system in New Jersey will change drastically in the near future.

Sincerely yours,

Daniel Mullen

Daniel Mullen
Principal

md

Bergen County Education Association

137 Bergen Mall • Paramus, NJ 07652 • Tel: (201) 845-4764

Affiliated with National Education Association...New Jersey Education Association

March 9, 1990

Joseph Coppola, Jr.
President
Wood-Ridge High School
Wood-Ridge
939-0810

Arthur V. Rispoli
1st. Vice-President
Ridgewood High School
Ridgewood
670-2643

Barbara A. Keshishian
2nd. Vice-President
New Milford High School
New Milford
262-0172

J. Edward Hamberg
Treasurer
River Dell Jr. High School
River Edge
265-8293

Robert J. Steneck
Executive Director
Parkway School
Paramus
262-7181

The Honorable Gerald S. Naples, Chairman
New Jersey Assembly Education Committee
State House Annex CN-068
Trenton, NJ 07625

Dear Assemblyman Naples:

The Department of Education is currently deeply involved in the process of monitoring the public school systems across New Jersey. This process has become increasingly complex, making great demands on the time, efforts and resources of educational personnel at all levels, from the Department of Education itself, to the various county offices, and down to every teacher and non-professional employee in every district being monitored. Given enough time, it is likely that a thorough analysis of this process would disclose enormous expenditures of state, local and county resources; it is at least possible that such an analysis would also indicate that the positive returns from such expenditures do not, in fact, justify them.

While it is too early to think about what changes a new Commissioner of Education may wish to make in the educational policies of the state, it is certain that he or she will be called upon by all sides to take a hard look at the Thorough and Efficient rules and regulations, and the methods by which they are enforced; naturally, it is to be anticipated that much comment will be directed at the monitoring process, pro and con.

We believe that it would be prudent at this time to declare a moratorium on monitoring in New Jersey. This would save time, money and effort for all districts still awaiting visits from their county monitoring teams. It would return county office staff members to their offices, where they could once again concentrate their efforts on the work for which those offices were originally created by the state; it seems likely that the savings to the state and county governments in related travel and other costs for monitoring teams would help considerably to ease the budget difficulties with which you are faced.

continued next page

A moratorium on monitoring now would also provide a reasonable time for the new Governor to review the process, make valid judgments, and have his own analyses in hand as he goes forward with the process of selecting a new commissioner. In turn, when the new person is selected and takes office, he or she will not be faced with any more monitoring problems than might exist at the moment a moratorium is declared.

There are many good and valid reasons for monitoring. However, as it is presently being conducted, and in view of the issues surrounding both education and the financial situation in New Jersey, we recommend that the process be halted until such time as it is proved to be a fiscally and educationally sound process, and until a new Commissioner of Education has had time to analyze it and share his or her thoughts with the State Legislature and the State Department of Education.

Sincerely yours,

Joseph Coppola, Jr.

Joseph Coppola, Jr.
BCEA President

JC/bb

cc: Assemblyman William J. Pascrell
Assemblyman Anthony J. Cimino
Assemblyman Joseph M. Kyrillos, Jr.
Assemblyman John A. Rocco