

RETURNING CONTROL (The 5-Year Plan that took 26 years)

In a monumental decision, the state Board of Education moved Oct. 7 to initiate the process of ending partial state control of the Jersey City Public School District by the end of the 2015-16 school year, in voting to accept Commissioner of Education David Hespe's recommendation.

Should the plan move forward, it will end almost 27 years of some form of direct state control of New Jersey's second largest school district.

In an announcement following the state board's unanimous vote, Hespe said the New Jersey Department of Education (DOE) will immediately agree to cede control of two components defining operation of a district - operations and personnel - as per New Jersey's Quality Single Accountability Continuum (NJQSAC).

In a DOE press release issued shortly after the state board's vote, Hespe said he established within Jersey City "a working group that is tasked with establishing a plan for returning the final area of instruction and programming that would provide full local control to the district" by July 1. He said it will include practitioners, school experts and members of the school community."

Earlier, in an agreement reached under the administration of then-Democrat Gov. Jon Corzine, the state ceded to the city board control of two other NJQSAC areas - governance and fiscal management - on Sept. 5, 2007.

Yet the situation created a somewhat awkward hybrid that, the local school board hopes, will end if it comes to agreement with Hespe.

The NJQSAC law requires the state's 21 executive county superintendents to perform three-year reviews of all districts with their personnel. Such reviews are of high importance in districts subject to direct state intervention, since continued progress might prompt the DOE to relinquish it.

Jersey City was the first state-takeover district under a law enacted by then-Republican Gov. Thomas Kean. In a 75-page ruling in 1988, according to the DOE press release, then-Administrative Law Judge Kenneth Springer described a school system "where patronage and nepotism ran rampant," and a curriculum that took a "defeatist attitude" by allegedly presuming most urban students were incapable of high academic achievement. Springer's report paved the way for full state control. But critics who have fought the state all during that time insisted the record proves it did no better in trying to improve the schools, such as through test scores, over the 27 years. Now, Hespe seems to be suggesting Superintendent of Schools Dr. Marcia Lyles somehow helped seal the deal to return full local control in only three years - which the DOE itself could not achieve during the prior 24.

Thus, the announcement has fueled suspicions in JCEA President Ron Greco that it was timed to help boost prospects for Lyles to retain her position starting with 2016-17 (assuming the veteran educator intends to try remaining in the district rather than retire). The JCEA has publicly called for the termination of Lyles and Board Secretary/Business Administrator Luiggi Campana - her close ally - upon expiration of their contracts June 30.

The JCEA contends Lyles' has an adversarial management style which has demoralized most of the district's enormous staff of teachers and support personnel, responsible for the vast majority of the grunt work which keeps the district running on a daily basis, and which were largely responsible for the NJQSAC gains.

Further, it contends Campana has been an ineffective administrator who has mismanaged the district's vast resources and wasted taxpayer dollars on equipment and facilities - as JCEA reps tried demonstrating during a June city council presentation.

Hespe has been a strong Lyles supporter from the beginning. A review of communications with the board three years ago showed he, and then-Commissioner Christopher Cerf (at the time Hespe was Cerf's chief of staff) were clearly lobbying for Lyles' appointment, as the board had remained undecided in deliberating over a final candidate to succeed Dr. Epps. This, even though DOE spokespersons repeatedly maintained in press reports that the state was neutral on the city board's final choice throughout the lengthy search process.

Lyles and Cerf previously served together as deputy chancellors in the New York City Public Schools under then-Chancellor Joel Klein.

Additionally, emails at the time showed then-Ward E Councilman Steven Fulop, current mayor, was allied with Cerf and Hespe in endorsing Lyles while making education reform a key issue in gearing up for his successful mayoral campaign the following year.

Fulop accompanied Lyles to the Oct 7 state board meeting, and, like Hespe, praised Lyles for helping play a role in achieving the final steps needed to phase out state control over her three-year tenure. However, even Hespe acknowledged, the district was making significant progress prior to Lyles' appointment.

"This has been a long time coming, but we're seeing the kind of success, particularly under the leadership of Superintendent Dr. Marcia Lyles, that is pointing toward a new beginning for the community," he said in the DOE press release.

The commissioner cited nine specific achievements made "more recently," all which appeared to be linked to Lyles' tenure.

They included a claim that she "decreased the dropout rate and suspension rate. The dropout rate decreased by 66 percent over the three-year period ending in the 2014-15 school year. Over the same time, there was a 38 percent drop in the number of suspensions."

In another area, Hespe praised Lyles for "increased Advanced Placement participation, which allows students to earn college-level credits, by approximately 10 percent over the past three years. The number of students receiving a passing grade of 3 or higher has also increased by approximately 10 percent in the same time."

Board President Vidya Gangadin, in an Oct. 10 email, lauded the state's decision. Yet she insisted it was only made possible through the collective efforts of hard-working and dedicated staff, at all levels, throughout the district.

She cited no specific individual(s) as being primarily responsible.

"As the board president, I am pleased with the unanimous vote taken by the state Board of Education to return local control in the area of personnel and operations to the school district," she wrote.

"Throughout my tenure on the board," continued Gangadin, "I know first-hand how hard the school district and the board worked together, collaboratively, to ensure that this day would come. This great accomplishment was not done by one person or one group, this was a team effort based upon long meetings and hard work by each and every member of the board, as well as the teachers and administration of the school district."

Yet, in the same email, the president stated she was never officially invited by the DOE to attend the state board meeting though she did receive a call from Hespe the day before the announcement and attended the meeting, independent of an official invitation.

Gangadin, Lyles' superior who supported her appointment in 2012, said she was "unaware" as to if the superintendent and Fulop received an official invitation, or if they were notified of the pending board vote, before her.

But it appeared clear from the email exchange that Gangadin was neither notified by Lyles - nor invited by her to attend the meeting jointly with the superintendent and Fulop. The mayor himself has no direct control over Lyles or the operations of the popularly-elected school board.

In fact, Fulop's Oct. 7 press release verified he did not invite Gangadin - as a representative of the elected city board - to accompany himself and Lyles as part of an official city delegation.

It noted, "This morning, the mayor and superintendent met with state Department of Education members in Trenton, where both the 'operations' and 'personnel/human resources' were turned over to Jersey City control."

Lyles' chief of staff, Dr. Maryann Dickar, did not return emails seeking comment by deadline, including regarding questions related to when Lyles was made aware of the state's decision compared to the elected board members.

In fact, Lyles' only official comment came from a press release Fulop's office issued.

"We could not be more excited about this opportunity," the superintendent said in the statement. "This is an affirmation of everything we've been working towards for the past several years. We're looking forward to regaining full control."

JCEA.org also tried seeking additional comment from the DOE press office pertaining to when it notified Lyles and Fulop, but spokespersons there did not respond to our requests.

However, the superintendent and city board members were likely expected to face questions from residents concerning the developments during two public sessions: the Oct. 13 board caucus and Oct. 15 monthly regular meeting.

Despite his misgivings as to the timing of the state's announcement, in an emailed statement sent Oct. 7, Greco praised the state's move while making clear he believed the district had already made substantial progress meriting the change - well before Lyles' arrival.

"I welcome this decision and look forward to full local control," wrote Greco, who said he had no inkling any official announcement was forthcoming, like Gangadin, until the day before the state board meeting.

"This is further proof of how diligently our children and staff are working," he stated.

Greco also noted there were no public discussions that such a profound announcement might be coming soon - during either the board's September caucus or regular meeting.

While praising the state board's vote on the merits, the JCEA president maintained, as to Hesper's timing, "I imagine this is an attempt to keep Marcia Lyles employed. However, the city deserves to have control of the schools. We've made significant strides in improvement."

While giving Lyles' tenure some of the credit, the state board's own resolution indeed notes NJQSAC gains were also made in reviews conducted during years the board worked under the superintendent's predecessors: Epps (2007-11) and Interim Superintendent Dr. Franklin Walker (2012).

It says that the district "demonstrated substantial and sustained progress in improving its NJQSAC scores" for both operations and personnel all during the period.

For operations, the resolution points out, the board met "an initial 74 percent of the performance indicators in 2007 to having met 84 percent in 2009, 100 percent in 2010, 94 percent in 2012 and 95 percent" in 2015.

Regarding personnel, the resolution does cite a temporary regression in scores, before increasing to the point where the district achieved a perfect score this year under Lyles. It points out the district met "an initial 58 percent of the performance indicators in 2007 to having met 78 percent in 2009, 68 percent in 2010, 73 percent in 2012 and 100 percent in 2015."

In both QSAC areas, the resolution says, the district provided "substantial evidence" that it "has adequate programs, policies and personnel in place and in operation to ensure that the demonstrated progress ... will be sustained."

In his press release, Fulop cited a combination of factors and tries giving himself a pat on the back, though he also praised district employees, stating, “After almost three decades of state management, control of our public schools is returning where it should be – home.”

“Jersey City has earned this opportunity,” the mayor’s statement continued. “Our school system has seen promising improvement that reflects the hard work of many dedicated educators.”

The mayor also cited his earlier efforts to change the composition of the board and credits Lyles, whose appointment came, in part, from the support of most of those candidates.

“Beginning in 2010, then-Councilman Fulop – along with allies and education activists – supported slates during Jersey City Board of Education elections that were focused on finding a new superintendent committed to student outcomes,” his release says. “Those slates won three straight elections, and paved the way for” Lyles.

Fulop, a potential 2017 Democratic gubernatorial candidate, has stayed neutral in school board elections since 2013. But, ultimately, he sided with the JCEA in urging the board to end a two-year stalemate by awarding the association a new four-year contract - retroactive to 2013, which it did, last June. It acted a few weeks after the JCEA and its smaller affiliated unions overwhelmingly ratified the agreements.

In his release, Hespe promised the return of each remaining area of local control “will be accompanied by a robust and specific transition plan that sets forth expectations and support for the district and board of education.”

He vowed that “all transition plans that are developed and approved by the department will focus not only on improving efficiency and effectiveness in operations and academics, but also building capacity and accountability in the community to ensure that progress continues and that the abuses that led to state takeover never recur.”

“If the requirements of the transition plan are not met,” the DOE release warns, “the state will place the district back in intervention status.”

"It is clear that community engagement is an important driver of student achievement," Hespe stated in the release. "If our overarching concern is what is best for the children of Jersey City, then improved community engagement, involvement and decision making must be our goal."

Also commenting on the state’s decision were former longtime board member Mack, who resigned in 2014 for career reasons - at the time she was the board’s senior member - and district watchdog/activist Riaz Wahid.

Mack a Lyles supporter, praised the board’s efforts, attributing the decision, in part to the hard work of various local boards - in conjunction with staff - spanning about the past 20 years.

“Dave Hespe is an honorable man who has recognized for some time that the JCPS 's needed to be returned to local control,” she wrote. “The mechanisms laid out over the last decade mandated that if the district met the benchmarks, return would follow. The elected boards starting in 1996 prioritized working with the state to meet those benchmarks. The one final one, curriculum and instruction, will come “.

“With this behind us,” Mack added, “perhaps we can go back and focus on student achievement and influence the state to move away from testing for testing sake.

Wahid, a harsh Lyles critic, gave no credit to the superintendent.

While welcoming the news, he alleged, “The state was a failure and they made the right decision to move out. This (state decision) belongs to activists who demanded good education for our kids. I don't understand why curriculum will be given only in spring 2016 but not now. There is no justification for it.”

Wahid said he hopes the state will stick to a commitment to provide its current level of direct aid for the foreseeable future, despite plans to return the district to full local control, as it helps the system make the transition.

By Chris Neidenberg