
Committee Meeting

of

JOINT COMMITTEE ON THE PUBLIC SCHOOLS

“Discussion on the Interdistrict Public School Choice Program Act of 1999”

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

DATE: October 5, 2000
9:30 a.m.

MEMBERS OF COMMITTEE PRESENT:

Assemblyman David W. Wolfe, Chairman
Senator Martha W. Bark
Senator Byron M. Baer
Senator Ronald L. Rice
Assemblyman Joseph R. Malone III
Assemblyman Kevin J. O’Toole
Assemblyman Raul “Rudy” Garcia
Assemblyman Craig A. Stanley
Assemblywoman Bonnie Watson Coleman



ALSO PRESENT:

Melanie M. Schulz, Executive Director
Joint Committee on the Public Schools

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ASSEMBLYMAN DAVID W. WOLFE (Chairman): I'd like to call the meeting to order. And I'd like to thank, first of all, the Committee members for being here on time. I apologize for poking around here -- stalling for 15 minutes or so.

We have a discussion today, primarily, of the Interdistrict School Choice Program. We'll have a few reports. We'll talk a little bit about old business, and then we will, hopefully, be able to conclude our business.

As we begin our meeting today, we have two presenters that we've asked to be here. And I believe, perhaps, maybe even Senator Bark may also want to talk a little about the issue of school choice.

Jeff Osowski and Mary Torres from the Department of Education, who are really the ones who work very closely with the Legislature in crafting this legislation, are here to talk about, really, the results of a hearing that we had held previously, in which we got input from the public about school choice and changes that, possibly, might be considered. And they're here to talk about that with us. And hopefully, we can move forward with that.

So welcome.

Mary, do you want to go first, or Jeff? However you want to do it.

J E F F R E Y V. O S O W S K I, Ph.D.: I'll go first, Chairman.

ASSEMBLYMAN WOLFE: Okay, thanks.

DR. OSOWSKI: Good morning, Chairman Wolfe, Senators, and Assemblymen.

At the June 26 meeting, you took testimony from a couple of superintendents from choice districts, a parent, and also a doctoral student at

Princeton, and they raised issues surrounding sibling preference in the evaluation timetable. And we'd like to present you with some of our recommendations regarding the issues they raised, and also, of course, the issues that you discussed following their presentations.

I think it might be helpful if I just gave you a very brief status report on where we are -- what has happened since June 26 with the choice program, because we do have some additional information to present.

As you know, the first students attended choice districts this September, just a few weeks ago. And we've gotten off to, we think, an excellent start. And I always add the parenthetical statement, by design, a small and controlled start, also. There are 10 choice districts, and there are about 100 students -- a little less than 100 students attending those choice districts. The districts receiving the students are extraordinarily enthusiastic about it. The parents and students participating in the program are very enthusiastic, also. So, by all accounts, it's gotten off to a really good start.

We have added an 11th district. It's Belvidere, in Warren County. I just want to add that we had more than one applicant in Warren County, and also, good applications come in. And I raise that issue because I'd like to come back to that as you consider amendments to the choice law.

The start is small for a number of reasons. As you're aware, the regulations and law were passed late in the process last year, so we got a late start, in terms of districts being able to develop, publicize, and parents choose to participate in the program.

We think that in this next cycle, the number of students participating will significantly increase, because parents will now have much

more time to have a decision. In fact, we have provided them with two enrollment periods, one starting on November 1 and another on March 1. So a parent and student who are not ready to make a decision in the fall can wait until the March enrollment cycle. And the districts requested this, and we said they could do it. And they're very pleased that they now can take more time to get the word out. Parents can deliberate a little more about this important decision.

Of course, the districts now have more time to publicize their programs and to let others know what they have to offer. They've had time to develop their programs, and the initiative, now, is much more widely known. So we're confident that the numbers will significantly increase in this cycle and in coming cycles. But it will still be a small, controlled program, because that's the way the law and accompanying regulations have set it up.

The information we get from the choice districts is that they are getting a much higher level of interest this year than they did in the first year. And for the reasons I stated, that's very understandable.

The number of seats open for choice students in the 11 districts in the 2001-2002 school year will be 700. We do not believe there will be 700 students participating. That's the number of seats that could be filled if there was a very large response. We do, however, believe that the number of students participating will at least double in the 2001-2002 school year, although there is no real way to predict that at this stage, because the applications aren't due until November 1 and then March 1.

At the June 26 meeting, you discussed possible amendments to the school choice law, and there really were two issues that were discussed. And

you have information in your packets regarding our recommendations on these issues.

The first was the issue of participation of siblings in the school choice program. You heard a parent from the Buena district, I think it was, who has a son who, this year, is attending second grade in a very excellent choice program in the Folsom school district. And her comment was that, "I have a daughter who is two years old who will, at some point, be ready to enter kindergarten." And the way the law is currently structured, she will have to enroll in the Buena district for one full year in kindergarten before she becomes eligible to participate in the choice program in first grade. And she said, "Why do I have to do that? It doesn't make sense." And I think the Committee members agreed that that was an issue that needed to be addressed.

So I think the main point here is that it doesn't make sense to split up siblings in circumstances such as she described. And in fact, what we find is, when that situation arises, parents may choose -- in fact, have chosen to not enroll the other student because they want the package. They want both siblings to go to the school. And they say if they can't have both in one school, they want them both in the other school. And thus, they don't participate in a program that they would otherwise have participated in.

The proposed amendment that we're suggesting to you would provide an exception from the student eligibility requirements for siblings of students enrolled in a choice district. In this particular case, the one described by the parent at the June 26 meeting, her daughter would be given preference. And not only given preference, but would be able to enroll as a kindergartner in a choice district -- would not have to enroll in Buena for that full year. And

in fact, the preference requirements would be strengthened all the way around, because in 18A:36B-7, there is a sentence that said, "Lotteries shall be held to determine the selection of students. Preference for enrollment may be given to siblings." And we're suggesting that that should be strengthened to state, "shall be given to siblings who are enrolled in a designated school district on both sides of the equation -- and the sending district, at the time of application," if there is a -- if the district places a restriction on the percentage of students who can attend, but also on the receiving side so that the siblings will be given their preference.

You also discussed, at the June 26 meeting, the issue of evaluation time lines. And I think the issue here was that the law, as currently constructed, requires evaluation very early in the process, actually before we really have a track record and before we can provide -- before the Committee, which will be doing the evaluation, could gather information to provide enough information upon which to make policy decisions about the continuation or modification of the initiative.

And there was a lot of discussion around the issue of when do we get information and for what do we use the information. And I think toward the end of the meeting, there was some discussion about perhaps amending the law to allow for, for want of a better term, a formative evaluation in the timetable the law now has and a summative evaluation when the full project has run its course. And we think that's a really good idea, because to wait until 2004 to get any information on the project really creates a very wide gap in the communication-information structure, yet, to do an evaluation in January

2002 won't enable the Committee and the public to have enough information to make those important policy determinations.

So what we're suggesting is that a formative evaluation be done in January 2002 with as much information as we have at that point and recognize that, at that point, we will have the first cohort of students having completed a year and a half, and the second cohort of students -- little less than a half-year. So that would be formative -- what kind of students have attended, what's going on with program development in choice districts, what's the impact that we know at that point on both the sending and receiving districts -- but that we build in a summative, thorough evaluation at the completion of the pilot project for the fall of 2004. And I think that would accomplish both goals of providing a sort of midpoint check and information to the Committee and the public, but also having a thorough and complete evaluation upon which to make policy recommendations at the end of the project.

There is one other issue that I'd like to raise, if I may, that was not raised at the June 26 meeting, but I think is an important one. We now have gone through two cycles of selecting choice districts. In the first one, we selected 10, and that's what the law allowed. The second one allowed us to select an additional 5 districts. And we had two applications from one county, Warren County. The third one was withdrawn, right? (affirmative response) So there were two from one county, Warren County, and one from Mercer County, Trenton school district. And we didn't think that they were ready yet and gave them a lot of feedback on what they needed to do to be ready. And we selected one from Warren County of the two, both of which were good applications -- Belvidere.

The information we have tells us that it is unlikely that we will get one in each county, merely because there are some counties that have districts that don't have room. Camden and Middlesex, I think, are two good examples, where we've worked very closely with the county superintendent to try to identify districts and with the districts themselves. And they say, "I just don't have spaces. No matter how much I'd like to do this, I can't participate."

So we're proposing that you consider an amendment that would keep the total number at 21 -- that would not increase that number -- doesn't increase the size nor the controls on the pilot project, but would enable multiple districts to participate, and it's likely that it would be one more in a particular county to participate, if there are no applicants from other counties. So preference would be given to those counties that do not yet have a choice district. But if no one comes forward in certain counties and there are two in another county, then we would like to suggest that you consider an amendment to the law that would enable us to pick two in that other county.

I'll give you an example -- a real example this year. Of course, Warren County was an example last year.

In Gloucester County this year, we have three districts that have expressed an interest. And we think that they're developing really fine programs and would like to apply to be a choice district. And they say, "Well, can we have more than one." And we say, "Well, the law is currently constructed. It does not allow more than one in Gloucester County." And we could reach the point where we have, for the sake of argument, 17, with four counties who simply won't have a district coming forward but four other counties who might have another one that would come forward.

So the controls that would be built in here would be three. One was that preference would be given to the counties that don't yet have choice districts. Two is that the total number would still be retained at 21. And three is that the second choice district would be limited to 25 seats so as to not allow any one particular county to go beyond the bounds of the intent of what the Legislature really wanted to do here with the small, controlled pilot project. And we offer that as a suggestion to you for an amendment to the legislation that we think would maintain sufficient controls, but would also enable those other districts in Gloucester County, for example, to participate in, because they are very enthusiastic about being involved in this.

Mary and I would welcome any questions or comments you may have.

ASSEMBLYMAN WOLFE: I just have one question based -- relative to what you just suggested. The way that the legislation currently reads, if we did permit, let's say, two within a county, it would be impossible -- or would it be possible for different districts to be competing for the same pool of applicants for their choice school?

DR. OSOWSKI: I think that it would set up a situation -- or it could set up a situation in which -- two situations. One would be that the two districts -- let's assume there are two involved -- each have a catchment area that overlaps the others, so the competition could be there. It's also conceivable that they could have separate catchment areas and not compete, depending upon how they design their program.

ASSEMBLYMAN WOLFE: Let me ask my fellow Committee members. As Commissioner Osowski has indicated, these are suggestions that

were made by the Committee at our last hearing, especially the interim study, I think, that were proposed in the final study. That was a suggestion that was made at our last meeting.

How do you feel about this proposal, as presented by Jeffrey, so far? Do you have any questions for him?

SENATOR BARK: Mr. Chairman.

ASSEMBLYMAN WOLFE: Yes, Senator.

SENATOR BARK: I'd like to ask one question.

If we modify or amend the legislation to permit more than one choice school in a county, what would happen if, all of a sudden, a county that we didn't think was going to come in with school choice did, and we already had 21, what would happen then? Would you want to close a choice school? Because that would bother me--

DR. OSOWSKI: No, absolutely not. There would be no circumstance under which we would recommend that an existing program be closed. What we suggest is that the legislation be crafted so as to require preference in counties where there is not already a choice district. And I think where the dilemma would come up would be very late in the process, maybe the forth or fifth year--

SENATOR BARK: Right, right, right.

DR. OSOWSKI: --when we're waiting, waiting, waiting for a county to come forward -- they don't come forward, so we give it to another county. And then in the fifth year, that county comes forward. And I think that's a possible dilemma. I don't really--

SENATOR BARK: Should we cross that bridge when we come to it?

DR. OSOWSKI: That's what I would suggest -- is that that's what we do then. And I don't anticipate that being a big problem, merely because, in some counties, we're not getting any interest. And that's a reflection of space availability.

SENATOR BARK: Thank you.

ASSEMBLYMAN WOLFE: Mary, do you have anything you want to--

MARY E. TORRES: Jeff did a great job.

SENATOR RICE: Mr. Chairman.

ASSEMBLYMAN WOLFE: Senator Rice, sure.

SENATOR RICE: I always had a problem with choice period. So there's no use to me. My concern is if you have too many you may have population-- But I've always been concerned about what occurs in the selection process. "I want my child to go." "You want your child to go." And there are limitations placed on what the population's going to be. That's always been my concern in terms of choice, because I guess getting gray hair -- getting to be an old man, I've been around these cities and school districts too long to watch people's decisions and what their processes are and how they make decisions, regardless of what the law says. And to me, it creates a discriminatory and biased process, even though we try to keep it out, legislatively.

That's the concern I'm having. It's the same concern I have with just one school in the county. But the law said you would have that. So I'm

not so sure-- I just want to lay it out for food for thought, because I don't know what Essex will do, for example -- what they're doing. I do know that if we can send kids to one school that doesn't perform -- and I always said this will weaken charter schools -- and they perform -- then there's something inherently wrong with the public school system that takes the majority of our population -- and therefore we should be straightening that out and not just creating these -- continue to create to create. That's not the way to address the problem.

Whatever has worked in the choice school, you just kind of clone it, if you will, and put it in the public school. Whatever worked in the charter school, you just put in a public school.

So I just want everybody, while you have the rest of the discussion, think about that, because choice is locking the legislation. I would like to lock it out of the legislation. The question is, do we continue to add, within a county, one, two, three, four? I'm not sure. Eventually, you're not going to need public schools as we know public schools. If that's the intent of the Legislature, we should say that to the public -- up and coming session after session, Legislature after Legislature, and just ease our way out. The public has a right to know where our tax dollars go and why, in a majority, because the impact -- the majority to the negative side -- the benefits only, in my estimation, really help a select few, which means the rest of those students are falling through. So I just want to, at least, say that for the record. When I hear choice, I just get--

DR. OSOWSKI: If I could--

ASSEMBLYMAN WOLFE: Okay, thank you.

DR. OSOWSKI: Assemblyman, just a couple of quick comments. The choice project, of course, is public schools. It's kids going to public schools -- just going to a different public school than the one in which they live.

And the second comment is, we don't have a choice district in Essex County, at this time. We're hopeful that we will, though.

And thirdly, it is a purely voluntary program on the part of parents. And we're-- I think the legislation was set up to control it and keep it small but to use it as a vehicle for determining how to bring out public school improvement broadly in the state to see if, in the choice districts -- the kind of innovations that they're implementing that attract students are ones that other districts would emulate, also. And that's one of the things we'll be looking at when we do the evaluations.

ASSEMBLYMAN WOLFE: Assemblyman Malone and Assemblywoman Watson Coleman had some questions.

So, Assemblyman--

ASSEMBLYMAN MALONE: Thank you very much, Mr. Chairman.

I agree with the Senator 100 percent. I really have had a fundamental problem with the school choice and with the charter school issue, because I really do feel that it probably is, in essence, a violation of *Brown v. Board of Education*, because there is not equal access.

If you have an advocacy group or some situation, I don't think that many of the students -- and the cross section of students that are going to either charter schools or other schools, are really having an opportunity to do

that. And I think it's going to become more and more pronounced as we go through this process.

You're right. If we can introduce the same rules and regulations and processes in the public schools that they do in charter schools, I think we'd have a much better public school system. But there are some things, and I have asked repeatedly of the Department to give me information regarding the charter schools, as to what the rules and regulations are, how they are effectively dealing with students, what the number of special ed students are in the charter schools, what the disciplinary patterns are. And I haven't gotten that information. And we keep trying to compare, in my opinion, charter schools, choice schools with the regular schools. And they don't have anywhere near, in my opinion, the same level of problems. And the longer we allow this falsehood to continue, I think it's going to create a problem.

And I just think that we should really get to the heart of the issue. I've been told constantly that, "Well, we're still studying it." Well, there's information available. And Ray Charles could see it, and I don't know why we can't see it.

ASSEMBLYMAN WOLFE: Wait, wait, wait. Back up there. Ray Charles could see it?

ASSEMBLYMAN MALONE: Yes. (laughter) That means anybody could see it if they want to look.

ASSEMBLYMAN STANLEY: Let's keep Ray Charles out of this, please. (laughter)

ASSEMBLYMAN MALONE: But I'm just very concerned that the general public and the Legislature ought to be made aware of exactly what

is going on in choice schools or charter schools, what criteria they're using. I would think that you would think you were in a different world going to a charter school than you would an average public school.

ASSEMBLYMAN WOLFE: Assemblywoman.

ASSEMBLYWOMAN WATSON COLEMAN: Thank you.

First, let me say that I totally agreed with the sentiments shared by both Senator Rice and Assemblyman Malone. I have those very same concerns. I have some specific questions.

I know the proposal here is to limit the number of students to 25 in areas in which there will be more -- there could possibly be more than one school -- one choice district. If there's just one choice district, is there a limitation on the number of students coming -- that are -- that can go to that particular district -- that school, or is it just based upon how many vacancies they have at various grade levels?

DR. OSOWSKI: On the receiving side, it's only limited by what the choice district applies to us to take in. And some -- most are actually very small. On the sending side, the sending district can -- the legislation authorizes them to pass a board resolution that can limit down to -- not below a certain level. It's a rather low level, actually -- the percentage of students who may leave their school to attend a choice district.

ASSEMBLYWOMAN WATSON COLEMAN: And what is the lowest percentage by which they--

DR. OSOWSKI: It's 2 percent per grade level per year, or 7 percent of the total school population. They can limit it as low as that amount if they wish.

ASSEMBLYWOMAN WATSON COLEMAN: I look at, like, the Atlantic County one -- and actually I look at any one of them. Am I supposed to look at the open seats that are available? For instance, in Atlantic County, the total number of seats available were 71 for this school year. For Bergen County, it was 75 for this school year. Am I reading that correctly?

DR. OSOWSKI: Mary, why don't you describe what the charts say.

ASSEMBLYWOMAN WATSON COLEMAN: Then I see that the number of applicants for those 75 seats were 33 in Atlantic and 3 in Englewood. In Atlantic County, 16 students actually became choice students. Who eliminated them?

MS. TORRES: What happened in that process was -- there's a lot of things that impact it. First of all, a lot of those applications came from students that were ineligible because they came from private schools. And those students are ineligible because the requirement is they be enrolled in grades K-9 for one full year in their public school in their residence. So that eliminated a lot of those students. A lot of them decided, "I really don't want to do this." They pulled out.

All through the process this happened, even to the point where the student had filed a notice of intent to enroll -- and we had this happen a lot -- where they decided, "Oh, I really don't want to do this. I really want to go back to my district of residence." And there is a provision in there, even though that is a binding notice -- there is a provision that lets them go back to their sending district. And in every single case, that's happened.

I just wanted to point out that there's no selection process for these students. It's a first come, first serve basis. The choice districts take these students on a first come, first serve basis, unless there's more students than there are open seats. Then they hold a lottery.

ASSEMBLYWOMAN WATSON COLEMAN: Folsom, in Atlantic County, is like where in relation to Atlantic City -- the Folsom district?

SENATOR BARK: It's at the opposite end of the state, actually -- or of the county. It's very close to-- In fact, it's in my legislative district, which is composed mostly of Burlington County. And it's very close to Hammonton. I don't know if you're familiar with that.

ASSEMBLYWOMAN WATSON COLEMAN: Yes.

SENATOR BARK: It's just a hop, skip, and a jump down the road from Hammonton.

ASSEMBLYWOMAN WATSON COLEMAN: A student in Atlantic City interested in going to one of the choice schools in the Folsom district -- one of the choice -- how does that person get there?

MS. TORRES: Well, first of all, it's limited to a 20-mile radius. I believe, in their application, the choice district can limit it to a radius because they have to give a justification as to why the transportation of that student won't impact on their learning capabilities.

ASSEMBLYWOMAN WATSON COLEMAN: Twenty-mile radius-- Do you know if the school districts that are within these various counties that have already been selected-- Are any of these within the 20-mile radius of the urban -- the largest urban city in that county?

MS. TORRES: Now, Englewood and Salem -- they are the -- they are urban. So is Hoboken. I'm not sure. I'd have to check that.

ASSEMBLYWOMAN WATSON COLEMAN: There are less than 100 students that are enrolled in this choice program right now. Do you have breakdown as to their ethnicity?

MS. TORRES: We know what districts they came from.

ASSEMBLYWOMAN WATSON COLEMAN: But you don't know.

MS. TORRES: I think we kind of-- We don't really ask that question, specifically.

DR. OSOWSKI: But the evaluation would include that information. I mean, that's the point of the evaluation, both formative and summative -- to look at impact -- racial impact in other issues.

ASSEMBLYWOMAN WATSON COLEMAN: I really asked that question the last time we met, and I still would like to know the answer to the question. Of the 99 or 98 or 97 students that are enrolled in this program right now, what is the ethnicity and race of those students?

MS. TORRES: Okay.

DR. OSOWSKI: We can get that information for you.

ASSEMBLYWOMAN WATSON COLEMAN: Thank you very much.

I also want to know this. With the 97 or 98 students in this program, can you tell me the entity within the Department of Education that administers this program? What is the breakdown of staff, and how much does it cost to administer this program? And you may not be able to answer

this question today, but could you please -- and if you can, would you please note that that is a request that I'm making. And I'd like to have that information at your earliest convenience, through the Chairman.

DR. OSOWSKI: We have that kind of answer, actually. We have two professional staff members. Mary Torres is one; Anne Casale is the other one. That's it.

ASSEMBLYWOMAN WATSON COLEMAN: That's it. That's the only resources in the Department that--

ASSEMBLYMAN WOLFE: Mary, raise your hand. You're it.

ASSEMBLYWOMAN WATSON COLEMAN: Do we know what other resources-- State dollars go into this program, making it happen, supporting the students getting there, whatever the issues are. Do these--

ASSEMBLYMAN STANLEY: And the costs of the districts themselves.

ASSEMBLYWOMAN WATSON COLEMAN: Right, and the costs of the districts themselves.

DR. OSOWSKI: The legislation provides for school choice aid to be provided to the-- And we can get the exact numbers for you, also, of course, but--

ASSEMBLYWOMAN WATSON COLEMAN: Yes. Okay.

DR. OSOWSKI: --generally, the legislation provides for school choice aid to be provided to the receiving choice district and for impact aid, on a declining basis, to be provided to the sending district. They, essentially, will be the main resources, although there are categorical aids and transportation aid and so on.

ASSEMBLYWOMAN WATSON COLEMAN: I personally am interested in knowing specifically, categorywise, all the aid that goes into making this program happen and actually how much is being expended. And then I'd like to know--

This really doesn't appear to be a very successful program if we look at what's available versus what the takers are. Do we have any understanding of why?

DR. OSOWSKI: Yeah, absolutely. The first year is a slow start-up year. The regulations were passed in August of 1999, and they had to take applications over the Christmas holidays in order to be able to start their programs in September in the year 2000. The districts did not have time to publicize the programs, to develop their programs, to get out and advertise, and to let people know about what they had available. And then parents and students had to make a decision over a two-week period of time, which spanned the Christmas holidays.

The first year, we did not expect a large turnout. And so that's issue No. 1. And for the reasons I described earlier, we think that that will -- those problems will be erased this year, and we will get a much larger turnout.

However, the legislation designs it as a small program. And New Jersey's Interdistrict Public School Choice Program is generally much more controlled than other states. But even in other states where it is broad based and cuts across a wide swath and allows students to attend any district, the percentage of people who chose to participate is small. If you get 2 percent of the students participating in states that have a generic program, that's a large percentage.

ASSEMBLYWOMAN WATSON COLEMAN: I really need to look at-- I really would like to know the impact on the district that has to be the sending district.

To the cost of the program-- It's sort of like the cost versus the benefits kind of thing. There's got to be some indication whether or not such an endeavor makes sense, or if it's just draining resources so that the public schools again are having their resources impacted and adversely affect their ability to deliver their service -- their required service -- their constitutionally required service. And if, therefore, this impacts districts in a very bad way -- in a very negative way--

I don't know. I'm just sort of curious to know that. And I'd like to have those questions answered sometime in the near future, but most assuredly before -- enough time before we have our next meeting.

DR. OSOWSKI: If I may, the-- What we're suggesting -- the Committee, by the legislation, is responsible for doing the evaluation. And we're suggesting that that formative evaluation, as well as a summative evaluation, answers exactly those questions. It's a little difficult for us to answer too many questions right now, because we've got 100 kids for four weeks in a program. So we have to-- We can gather a lot of the information that you requested regarding the State aid that goes out for the pupils, the impact aid on the school districts. The larger impact question is going to be very difficult to answer when we just got it started.

ASSEMBLYWOMAN WATSON COLEMAN: And that's the subject of the report that we're asking to--

ASSEMBLYMAN WOLFE: Let me explain procedurally the way this would work. Melanie, from our staff, and Mary, from their staff, would be the ones who would prepare the interim report, which we would receive, I guess, next year -- a year from January. But then the four-year report would be one where we would probably have to request for bids that were done by an independent.

ASSEMBLYWOMAN WATSON COLEMAN: So we actually would have to be involved in the program for four years before we know whether or not--

ASSEMBLYMAN WOLFE: No. I mean, we will have an evaluation, which will begin now, which we'll get within another year -- an interim report.

ASSEMBLYWOMAN WATSON COLEMAN: In three years. That's really what we're proposing, to know about--

ASSEMBLYMAN WOLFE: Yeah, after--

ASSEMBLYWOMAN WATSON COLEMAN: --the interim report in three years and the final report in four years.

ASSEMBLYMAN WOLFE: No, the interim report is after they've been in business, let's say, for two years, correct?

ASSEMBLYWOMAN WATSON COLEMAN: Right.

ASSEMBLYMAN WOLFE: A two-year cycle.

DR. OSOWSKI: It's even less than that. January 2002 would be a year and a half -- not even a year and a half in would be the first formative report.

ASSEMBLYMAN WOLFE: But as to who would do it, it would be Melanie working in conjunction with the Department to do that first report.

ASSEMBLYWOMAN WATSON COLEMAN: Thank you.

Thank you.

ASSEMBLYMAN WOLFE: Now we have Senator Baer. Senator Bark had a question, and then Assemblyman Stanley, so we'll go in that order.

SENATOR BAER: Yes, I have a number of questions. And I do not want to wait a year to have these questions answered. And I'd like them to be answered by the Department rather than being told that we will have to develop them ourselves through our Committee. And I think these are things that are based on information which your Department has and can answer.

Now, in response to the question about the low number of applications, you indicate that the problem was the timing of the program and that this would be erased next year. That makes me wonder whether you've looked to see whether there is any other factor that may be affecting the number of applications and whether we will be oblivious of this until we have the results from next year.

But one of the things that comes to my mind has to do with whether there is any ethnic correlation that has to do with this. I don't know the whole state, but I know my hometown of Englewood. And I know that that is a town in which the school system predominantly has minority youngsters in the system. I note that there were only 4 percent applications for the number of vacant -- open seats that existed there as opposed to an average of 20 percent on the statewide basis.

And it would seem to me that, since the issue of ethnicity is raised so often in so many ways relative to education, one might very well look into whether there is a correlation, in terms of -- maybe a negative correlation, in terms of applications to a school system that is predominantly minority when the surrounding -- most of the surrounding systems are predominantly not minority and whether or not this is a factor. And I think we need to know that so that we can figure out what implications that has for the design of the system.

Now, likewise, I think Assemblywoman Coleman's inquiries are very much on target as to whether many of the systems that have chosen to enter this and seek applications -- whether some of them are quite remote from numbers of minority youngsters so that the percentage of youngsters that might be -- the percentage of minority youngsters that might be within that 20-mile radius where you have a school system that is not predominantly minority -- whether the percentage there in that 20-mile radius involves very few minority youngsters. I think that's something that's quite pertinent and we would want to know and not wait a year to find out.

I don't know whether you have, in your conclusion about the lateness of this process -- whether you have attempted to see whether there is a difference between any of these systems that have sought applications, the difference in terms of how late it was that they sought applications, and whether those -- some of them were later than others and whether there's a correlation there. I'm not pressing for that particular information, but if it's available, it might turn out to be interesting.

Now, first of all, do you have any impression yourself as to whether the applications were lowest where the receiving district was a district that had a lot of minority youngsters in it?

DR. OSOWSKI: There's a couple ways to respond to your concerns. The Department Commissioner's required to provide an annual report on the progress of the initiative. And I believe we're scheduled for June of next year to do that.

SENATOR BAER: I'm asking you if you had an impression. I'm not asking in terms of a report that one might have to wait a long time for.

DR. OSOWSKI: I will get to the impression. In fact, let me start with that, since it's your primary concern. We asked the superintendents of the choice districts lots of questions: what do they think is going on here, the kinds of students you're getting; why you're getting a small number of students; why you're getting a large number of students. And we work closely with those superintendents to help them devise their programs and their outreach in order to get the maximum number of students.

Some were faster and did a better job than did others. The impression I have, and I'll pick two of the districts -- one you raised, Englewood, and the other is Salem City -- is that they, for a variety of reasons in the first year, did not get a large number of students applying. Some of the reasons had to do with the development of their programs. And as you're aware, Englewood is developing its institutes or academy programs right now. And that is what their application was based upon -- that when those programs were in place, they would be attractive to students from within, as well as from

outside the district, for the choice initiative. So there's a certain evolving of the projects that's occurring in some of the districts, if you will.

The smaller ones that were very narrow in focus had a larger percentage response rate. Freehold, for example, has -- Upperfield Regional High School has a narrow -- very specified agriculture program. So there is--

Those are my initial impressions. But it's hard to paint with a broad-brush stroke here. Each and every one of these districts has a different circumstance. And we're working very closely, particularly with Salem City and Englewood, to develop their programs so that they will be attractive to choice students. And both districts had a small turnout, but both are developing specialized programs in different kinds of settings.

One of the reasons we turned down Trenton school district was because it was a generic program that didn't have any real focus to it. And we went back to the superintendent and said, "We'll entertain your application next year, but you really have to develop something that will be attractive to students from other districts, in a sense that it is more narrowly construed, more specifically designed, and more attractive therefore.

SENATOR BAER: But nonetheless, it was known that Englewood was developing these focused curriculum in areas that one would think would be extremely attractive, and it would not be necessary, I would think, for every detail of the program to be available for people to show some interest in it.

So again, I'd like to know if there was any specific examination as to whether, perhaps, despite the fact that attractive programs were in existence or were being planned, whether any part of this difficulty is because of fears or reluctance related to a youngster's going to a school system that has a lot of

minority youngsters in it, because if that is a problem, I think we need to recognize it and then try to figure out how to deal with it. I don't think we should merely look in other directions relative to program announcements or lateness if there is evidence or indication or suspicion that that is part of the problem.

Are there any of those indications or beliefs or suspicions that that is part of the problem?

DR. OSOWSKI: I have no indication that that is part of the problem right now. I have no-- Any of my impressions are not based upon any information that indicates that the situations you described have resulted in the first year of a low number. My impression is that with some of the districts, they need to get -- they need more time, and they need more guidance from us, which they're getting, to develop and publicize their programs so that they will be attractive. I believe that parents are choosing the choice districts that they're attending, because they see a program they want to go to. They see an educational offering that they want to go to. So, while we certainly have to assess the Committee in its evaluations designed by the legislation -- I believe -- has to assess racial impact and the reasons decisions are made. I don't have an impression that they're made for that reason -- the reasons you described right now.

And I also have to state that there are a small number of kids who have, for four weeks, been in the program. So it's a little dangerous to go out and make broad conclusions about a program that just started with this school year.

SENATOR BAER: I wasn't asking about broad conclusions, I was asking about any indications.

And I want to ask furthermore, have you consulted with people that have the necessary expertise that could advise on how to go about searching to see if these are factors that are working?

DR. OSOWSKI: Well, I think one of the -- actually, I think the central purpose for this discussion here, and the one on June 26, was to design the evaluation, to get the experts in to do the evaluation of the project, and to be able to answer the kind of questions that you're asking: how would an expert researcher go about finding the answers to the questions about why people make the decisions they make when they voluntarily choose to go to a choice district or don't choose to go to a choice district, and what's the impact on the racial makeup of the choice district, as well as the sending district. That's exactly why we're here -- is to try to design the questions and to design an evaluative process for answering those questions. Experts need to be involved.

SENATOR BAER: In the scientific sense, that may be correct, but there are, nonetheless, ways, by interviewing people and consulting and exploring, to find out indications in many kinds of things. I know most of the decisions, and there are thousands of decisions made here in the Legislature by people, are not made on the basis of scientific surveys that are conducted in validated research methods. There are many ways we can get facts and find out what's happening that provides some significant guidance, even though there is also a role for the scientific research, too. But those scientific answers,

since they sometimes have to wait a year or two, leave us without any guidance in the interim, where it would be useful to have some knowledge.

Now, I understand that one purpose of this interdistrict choice program was, as with the charter school choice program, not only to provide individuals and youngsters and families with choices, but also because of the belief that when these choices are exercised by, as some people express it, families voting with their feet as to where they go, that this would affect them and motivate some of the districts, and that would, in and of itself, bring about educational improvement.

Do you see any indication that any of that is happening here?

DR. OSOWSKI: It's too early to tell. The program really just started. It's an excellent question. It's a very important question, because you're absolutely right. The whole concept of choice is built upon the understanding that it will drive general education improvement. But I'd say it's too early to tell if, in the example I gave earlier -- if the Buena district, for example, which has some students -- small number of students going to the Folsom choice district -- if they have, in fact, revised the programs now. That's a question that has to be answered, though.

ASSEMBLYMAN WOLFE: Okay. I'd like to continue with Senator Bark, and then Assemblyman Stanley has a question. Then, hopefully, we'll move on.

SENATOR BARK: Well, I guess that-- I almost feel like I'm playing a maverick role here, because I think I have to address the issue of choice versus charter. And I do not believe that they can be talked about in the same manner. So all my remarks are really only about choice. I have a

whole different thought process on charter. And I don't want to get into that since we're talking choice only.

But I had the privilege of going on a legislative school day to Folsom. It's in my district. It's a school that I truly like, because it's a small school. It is very much a family -- parent-supported group. Everybody knows everybody, because the town is small. The town will always be small, because here again, the Legislature, in its infinite wisdom some 20 years ago, decided that there would never be anything built in Folsom. And it's not, unless you can get a preapproved lot. You don't go buy a lot in Folsom, even though there are many acres of empty land. So that's Folsom.

And it was a school that my heart embraced from the time that I became a Senator, because it was small. It was a poor, poor town. The average home -- the cost of a home was \$80,000, and they were constantly facing 20 cent, 40 cent, and 60 cent tax increases per annum. And when you do not have large incomes or a large economic base, this is extremely difficult for parents to continue this.

I have to say that I was excited by what I saw. I talked to parents. I talked to the county superintendent. I talked to the school superintendent. Mary Torres was there. And they loved her. Mary brought to me -- showed me a book that they gave her. Each one had done a poster for her. And they were thanking-- A couple of the students were choice students, and they thanked her for seeing to it that they were permitted to come to this school, because they were very excited to be there.

What this has done for this school-- It has recharged it. And it has, in fact-- I'm going to say that I understood that they had started a couple

new programs in Folsom, which they would not have been able to do. So it not only benefits those 30-some children that came to Folsom, but every other student in Folsom.

I really didn't address minorities, because that tends to become something that isn't truly important. They're children. And I don't know. I don't know how many minorities are in that area -- in the 20-mile area, and I don't know how many are in the school. And very honestly, all I care about is educating kids. So I didn't really address that issue when I was there. So I don't even know whether that 20-mile area-- I don't know what the percentage is, and I don't know the percentage in the school. Perhaps I should have asked, but I was just so thrilled at what was going on in that school that I guess that was not one of the key things that I asked on that day.

I certainly would be interested in getting that, although I think my impression, and it's very unscientific, is that perhaps we have more Latinos in that area than we do African-Americans. But I'm not sure of that at all. So that is not scientific, and I don't want anybody to go around saying that.

But I found this a very exciting experience for Folsom. I don't know about other schools. This is my personal experience. I'm thrilled with the program. And I did not think that this was necessarily a program that was driven by anything else than there are empty seats. And rather than build another school, maybe we can utilize these seats. And by doing so with State money, perhaps we can be the initiative or the catalyst to make new programs happen in some of these schools.

I think all of the questions that have been asked are important to get answers to, but I would hope that we do not approach the choice program

in the same manner that we -- or with the same thought process as charter. I have my own thoughts on charter, and they are not necessarily real positive. But this particular program, from what I have seen on a very limited basis-- I think it's a program that we ought to get some answers to, but by the same token, look at it in a favorable way.

Thank you.

ASSEMBLYMAN WOLFE: Assemblyman Stanley.

ASSEMBLYMAN STANLEY: Thank you, Mr. Chairman. Of course, I want to commend you for your bringing this hearing. I think it's very important that we have hearings on this issue -- probably quarterly hearings perhaps, or maybe-- Well, once I finish my comments, maybe we won't need to have any more hearings.

First of all, let me commend you, Dr. Osowski, on doing the job that you've done so far. I know this is not a very easy thing for you to do. I know -- and correct me if I'm wrong, you deal with charter schools, as well. That falls under your jurisdiction?

DR. OSOWSKI: Correct.

ASSEMBLYMAN STANLEY: And when we do get that assessment that Assemblywoman Watson Coleman asked for, I hope that the amount of time that you spend on this program is also included in that breakdown of the budget and what the costs are, as well as your support staff, etc., because it's -- because I have a couple of concerns, one being the-- And I think Senator Rice -- I think Senator Baer and Assemblyman Malone, as well as Assemblywoman Watson Coleman, did an excellent job of going down the list of some of the issues that we have.

My issue is, through you, Mr. Chairman, is that I am not so sure that we have the capacity to undertake as many things as we've been undertaking within the Department of Education. And I know it's the party line for the Department of Education to say, "Oh, we can do it. We can do it. We can do it." But it was Butterfly McQueen's line to say, "I can birth the baby." And then when the time came to do it, she said, "I don't know nothing about birthing no babies."

I think we're overextending ourselves. I believe that when this first report is due in, we will -- that this administration will no longer be here. The current administration will not be in office when this first report -- and that's just the intermediate report, that's not even the full report. But in 2002, the Whitman administration won't be here anymore. And I have serious concerns about this. And I wish Assemblyman Malone were here, because, to be quite honest, we're embarking on something--

And Senator Bark, I believe, and I'm not 100 percent sure -- and correct me, also, Mr. Chairman, through you -- was not the -- and let me make this a question. Was not one of the reasons for introducing the interdistrict school choice program to enhance education opportunities in the State of New Jersey? Is that correct, Mr. Commissioner?

DR. OSOWSKI: Correct, Assemblyman.

ASSEMBLYMAN STANLEY: So that being the case, this is just another thing that we're embarking on to do this. Now, the problem is, we have things -- we have all kinds of things that we're juggling right now. We've got charter schools, which falls under your jurisdiction. We have interdistrict school choice, which falls under your jurisdiction. Not only that, but in the

midst of interdistrict school choice, where we're talking about, as Senator Bark mentioned, filling class seats, we're also embarking on a school construction program that's supposed to alleviate school overcrowding.

My suggestion, Mr. Chairman, is that we entertain, and I'm in full agreement with Senator Bark -- and those districts like Folsom that we're seeing a very good program in place and kids are happy-- I hate disrupting children. I think it's very important that we're as consistent as we can be with our children.

However, I do not believe that, under this administration, we should really be going forward right now with increasing the program of interdistrict school choice right now. And I think this may warrant some discussion, but, Chairman, I'm speaking from my heart here. I think with all the other things that we have going on right now -- that we're up against -- and plus, the competing things like school construction, which is to put more spaces in the district, and interdistrict school choice, which is supposed to fill empty seats, and the only place that they're going to get those empty seats is from overcrowded school districts, where we're trying to alleviate the overcrowding by building-- I think we have some competing interests there.

And we need to take an honest look at it. And I understand the Commissioner's positions and the Department's position and the Governor's positions that, "We want to do this." Yeah, I'd love to do this, but we can only do so much. And not only that, but we have an administration that's 15 minutes -- 15 months away from going bye-bye.

And the other thing is that I'm not sure, and I think we all had some concerns with the legislative content on interdistrict school choice. And

to leave it in the hands of the Legislature, which had some serious concerns with the way we even came upon school choice, with the (indiscernible) CEIFA -- and it came out almost like a revelation after the fact that, "Oh, God, the school choice thing is here," that we ought to really consider a moratorium. And I know that it's-- And I really hadn't even thought about it prior to coming to this meeting, but after hearing some of the comments by my colleagues, I think we need to really seriously consider that.

Thank you, Mr. Chairman.

ASSEMBLYMAN WOLFE: Before we move on, I just have--

Commissioner, you indicated -- vice commissioner -- Assistant Commissioner-- There are, what, 21 total programs that can be in this four-year program, right? Is it 21?

DR. OSOWSKI: Correct.

ASSEMBLYMAN WOLFE: And how many do we have now?

DR. OSOWSKI: Eleven.

ASSEMBLYMAN WOLFE: Okay.

DR. OSOWSKI: We have 10 operating, and the 11th will come on line next September.

ASSEMBLYMAN WOLFE: Right. So we've got two more years to go, right?

DR. OSOWSKI: Pardon me?

ASSEMBLYMAN WOLFE: I'm trying to think what Assemblyman Stanley has said.

So we actually have-- We're actually operating at half-capacity right now, in terms of how many programs we could have.

Okay. All right.

What I would like to do-- What I would like to recommend -- let's put it this way -- to the Committee is, if it was your pleasure to have these amendments, because these are amendments -- these amendments are a result of the hearing that we had the last time we met -- suggestions to the Department -- these amendments be introduced in bill form -- be drawn up in bill form, and the Committee would consider the amendments at its next meeting.

SENATOR RICE: Mr. Chairman.

ASSEMBLYMAN WOLFE: I mean, we're bringing up some issues today that were not part of the previous discussion when these amendments were drawn up. So I certainly appreciate my colleague's concerns, but I'm also looking at really what the Department has done. They've done what we've asked them to do. Now, we're asking them to do some other things that were not part of the original request.

SENATOR RICE: Certainly, we've asked them to do some other things. And one of the things we've asked them to do is rethink what they're requesting. All of us left the last meeting going back, thinking to ourselves, and interacting like we're doing this morning. That's what's good about hearings. You hear things, and your mind tends to wake up and snap up.

I really believe that (indiscernible) discussions is the one that I'm concerned -- which raised the things I'm thinking about, which are not discussed here -- that we should keep everything pretty much the same until we can get a better read. And let me tell you why.

Number one, charter is not here this morning, but I've got a bill for moratorium on charter, because the whole process is wrong. My gut feeling tells me, listening to the Assemblyman and all that is being said, if we don't get a better grip on the choice, it may start to build itself and may wind up wrong, also, with other problems trickling out that are very detrimental to something that may be able to work.

Then, when you raise questions and say, "Well, we don't have enough data, because we're really only four weeks into the school system," which is true-- The questions I heard raised here, in terms of the data, and I've been around a long time, was very basic information. And I would tell you whatever money I have in my pocket, it's probably not a lot, I would put on the table and bet you that in five minutes, I could have some of that information.

For example, Englewood, New Jersey-- All I have to do is call them and say, "I understand that there are three students in the population. Could you tell me where they come from, what they look like?" What other districts have the numbers? My point is, I can just call. They'll tell me. If I only have a small number-- I know Ron Rice came from Newark. I also know he's African-American. So I think they were trying to get some preliminary things, not so much data that need -- deep in the future, but kind of an idea of what this thing looks like.

And I also believe that, and I don't want to put words in Senator Baer's mouth, but I kind of think I understand some of his concerns, because the Education Department may be aware -- they should remember -- there was a very serious problem in Englewood, where folks didn't want folks to go to

school. And they were bussing. And there was a big mess up there. In fact, there's a person from our district -- might still have to go up there and help write a plan.

So I think, Mr. Chairman, in response to your question that perhaps we shouldn't really do the amendments at this point -- we can come back and rethink it -- but try to get what you have in place up to where it should be.

And I want to end by saying that I agree with the Senator -- Senator Bark, that this thing is about kids. And we just want them educated. But I've been around a few years, too. And one thing I've learned, and reasonable minds can disagree, you can only educate kids when you identify who they are and where they come from, because when you identify who they are and where they come from, there are some other variables that are kicked in, such as economic conditions and culture and the things that may be lacking. And those are the variables that you put into a good program.

So I think, sure, you need to continue to move forward in those districts, Mr. Chairman, but I think, perhaps, we need to be visited in a few months, if necessary -- but some kind of way. I'm not so comfortable with the amendments right now, in terms of expansion.

ASSEMBLYMAN WOLFE: Assemblywoman Watson Coleman.

ASSEMBLYWOMAN WATSON COLEMAN: The one amendment that I'm all right with -- that I'm really all right with is the amendment that deals with siblings and the allowing students in kindergarten. That means that we've expanded the program to include kindergarten -- K-12, right?

MS. TORRES: Only for siblings of students enrolled.

ASSEMBLYWOMAN WATSON COLEMAN: Right. I'm very comfortable with that amendment, because I don't think-- And I don't know that there are that many kindergarten seats available, but at least that ought to be some help to the parents who are sending their children to these choice districts.

I am uncomfortable with considering the amendment that would allow more than one in a district based upon the issues that we've had today. But the one -- the sibling memo -- the sibling amendment, I am fine with.

ASSEMBLYMAN WOLFE: I don't think that--

The second choice district within a county-- That was something you proposed today. That's not part of your recommendation, correct?

DR. OSOWSKI: Yes, there were two-- We responded to two concerns raised by the Committee and the people who testified at the last session. The third one is a recommendation based upon concerns that the project was small to start with and also based upon requests from multiple districts to the counties to operate programs.

ASSEMBLYWOMAN WATSON COLEMAN: So that's really just a recommendation for consideration in the future.

ASSEMBLYMAN WOLFE: Right.

ASSEMBLYWOMAN WATSON COLEMAN: So we don't even have to deal with that.

So the only one we're dealing with today--

ASSEMBLYMAN WOLFE: That was an amendment.

ASSEMBLYMAN STANLEY: No, that was an amendment.

ASSEMBLYWOMAN WATSON COLEMAN: That is an amendment that you're recommending right now -- the two in one district.

DR. OSOWSKI: We've put before you three possible amendments.

ASSEMBLYWOMAN WATSON COLEMAN: Okay.

ASSEMBLYMAN WOLFE: But then maybe I'm misunderstanding. I thought the amendments were, number one, allowing the two kids in the same family to come to the school.

ASSEMBLYWOMAN WATSON COLEMAN: Right.

ASSEMBLYMAN WOLFE: Right?

We're also amending the methodology or the time frame for the study.

ASSEMBLYWOMAN WATSON COLEMAN: Right, right, right, right.

ASSEMBLYMAN WOLFE: And you also indicated--

ASSEMBLYWOMAN WATSON COLEMAN: The two in districts.

ASSEMBLYMAN WOLFE: Well, no.

DR. OSOWSKI: County, two per county.

ASSEMBLYWOMAN WATSON COLEMAN: Two in districts with a 25-student count, right?

ASSEMBLYMAN WOLFE: Okay.

DR. OSOWSKI: Two -- there could-- No, it would open up to more than one per county if there is -- with a 25-student count.

ASSEMBLYWOMAN WATSON COLEMAN: I'm sorry. More than one per county, and there would be--

SENATOR RICE: That's what my problem is.

ASSEMBLYWOMAN WATSON COLEMAN: Yeah, I have a problem with that one.

SENATOR RICE: I can live with the others if I had to. I can definitely live with the siblings. I can even live with the other, but that county needs to be looked at.

ASSEMBLYWOMAN WATSON COLEMAN: And then my third comment is, you really don't have 10 programs operating, because some of these programs that are supposedly operating have zero students, according to the information.

One other one I'm really interested in knowing why it's not moving forward is Englewood, because I know Englewood is within 20 miles to the urban hub of the county, which would be Teaneck. So I would think that if Englewood were a so-called -- I'm not even going to say better school district -- if it were more interesting to students to attend-- I want to know why that one isn't further along in the process.

SENATOR RICE: Through you, Mr. Chairman, that's why the study is important. I think that's what he's saying is that, because if I had to put a personal opinion on it, I think it was such a mess about two or three years ago -- a racial mess -- that's what it came down to. It was publicized -- folks said, "The hell with it. I don't want to go."

ASSEMBLYWOMAN WATSON COLEMAN: But let me just say they only had three applications. It would seem to me that there would have

been active and aggressive recruitment in the Teaneck area. And if there isn't, I want to know why.

And then, as a final comment, I think that whatever we do with education in the State of New Jersey has twin goals, and that is to create equality and opportunity for all students. With New Jersey having some of the most segregated schools in the country, even more segregated than Alabama, and with the trend moving towards more segregation and not integration -- if we agree that integration is supposedly what we're all about here -- at the same time trying to improve the opportunities for globally competitive education to all students, then the status of the of a student -- the minority status of a student, wherever we're looking, is an important consideration.

DR. OSOWSKI: Agreed.

ASSEMBLYMAN WOLFE: Senator Bark, you had a question, comment?

SENATOR BARK: No, I don't. I really just was going to support the -- most particularly the amendment on siblings, because I think that will help increase the number of people that are going to take advantage of this program. And I think that's critically important to pass. And certainly, the other one on the reporting is also important. I have no problem of holding the other one.

And based on that, I would like to take the opportunity to-- Can we move both of them together, maybe, or do we want to do them one at a time? If so, I'll move the sibling one.

ASSEMBLYWOMAN WATSON COLEMAN: I'll second it.

ASSEMBLYMAN WOLFE: Okay.

SENATOR BAER: Mr. Chairman, I have no problem with our dealing with the sibling amendment or, although it's out of order for me to mention it with this amendment on the floor or the other one on the reporting dates--

However, I do believe that, although it will improve fairness, it will only have a very marginal effect on the rate of applicants. But nonetheless, it's worth doing.

ASSEMBLYMAN WOLFE: Okay, so let's do this quasi Robert's Rules.

Am I getting the sentiment of the Committee -- is two of the amendments we would agree upon -- one being the time frame and one being the two kids in a family. But the other amendment regarding the suggestion of having two within a county is not something that, at this time, the Committee would favorably--

ASSEMBLYWOMAN WATSON COLEMAN: I can live with that.

ASSEMBLYMAN STANLEY: I think that that is the case, but I think that on the reporting-- I think that we, as a Committee, need to take another hard look, because the reporting goes out in 2002. And I think that we need to consider what our pleasure is, in terms of the expansion of the school choice program.

ASSEMBLYMAN WOLFE: Okay, so we'll have, then, therefore, the draft drawn up not including that third amendment.

ASSEMBLYWOMAN WATSON COLEMAN: Yes.

SENATOR RICE: Right.

ASSEMBLYMAN WOLFE: All in favor of that. (affirmative response)

Okay, thank you.

We have two other issues I just real quickly want to go through, because I, number one, don't want to crawl on fanny fatigue. I know we've got other things to do here today -- other meetings. But just two issues I want to indicate to you--

SENATOR RICE: Excuse me, Mr. Chairman, can I go on record for the Doctor, since he is in charge of charter schools, because I asked this information the other day, and they told me it would take a while to get it, and I know that that's not--

This comes of the Joint Committee, even though I asked for it as the Senator representing the district. Would you get me over right away the number of charter schools, since we started the process, that did not open, the charters that we had to pull? And I know there's more than one. Someone said, "Well, there's one in your area." There's more than one in my area, and I know that. And I need that information right away, okay? And I'd appreciate it very much.

DR. OSOWSKI: Just to make--

ASSEMBLYMAN WOLFE: Let me continue where we're going here.

I was given -- or I was called yesterday. Apparently, there is a draft legislation that would allow takeover districts to be freed, I guess. I don't know a better way to say it. I haven't even looked at it.

ASSEMBLYMAN STANLEY: Freed? I don't know about that, Mr. Chairman. (laughter)

ASSEMBLYMAN WOLFE: But what I'm willing to do is ask that the subcommittee of our Committee that deals with takeover districts review those recommendations. I haven't seen them. And either at our next meeting or the meeting after that, we will discuss them fully. And we'll try to schedule a hearing -- a public hearing to review this issue so everyone will have a chance to weigh onto that before it actually goes to the Assembly or the Senate appropriation on the education committees.

The other thing is, which we didn't do today, and I really want a whole Committee here -- we don't have a full Committee here -- is to make a final decision on, number one, the continuation of the study of Newark -- the Newark takeover district, and also the Paterson district, which we haven't even discussed yet. I was quite amazed, when I asked the question a week ago, there really is no information this Committee has ever gathered on Jersey City. So that's kind of like closing the door and letting the horses out.

At our next meeting, we'll definitely take up the issue of the reporting on the Newark -- continuation of that report and how that is to be done. And also, what other studies we need to do in relationship to Newark schools. And we also have to talk about the Paterson schools.

SENATOR RICE: Mr. Chairman, question to you on that.

ASSEMBLYMAN WOLFE: Yes.

SENATOR RICE: The issue we're going to be looking at before we have the next meetings -- that's not Jersey City, that's all school districts. Is that correct?

ASSEMBLYMAN WOLFE: Yes, it is all school districts, but--

SENATOR RICE: I mean, but the process we're looking at--

ASSEMBLYMAN WOLFE: I mean, the Jersey City model would be, I guess, a prototype that would be followed.

SENATOR RICE: Well, the reason-- You know why I'm raising that, because I have a bill in-- And the Commissioner agreed with me as soon as he was up. And I kind of left it up to them. You need to pull that bill also, because if we're going to discuss process, then we need to discuss it knowing that I have legislation saying pull it out and then we'll see how it-- My bill doesn't tell you how to do it, but I want to make sure--

ASSEMBLYMAN WOLFE: Okay.

The other thing-- I apologize. I mean, we had so many things going on here, at least in my head, things were going on. I didn't ask that we approve the minutes of our previous meeting. So if we can dispense with that.

SENATOR BAER: Mr. Chairman, before you do that, I'd like to ask before these two witnesses leave, I'd like to ask if it would be okay to convey to them the sense of this group to really study carefully the racial implications of this interdistrict program.

I'm not breaking that down into a specific number of questions that were discussed before, but at least do look into that thoroughly so that it can be discussed when they come before us next.

ASSEMBLYMAN WOLFE: Okay, very good.

SENATOR BAER: Thank you.

DR. OSOWSKI: We can provide that information to you.

ASSEMBLYMAN WOLFE: Okay.

Do we have a motion to approve the minutes?

ASSEMBLYMAN GARCIA: Motion.

ASSEMBLYWOMAN WATSON COLEMAN: Second.

ASSEMBLYMAN WOLFE: All in favor. (affirmative response)

Again, I want to thank all of you for being here.

ASSEMBLYMAN STANLEY: Mr. Chairman, just a--

ASSEMBLYMAN WOLFE: Wait a minute, wait a minute. I know you're going to--

ASSEMBLYMAN STANLEY: --quick comment, if I could.

ASSEMBLYMAN WOLFE: I just want to thank all the Committee members for being here. And I also want to thank the work from Mary and also for Jeff -- that they've done. I know it's a new program that really wasn't raised by any of the legislators, as far as I know.

But we're moving on.

Yes.

ASSEMBLYMAN STANLEY: Mr. Chairman, I just want to put on the record the request that if we have a meeting that's going to concern the report on Newark, that we have the meeting in the district. And also that we try to have the meeting in Newark, as well as the meeting concerning State takeover districts -- State-operated districts. I would like to recommend that that meeting be held in Newark, also. Maybe we'll do them both at the same time. But because of the proximity of Newark to those takeover districts, it may encourage more participation from folks who may be willing to testify.

ASSEMBLYMAN WOLFE: Okay.

ASSEMBLYMAN STANLEY: Thank you, Mr. Chairman.

ASSEMBLYMAN WOLFE: Thank you, Committee members and observers, for being here.

I think there's doughnuts and coffee at the prayer meeting next door if you stop.

(HEARING CONCLUDED)