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UNITED STATES COMMISSION
ON CIVIL RIGHTS
NEW JERSEY STATE ADVISORY COMMITTEE

FORUM TOPIC: :
Student segregation and racial :
isolation within schools and :
classrooms in the Morris :
School District--Progress and :
appraisal. :
: :

ORIGINAL

June 27, 1989
Morristown, New Jersey
Commencing at 4:00 p.m.

B E F O R E:

- Dr. Stephen H. Balch, Chairperson
- Roland A. Alum, Jr., Vice Chairperson
- Edward Darden, Civil Rights Analyst
- Dr. Irene Hill-Smith, Member
- Zulima Fereaud Farber, Member
- Dr. Adam Scrupski, Member

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WASHINGTON, D.C.

Proceedings

(Before Karen McCall-Greene,
 a Notary Public and Shorthand Reporter of the
 State of New Jersey, at the Joint Free Public
 Library, 1 Miller Road, Morristown, New
 Jersey, on June 27, 1989, commencing at 4:00
 p.m.)

CHAIRMAN BALCH: We're going to
 begin as the agenda states with the
 presentation by the Mayor of Morristown, the
 Honorable David V. Manahan. Are you here,
 Mayor? Do you have a presentation that you'd
 like to make?

MAYOR MANAHAN: Yes, I do.

CHAIRMAN BALCH: Feel free.

MAYOR MANAHAN: I hope you'll
 forgive me if I say this forum reminds me of
 an autopsy or at best a coroner's inquest.
 The victim, or ^{Rather} other I should say victims, ✓
 died as long as seven years ago. They were
 the minority youngsters who were deprived of a
 proper education by the discriminatory
 practices being exercised in the Morris School

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2 District between 1982 and last year. I
3 estimate them at about 65 students per year or
4 a total of 455 since 1982.

5 I became involved with racial
6 discrimination in education in 1962. At that
7 time Morristown had a neighborhood school
8 system. This resulted in the Lafayette
9 School, which was in a predominantly black
10 neighborhood, being at least 95 percent black.

11 There was pressure from across the
12 community, black and white, to break up this
13 imbalance. My older brother who was mayor at
14 the time, and made appointments to the School
15 Board, asked me to study the situation and to
16 give him my opinion. It became obvious to me
17 that Lafayette School, aside from being almost
18 totally black, was little more than a
19 baby-sitting operation.

20 I supported the plan advanced by
21 most of the people involved which was to
22 convert the predominantly black Lafayette
23 School into a junior high school for all
24 Morristown 7th and 8th graders and to convert
25 the three other neighborhood schools into

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2 racially integrated K-6 schools. A shuttle
3 bus system was developed in which the black
4 youngsters from Lafayette were bussed out and
5 the 7th and 8th grade white youngsters from
6 Jefferson, Hamilton and Washington were bussed
7 back into the Lafayette School. In this
8 action Morristown was a leader. All this was
9 before the Civil Rights Act of 1964.

10 With some annual adjustments, the
11 plan worked well for about five years. Then,
12 in 1967 Morris Township, which had been
13 sending its high school students to Morristown
14 High School, announced plans to pull out and
15 build its own high school. At first
16 Morristown's reaction was one of indignation
17 for financial reasons. Morristown, which has
18 a stable population, had been investing
19 capital funds into expanding the high school
20 principally for the growing Township census.
21 A second look, however, revealed that, in
22 addition, Morristown would be left with a
23 small high school population containing a
24 large black element, while the new Township
25 high school would be lily white. This was

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2 intolerable.

3 A suit was filed with the then New
4 Jersey Commissioner of Education, Carl
5 Marburger. The case eventually went to the
6 New Jersey Supreme Court where it was decided
7 that not only Morris Township's high school
8 students would go to school with Morristown's,
9 but that the entire K-12 population would go
10 to school with Morristown's.

11 I was president of the Morristown
12 Board of Education at the time of that
13 decision.

14 A regional board was formed from
15 the previously warring school boards.
16 Fortunately for Morristown there were several
17 Township members who were sympathetic to
18 Morristown's cause. The Morristown
19 superintendent, Harry Wenner, was appointed as
20 superintendent of the new region.

21 Four school pairs were created
22 each involving a Morristown and a Morris
23 Township school K-3 and 4-6.

24 Some of the former Morris Township
25 teachers found themselves teaching minorities

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2 for the first time in their careers and some
3 didn't like it and they said so loudly.

4 To prevent these negative
5 attitudes from penalizing the minority
6 students, particularly the males, an effective
7 system for evaluating the special needs of
8 pupils was developed by two assistant
9 superintendents, Ed Golden and Rocco
10 Ferravola, and put into effect. It called for
11 a thorough review by a committee before any
12 pupil was transferred.

13 Despite these efforts, I felt that
14 during my first term as mayor, 1974-1977,
15 there was a deteriorating attitude on the part
16 of some of the teaching staff. Some wanted
17 combat pay for teaching in an urban district.
18 I can say this with confidence because my
19 daughter and three of my sons were in the
20 school system at that time.

21 The real change for the worse came
22 in 1982 when Superintendent Wenner retired and
23 he was replaced in fairly quick succession by
24 two superintendents from Bergen County. They
25 apparently came here to learn about urban

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2 districts, not to solve our problems.

3 In 1983, the Morristown branch of
4 the NAACP filed a complaint with the Board of
5 Education citing instances where special
6 education was being used as a device to
7 segregate minority pupils. There were
8 meetings between the NAACP and the School
9 Board which NAACP President Reno Smith
10 describes as "a dance around the mulberry
11 bush", so nothing happened.

12 When I returned as mayor in 1986,
13 I had a full agenda, but despite that I began
14 hearing complaints about segregation from
15 teachers and parents and students. When you
16 have been a little league baseball coach for
17 35 years, as I have been, you have a lot of
18 contacts.

19 My first personal experience came
20 at the high school, when I spoke to and was
21 interrogated by, a class of junior and senior
22 all black special education students. When I
23 asked one of teachers why a number of
24 obviously bright and articulate minority young
25 blacks were in the class, she said, "they

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2 probably crossed somebody".

3 Later that year I went to vote at
4 the Thomas Jefferson School and, after voting,
5 took a walk through the halls. As I looked
6 through the windows of the classroom doors, I
7 was amazed to see all white classes, all black
8 classes, classes of Hispanics and so on.

9 In mid-November 1986, I sent a
10 letter to then Superintendent Harry Jaroslaw
11 contending that black students were being
12 discriminated against and citing these and
13 other firsthand observations.

14 Following an unsatisfactory
15 meeting with the superintendent and the Board
16 of Education, I filed a complaint with the
17 Federal Civil Rights Commission. That
18 experience was something like Alice must have
19 experienced when she went through the looking
20 glass.

21 First of all, I was handicapped by
22 not knowing the educational jargon. Because I
23 didn't know the correct technical terms,
24 classified, unclassified and so on, for what I
25 perceived to be discrimination in the

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2 classroom, no one would help me. Secondly, I
3 received the distinct impression that there
4 were no crusaders on the Office of Civil
5 Rights Staff.

6 After occasional contacts with the
7 office, in September 1988, two years later,
8 the regional director issued a report.

9 CHAIRMAN BALCH: This was the
10 Office of Civil Rights, New York or Federal?

11 MAYOR MANAHAN: Federal Department
12 of Education.

13 CHAIRMAN BALCH: I thought you said
14 the U.S. Civil Rights.

15 MAYOR MANAHAN: Mayors make ✓
16 mistakes. It's amazing. This is what they
17 said in their final report. "The school
18 district has provided appropriate
19 justification for its current assignment
20 practices", she wrote. "There is no evidence
21 that children are separated without clear
22 purpose." What a beautiful explanation and
23 excuse for segregation. They were being
24 segregated, but with good reason. I'm sure
25 the guy who designed the first all black and

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2 the first all white segregated bathrooms had
3 the same excuse.

4 When I challenged Superintendent
5 Jaroslaw about grouping back in the fall of
6 1986, he said the policy stemmed from
7 dissatisfaction with the reading and math
8 performances of the lower quarter of the
9 school district's children, but with this new
10 grouping, which had been in effect for two
11 years, he assured me that things would get
12 better.

13 In ^{the} April 1987, New Jersey ✓
14 Statewide High School Proficiency Test for
15 grade 8 in reading, math and writing, the
16 Morris School District finished 48th out of 51
17 districts in the percentage of students, 78.2,
18 passing all three categories among schools
19 with a comparable financial strength. In
20 other words, schools are categorized by what
21 their financial background is and whether
22 they're urban to rural.

23 Among urban schools with
24 comparable financial strength Morris finished
25 last.

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2 Thank God for the State of New
3 Jersey's Department of Education. The
4 Department of Education conducted its own
5 investigation prompted by a request from the
6 Morris County NAACP.

7 In its hundred page report issued
8 in June of 1988, the State said that the
9 District's method of separating pupils had
10 produced a racially imbalanced system that was
11 based too heavily on teacher opinion and was
12 highly difficult for a pupil to rise within.

13 The report also said that while
14 there was no evidence of any overt
15 discrimination, the performance based system,
16 regrouping, has shown no evidence of closing
17 the gap between good and poor students.

18 If anything, the report said, the
19 performance groups lead to widening of the gap
20 between slow and fast track students from
21 grades 4 to 6 that continues on through high
22 school.

23 Recently retired county
24 Superintendent George Snow, who played a key
25 role in this study said, "the report calls for

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2 a teaching system that will break the cycle of
3 expectation or failure by teachers and low
4 self-esteem suffered by minority students".

5 He continued, "the problems which
6 surface as the result of the disadvantages of
7 social and economic deprivation and race must
8 be identified, understood and addressed
9 effectively in the classroom, using
10 instructional approaches which produce
11 benefits comparable to those enjoyed by other
12 students within the Morris School District.

13 My concern with the Morris School
14 District is that I am the mayor of a
15 heterogeneous community, an urban community.
16 We have blacks, we have whites, we have
17 Hispanics, we have Orientals in substantial
18 numbers. We have 18 Christian churches and 3
19 synagogues. We have low-income public housing
20 and apartments that rent for \$1,500 a month.
21 We have condos and we have 100-year old
22 Victorian houses that sell for a half million
23 dollars. We have Greek restaurants, we have
24 Italian grocery stores, we have Jewish
25 delicatessens.

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2 We boast about our heterogeneity.
3 That's why many of us moved here. It's the
4 background our kids come from. Then we put
5 them in school and proceed to separate them
6 into groups and divide the groups into groups.

7 Grouping isolates. That's the
8 message I have learned. I wish I had a
9 T-shirt that says that, "grouping isolates".
10 Some of our kids have nine different teachers
11 and no place to call home room.

12 In his study "Ability Grouping and
13 Student Achievement in Elementary Schools",
14 Robert E. Slavin from Johns Hopkins writes
15 "there is good reason to avoid ability grouped
16 class assignment, which seems to have the
17 greatest potential for negative social effects
18 since it separates students into different
19 streams".

20 Teachers' expectations and
21 behavior may also be different in different
22 types of ability grouping. Not surprising,
23 teachers prefer to teach higher achieving
24 students and have higher expectations for
25 their achievement. And senior teachers, with

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2 first choice, pick the brighter classes.

3 The question here today is: Has
4 there been progress in the Morris School
5 District? What we're looking at is a process
6 similar to repairing an airplane while it's in
7 midair.

8 If Superintendent McIvor could
9 close all the schools for a year and make the
10 required changes, I'm certain things would
11 happen more quickly. But that's not how life
12 is.

13 I want to say that I have a great
14 deal of faith in Superintendent McIvor. I do
15 want to add, however, that I was disappointed
16 with his initial resistance to the State
17 report. Since that time, however, he has
18 prepared to and is ready to launch: A new
19 sensitivity training program for teachers, two
20 preschool projects similar to Headstart, an
21 expanded summer school and a new prep program.

22 All this at a cost of \$122,000.
23 Not much of a dent in the multimillion dollar
24 budget, but a start nevertheless. The
25 question is: Are we serious or, as Reno said,

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2 is this another dance around the mulberry
3 bush?

4 While we're changing the system,
5 let's not forget our other advesary: Peer
6 pressure.

7 As I said before, I have been a
8 little league baseball coach. In recent years
9 I have had have some outstanding girl players,
10 some of who^m have played on our league's ✓
11 tournament team. None has ever gone on for
12 the higher leagues. Why? Peer pressure. Not
13 from the boys: From the girls. There is
14 nothing quite as cutting as to have a female
15 piece of fluff walk up to an athletic girl and
16 say: "Do you wear a jock, too".

17 That's what our minority
18 youngsters, particularly the boys, are going
19 through. We have boys purposely making lower
20 grades to avoid the ridicule of the guys on
21 the street.

22 The other night I went to an
23 awards ceremony honoring all of the 1989 black
24 high school graduates in Morris County. The
25 young women were dressed in evening gowns and

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2 the young men in tuxedos. Each was introduced
3 and his or her academic and athletic
4 accomplishments were read aloud. Tens of
5 thousands of dollars in scholarships were
6 awarded that night. It was a memorable
7 evening.

8 That's the way to beat peer
9 pressure, just as surely as a quick pass in
10 basketball can beat the toughest zone defence.^S ✓
11 I forgot to tell you that I coach basketball,
12 too. Once you know the challenges that you're
13 up against, then you can overcome them. And,
14 working together, we will. Thank you.

15 CHAIRMAN BALCH: Thank you very
16 much, Mr. Mayor. Let me just ask you one or
17 two questions and then I will open up the
18 proceedings to the other members.

19 At the beginning of your
20 presentation you mentioned the fact that you
21 had kind of haply seen the last few years a
22 long history of discriminatory practices in
23 the school system. I'm wondering whether this
24 reflects a potential difference in the way in
25 which you evaluate the same from that position

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2 taken by the State Department of Education
3 which, if I recall the report, acquitted the
4 District of intentional, any intention to
5 discriminate.

6 Is there a difference between you
7 and them on that?

8 MAYOR MANAHAN: If you referee
9 basketball, whether a foul is intentional or
10 whether it's accidental, even the guys who
11 officiate the NBA have a tough time doing
12 that. I can tell you what I heard people say
13 off the record or out of context ^{That} and there ✓
14 have been discriminatory remarks made by
15 people teaching in the school system but they
16 are a vast minority of the staff.

17 CHAIRMAN BALCH: When it comes to
18 the question of intent you're, you really
19 don't know?

20 MAYOR MANAHAN: Oh, I know. You're
21 asking me can I prove it? No.

22 CHAIRMAN BALCH: Well, there does
23 seem to be some difference between the stated
24 conclusions of the report and your own sense
25 of the situation.

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MAYOR MANAHAN: Let me just say ^{that} I
am so glad to have that State report in
whatever shape or form ^{it's in} I would not quarrel ✓
with it. I have to tell you that having dealt
with --

CHAIRMAN BALCH: We're very
interested in your perceptions because you're
closer than the State people.

DR. SMITH: Tell the truth.

MAYOR MANAHAN: They interviewed
me. I wouldn't not tell the truth. I'm just
saying, you know, after the unsatisfactory
experience I had with the Federal Government ^{Interviewer} ✓
^{who} which were to me a bunch of pussy cats, I was
really pleased about the job the State did.

CHAIRMAN BALCH: How much, I assume
you've been following this very closely, how
much change has there been thus far in the way
in which the decisions are made? Do you still
have a tracking system where various students
go? Have you observed any change?

MAYOR MANAHAN: Well, I can say
that I have been part of, not as active as I
would like to have been, a committee ^{Put} set

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2 together, composed of community members, to make ✓
 3 recommendations to and work with
 4 Superintendent McIvor and his staff. I've
 5 been part of that.

6 You're talking about something
 7 like the Queen Mary going along with all this
 8 momentum, now you want me to stop it in five
 9 inches. It's going to go on for another five
 10 miles before it comes to a halt. I think that
 11 they're making ^{Progress} -- as I said ^{earlier} in one -- I have a ✓
 12 great deal of faith in this man ^{McIvor}. I really do. ✓

13 I think those other two guys were
 14 carpetbaggers. They came from Bergen County.
 15 They were looking for something to put in
 16 their resume to say that they worked in an
 17 urban district. Some of them may be friends
 18 of yours, ^{But} I think they did a great disservice ✓
 19 to us. They had a medicine bag full of stuff
 20 and none of it was effective.

21 CHAIRMAN BALCH: My sense of what
 22 you've been telling us though, is you feel the
 23 problem will only be successfully addressed
 24 when there is an end to differential
 25 assignment of students within the school?

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2 MAYOR MANAHAN: Right. I am not a
3 grouper.

4 CHAIRMAN BALCH: This is not yet
5 the position of the Board of Education?

6 MAYOR MANAHAN: No. I was on the
7 Board of Education 20 years ago. I went
8 through the whole thing with Morris Township.

9 CHAIRMAN BALCH: Vice chairperson,
10 Mr. Alum?

11 MR. ALUM: Mr. Mayor, I'm Roland
12 Alum. I would like to congratulate you on
13 your testimony. It was very moving.

L 14 I really just have a procedural
15 question which has two parts. Who appoints
16 the superintendent of schools in the
17 district? Yourself?

18 MAYOR MANAHAN: ^{The} Board of Education. ✓

19 MR. ALUM: Who appoints the members
20 of the Board of Education?

21 MAYOR MANAHAN: ^{They} Run for election. ✓

22 MR. ALUM: I'm sorry?

23 MAYOR MANAHAN: They run for
24 election. Back at the time I talked about the
25 mayor appointed the Board of Education. That

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2 has since changed.

3 MR. ALUM: When did that take
4 place?

5 MAYOR MANAHAN: Probably in the
6 early Sixties.

7 CHAIRMAN BALCH: Mr. Scrupski?

8 MR. SCRUPSKI: Has there been any
9 change beyond the special education classes in
10 grouping arrangements that you -- most schools
11 do group for special ed classes. I don't know
12 whether you're in favor of doing away with
13 that kind of grouping as well as -- we have
14 such a thing as mainstream. Nevertheless the
15 mainstreaming still involves identity for
16 those classified as some sort of special
17 education.

18 Beyond that, to your knowledge has
19 there been any change in building grouping in
20 the elementary schools? Was there ever?

21 MAYOR MANAHAN: No. You know, if
22 you go to a bar and order one of those fancy
23 drinks that has all the layers of different
24 colored liquors in it, ^{well} if you rank our kids ✓
25 1-200 that's the way they come out.

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2 Most of the ones in the top group
3 are going to be white. Morristown has ^{some} very [^] ✓
4 very wealthy families with kids who are
5 tutored from the time they get out of the
6 cradle.

7 Then the next layer is going to be
8 probably a combination of black and white and
9 then you're going to have the ^{blacks and Finally the} [^] Hispanic kids
10 who have trouble with the language.

11 If you're going to do this
12 grouping in a number of subjects; reading and
13 math and that kind of thing, I realize they're
14 ^{only} [^] supposed to be out of the classroom 25 percent ✓
15 of the time, you get those distinct
16 separations among the youngsters.

17 MR. SCRUPSKI: With respect to the
18 State Department of Education's report, the
19 school district relied too much on teacher
20 opinion in setting groups, in particular
21 special education groups.

22 Was there in that report, which I
23 do not recall, any alternative measure of how
24 those groups might have been set up, an
25 alternative to teacher opinion? Was there an

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2 assessment that the use of teacher opinion was
3 unfair as compared to perhaps --

4 MAYOR MANAHAN: Let me tell you a
5 story. All right? Three years ago I had a
6 black catcher on my little league team. This
7 kid ran my team. ^{Baseball-wise} He was the smartest kid on ✓
8 the team. When it came to the end of the
9 summer I talked to him about ^{his plans for} school and he ✓
10 told me he was in special education.

11 ~~So~~ I have a friend who teaches in ✓
12 special education and I said to that friend,
13 how can this boy be in special education? She ✓
14 took him and tested him, he was on grade in
15 every subject, ^{it seems} but he had a conduct problem. ✓
16 As we used to say in the old parochial school,
17 he raised hell in the classroom.

18 Now, what you get in something
19 like that, if he's out of that ^{classroom} mainstream for ✓
20 two years ^{chances are} and he falls two grades behind his
21 class, ^{which makes him automatically} he becomes eligible for special ✓
22 education, ~~automatically by any sort of a~~
23 ~~decision.~~ It's like putting the guy in the
24 insane assylum without having him tested.
25 That's life.

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2 I'm not talking about the ~~stuff~~ ^{statistics} ✓
 3 ^{are} that ~~is~~ on paper here. This is a kid I knew.
 4 He's a living, breathing, flesh and blood kid
 5 who was my catcher. If he didn't have a
 6 friend that was the Mayor ^{who got him out of special} ~~he'd~~ still be in ^{ed} ✓
 7 there.

8 MR. SCRUPSKI: The State Department
 9 of Education was based on something more
 10 systematic?

11 MAYOR MANAHAN: No. What it's
 12 saying is the teacher had too damn much to say
 13 about who went to special education and who
 14 didn't.

15 What they're saying, and I talked
 16 about it earlier, the system, that was put in
 17 because of the fear of those two assistant
 18 superintendents, that I mentioned, that these
 19 kids were going to ^{come under the control of} ~~germinate with~~ teachers that ✓
 20 never dealt with minorities.

21 What had to be done before a child
 22 could be sent to special education or some
 23 other place in the school system, the system
 24 ^{of Golden and Ferravola} ~~in place, that apparently~~ has either been ✓
 25 watered down or -- I don't think it's been

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2 taken away entirely.

3 CHAIRMAN BALCH: Mrs. Farber?

4 MS. FARBER: There are kids that
5 need special education?

6 MAYOR MANAHAN: Right.

7 MS. FARBER: And if you test them
8 objectively you will find kids in every school
9 system that need special education?

10 MAYOR MANAHAN: Right.

11 MS. FARBER: We don't want to throw
12 the baby out with the bath water and say no
13 one gets special education so that there is no
14 segregation?

15 MAYOR MANAHAN: There are different
16 kinds of handicaps; physically or emotionally
17 handicapped or whatever.

18 MS. FARBER: So the question is:
19 What is being done in the system now so that
20 the kids that do need special education get it
21 and the kids that don't need it don't get it?

22 If you take away the system which
23 relies heavily on the opinion of the teacher
24 what objective criteria is being used to test
25 the students to determine whether they require

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2 special education?

3 MAYOR MANAHAN: I think that
4 question would be better asked of the
5 superintendent than of me.

6 MS. FARBER: My other question is:
7 What monitoring system is in place to monitor
8 the implementation of the recommendations of
9 the State's report? Do you know that?

10 MAYOR MANAHAN: Well, there is a
11 committee, in fact there are several
12 committees that are doing that from the
13 community. *viewpoint* ✓

14 MS. FARBER: Well, the committees
15 look at something. What is it that they're
16 looking at? Are there criteria and goals and
17 objectives --

18 MAYOR MANAHAN: At this stage they
19 have established these things. As I said, one
20 of the things that they've established is a
21 sensitivity program for teachers which is
22 fairly revolutionary in the Morris School
23 District, ~~and that is,~~ *whether* ✓ you can ask the
24 superintendent, ~~that is~~ *whether* ✓ either about to be
25 launched or has been launched. ✓

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2 There are other things, too,
3 besides the grouping that's taking place. One
4 is this preschool education for minority
5 youngsters. ^{A Head Start type of Program} There's been a great deal of work ✓
6 with pregnant teenagers and their children and
7 those kinds of things. This is far-reaching.

8 There's been a social worker
9 placed in the public housing project to work
10 with the parents on how to confront the
11 establishment, those kinds of things. A lot
12 of things have resulted from this that are
13 just not ^{revised} grouping. ^{Practicer} ✓

14 MS. FARBER: Thank you.

15 CHAIRMAN BALCH: Dr. Smith?

16 DR. HILL-SMITH: . Mayor, I, too
17 want to thank you for your forthright report.
18 And I had the honor of meeting with the Mayor
19 prior, during the early time of this
20 situation. I was state president at the time.

21 Had it not been for the Mayor jumping in I
22 don't think we'd be here today and I really
23 believe that because the branch had been
24 involved in bringing these things forth and
25 nobody would listen to us.

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2 When the Mayor made that visible
3 walk through the school on Election Day, so it
4 always pays to vote, Mayor, if he hadn't made
5 that physical trip around that school and saw
6 those black classes and white classes all
7 these papers that we have would have been
8 nought. Somebody had to see it so it hit them
9 in the eye.

10 He said the previous
11 superintendents were carpetbaggers. I say the
12 United States Department of Education, they
13 were true carpetbaggers. I don't know who
14 took them to lunch and who fed them what to
15 say there was nothing going on but a party.
16 It was ridiculous. Thank God for our State
17 Department of Education and their forthright
18 report. It's going to take work.

19 I think questions need to be asked
20 of the Commissioner because I have been in
21 touch with Mrs. Smith on an every other day
22 basis which my phone bill will tell you.
23 We're friends as well as workers. I know that
24 someone is here from the branch.

25 But there's been a lot of work

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2 going on here in Morris County between the
3 NAACP and other parts of the community and the
4 new Commissioner of Education. I think you
5 have a track record here in giving a ticket to
6 superintendents of schools. He has three
7 right here on this one case. Mr. McIvor seems
8 like he's going to stay a little while.

9 It's frightening because it's only
10 the tip of the iceberg. What happened here --
11 this is our stellar school district in the
12 State. If it happened here think about the
13 other school districts in the State and the
14 Nation where these kids go in, in the
15 beginning of school they go in special ed and
16 there is no mainstreaming out for them. They
17 stay, they graduate special ed. So they're
18 dumb kids all through school. It makes you
19 sick.

20 I don't want to talk about it too
21 long because it makes me very angry and I've
22 gotten more control since this happened. It's
23 a frightening situation when you take away a
24 kid's self-worth. Once you do that there is
25 nothing left for him to do but sell drugs.

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2 MR. DARDEN: I hesitate because the
3 Mayor really isn't expected to know what the
4 statewide picture is and my questions really
5 are about that, and as Dr. Hill-Smith said,
6 probably would be better addressed to the
7 State Commissioner. But I'm going to explore
8 it with you anyway.

9 The Morris community as we've
10 heard is an example of stellar experience and
11 how do you think what happened here would work
12 in other communities? Do you know whether any
13 other communities are aware of what happened
14 here and if they're attempting to duplicate
15 what you've done?

16 MAYOR MANAHAN: I can tell you I
17 belong to the New Jersey Conference of Mayors, ✓
18 and the N.J. League of
19 I go to Lawrence Township about once a month
20 to look at legislation, ^{being considered by the} ~~among the legislative~~ ^{legislation}
21 and impacting ⁵⁶⁷ ~~communities among the~~ New Jersey
22 municipalities. I talk to other mayors about
23 this kind of thing.

24 I can't say officially, Ed, that
25 I've really alerted them to a lot of things.
When you sit around a lunch table and you talk

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2 about what's happening with your sewer system,
3 I shouldn't put it in the same category,
4 what's happening with your educational system,
5 you share a lot of feelings and I think I've
6 been able ~~to~~ to do a little cross-pollination ✓
7 in that area.

8 Of course, ⁱⁿ each community in New ✓
9 Jersey, ^{and} we have 567 communities, ~~and~~ each one ✓
10 is unique in a lot of senses as to their make
11 up and their school makeup and so on, but --

12 MR. DARDEN: That's an interesting
13 point about the really almost extreme
14 diversity, 600 and some school districts, each
15 one with their separate board?

16 MAYOR MANAHAN: Yes.

17 MR. DARDEN: This is a political
18 question in a sense. What would be your
19 response to the idea of somehow standardizing
20 or creating a more standard approach
21 throughout the State in problem areas like
22 this, for instance?

23 Would you recommend any kind of
24 State action which would cover all the school
25 districts and create some kind of minimum

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2 requirements?

3 MAYOR MANAHAN: I tell you, ~~New~~
 4 ~~Jersey~~ ^{From} ~~X~~ having been involved, ^{New Jersey} ~~^~~ is a peculiar ✓
 5 state. It's a home rule state. As I said
 6 before, you have 567 municipalities, each one
 7 wants to be its own boss and every time there
 8 is a move to standardize something from a
 9 State level, we're going through this now with
 10 ~~A~~ ^{The State Master Plan} ~~planning board type things~~ and people are
 11 being dragged screaming and kicking to the
 12 alter ^A on this one. They're not going to buy ✓
 13 it.

14 You know, I think anything that
 15 ~~would be~~ would raise the standards would be ✓
 16 helpful. But again it's how much money is a
 17 community willing to put into education? It's ✓
 18 as I tell my Council, the budget reflects the
 19 social ~~conscious~~ ^{conscience} of the community. Where ^{are} you ✓
 20 going to put your money? ^{Are going to} You put your money ✓
 21 in old folks? ^{Are you going to} You put your money in schools?
 22 ^{Are going to} You put your money in brand new fire trucks?
 23 Where do you put it? That says a lot. I
 24 think that's what's happening here.

25 One of the really ironical

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2 experiences I had was when I went down to
3 Bedminster which is a very wealthy community.
4 I found out they probably had the smallest
5 school budget in the area. The reason they
6 did, they were so wealthy they all sent their
7 children to private schools. The only ones
8 ^{who went to public school} were the kids of the servants, ~~that went to~~ ✓
9 ~~public schools~~. That was their approach to
10 education.

11 I think this is one of the things
12 that you're going to have as far as trying to
13 standardize things.

14 DR. HILL-SMITH: I think one thing
15 that the Mayor has studied that most mayors,
16 I've been state president for 22 years, I know
17 the State very well, I don't know of any mayor
18 that would make the commitment that he made to
19 this one.

20 He didn't have anything to gain.
21 He didn't have a child in the school and he's
22 not black, I don't think. He had nothing to
23 gain but his concern for the kids in his
24 community, where they were going after they
25 come out of that system and this will not be

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2 known statewide because people in South Jersey
3 don't even know this exists because there has
4 been no feedout through the media, present
5 company excepted, statewide that there ever
6 existed a problem in Morristown.

7 I read everything, I mean
8 everything. I read everything that comes down
9 the Pike. I live south of Trenton in
10 Gloucester County. There's been nothing
11 printed in the papters about the problem that
12 exists in the best school system in the State.

13 The State Department of Education
14 won't print it because they don't have the
15 manpower to. You can bet your life that
16 Gloucester is going to face it in the fall
17 because I'm going to take it to them. I've
18 got some more down that way I'm going to take
19 it to. It's not going to happen by osmosis.
20 Won't happen.

21 CHAIRMAN BALCH: I've been on the
22 Committee now for four years and it's rare, I
23 think, that any public official, particularly
24 an elected one, would get involved in a matter
25 such as this. You should be congratulated.

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2 Thank you very much for coming.

3 Do you have any concluding remark
4 that you'd like to make?

5 MAYOR MANAHAN: I wish you a lot of
6 luck because there ^{are} (is) a lot of kids being ✓
7 lost. Kids are going to be lost if we don't
8 save them.

9 CHAIRMAN BALCH: Normally at this
10 point our schedule tells us that we would have
11 a break and then we would have heard
12 originally Mayor Manahan following our return
13 from the break. The agenda first had Dr. Saul
14 Cooperman. He's not here. I understand we do
15 have Dr. McIvor in the audience and I was
16 wondering if you might be so kind, if you
17 don't mind, to have your testimony come at
18 this point rather than later in the evening.
19 Would that be all right?

20 DR. MCIVOR: That's fine if you
21 want to amend that schedule. We may have
22 other people planning on being here later.

23 CHAIRMAN BALCH: I believe the only
24 other person who would be directly effected is
25 the representative of the NAACP, Miss Bagley.

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2 Would that pose any problem for you if we had
3 Dr. McIvor speak now and then what we'd do, I
4 think, is following Dr. McIvor break for
5 dinner and then come back and we would then
6 have you come before the committee at 7
7 o'clock. How would that be or would you
8 rather have us just move all the way through
9 the schedule at this point? We probably
10 could do that, too.

11 MS. BAGLEY: I would appreciate
12 that.

13 CHAIRMAN BALCH: In that case, why
14 don't we move on to Dr. McIvor. Dr. William
15 D. McIvor is the superintendent of Morris and
16 Morristown School District.

17 DR. MCIVOR: I'm going to approach
18 this somewhat more discursively if I may. I
19 did not realize that this was testimony or
20 that we were coming in here to make a formal
21 presentation. I thought it was -- in my
22 discussions with Mr. Darden on the phone I got
23 the impression it was an informal meeting at
24 which we were going to be discussing the
25 school district's response to the

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2 investigation. I'm prepared to do that. But
3 I was very impressed with our Mayor's eloquent
4 statement, prepared statement. I have not
5 chosen to approach it in such a formal manner.

6 CHAIRMAN BALCH: As long as the
7 stenography doesn't bother you.

8 DR. MCIVOR: That's fine. Let me
9 also say that I think perhaps the questions
10 that may be answered by members of the
11 Committee -- I don't know whether the public
12 is permitted to also get involved in this
13 process and ask questions. This might be
14 perhaps the most enlightening way to proceed.

15 I do appreciate the Mayor's
16 comments. I think he has a prospective that
17 few people have having been involved in the
18 district for so many years and having been
19 involved as not only a formal board member but
20 as well in so many other activities in the
21 community.

22 Let me first make a few comments
23 and at the risk of disagreeing in part with
24 some of the comments the Mayor made just point
25 out that the initial investigation by the

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2 State Education Department contained a number
3 of factual errors. It contained a number of
4 findings which I felt compelled to respond to.
5 I did.

6 I wasn't in any way suggesting to
7 the State Education Department that the
8 general findings that called attention to this
9 disproportionate numbers of minority students
10 in special education programs and certain
11 remedial programs was not a concern and indeed
12 we acknowledge that it must be a concern.

13 But the document itself, I think,
14 in some respects misinformed the community
15 about the extent of the problem and words and
16 phrases such as "racially isolated programs"
17 and "segregated programs" suggested that we
18 had a pervasive problem in the district which
19 is really not the case, was not the case.

20 Yes, there were classes, and in
21 fact, the Mayor is correct in pointing out
22 there was a class in one particular school
23 that had a majority of minority students on
24 the day he happened to observe that program.
25 They were all indeed minority students at the

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2 time, or only minority students present at the
3 time.

4 I only make that point, not in
5 defense or not to engage in any debate about
6 the report itself, but there is a document we
7 had sent to the Commissioner which called
8 attention to a number of factual errors and a
9 number of generalizations which we took
10 exception to which the State Department has
11 and that's a matter of record. Let me --

12 It was never -- I think it would
13 serve no useful purpose at this point other
14 than to simply let the record show that I
15 think there was an acknowledgement on the part
16 of the Commissioner's staff that there were
17 some errors in the report but the report was
18 released publicly. I have said to our Board
19 of Education and members of our community that
20 our responsibility now should be to respond to
21 the substance of the findings and to get on
22 with the business of addressing the needs of
23 minority students in our school district.

24 Since that investigation has been
25 completed we have spent a good deal of our

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2 time as an administration, our Board of
3 Education, our administration and our staff,
4 in addressing the issues that were cited in
5 that report.

6 The major findings called
7 attention to the fact that we had a
8 disproportionate number of minority students
9 in special education programs, in basic skills
10 classes and that the grouping practices in the
11 district had the effect, though not
12 intentional, the State report indicated of
13 having minority students represented in the
14 lower groupings, disproportionate numbers of
15 minorities represented in lower groupings and
16 underrepresentation of minorities in higher
17 groupings in the system beginning in the
18 intermediate schools and continuing through
19 the junior high school and senior high school
20 program.

21 The report, with respect to
22 grouping, pointed out that teacher
23 recommendations seemed to be, based on their
24 interview with staff, the major basis for
25 making decisions about where children should

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2 be placed. The interesting point about all of
3 that was that when we looked, when the State
4 -- I think they did serve a very useful
5 purpose here in calling attention to the fact
6 that we had a policy that intended to effect a
7 grouping, groupings of students based upon
8 their achievement levels, but because teacher
9 recommendations were overpowering that the
10 groups were hardly distinguishable in terms of
11 their overall achievement levels that we ended
12 up with rather not quite heterogeneous,
13 certainly not as homogeneous grouping as much
14 as the policy intended to, to produce with
15 some of the classes. In particularly the
16 groups that were, seemed to be more remedial
17 having disproportionate numbers of minority
18 students.

19 The second major issue addressed
20 in the report was that there seemed to be a
21 lack of sensitivity and awareness on the part
22 of some staff members with regard to the needs
23 of minority students; and thirdly, the
24 observation was made that as minority students
25 progressed through the system the gap between

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2 their average achievement level and the
3 average achievement level of majority students
4 in our system widened; and fourthly, that
5 there continued to be, these are the major
6 observations in the report, that there
7 continued to be in the self-contained special
8 education programs, there continued to be a
9 disproportionate number of minority students,
10 rather significant disproportionate numbers.

11 Our response then to those major
12 findings was to first of all begin to address
13 people in the community whom we felt were
14 minority members of the committee whom we felt
15 could assist us in addressing these issues in
16 some systematic way. So we formed a committee
17 which comprised of representatives of the
18 Urban League, NAACP, members of the community,
19 and held a series of meetings throughout the
20 course of the school year, some four or five
21 all together, which addressed the specific
22 objectives, specific action plans for the
23 problems that the State report had called
24 attention to.

25 The results of those meetings

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were, I think, twofold. One, a comprehensive action plan which was submitted to the State Educational Department which outlined a whole series of initiatives, some of which began this year and some of which are scheduled to begin next year, that address all of the concerns that I've outlined that the State report has addressed. And secondly, the series of meetings, I think, believe, have allowed us to establish a working relationship with the minority community, one that I think we will continue and will allow us to continue to address this very very difficult issue, one that has been somewhat intractable over the last seven or eight years in the district.

Mayor Manahan mentioned that the community at this point, I think while feeling pretty good, I think, about the action plan that's been developed and has had major input into the various initiatives that we're planning to take, is going to wait and see what kind of a long-term commitment the district is making to this problem, to address this problem.

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2 Let me just cite a couple of
3 examples which I think indicate there is
4 strong commitment on the part of the district
5 to deal with the equity questions here, and as
6 far as this superintendent's concerned this
7 will remain a priority for my administration.
8 The budget that we put together last year in
9 the school district had to be cut by over a
10 million dollars to bring it in under cap as
11 required by State law.

12 There wasn't one initiative that
13 was included in that budget to address the
14 State investigation on the needs of minorities
15 in the district that was cut. Close to
16 \$200,000 in appropriations have been made to
17 develop a number of programs.

18 We, this year, instituted a First
19 Teacher Program which is designed to address
20 the needs of very young, 1 and 2 year old
21 minority students and their parents, in many
22 cases single parents, who we recognize without
23 more than a Headstart, a very very early
24 intervention program, can very likely come to
25 school 2 to 3 years behind, developmentally

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2 behind the average student in our school
3 district. That program has been developed in
4 cooperation with the minority community and is
5 being offered on-site at a facility in the
6 minority community because we felt that that
7 was a more comfortable environment for those
8 parents and those children to, to become
9 involved in.

10 That program has been expanded for
11 next school year. We'll be adding additional
12 staff to the program and serving -- I think,
13 this year we served an average of a dozen
14 parents not a large program, but it was open
15 to parents, who wanted to become involved and
16 we knew it was important to have individuals
17 who were committed so we accepted really
18 applications from individuals who wanted to be
19 involved in the program. Next year we're
20 expecting that program to double in
21 enrollment.

22 In addition to the First Teacher
23 Program we have money in the budget for an
24 early childhood learning specialist who is
25 going to work in the community with

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2 educational leaders who are running programs
3 within some of our churches and within
4 agencies that have funding for Headstart-type
5 programs.

6 We have decided at this point
7 we're not going to compete with those programs
8 but rather provide technical assistance and
9 support because I think the community has
10 invested in those programs and at this point
11 want to continue operating them and we don't
12 at this point choose to interfere with that.

13 We do think we can provide
14 expertise because they do not have the funds
15 and aren't required under the grants they
16 receive to hire necessarily certified people
17 who are exceptionally well-trained in early
18 childhood education. So we're hiring the
19 person to go in and serve as a technical
20 assistant and support person to this programs.

21 We have expanded our basic skills
22 program in the district and are offering
23 summer school experiences to students who
24 failed to meet the minimum State standards in
25 basic skills. We started the program last

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2 summer for elementary students and high school
3 students and this year it's going to continue
4 with the program enlarged so we can serve any
5 student who wishes to attend.

6 Again we've reached out and we've
7 advised parents to have these students enroll.
8 We can't mandate these programs but we are
9 looking at over a hundred students, I believe,
10 this year in the elementary and secondary
11 program who will be -- a majority of them are
12 minority students who have, or a significant
13 of number of them are minority students, who
14 have failed to meet the minimum State
15 standards.

16 As a result of last year's basic
17 skills summer initiative as well as a number
18 of steps we've taken to strengthen that
19 program we've shown marked improvement in the
20 performance of our students on minimum
21 proficiencies, basic skills proficiencies.

22 The data we just received, which
23 will be in the paper any week now, shows that
24 our high school HSPT results are probably the
25 most impressive right now in the State for a

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2 district like the Morris School District.

3 There is -- as Mayor Manahan indicated,
4 several years ago when we compared ourselves
5 to other districts like ours our results were
6 not terribly impressive. Indeed we ranged
7 rather low.

8 We're looking at right now in
9 reading and in writing, two areas of language
10 arts that are covered on the high school
11 proficiency test, 95 plus percent passing
12 grade for all 9th graders in the high school.
13 Now given the fact that 40 to 50 percent of
14 the youngsters in that program are minority
15 youngsters that's a significant improvement
16 and it suggests a large number of those
17 students are exiting into now the mainstream
18 out of the basic skills program.

19 In the area of math we went from
20 78 percent in the last three years passing
21 rate to this year 93 or 94 percent. It was
22 exceptional over the last year, exceptional
23 improvement in the passing grade for math.

24 One of the ironies here is that
25 the State has its own regulations which

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2 require that students who fail to meet minimum
3 proficiencies receive remedial education and
4 those remedial programs under State
5 regulations can be pullout programs and can be
6 separate programs. And in fact, you're
7 required to provide that remedial instruction.

8 We have been averaging about 30 to
9 40 percent of the youngsters in those
10 programs. About 40 percent on average of
11 those youngsters are minority youngsters.
12 Given the fact that our minority population is
13 approximately, I'm talking about black
14 minority, is approximately 25 percent in the
15 district you could say that's a
16 disproportionate number. Ideally, you would
17 not want to see those disproportionate
18 numbers.

19 If you're going to have pullout
20 programs or separate programs you can justify
21 educational -- for remedial purposes or
22 special education purposes you would want to
23 see it neutral with respect to the ratio
24 composition of the classes. So there would be
25 -- racial or ethnic composition of those

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2 classes would be proportionate to what you see
3 in a larger community. That has not been the
4 case in the district and continues not to be
5 the case. I think some of the data I'm sharing
6 with you, that that's starting to improve.

7 Another program which was funded
8 that's beginning this summer, which is
9 designed to address the underrepresentation of
10 minorities in advanced placement programs in
11 our middle school and high school program,
12 which we budgeted for but we were fortunate
13 enough to get an Exxon grant to underwrite
14 which is going to allow us to use some of the
15 budget money we have to even strengthen the
16 program further, is going to provide some
17 minority students, we've handpicked these
18 youngsters, with support of the parents and
19 the community, who have extra aptitude, who
20 are significant underachievers, whose test
21 scores don't qualify them for the AP -- for
22 example, in our middle school beginning in the
23 7th grade students can start to study foreign
24 language, can take Algebra I, Algebra II as an
25 8th grader, can take physical science and

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2 carry those credits forward into the high
3 school.

4 Particularly adept and
5 academically talented students in our middle
6 school can leave the middle school with some
7 25 credits that are transferable to the high
8 school. We have disproportionate numbers of
9 our minority students who take advantage of
10 those programs.

11 This summer program, we call it
12 the prep program, is designed to take these
13 children in the 6th and 7th grade who have the
14 aptitude, we believe, to move into these
15 tracts and tutor them and prepare them for
16 placement in foreign language and/or math or
17 science programs in the middle schools so that
18 when they reach the high school they're able
19 to take advantage of the higher level
20 courses.

21 Like most high schools ours is a
22 comprehensive high school with several tracts
23 starting with what we call C, or average, B,
24 above average and A honors and then advanced
25 placement opportunity for students.

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2 Advanced placement meaning courses
3 that carry college credit.

4 Youngsters who come into the high
5 school not having had accelerated experience
6 in the middle school, junior school, are not
7 able to take advantage of all of those
8 opportunities. So this program is designed to
9 start to move some minority students who are
10 otherwise, because they're not motivated
11 perhaps, they're not being encouraged by
12 parents perhaps or perhaps we haven't been
13 aggressive enough ourselves in promoting the
14 abilities these students have and encouraging
15 them to take advantage of the academic
16 programs we have in the middle school.

17 So this is a program we're
18 particularly excited about because while we're
19 concerned about the poor and underprivileged
20 minorities who are in lower track and who need
21 help to meet minimum proficiencies we have to
22 be concerned about the other end of the
23 continuum. We expect this is going to have a
24 positive effect.

25 Let me make one -- as I said, this

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2 is a discursive presentation. One of the
3 observations we've made, and I think we can
4 substantiate this if you hold us economic
5 status constant and you look at the background
6 of our students, you will find generally that
7 there aren't racial differences, that we have
8 a significant middle, upper middle class black
9 community in the Morris School District.
10 Their students do exceptionally well and
11 perform like the other youngsters who come
12 from similar backgrounds.

13 I make that statement because I
14 think that while I am not at all insensitive
15 to the fact that in any large organization, in
16 any large bureaucracy there indeed may be
17 people who either consciously or unconsciously
18 discriminate, and we're trying to be alert to
19 that and will be and any time anyone calls a
20 problem to my attention that suggests we have
21 anybody in the organization who may be either
22 consciously or unconsciously treating students
23 differently based on race or ethnic
24 background, for that matter class, we will
25 deal with it.

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2 But our Mayor made a comment about
3 a program he attended last Friday night which
4 I also attended which featured the black
5 youths of this county who are graduating from
6 high school and a number of students who have
7 achieved extraordinary awards of distinction
8 in their respective high schools. The
9 majority of those youngsters were from
10 Morristown because we do have the largest
11 minority population in the county.

12 That indicates that when there is
13 an interest and -- those kids, I know many of
14 their parents, I know they're strong advocates
15 for their children. I think that's an
16 important component in this overall picture
17 here that we're addressing today, that where
18 you have advocacy not only within the system
19 but outside the system and parents are
20 concerned about promoting their youngsters and
21 making sure they take advantage of every
22 opportunity we have in the district and are
23 given every consideration, that makes a
24 significant difference. We can't do so alone.

25 So that brings me to another

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2 initiative that we're working on in the
3 district and that is an advocacy program.
4 With the support of the black community we've
5 identified individuals who are actively
6 involved in their community who want to serve
7 as role models for a number of the kids in our
8 -- particular programs that are serving the
9 marginal students who have difficulty meeting
10 basic skills, proficiencies, who have
11 difficulty functioning in the system
12 competitively, to serve as role models for
13 these students so that as strong advocates if
14 the system in any way is being nonresponsive
15 or is not addressing the needs of these kids
16 that they, if the parents are unable to come
17 forward for whatever reason, that they as
18 surrogates can represent the needs of these
19 youngsters. So we're encouraging that as
20 well.

21 And I have, with the support of --
22 for example, one project we have operating
23 right now, one of our intermediate schools
24 which is being piloted, is involving the
25 professional minority staff at Warner Lampert.

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2 Werner Lampert is located in Morris Plains.
3 I've contacted their affirmative action
4 officer and we have worked out a program where
5 the select students, again minority students,
6 in this particular intermediate school with
7 their parent or parents' permission have been
8 assigned individuals, professional people at
9 Werner Lampert who are serving as role models
10 and surrogates for them to start to promote
11 their interest in academic programs, academic
12 curriculum.

13 This is the school that's feeding
14 into our junior high school. So that we can
15 start in the 3rd, 4th and 5th grade to talk to
16 some of these students about, particularly
17 where we see undeveloped ability and talented
18 students, the importance of thinking seriously
19 about the educational program and the
20 opportunities that are going to be available
21 once they leave the intermediate schools. And
22 they now have this comprehensive program to
23 choose from in the middle school or junior
24 high school.

25 Advocacy and surrogacy in my

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2 judgment is an important component here to the
3 overall initiative to address the inequities
4 in the system and problems we have in the
5 system in providing for the needs of
6 minorities.

7 I'll make one other comment and
8 then maybe stop and respond to questions. The
9 district embarked on a strategic plan process
10 two years ago which has addressed many many
11 aspects of the district program and
12 operations. In fact, the district retained a
13 nationally known consultant on strategic
14 programs who spent a great deal of time with
15 community representatives and staff including
16 teachers, administrators and parents and
17 identified three major objectives for the
18 district to address over the course of the
19 next five years.

20 One of those objectives stipulates
21 that we are committed to closing the gap
22 between the achievement levels of students in
23 our system and their ability measures or their
24 aptitude measures. We have data that suggest
25 that all of our children are failing to

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2 achieve their potential. If you look at most
3 school systems, if they had objective measures
4 of student ability or aptitude, I'm not
5 talking about IQ scores now I'm talking about
6 general measures of cognitivity,
7 reasonability, problem solvability, verbal and
8 scores, measures of verbal abstraction,
9 abstracting abilities and other such measures,
10 that you'd find, when you look at those and
11 you compare them with actual achievement test
12 scores, you'll find that the youngsters aren't
13 achieving everything they're capable of.

14 One of the objectives stipulates
15 that we're going to close that gap. That gap
16 we know is greater for minority students than
17 it is for majority students. So not only do
18 our minority students on average score about a
19 year- to a year and a half behind majority
20 students in terms of measured achievement but
21 there is a greater gap between their actual
22 ability to achieve and their achievement
23 levels.

24 So the second objective in the
25 strategic plan addresses the need to promote

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2 the school system. We have a large number of
3 private schools in this area and approximately
4 20 percent of the school-age students in our
5 district attend private and parochial schools.
6 An interesting objective for the Board of
7 Education. We want to return 50 percent of
8 those kids to the public system. Maybe that's
9 not ambitious enough for some people.

10 I think there is a recognition
11 that parents will make the decision to have
12 their children attend parochial schools or
13 private schools for philosophical or religious
14 reasons and we don't quarrel with that and we
15 recognize that that's understood and wouldn't
16 challenge parents on that basis.

17 It's, however, another group of
18 parents whom we feel are not sending their
19 students to the Morris School District for
20 other reasons not having to do with religious
21 beliefs or convictions or deep-seated
22 philosophical reasons perhaps about private
23 education but rather the concern that the
24 district, an integrated district and, you
25 know, they don't want, they choose not to have

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2 their child attend that kind of system because
3 they don't believe it's a quality district.

4 Well, this district we believe is
5 a quality district and I think it's the real
6 world and we believe our strength, it's a
7 diverse school district which provices for the
8 needs of all of its students and we're
9 committed to seeing that that happens.

10 The third objective had to do with
11 reducing the high school drop out rate, which
12 by the way is one of the lowest in the State
13 right now, It's about three or four percent.
14 But the Board is not happy and indeed we're
15 not going to be satisfied until we see every
16 student in our district graduate from high
17 school.

18 Now, my point with respect to the
19 strategic plans, those three objectives are
20 ambitious objectives. There are some 13
21 strategies to help us achieve those
22 objectives. One of those strategies is to
23 eliminate the disproportions, the
24 representation of minority students in the
25 district educational program. That is one of

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2 the 13 strategies. The committee that has
3 worked with us on developing the action plan
4 in response to the State's investigation is in
5 fact going to constitute the committee that
6 will be helping us develop specific action
7 plans to implement that strategy.

8 This is a five-year plan. It's a
9 -- every year annually it will be updated.
10 But the concept here is we're looking down the
11 road five years to try to make significant
12 improvements in our system. In this case this
13 strategy is saying one of the improvements
14 that needs to be made, and the Board's
15 committed to it and the community's committed
16 to it, is to eliminate, that may be
17 aspiration, that's really what we'd like to
18 see happen, eliminate the disproportionate
19 representation of minorities in all of our
20 programs.

21 And there will be an annual review
22 of that strategic plan and reports to the
23 community on how well we're faring with
24 respect to all of the strategies but in
25 particularly that one. Let me stop at this

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2 point and respond to any questions which you
3 may have or anyone else.

4 CHAIRMAN BALCH: Thank you very
5 much for coming forth and giving us your
6 thoughts. It may have been in your mind
7 discursive but I think most of the people here
8 will agree it was a systematic presentation as
9 to how you see the system and the way its
10 evolved.

11 Offhand, obviously there is a
12 difference between you and the Mayor with
13 respect to educational philosophy and I gather
14 you're committed to an ability grouping system
15 within the district as a more educationally
16 sound approach; is that correct?

17 DR. MCIVOR: I think we're
18 committed to continuing our grouping practices
19 until we have data that suggests we have
20 better ways of meeting needs of our students
21 across the board.

22 Let me say that we are evaluating
23 our approaches, other systems at this point.
24 One of the recommendations the State report
25 made was that we explore alternative

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2 strategies, teaching strategies and
3 methodologies that would allow us to group
4 students heterogeneously and we have been in
5 the process of doing that over the last
6 several years and we've expanded that area in
7 terms of our professional development program.

8 I'm familiar with the work of Bob
9 Slavin and others who have been studying
10 tracking practices and grouping practices and
11 I recognize -- and here's the dilemma I think
12 for schools. I think generally -- in systems
13 generally, particularly our district, there is
14 not a lot of data that suggests tracking and
15 grouping students is going to help us close
16 the gap, admittedly.

17 On the other hand, there is not a
18 lot of data to suggest that there are
19 alternatives that teachers generally at this
20 point feel much more comfortable with.
21 Perhaps that suggests that there needs to be a
22 lot more time devoted to professional
23 development, staff development and we need to
24 evaluate, for example, cooperative learning
25 strategies, the use of learning styles and the

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2 use of other methods which are designed to
3 allow teachers to teach very very diverse
4 groups.

5 And we're in the process of doing
6 that and I think until we have some data to
7 suggest that we can get better results going
8 in that direction we're going to continue, but
9 we'll evaluate with our committees, publicly
10 report on the progress of our youngsters who
11 are regrouped for instruction.

12 CHAIRMAN BALCH: Two questions
13 coming out of what you just told me. A) If
14 you're not aware of any systems -- you say
15 that so far there is no evidence that a
16 tracking system of the kind you have can
17 reduce in this way the gaps between various
18 racial and ethnic groups in the system.

19 Does that mean you're not familiar
20 with any other systems that have had success
21 along these lines? Do you know of another
22 system that has ability grouping procedures
23 whereby substantial differences have been
24 removed?

25 DR. MCIVOR: The only data that,

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2 research we're familiar with that points to
3 procedures and methods and strategies that
4 suggest the gap can be closed is the Effective
5 Schools Research which we are also involved in
6 in two of our schools.

7 However, the Effective Schools
8 Program doesn't necessarily rule out some
9 grouping for instruction. Its primary
10 strategy is not for meeting the needs, for
11 providing for individuals needs or
12 differences, but there is a great deal of
13 emphasis in the Effective Schools movement on
14 objective measurements of student progress,
15 perceptive teaching whether it be in a home,
16 heterogeneous class setting or homogeneous or
17 more homogeneous setting.

18 CHAIRMAN BALCH: But it's
19 perceptive teaching?

20 DR. MCIVOR: Yes.

21 CHAIRMAN BALCH: What is that?

22 DR. MCIVOR: Perceptive meaning you
23 identify specifically what the child's
24 strengths and needs are and you individualize
25 instruction. Rather than teaching to the

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2 group you're teaching specifically to the
3 child's needs. It's highly personalized yet
4 it's not tutorial in the sense you have a
5 teacher working one on one. There is
6 technology to define what the strengths and
7 weaknesses are.

8 CHAIRMAN BALCH: You have a --

9 DR. MCIVOR: Good teacher/student
10 ratios are important. The use of computer
11 instruction's important, the aides, teacher
12 aides and extraordinary teachers who can
13 manage that kind --

14 CHAIRMAN BALCH: But you're not
15 aware of any system that has a grouping
16 process like us which has managed to reduce
17 the differentials that could be a ~~bottle~~ ^{model} for
18 your own system?

19 DR. MCIVOR: I can't say that I'm
20 aware of any research generally that really
21 has supported unequivocally what we happen to
22 be doing or for that matter any districts may
23 be doing --

24 CHAIRMAN BALCH: Is it your feeling
25 of having this particular grouping approach,

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2 while it does not reduce the different levels,
3 that you find increases across the board in
4 achievement levels? Is that what you have?
5 Everybody is sort of doing better than they do
6 otherwise? Is that the basis for your
7 commitment?

8 DR. MCIVOR: I think the basis for
9 our approach has been; one, our staff has
10 found it to be a much more managable way to
11 teach. They feel that its, it allows them to
12 personalized instruction more when they have
13 less of a range to deal with in a given
14 classroom,

15 If you look at our classes -- let
16 me just clarify for the record. In our K-2
17 program there is no regrouping for
18 instruction. All of our classes are grouped
19 heterogeneously. Starting grade 3 through
20 grade 5 we regroup for instruction in reading,
21 and in math and all of the other subjects are
22 taught in heterogeneous class settings.

23 If you look at the lower tracts,
24 that is your, let's say your basic skills
25 tracts which is defined by the State education

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2 program where kids must be able to receive
3 remedial help. The next line up, which is
4 this borderline track, these are youngsters
5 that tested out of the program, we're
6 averaging 30 to 40 percent of those youngsters
7 are minority kids to give you an idea of what
8 we're talking about.

9 Then there are basically four
10 groupings in addition to basic skills; the C
11 track, you have a B track and then we have our
12 honors program or our gifted and talented
13 program. That's how that works in the
14 intermediate program for reading and for math,
15 not for the other study programs.

16 CHAIRMAN BALCH: High school level
17 more comprehensive?

18 DR. MCIVOR: Yes.

19 MR. SCRUPSKI: Middle school you
20 skipped.

21 DR. MCIVOR: Let me tell you what
22 happened in the middle school. Regrouping
23 occurs for math and for reading and the
24 language arts, not for the social studies and
25 not for science. Although what happens for

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2 the exceptionally talented youngsters, which
3 are GATS, gifted and talented students,
4 they're pulled out of math classes and pulled
5 out of science classes for courses that carry
6 high school credit.

7 It is there that you have the
8 underrepresentation of minorities. A problem
9 that I alluded to before. But all of the
10 other classes other than those are mirror of
11 the --

12 CHAIRMAN BALCH: Is the higher
13 level of teacher satisfaction that you
14 discussed as much the case among those
15 teachers who are teaching the students at the
16 lower ability groupings as they are at the
17 higher? Do they also prefer --

18 DR. MCIVOR: I think what we try to
19 do is assign staff based on their interest and
20 their ability to teach it.

21 CHAIRMAN BALCH: If you ask them
22 they also prefer to teach homogeneous
23 classes?

24 DR. MCIVOR: Absolutely. That, in
25 fact, is one of our concerns. Should we move

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2 in another direction we have a lot of work to
3 do with staff. Next year, for example, we're
4 piloting a reading program in the primary
5 grades and intermediate grades which is going
6 to be heterogeneously organized. It's called
7 the Whole Language approach for the teaching
8 of reading, and the staff who have been
9 selected for that program have been handpicked
10 because they've had special training in
11 cooperative learning and other strategies that
12 are helpful when you're trying to teach a
13 class that ranges from below average to well
14 above average in terms of achievement level
15 and perhaps even ability level.

16 CHAIRMAN BALCH: You have a
17 five-year program under way to reduce the
18 disproportion in ethnic, racial assignment
19 among the various groups. In your mind would
20 you say that the continuation of a grouping
21 system would depend on the degree of success
22 you have in reducing the disproportion?

23 That is your commitment to the
24 grouping system, one which is conditioned on
25 those disproportions being overcome during the

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2 next five years?

3 DR. MCIVOR: I don't think, unless
4 we -- my position will be, and I will advise
5 my Board, that we have to show progress in
6 this area. If the grouping practices we have
7 in place, and I think I've alluded to a number
8 of other programs and initiatives we're
9 taking, I think grouping strategies we're
10 using represent only one piece to this overall
11 puzzle.

12 With everything else we're doing
13 we're hoping that we're going to see
14 continuing progress. If we do not, I think
15 we're going to have to examine our overall
16 program, including our grouping strategies,
17 and look at alternatives.

18 One of the things we've done, by
19 the way, my director has in fact just informed
20 me this week, New York University, I'm not
21 sure whether Mr. Darden is aware of this group
22 or not, has a federally supported project that
23 is, whose sole purpose is to advise school
24 districts on grouping practices as they effect
25 equity issues. It's a federally supported

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2 program.

3 MR. DARDEN: Do you recall the
4 name?

5 DR. MCIVOR: I don't. I can get it
6 for you. We have contacted them and are going
7 to be working with their consultants. These
8 are Federal employees who somehow I've gotten
9 the impression have been, are coming out of
10 the Civil Rights Division and their primary
11 function is to help school districts address
12 tracking and grouping practices as they effect
13 minority students particularly.

L - 14 They're going to be working with
15 our pupil services office and our staff on
16 this particular issue.

17 CHAIRMAN BALCH: One last technical
18 question that arose. One of the reasons that
19 this district was vested with the assignment
20 process was that, as you mentioned, when you
21 looked at the test scores of the students who
22 had been assigned to these various groupings
23 there was a much wider range; some scored
24 fairly high in lower groupings and some were
25 low in higher groupings.

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I don't recall whether they had our -- if you looked at the students who were assigned, say, higher than their test scores or assigned lower than their test scores, was there a racial pattern there? Are there people who were inappropriately assigned?

DR. MCIVOR: I can't honestly answer that question. Off the top of my head I don't know. I would -- let me venture a guess.

CHAIRMAN BALCH: I think it's important data.

DR. MCIVOR: I think you'd find there would be some disproportionate -- you'll find racial differences. One of the problems we are addressing, as I said, is that some of our minority students don't have very strong advocates. Their parents aren't pounding on the door expressing concern about their placement and I think that I'm concerned about that and I want my staff to be as affirmative as they can and to always give students the benefit of the doubt.

If we're going to move youngsters

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2 it should be in this direction (indicating)
3 and not in the other direction. But as I
4 enjoyed the Mayor's metaphors, I think, you
5 know, the notion of Queen Mary sailing along
6 at how many knots and, you know, trying to
7 stop that ship in midstream and address the
8 problem is very difficult. We've got a
9 complex organization with all kinds of issues
10 to address. We need help.

11 I mean there could be -- there
12 could be teachers, there could be principals,
13 not consciously I would submit, but who have,
14 who could benefit from having people knocking
15 on the door and raising questions about
16 whether kids are appropriately placed or not.

17 This is an open system. We
18 encourage people to get involved. We're
19 accountable to the public and I think we work
20 very hard at making sure all of our kids are
21 receiving the best education we can provide
22 but we need help and sometimes strong
23 advocates and people who come in and remind us
24 of what's happening, in fact that perhaps
25 needs, in individuals cases, could be better

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2 addressed in other settings or other programs
3 is something that should be happening more
4 often for a number of our kids, in
5 particularly minority kids.

6 CHAIRMAN BALCH: Thank you.

7 MR. SCRUPSKI: The implication here
8 is that given the absence of advocates
9 minority groups, children suffer suggests
10 again the significance of those kinds of
11 subjective recommendations.

12 If one can make an impression by
13 being an advocate and elevate a person's -- a
14 child's grouping the impression is not based
15 on the test score because that can't change
16 test scores. It appears they can change
17 opinions and subjective judgments and that, of
18 course, if there was a significant finding,
19 the State Department of Education was that one
20 that perhaps -- perhaps the reflection of this
21 range of ability and similar means was the
22 consequence of subjective judgments in making
23 the group assignments.

24 What's been done to mitigate that
25 if you judge that to have been inaccurate?

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2 Have you not continued the State Department's
3 recommendation?

4 DR. MCIVOR: I think the State
5 Department was accurate in saying that we were
6 placing less emphasis on test data and more
7 emphasis on the judgment of staff. I mean
8 that's an objective statement. Without making
9 any comments at this point about whether the
10 intention or the motive or motives were to
11 serve the best interest of the students
12 involved, what we have done is we have gone
13 back to a system -- if you look at the groups
14 that we have today you'll find that that is
15 heterogeneous in nature, in actual test
16 performance that we had previously.

17 This isn't to say that we haven't
18 made exceptions and there is an opportunity
19 for people to question test results, indeed as
20 they should if they don't feel that they're a
21 true measure of the student's achievement
22 level or ability level.

23 What we've done is we've added
24 more than just teacher recommendation, teacher
25 judgment as a variable, we've asked for other

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2 data other than the standardized test data;
3 student work samples over a period of time,
4 actual work products which may justify a
5 change in level or change in program and we've
6 gotten parents involved in that process where
7 parents have brought in work that students
8 have done which may be at odds with the work
9 that may be done in class.

10 In some cases that's presented
11 some interesting challenges to us which
12 suggests there are significant discrepancies
13 in the environment where the youngster is
14 placed that may be effecting motivation.

15 MR. SCRUPSKI: You've got ability
16 or achievement test --

17 DR. MCIVOR: Achievement.

18 MR. SCRUPSKI: Even ability tests
19 and achievement, they're objective in any
20 case?

21 DR. MCIVOR: Yes.

22 MR. SCRUPSKI: You have teacher
23 recommendations always possible, then you have
24 report card grades. I think these are
25 systematically counted. Doesn't make a

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2 special assessment. That can be very
3 time-consuming for a whole class of kids,
4 looking at portfolios of students' work of
5 these areas which would most maximize the
6 group placement that minority or black
7 youths -- which one of those measures if
8 weighed more heavily would most maximize?
9 Report card grades? Test scores? Teacher
10 recommendation? What?

11 DR. MCIVOR: I think your test
12 scores would probably be the single most
13 important factor in discriminating.

14 MR. SCRUPSKI: Maximizing the
15 placement?

16 DR. MCIVOR: Yes.

17 MR. MCIVOR: How long have you had
18 that advanced placement arrangement in the
19 junior high school; foreign language,
20 Algebra?

21 DR. MCIVOR: That's been in place
22 for a number of years. I've been in the --

23 MR. SCRUPSKI: Preceded you?

24 DR. MCIVOR: Yes.

25 MR. SCRUPSKI: By a lot?

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2 DR. MCIVOR: By five or six years.

3 MR. SCRUPSKI: Does it enhance
4 performance of the top level, let's say, math
5 people? Do they do better in math as a
6 consequence of math than they would have --

7 DR. MCIVOR: I think it's an
8 extraordinary program. If you look at the --
9 the AP results are a good indication. We
10 probably have one of the finest records in the
11 State in terms of performance of AP test
12 scores, advanced placement scores, numbers of
13 merit scholars.

14 MR. SCRUPSKI: In the high school?

15 DR. MCIVOR: High school. If you
16 look at our SAT scores on average they're well
17 --

18 MR. SCRUPSKI: They always had high
19 SAT scores here, didn't they?

20 DR. MCIVOR: Yes. They've gotten
21 better over the years.

22 MR. SCRUPSKI: Are -- another
23 variation of the question. Are they at a
24 higher level as a consequence of taking those
25 two, Algebra I and II, classes than if they

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2 had taken 7th and 8th grade math and then
3 going into high school and taking Algebra I
4 and Algebra II?

5 Is there any expanding range of
6 ability grouping in the high school which is
7 not traditional? Usually that kind of
8 advanced placement opportunity comes along in
9 high school --

10 DR. MCIVOR: You're right. In many
11 districts there are --

12 MR. SCRUPSKI: But the middle
13 school seems to show a greater expansion of a
14 range of placement as a consequence of the
15 advanced placement. Whether there is another
16 reason for that I don't know.

17 The question is: Do they achieve
18 better as a consequence of that?

19 DR. MCIVOR: I think if you, you
20 know -- I can't answer specifically other than
21 to say I know --

22 MR. SCRUPSKI: You know --

23 DR. MCIVOR: -- I know that the
24 youngsters who go on to take all of the AP
25 courses and do exceptionally well and are able

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2 to transfer those credits to college are
3 students who were involved, for the most part
4 students involved in the track that we make
5 available to them in the middle schools.

6 MR. SCRUPSKI: It appears to me
7 that of the declining test scores California
8 declined from 65, 68 down --

9 DR. MCIVOR: Right.

10 MR. SCRUPSKI: We've had an
11 expansion of ability grouping, expansion of
12 tracking, not a great expansion because a lot
13 of schools had it before. If that had been
14 productive we wouldn't have had the decline.
15 It's in the top scores that declined?

16 DR. MCIVOR: The performance in the
17 higher percentile group ranges have declined.
18 They've dropped.

19 MR. SCRUPSKI: Across the board.
20 It's been enhanced, it's the bottom coming up
21 some?

22 DR. MCIVOR: This is true. This is
23 true.

24 MR. SCRUPSKI: And yet with more
25 severe ability grouping we would have thought

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we would have had greater achievement particularly from those who were, you think, the most advantaged, what I mean by that, the top people, and yet they've declined. That's why I asked the question.

DR. MCIVOR: It's an interesting observation. I think that it would be interesting for us to take a look at, over a period of 10 years or 15 years in our district, how the performance of youngsters in the 90 percentile have fared in SATs and so on. We haven't done that kind of analysis. It would be an interesting one to see. Whether we're the exception, I don't know.

MR. SCRUPSKI: Given ability grouping and tracking slots, teachers would fill them I'm sure --

DR. MCIVOR: Well, you're right. I think that's the downside perhaps if it's denying some students opportunity. The interesting -- see, the concern in our community, our minority community in particular is that they want their children to have access to all of these programs and I

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2 think that we're committed to making that
3 happen. It's not something that's going to
4 happen overnight and I think in some ways --
5 we've talked to the people in the Effective
6 Schools Research and they will tell you you
7 have to rewrite, renorm the tests because if
8 you're saying you're going to close this gap
9 then you're not, you know -- standardized
10 tests are designed to produce that so-called
11 normal curve. So that you're going to have
12 students that are above average and students
13 who are below average.

L 14 What eventually is average? As we
15 try to reduce the differences, and we're
16 talking about any egalitarian system where all
17 kids are presumably going to move to some
18 higher level of an obtainment or achievement,
19 you find yourself in the position of having to
20 redefine what is average and what is above
21 average and what is below average.

22 CHAIRMAN BALCH: That's not the
23 problem. The problem is you have different
24 ethnic and racial groups disproportionately
25 being allotted to different levels --

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2 DR. MCIVOR: We have, in fact right
3 now it's -- we have very different learning
4 curves for majority and minority students.
5 I'm saying as we close that gap, to the extent
6 we're successful, I think our district isn't
7 alone, this is a universal problem, I think
8 it's going to have an impact on standards and
9 we're going to have to redefine, if we're
10 successful we're going to have to redefine
11 what we mean by average and above average.

12 CHAIRMAN BALCH: It would raise
13 them I would hope?

14 DR. MCIVOR: Yes. Yes, it would.

15 DR. HILL-SMITH: Dr. McIvor, I'm
16 glad to meet you. You're the first moving
17 target I've met in the school hierarchy. Your
18 prep program, is that similar to the Upward
19 Bound, the kids going into college?

20 DR. MCIVOR: How would you define

21 --

22 DR. HILL-SMITH: Upward Bound is
23 taking kids who are, who would have difficulty
24 in fitting into a college setting and giving
25 them all those things that they need. They do

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2 it in a summer program before they go into
3 college.

4 DR. MCIVOR: It parallels that in
5 what we're trying to do is prepare our
6 students for the programs that are available
7 in the high school and it's targeting minority
8 students.

9 DR. HILL-SMITH: Now, you know we
10 have something here that we must not fail to
11 address and that's class. When we first
12 started this case with the Morris School
13 District we were up here for a press
14 conference, up here for about three or four
15 days.

16 After the first press release was
17 out on the problems NAACP saw -- I got a call
18 from a young lady that was white who came
19 through your school district, she was not
20 rich, she was not poor, I think her father was
21 a policeman, and she was here at the time that
22 the school districts, that you merged and she
23 said had it not been for a teacher who
24 recognized that she had some special talents
25 in writing that she would be just where those

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2 black students are because she was not the
3 rich, upper crust of Morris County and her
4 sister -- she ended up being an author.

5 It was the most moving letter I
6 had ever read. And I talked to her on the
7 phone and she said she'd be willing to testify
8 or do anything to make sure that this did not
9 happen to anyone else. Her sister was
10 dyslexic and that same teacher noticed that
11 and picked her up and gave her the special
12 things that are necessary. Her sister's now a
13 social worker.

14 It's not just blacks and 12 noon.
15 It's going to affect you by 12:05. It used to
16 be 12:15 but now it's 12:05.

17 When we're addressing the needs of
18 minority students in these school systems
19 we're doing something for all the kids because
20 we're all going to go forward or we're going
21 to all go backward to hell. As Martin Luther
22 said, we're going to live together as people
23 or we're going to die as fools. We must
24 really remember that because you are in a
25 situation here where you have upper class and

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2 so forth.

3 That was very moving. Paul, you
4 have it there in the office, in the branch
5 office because I turned it over to Reno. But
6 where does thorough and efficient education
7 fit into this whole thing? If we had
8 thorough and efficient education as it was
9 drawn up where would we be? Doesn't that mean
10 you're supposed to individualize that
11 student's needs and meet those needs?

12 DR. MCIVOR: That's the phrase the
13 State has used. It's in the State
14 Constitution. Every student is supposed to be
15 supplied a thorough and efficient education.
16 That's being challenged right now in the
17 courts as you know, the latest challenge on
18 the funding system in the State of New Jersey
19 which maintains that because of the way we
20 fund education that the students, particularly
21 in the urban centers, can't receive the
22 quality education because there is not enough
23 money being spent.

24 The State has done something very
25 interesting in the last year. They've added,

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2 I think it was just in the last year or so,
3 they've added to their monitoring process a
4 requirement now that districts, and perhaps it
5 was their experience in the Morris School
6 District that led them to adopt this set of
7 procedures, districts are required to examine
8 their classes and their schools to determine
9 whether there are disproportionate numbers of
10 minorities in classes across the system and
11 report on an annual basis the ratios and if
12 they're not within defined limits, and they
13 have a formula that they must use, then they
14 must develop an action plan to indicate how
15 they're going to bring those disproportions in
16 line with the community's overall
17 representation.

18 That's the first step I've seen
19 the State Department of Education take in
20 terms of monitoring in terms of their
21 regulatory function, making the whole school
22 district responsible for accounting in some
23 way how they group and place students in
24 classes so that they're not, there are not
25 racially identifiable groups.

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2 I think that's a positive step and
3 it will be interesting to see how the State
4 responds to that because I think our situation
5 is not, as I said, unique and throughout the
6 State they're going to find that the problems
7 they've observed in our district are present
8 elsewhere.

9 DR. HILL-SMITH: I think that was
10 brought up at our last meeting, how did it get
11 so far gone before we noticed the problem
12 existed, at the meeting that we had in
13 December.

14 DR. MCIVOR: Well, one of the
15 things that we've said publicly, and I think
16 the committee that's been working with us
17 believes us, I think, and will be working
18 closely with us to hold us accountable, our
19 system is now, always has been, we want it now
20 to be recognized publicly as an open system so
21 people who have concerns about how we're
22 addressing the needs of students can come in
23 and visit our classes, to visit our programs
24 to ask questions; if they make observations
25 that they're concerned about to find out how

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2 we're justifying what we're doing and what
3 basis or what criteria have we used to justify
4 our programs if there are perceived to be
5 disproportionately enrolled or there are
6 special issues that need to be addressed as
7 far as minority students are concerned.

8 So one question was asked earlier,
9 how is the State report and investigation
10 going to be managed publicly and I think that
11 the State will be conducting its own annual
12 review. I think the State is assured now that
13 there is a committee, including
14 representatives from the community, that this
15 is going to happen on a regular basis, that
16 there will be public accounting for our
17 policies and procedures as they effect
18 minority students.

19 DR. HILL-SMITH: I feel very good
20 about you and the Board and the way that you
21 all have pulled yourselves together because I
22 communicate all the time with my branch here
23 and I can see your answer to these problems, I
24 can see it being as a model for the Nation,
25 not just for the State but for the Nation

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2 because it's far spread all over the Country
3 and I think you have the people here, you have
4 the commitments, but you've got the NAACP
5 which is one of the best branches in the
6 United States, it's a small branch but it's
7 the best in the whole Country and they're
8 going to keep kicking your butts, I can tell
9 you all that, excuse my expression, but you've
10 got the spirit to do something about it and
11 you've got so much talent in this area.
12 You're sitting on a gold mine, all these
13 corporations.

L 14 Everybody knows that you've got to
15 educate all kids. Those average minds are
16 going to be the ones that are going to the
17 moon. You can't just educate the upper kids
18 because there is not enough of them. I can
19 see this school district being made a model
20 for the Nation with the kinds of leadership
21 and the total community is attempting at this
22 time. I think you might stay long enough to
23 get tenure.

24 DR. MCIVOR: I was just going to
25 make a comment about redistricting. We just

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2 came through a very very difficult period if
3 you've been reading the papers.

4 DR. HILL-SMITH: I've been reading.

5 DR. MCIVOR: We had a
6 reorganization occur last year and that
7 reorganization was designed to provide space
8 in our primary schools, and we moved a group
9 up, a third grade up to the intermediate
10 schools and the, our 6th graders into the
11 junior schools, so it became a middle school,
12 6th, 7th and 8th.

13 As part of that reorganization we
14 considered redistricting because we were also
15 cognizant of the fact that there might be some
16 racial imbalance in our schools as well as
17 enrollment imbalance in our schools. Our three
18 attendance areas we have to maintain
19 comparable ratios.

20 This September we opened up and
21 found out that we had close to 50 percent
22 minority in one of our attendance areas. We
23 publicly stated that that would have to be
24 addressed this spring and we were going to
25 have to redistrict. We started holding public

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2 hearings on the redistricting issue a couple
3 months ago and as perhaps you might expect
4 there was a lot of concern within the
5 community about redrawing the lines and moving
6 children around. That's always an emotional
7 issue.

8 In this particular case it wasn't
9 just minority students that had to be moved.
10 In the past that's how the district has
11 affected racial balance. In this case we had
12 to move significant numbers of majority
13 students. Some hundred eighty students.
14 Better than 50 percent of those students were
15 majority students and moving them from one end
16 of the community to the other, it was very
17 very difficult.

18 I can say that we could not have
19 accomplished that without the minority
20 community supporting what we needed to do and
21 working closely with us. And I think there
22 was a very important component in the overall
23 plan which will provide for stability in the
24 future that the minority community helped us
25 develop and it gave us quite a commitment on

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2 their part.

3 We have an open attendance area in
4 the center of Morristown where significant
5 numbers of our minority students live which
6 will be adjusted on an annual basis with this
7 committee comprising of representatives from
8 that community working with us, so that we are
9 going to be able to insure stability and
10 racial balance for years to come in our
11 system. But it was a very very difficult
12 process and I'm just pleased it's behind us.

13 I think our Board was committed to
14 doing it right and not just singling out
15 minority students but effecting every, the
16 entire district. That was the only equitable
17 way to do it. That was a measure --

18 DR. HILL-SMITH: Success for your
19 total community?

20 DR. MCIVOR: The total community.
21 I think it brought everybody together. Well,
22 it brought most of us together.

23 CHAIRMAN BALCH: Mr. Darden --
24 excuse me. Do you have some questions?

25 MR. DARDEN: I'm bringing a

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2 question for Miss Farber who had to leave.
3 Would you be able to provide us one copy of
4 your plan?

5 DR. MCIVOR: Yes.

6 MR. DARDEN: There are two items.
7 One is the, I guess, the response to the State
8 report and the second is a comprehensive
9 action plan.

10 DR. MCIVOR: Sure.

11 MR. DARDEN: That's fine. That's
12 her request and I'll distribute it to the
13 committee. I have a question of my own. I
14 guess it's a question. We've heard so much
15 about what you're doing with the students and
16 I was curious to know more about what you
17 might be doing with the teachers.

18 DR. MCIVOR: Thank you. I failed
19 to mention that. That is one other area of
20 concern that the State mentioned in their
21 report and we have, we have -- this year and
22 next year we'll be addressing and continuing
23 to address the issue of sensitivity and
24 awareness on the part of our faculty with
25 respect to minority students' needs.

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2 Next year we have set aside time
3 in our staff development program for a keynote
4 address to be made to our entire faculty by an
5 expert on minority education who happens to be
6 a minority person himself who is going to
7 address the question of attitudes and
8 sensitivity and awareness with faculty.

9 Our principals are expected to,
10 based on their own needs assessment and on
11 department supervisors in the high school,
12 principals in the elementary school, middle
13 school, at the high school the principal's
14 delegated his responsibilities to the chair
15 because we want a department organization,
16 will be expected to assess with their own
17 staff how they're going to follow up on the
18 concerns and the issues that we're going to be
19 addressing.

20 I'm committed to site-based
21 management and building-based management
22 philosophy. Rather than dictate to my staff
23 and tell them exactly how I want them to
24 address this issue I'm going to have them tell
25 me and my staff where they think their needs

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2 are; if it's attitude, if it's disposition, if
3 it's sensitivity, then the action plan through
4 staff development will be addressing those
5 concerns.

6 If that is not perceived as a need
7 or a concern then we'll be looking at
8 strategies and teaching methodologies and
9 approaches to instruction that will be more
10 effective with minority students in a
11 particular class that are much more
12 heterogeneously grouped.

13 We've seen some of that happen in
14 the group this past year where one of our
15 principals as part of the Effective Schools
16 Project, Thomas Jefferson School, this
17 happened to be the school the Mayor visited on
18 election day where he made his observation, so
19 this is probably not just coincidental, had
20 identified the TESA program, I don't know
21 whether you know what that is, teacher
22 expectation student achievement program, that
23 grew out of research that was done out in
24 California with Hispanic students where they
25 actually documented that students or teachers'

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2 expectations, how does the way teachers
3 actually perceive the ability of students
4 affect their achievement levels and they as a
5 result of that let research develop a whole
6 series of teaching strategies that are
7 designed to affect teacher expectation and in
8 turn student achievement.

9 We had a complete faculty trained
10 in that model this year at Thomas Jefferson.
11 Now our own trainers as a result of that, the
12 teachers who went to a program out of Michigan
13 and became quite conversed in the program and
14 the teaching strategies and methods who are
15 going to be available for us to use in the
16 system.

17 We've also had, through the
18 Academy for the Advancement of Teaching that
19 Dr. Cooperman's staff has put together, sent a
20 number of our staff for training and
21 cooperative learning strategies. So we have
22 some people on staff now who are experts in
23 that, that's Bob Slavin's method, Mayor
24 Manahan mentioned Bob Slavin as one of the
25 critics of grouping as a strategy for meeting

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2 individual needs, so that we have at least two
3 major programs now in the district that we
4 brought on board that are being used in some
5 of our schools, and staff, most importantly,
6 who are trained well enough to serve as
7 trainers in the district. So they're going to
8 be utilized as well as we move forward.

9 MR. DARDEN: You see that their
10 influence will permeate the entire district in
11 how much time?

12 DR. MCIVOR: Well, one of my
13 expectations is that the needs assessment that
14 staff will be doing to justify their staff
15 development programs, while we're not saying
16 you must address these strategies immediately,
17 they must eventually be addressed in a course
18 of time as they proceed through a program
19 based on their own assessment of what, where
20 staff may be with respect to their teaching
21 strategies overall and their attitudes, in
22 particular their attitudes towards minority
23 students.

24 So I would, you know -- you're
25 saying over time. Over the next several years

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2 I think we'll see most of our faculty being
3 exposed to and trained in these alternative
4 strategies.

5 MR. DARDEN: I appreciate that and
6 it seems to me, though, that the problem might
7 be more urgent. What comes to mind comes out
8 of the report from the State. They apparently
9 interviewed a number of people and they've got
10 quoted in here coming from teachers, "the
11 parents live defeated lives before their
12 children, they may speak encouraging words
13 but they model defeated lives", and it just
14 goes on and on, page after page of perceptions
15 of hopelessness that can't but transfer to the
16 student, I would think, and probably result in
17 the kind of low achievement that the TESA
18 program that you mentioned documents.

19 DR. MCIVOR: Right.

20 MR. DARDEN: This sort of thing has
21 a very lasting, as you can imagine, and
22 personal effect. That's why I feel a greater
23 sense of urgency. If we've got children at
24 risk of being sort of consigned to a hopeless
25 position as a result of being perceived as

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2 being in a hopeless position something should
3 be done.

4 DR. MCIVOR: Well, we are requiring
5 that the issue be addressed next year. I
6 guess where I'm drawing the line is I want my
7 principals and I want my department
8 supervisors to do their own needs assessment
9 given that report, given the observations and
10 perceptions that are accounted for in that
11 report. Given an overall plan that's going to
12 address the issues.

13 We're bringing in experts. We're
14 going to be talking about race as it effects
15 student achievement and teacher expectations.
16 We're going to be addressing all of those
17 issues generally with our staff.

18 Where I think we have to be
19 careful is then saying you shall as a result
20 now of being enlightened and being made more
21 aware of this issue and being informed about
22 the fact that we have some problems, and while
23 those observations, they're generalizing from
24 those observations based on interviews with
25 just selected people in the system, so I think

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2 you have to be careful about concluding that
3 it's pervasive. I don't believe it is.

4 But I think that we would be dead
5 in the water, I think I know enough about,
6 about professional development and how you're
7 going to get staff to buy into a comprehensive
8 program to recognize that you've got to
9 enlighten them and make them aware and inform
10 them, then you've got to take the professional
11 staff because most of our people are highly
12 professional staff, and have them address the
13 issue with you and allow them to define the
14 parameters, where they want to begin, how they
15 want to begin to address these issues of
16 concern.

17 Some of our staff are strong
18 advocates, very very strong advocates, very
19 involved in the community, who are at a point
20 where they may choose to become very very
21 knowledgeable about a specific program or
22 approach or methodology. I think they should
23 be permitted to do that if that's how they're
24 going to try to strengthen their instructional
25 repertoire and abilities to meet the needs of

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2 all of their kids.

3 In other cases where it's this
4 kind of a problem, as you've alluded to, I
5 think we're going to have to spend time
6 addressing perceptions and attitudes and
7 dispositions and how people approach these
8 kids to begin with. It's going to be varied
9 across the board depending upon the needs of
10 our staff.

11 MR. DARDEN: Let me be clear that I
12 know what you're saying. I recognize that you
13 want to respect your staff and give them the
14 independence that they need but how are you
15 communicating this urgency? How do you let
16 them get the message that at least from your
17 position this is a high priority?

18 DR. MCIVOR: Well, okay. Started
19 immediately after the State investigation was
20 released. I personally and my staff
21 personally visited all of the schools and made
22 major presentations on the findings of the
23 report and we talked about perception and
24 attitudes and what people believe in the
25 community, significant people in the community

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2 believe about the education that students in
3 our district are receiving.

4 I personally and my staff, my
5 director of special services in particular has
6 made this a major priority in terms of our
7 communicating concerns to staff. I also wrote
8 a major article for our school newsletter, our
9 staffs' newsletter on the findings of the
10 State report and addressed the major issues in
11 that article and pointed out how we're going
12 to be addressing them in terms of our
13 strategic plans, how we've addressed them in
14 terms of our budget priorities and what we're
15 going to be -- what we did this last year,
16 this past year, what we're going to do next
17 year to effect better staff development
18 programs.

19 The committee I mentioned, that's
20 part of the strategic planning process, and
21 that same committee will be involved in
22 helping us evaluate our efforts in this area,
23 will be meeting periodically during the course
24 of the school year, there will be public
25 sessions which will allow us to report to the

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2 community and to our staff on our efforts and
3 our progress.

4 So it can't be given any higher
5 priority in our district I can assure you and
6 will continue to be given a high priority.

7 MR. DARDEN: Thank you.

8 DR. HILL-SMITH: Dr. McIvor, have
9 you ever heard of Dr. C.T. Vinyan of Atlanta,
10 Georgia, and his sensitivities training?

11 DR. MCIVOR: No.

12 DR. HILL-SMITH: You've heard of
13 Dr. King. Dr. Vinyan, he's been around for
14 awhile. He was with Martin Luther King. He
15 was on Oprah maybe two or three months ago.
16 He made people know that they were racist and
17 they never thought they were. And I think
18 that this is what's going to have to happen in
19 this whole situation.

20 There are people who don't even
21 know that they're doing something that is
22 racially motivated because they would be the
23 first one to be shocked. When you -- when
24 those people came through that program it was
25 amazing. It was supposed to be one day. They

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2 had the show on for three days so that you
3 could see the total change in these people.
4 It was marvelous. It might be something you
5 might want to get information on.

6 DR. MCIVOR: Could you give me his
7 name and address so I can reach him?

8 DR. HILL-SMITH: Yes. I think
9 that's something -- he's talking about
10 urgency. That's an urgent way of just, maybe
11 just your administrators getting together
12 because there are some racist ones in there.
13 Ain't nobody free from sin. That might be a
14 way to get a handle on what you want to do.
15 I'll see that you get the information. I'll
16 contact someone and get the proper papers.

17 DR. MCIVOR: One of the things I've
18 done this year, I shared some of the
19 literature with members of our committee.
20 We've been scouring the literature for
21 articles on racism in education and have found
22 a number of very prominent people who are
23 being recognized as experts in this area.
24 Those articles have become required readings
25 for our administrative team.

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2 It's not something that we've
3 addressed simply in the context of the State
4 report and dropped, it's ongoing. Our summer
5 workshop for administrators next week is
6 putting a whole day aside to address the
7 action plans that we've developed for this, to
8 deal with their concern next year and it's
9 going to be given, four out of five days, one
10 whole day. Four days to professional
11 development, one whole day is going to be
12 devoted to this particular concern. So it's
13 getting a lot of attention. In the meantime,
14 we've got to run the school district.

15 CHAIRMAN BALCH: Thank you. Let's
16 take a break for fifteen minutes and then
17 reconvene, say, at 20 past the hour and I
18 think we'll probably need maybe another hour
19 after that to finish.

20 (Recess taken.)

21 CHAIRMAN BALCH: Our last scheduled
22 speaker is a representative of the Morris
23 chapter of the NAACP. What is your first
24 name?

25 MS. BAGLEY: Lorraine.

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2 CHAIRMAN BALCH: Lorraine Bagley?

3 MS. BAGLEY: Yes.

4 CHAIRMAN BALCH: Thank you for
5 coming and for waiting. I'm sorry that --
6 it's not quite as late perhaps as we once
7 thought but it is rather late. Thank you for
8 your patience. It's appreciated. Would you
9 like to make a statement?

10 MS. BAGLEY: Yes, I would. Dr.
11 McIvor in his statement to you indicated that
12 parental advocacy made a difference and as a
13 parent I know that that does make a difference
14 in terms of the type of response that you get
15 from a child.

16 What the NAACP of Morris County,
17 the position or posture that we have taken is
18 that of advocacy for those children who do not
19 or may not have parental advocacy. Our
20 concern is long-standing beginning with our
21 statements or our questions to the Board in
22 1982 and I think it's ironic or funny at least
23 that you're ending with me.

24 Mayor Manahan gave you a
25 prospective or history of the Morris School

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2 District and I am a product of the Morris
3 School District having graduated from that
4 Lafayette School that was segregated, he
5 indicated, back in the -- long time ago, I
6 won't say exactly when, having graduated from
7 the high school. I have also had the
8 experience of having a child go through part
9 of the school system.

10 And I'm representing Reno Smith
11 who is our president of the Morris County
12 chapter who was unable to attend. I am the
13 educational chair of this, of the branch and
14 have been working with a subcommittee of our
15 branch at the Board of Education, the
16 superintendent of education as well as
17 community members in terms of dealing with the
18 findings of the report.

19 It is extremely important, and we
20 feel committed that the efforts of the school
21 district to respond to the findings, that
22 there be a monitoring process. We do not
23 believe that the State Department of Education
24 is going to do that and we have taken on that
25 role and that responsibility.

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2 I might add that it has been a
3 pleasure in working with Dr. McIvor and his
4 staff, that they have been very receptive and
5 responsive, that when we have questions about
6 the, their responses to the State in terms of
7 their plans, which when you see them will be
8 obvious, you don't get a real sense of what is
9 behind them, but when questioned you find that
10 there is a great deal of thought and detail in
11 terms of what is anticipated or proposed.

12 We have worked, I think, extremely
13 well with the school administration, have been
14 involved, the NAACP has also gotten involved
15 with the redistricting because that was going
16 to effect, one proposal would have effected
17 minority students and we felt our
18 responsibility and commitments in that area
19 and have been involved in that. We look
20 forward to a, to seeing progress made in the
21 areas identified.

22 We, to this point we have not seen
23 results, recognizing that the plans were
24 implemented in the fall, some of them were and
25 some them are presumed for the summer, as a

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2 result we have not seen any of the, any
3 reports or results that will be, that will
4 allow us or would allow us to measure whether
5 or not there has been any progress made.

6 We are aware of the programs that
7 Dr. McIvor alluded to in terms of sensitivity
8 because that was one of our major concerns in
9 terms of the ability of students to partake of
10 the educational opportunity, is teacher
11 perception, and we feel that that is a serious
12 concern especially when you have a situation
13 with children who do not have parents who are
14 going to be there, either who do not feel
15 comfortable talking to the teachers, feeling
16 intimidated because of a lack of education on
17 their part or for whatever reason are not
18 there pounding on the door as many of the
19 majority or most of the majority parents are
20 and as some of the black parents and other
21 minority parents are.

22 That has -- that program of
23 sensitivity has been initiated in terms of the
24 schools developing on their own, what they
25 will be doing to sensitize the teachers, to

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2 sensitize the students and we, the branch of
3 the Morris County NAACP, look forward to
4 getting the feedback from Dr. McIvor and his
5 staff on what will be happening.

6 It has been an open communication
7 so that I do not feel that, I mean if things
8 were to continue as they have we, I expect
9 that we will be getting additional information
10 and we will be calling.

11 Dr. McIvor, as I said, he has been
12 very responsive to our questions and our
13 concerns and we look forward working,
14 continuing to work together to correct the
15 problem that we have in the Morris School
16 District so that our children can all receive
17 an equal education. Thank you.

18 CHAIRMAN BALCH: Well, that's an
19 expression of hope and we all share in it.

20 MS. BAGLEY: Yes.

21 CHAIRMAN BALCH: I was just going
22 to say I think personally, and I'm going to
23 try it out on the committee members when this
24 session ends, I would be very interested in
25 having the Committee join the process of

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2 seeing what happens with what seems to be a
3 intelligent and noble experiment. I don't
4 know if it's a precedent or if there is
5 precedent in the way which State Advisory
6 Committees operate.

7 Would it be possible for us to
8 consider, if not as our only project, at least
9 as one continuing concern a sort of long-term
10 sort of observation and monitoring of this
11 very interesting and in many ways
12 encouraging --

13 MR. DARDEN: Monitoring has been,
14 from the very beginning has been one of the
15 three main activities of the Committee. We've
16 had to cut back over the past two or three
17 years because we haven't had the staff to do
18 everything we should be doing.

19 CHAIRMAN BALCH: Is it possible to
20 monitor --

21 MR. DARDEN: This would be the
22 first time.

23 CHAIRMAN BALCH: I would like to
24 take the Committee in that direction.

25 MR. DARDEN: Yes.

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2 CHAIRMAN BALCH: Did you have a
3 question?

4 MR. DARDEN: Well, not a whole set
5 of questions. I'm interested in the community
6 view and this time a little broader than just
7 the specifics of what's going on in the
8 schools, and I'd like to ask about community
9 tensions, racial tensions in the community,
10 whether there are any and, you know, whether
11 this aspect of it in terms of complaints about
12 what's going on in the schools takes place in
13 a larger context of community tension over
14 race and if so how do you describe it and
15 what's it like?

16 MS. BAGLEY: I guess the best way
17 to describe it is to reflect back on the
18 process that we went through in terms of
19 decentralization. I'm sorry. In terms of
20 addressing the two problems of overenrollment
21 and what was becoming a majority or segregated
22 school and what ended up through that process
23 which was very emotional, very long hours.

24 There is, there is a split. There
25 is a group in the community who tend to be, I

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2 wouldn't say that they were racists but who
3 can afford to make an option or have an option
4 in terms of where their child goes to school,
5 so that if the school system is not doing what
6 they want for their child they can go to a
7 private school.

8 What we found was that at the very
9 last meeting, which we thought occurred the
10 week prior, was that that segment of the
11 community was on one side of the room meeting
12 with the Board of Education at their working
13 session and on the other side of the room was
14 a group who wanted to correct those two basic
15 problems, recognize them as problems affecting
16 all children and was comprised of both black
17 and white parents and community members.

18 Racism I would say is everywhere,
19 bias is everywhere. But in terms of
20 specifically saying that we have a racial
21 situation I would not go that far at this
22 point.

23 MR. DARDEN: Yes.

24 MS. BAGLEY: Because the split was
25 much different than that. It wasn't black

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2 against white. It was more an economic -- not
3 even an economic.

4 DR. HILL-SMITH: Philosophy?

5 MS. BAGLEY: I guess. In part I
6 think it was economic but in part it was that
7 there is a larger part of the community that
8 believes that one of the good things about
9 Morris Township, Morris School District is the
10 diversity, is what children and parents and
11 people learn from living with each other.
12 That's the larger segment of our population
13 and that's what was represented as the larger
14 segment in terms of concern for correcting
15 problems.

16 MR. DARDEN: Let me ask you another
17 sort of out of left field question. Again a
18 broad one. What do you think the community
19 response might be to an alternative approach
20 in public schools? Some people have called it
21 educational vouchers. Are you familiar with
22 that?

23 MS. BAGLEY: Yes. Yes.

24 MR. DARDEN: What do you think
25 would be the response to that?

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2 MS. BAGLEY: Well, I have my own
3 personal opinions in terms of my training,
4 which I'll let you know is social studies,
5 secondary education. But in terms of
6 vouchering, what you would see, and that's
7 relating it back to that split in terms of the
8 population that I described, that group that
9 want to take their children out of the public
10 school system because it's not the way they
11 want it would use the vouchers for that
12 purpose.

13 Vouchering in terms of the other
14 segment of the population, that mixed group of
15 minority and nonminority, black and white
16 parents and community members who are
17 interested in a good education and are here
18 because of the diversity, would continue to be
19 here. It would make -- it would make the --
20 it would make it extremely difficult to
21 maintain a racial balance in schools if you
22 had that.

23 MR. DARDEN: Do you think
24 vouchering would add to resegregation?

25 MS. BAGLEY: It would have the

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2 potential because you have no stability in
3 terms of knowing who's going to go to what
4 school. You know, it would all depend on how
5 that system was set up. But theoretically you
6 could have children changing schools each year
7 and you would not know what your population
8 was going to be until they turned in their
9 vouchers.

10 CHAIRMAN BALCH: You're already --
11 you're in a school district that is working
12 fairly well as opposed to most others. How do
13 you think the same kind of system would work,
14 say, for innercity parents who were in a
15 system for a variety of reasons, was not
16 terribly responsive, suddenly they would be
17 given the choice of moving their child to a
18 school that might perform better, it might not
19 be any more racially or ethnically
20 heterogeneous, it conceivably might be more
21 responsive, might have more leadership.

22 Do you think it would better?

23 There you have things where things are working
24 poorly and here you have things that you would
25 want to hold on to --

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2 MS. BAGLEY: There is nothing
3 that's going to effect a change?

4 CHAIRMAN BALCH: It's unlikely in
5 terms of that particular definition of change.

6 MS. BAGLEY: It could be that the
7 voucher system might cause -- it depends on
8 what the basic reason is for the problem
9 school. It could be that those parents who
10 move their children from that school to
11 another school, depending on what the reason
12 for the original school's problems, the next
13 school could be affected. It depends on what
14 the reasons are.

15 CHAIRMAN BALCH: Of course it
16 doesn't always require this, but there is that
17 famous saying of Samuel Johnson that says
18 there is nothing more consecrated but the
19 concept of being hung the next morning.
20 Suddenly not having any school is enough to
21 shake up the school district.

22 I think if there is an argument
23 for choice, which is what the voucher is
24 about, you vote with your feet and that means
25 everybody is presumably more honest than they

1 Proceedings

2 would otherwise have to be. If there -- might
3 not work well in every situation but there
4 might be some situation where it could be an
5 advantage.

6 MR. DARDEN: I have a last
7 question.

8 CHAIRMAN BALCH: Go ahead.

9 MR. DARDEN: Racial isolation can
10 work both ways. Not only can you find whole
11 groups of isolation, but especially in a mixed
12 setting as you've described here in Morris,
13 small numbers of minority students might feel
14 lost if they don't have an association with
15 other minority students to give them a sense
16 of groupness, if you will, or group identity
17 among the others.

18 Do you get -- what I want to ask
19 you is if you think that's so, that minority
20 kids in a setting where they're a vast
21 minority might have an identity for other
22 minority kids or wish to have a group of their
23 own to identify with? How much of a mass
24 would they need in order to get that sense and
25 do you think in the Morris setting you've got

1 Proceedings

2 that and if so what is it here?

3 MS. BAGLEY: That sounded like a
4 physics question. Critical mass. What I can
5 draw on is that prior to returning home to
6 Morristown I lived in Upstate New York working
7 at the State University College at New Paltz
8 and the population of New Paltz was 6,000 plus
9 6,000 at the college, so we had -- 12,000 was
10 the population.

11 The minority or black population
12 was extremely small. There were, I can count
13 them, approximately ten families, ten black
14 families in the New Paltz area who had
15 children of varying ages so that it was almost
16 always that any, at any given time there would
17 only be one black child per class.

18 That was not a problem in terms of
19 their identity. They received their identity
20 from their family and from their community and
21 their social association as opposed to
22 school. What they were able to get from the
23 school situation, however, was a broader
24 experience that was of another culture.

25 So that in the real world blacks

1 Proceedings

2 make up a small -- now they make up a small
3 percentage. We know that in the year, in the
4 next century minorities are, minorities and
5 women are going to be the majority and white
6 males are going to be the minority. So what
7 those children were able to accomplish in
8 their school setting was to be able to learn
9 how to function in a real world setting.

10 If you have any group that -- any
11 grouping that is not representative of the
12 real world, society, the adults being the real
13 world, children going through that process
14 would have a more difficult time assimilating
15 into the real world setting so that the
16 critical mass is not -- not that there has got
17 to be one or two in a class. It's a -- it's
18 the social structure of the black community
19 that has the effect.

20 MR. DARDEN: Well, it sounds like a
21 fairly alienating set up then if you've got to
22 get all of that support outside of school,
23 within; that the school setting, if it doesn't
24 provide any of that support might give a sense
25 of alienation.

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2 MS. BAGLEY: Well, as long as -- as
3 long as -- the other thing that happens when
4 you have small numbers of minorities, be they
5 black, Hispanic or whatever, is that you have
6 less bias. It's a reality.

7 MR. DARDEN: You mean against
8 them?

9 MS. BAGLEY: The smaller the
10 numbers the less bias or racism you will find.
11 It's when the numbers become larger that there
12 is a negative reaction.

13 MS. DARDEN: That's when you get
14 the Black Students Association?

15 MS. BAGLEY: Right.

16 MR. DARDEN: You only need two
17 black students to have a Black Students
18 Association. As soon as you get two together
19 you can start one.

20 MS. BAGLEY: That's more of a
21 support than identity reaction, Black Students
22 Association. That's not a negative. What I'm
23 talking about is if you have one black student
24 in a class the teacher, if the teacher is a
25 white teacher, will not act different toward

1 Proceedings

2 that black student, will treat the black
3 student the same as the white students, will
4 not make a distinction.

5 There is a point at which, if the
6 person is biased, where you'll reach that
7 critical mass in terms of numbers of children
8 in the class or numbers of people in a group
9 where you will get a negative reaction.

10 MR. DARDEN: Well, see that sort of
11 touches a curious point for me. When you were
12 saying earlier that you want to see a setting
13 that reflects larger experience, I've heard, I
14 don't know that this is so, that black
15 students coming out of the kind of experience
16 that you've just described where they were,
17 their race was irrelevant, blind, color-blind
18 situation, find themselves outside of that
19 situation now, say, in college or now in the
20 work force faced with a color conscious
21 setting are devastated because they somehow
22 haven't developed the defenses that others who
23 had to do it at an earlier phase or earlier
24 stage have developed.

25 So that some of the best black

1 Proceedings

2 kids coming out of the best white schools tend
3 to have the most difficult time of it later on
4 in life dealing with racism.

5 MS. BAGLEY: The experience that I
6 had with my children and going through that
7 experience was that, it may have been the
8 time, the years that they were going through,
9 but they were taught about black people in the
10 history courses, they read black writers. It
11 was part of the curriculum to talk about, to
12 include or incorporate the various cultures so
13 that there was not, it wasn't as if they
14 weren't black.

15 There was an identity that we
16 could identify with, you know, that people in
17 history and the people, the writers, as they
18 were going through that, were black, which in,
19 you know, in the days when, when there was
20 segregation in the school you didn't have that
21 unless you were talking about an all totally
22 black school system.

23 In the segregated school that I
24 went to in Morristown at that time you didn't
25 know about black people in history, you didn't

1 Proceedings

2 know about black writers. But what I'm
3 saying, the experience that my children had
4 was that they could when selecting a book to
5 read and write a report on, incorporated in
6 that list were books about or written by black
7 people.

8 So that, you know -- it all
9 depends on what, what community, what school
10 system you're talking about. There are a lot
11 of variables that can affect them.

12 DR. HILL-SMITH:. My children grew
13 up in that kind of situation. We lived in
14 Wenonah. They were the first black kids in
15 school. This was the height of the Civil
16 Rights Movement, when you went to jail. We
17 lived on this side of the street (indicating)
18 and across the street was Deptford Township.
19 The kids went to another school but the black
20 church was up the street. They had their
21 friends in school yet they had their neighbors
22 from across the street and they had the black
23 church which is the basis for us all in the
24 community. When we get away from the black
25 church we're in serious trouble.

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2 My children have no problem
3 identifying with anyone because -- and
4 Lorraine was saying, she didn't say this but
5 she alluded to this, you get your role models
6 around the kitchen table. That's where you
7 have to get your role models and I don't care
8 whether your mother's a domestic, whether your
9 father's a truck driver, whether there is no
10 father. But that role model, we have to
11 instill that into the parents, they are the
12 role models for that child, to let them know
13 they care and they want them to do better no
14 matter the situation.

15 When we bring them back to those
16 very basic things, their identity, they can
17 get it from each other and from the community
18 because I've seen it happen with my kids.

19 CHAIRMAN BALCH: Adam?

20 MR. SCRUPSKI:. That's an
21 interesting comment. It suggests a kind of
22 restricted domain for the schools in terms of
23 reading, writing, arithmetic, which is
24 afterall what we're paying them to do. I find
25 your statement rather, that it's favorable on

1 Proceedings

2 the near future. I haven't seen a lot of
3 evidence yet but you're looking forward to it.
4 The system seems to be operating in good faith
5 with the leadership continuing formal
6 monitoring of your organization.

7 I think that has to be applauded,
8 the fact that you seem to be taking such a
9 support. I used to know a superintendent that
10 said schools thrive on stability not constant
11 criticism, not constant tearing up of the
12 turf, they thrive on stability, they look for
13 stability.

14 Good principals are not
15 necessarily principals who are dedicated men
16 with dramatic action, but are ones that see
17 that they need stability. Among other things
18 a system, perhaps, such as Morristown that has
19 been and gone through this sort of turmoil of
20 sorts perhaps needs this period of
21 consolidation internally. I would look
22 forward to continuing learning about your
23 support and response to this.

24 CHAIRMAN BALCH: Anything else?

25 MS. BAGLEY: I don't have anything

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2 else.

3 CHAIRMAN BALCH: Thank you.

4 DR. HILL-SMITH: Thank you.

5 CHAIRMAN BALCH: We are open,
6 though the audience has shrunk a bit from the
7 time we began, we are open to any further
8 comments by anyone else in the room.

9 MR. COOPER: I would like to make a
10 comment because --

11 CHAIRMAN BALCH: For the record,
12 identify yourself.

13 MR. COOPER: I'm Paul L. Cooper,
14 member of the Board of Directors of the local
15 branch of Morris County NAACP. Been around
16 for quite a few years. I was interested in
17 trying to add something to this. I could keep
18 you here quite awhile. I've been around a
19 long time. I know a lot about what's been
20 said here today.

21 But what I wanted to add to, and I
22 might add this first before I start, I went to
23 school when we had deprived schools and you
24 didn't have special education and they used
25 what I heard someone mention tonight what

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2 we're talking about, "alternatives". They
3 distributed the kids among the classes in
4 order to accomplish the participation of their
5 peers in the learning process. And I'm not
6 saying that I'm such a star example but I have
7 done a few things and have gone through school
8 myself without extreme difficulty.

9 The thing I wanted to add to the
10 group, because I was quite interested in what
11 had been said here today and I tried to listen
12 to most of it, it seems to me on the question
13 of monitoring that what you have here in
14 Morristown is a process that involves the
15 local branch, some citizens, the Mayor, Board
16 of Education and the State, the NAACP and the
17 State Department of Education and the Federal
18 US Government and some other leading political
19 figures.

20 Now, it has taken all of that to
21 get a process, which I think is worthy here in
22 Morristown, progressively going along and for
23 you to pull out now or at the end of your
24 designated time with no replacement will be a
25 setback to the process that you have now

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2 going, that we all have now going in
3 Morristown. It is needed. We needed this
4 kind of support. I don't think the local
5 branch could have got it going by itself nor
6 do I think the Board of Education
7 administration could have gotten things moving
8 purely on their leadership. It would be
9 helpful but it wouldn't have happened.

10 And this kind of conglomerate of
11 overseers, if you want to call it monitoring,
12 has created a dynamic situation which I see
13 here in Morristown. I, too, feel that
14 Morristown, Morris District does have the
15 resources and I'm a strong believer with the
16 proper supports and stimulants that the Board
17 of Education if they don't have the staff can
18 produce them that would bring about some of
19 these desired results.

20 Another question that I want to
21 add, and I think it's of issue, before I leave
22 -- the bottom line of that, I would insist on
23 not a standardized but a method of monitoring
24 coming from, I don't say you have to do it
25 every month, but a system set up by your level

1 Proceedings

2 as well as that of the State level in
3 monitoring.

4 Leaving that question a little
5 bit. Having been involved in school systems
6 quite awhile I find that it's difficult to
7 change certain conclusions that they have
8 drawn up, and that is about the grouping
9 methods, so forth, as we have -- I think
10 mainly it's due to the fact, as I heard I
11 think someone say before, that this is the
12 only way they know to manage the situation at
13 this point. They know what I'm saying. The
14 only way that they feel comfortable or they
15 can manage the situation.

16 I think that one aspect of this is
17 going to have to be that we're going to
18 address another major question. If you're
19 going to group these kids the question is are
20 they getting the services that are available
21 to them. I think -- I don't hear much said
22 about that because I know once they group them
23 is one thing, is just like segregating
24 schools. The real question against segregated
25 schools, if you segregate them one half is not

1 Proceedings

2 going to get what's needed, what they have a
3 right to. If they were really equal there
4 would be no argument as to what is good and
5 bad.

6 But it was declared inherent,
7 inequal to have segregated schools. So that
8 eliminates that. It's no longer discussed,
9 no longer really a need for discussion of
10 what's good and bad. And so that we're going
11 to have to address the issue once these kids
12 are put off into this grouping or
13 categorizeing, somebody is going to have to
14 advocate that they get the services like the
15 State provides, Federal Government provides at
16 the local level, the monies, millions of
17 dollars behind special education that some of
18 these kids never see any of it because they're
19 not given these services. So that if the
20 Board of Education insists on this grouping
21 then let's change our tactics.

22 When I was youngster, when they --
23 when a teacher, my teacher or professor was
24 describing what psychology is he said, to make
25 it simple to us he said, if you're going a

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2 straight line and want to get to a point and
3 you come to a brick wall how do you get to
4 your point? He said do you beat your head up
5 against the brick wall? You won't get through
6 because your head is not as hard as the wall.
7 So he said, you back up, take a look at it,
8 see how tall it is and how wide it is. If
9 it's not very high you go over it, if it's not
10 very wide you go around it.

11 And so that's what I sometimes
12 think in terms of fixed ideas of some of our
13 specialists, some of our Board people who
14 feel, or administrative people if you want to
15 say so, feels that there is only one way to go
16 then we have to figure out a way around it and
17 that brings me down to the conclusion that you
18 can have a success in spite of handicaps.

19 I think those are all the things
20 -- I could keep making a few suggestions on
21 down the line but I think those are the key
22 things that I figured out in listening and
23 trying to conclude in my mind what I think
24 would be helpful because the -- it's something
25 a little additional about what you have been

1 Proceedings

2 talking about.

3 You talked about monitoring but I
4 insist that you must have it otherwise we
5 can't get, keep these things. One other thing
6 on the statewide program I couldn't come to
7 grips with, what I would want in terms of a
8 county-wide or statewide program, except I was
9 thinking something like this. I wouldn't want
10 a standardized approach, just going in raising
11 the curtains on everybody, but I think the
12 monitoring could play into that and would be
13 the big thing and I think some level, the
14 State level, more than likely the State level,
15 because that's more local, at least should
16 know what's going on.

17 I keep hearing somebody raising
18 the question why isn't it known what we're
19 doing up here. Many reasons for that. Maybe
20 some of them justifiable. But the, someone
21 should know. Whether they're doing anything
22 about it routinely or not is one question, but
23 at least when the local people want to go some
24 place, want to get some adjustments to these
25 situations they should have a source to go to

1 Proceedings

2 who could say well yes we know something about
3 this, now that you're interested we'll help
4 you.

5 Unless somebody knows about it,
6 you know, it's a tough situation. Okay.

7 MR. DARDEN: I have a question with
8 the process of monitoring --

9 MR. COOPER: Yes.

10 MR. DARDEN: -- which I've done for
11 the agency and I've learned that at least the
12 monitoring that we do amounts to passing
13 around information and the faster it passes
14 around the better. So my question is: How
15 would you suggest that the Advisory Committee
16 get in the loop, if you will, of the
17 organizations or even the individuals in this
18 area who who are in a position to pass
19 information?

20 We can monitor only to the extent
21 that we're informed by folks who are
22 knowledgeable about the developments. We'd
23 love to do it if we could make those
24 connections.

25 MR. COOPER: Well, just to give you

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2 a little inside of my background, I am a
3 community organizer by specialty and I could
4 do that when I was working in that field, that
5 area, that specialized area. I happen to have
6 worked in Morris County for twelve years in
7 that capacity. At that point, although I
8 still live here, I could tell you what was
9 going on in the County, and I was one man in
10 the whole County with one secretary, in many
11 areas, not only in the schools, but I could
12 tell you what was going on in these schools.

13 Now, you ask me how to do it. I
14 think anyone who has some specialty in that
15 area would have their means and methods of
16 doing it. I was amazed that, when I think
17 back over the responsibility that I carried as
18 head of the organization, one small
19 organization in the County, kind of a
20 reservoir of resource of information that I
21 always carried, only mouth resources that I
22 had. I think I started out with a secretary
23 and an office and myself for about \$7,000 a
24 year.

25 Now secretaries in Equal

1 Proceedings

2 Opportunity offices and public relations
3 offices get three and four times that much,
4 just secretaries alone, and yet that, I was
5 loaded with this responsibility and I did a,
6 I'd say, I guess I could take the opinion of
7 somebody else, I did a good job of it. I could
8 tell you what was going on throughout this
9 County in terms of education because we,
10 speaking in the Morris District, it was my
11 agency that took volunteers, that did the
12 first special service in the schools.

13 MR. DARDEN: What time frame was
14 this? What year?

15 MR. COOPER: In the Fifties.

16 MR. DARDEN: In the Fifties?

17 MR. COOPER: Yes.

18 MR. DARDEN: Well, do you think
19 that in today's world or in the community
20 today we have a set of organizations that can
21 be tapped for information here in the Morris
22 area or has the level of community
23 organization in the Civil Rights field at
24 least degenerated?

25 MR. COOPER: I don't know that you

1 Proceedings

2 have any one organization now being -- you
3 still have the same ones they had when I was
4 in business, but I don't think you have any
5 one organization or two that could give you
6 this type of information in the community
7 right now.

8 DR. HILL-SMITH: I think the NAACP
9 could get us that, the branch education
10 committee could give us everything we need and
11 more than we can handle.

12 MR. COOPER: That's your best
13 source.

14 DR. HILL-SMITH: That's the only
15 source.

16 MR. COOPER: The only source where
17 you could get at least some of it. The only
18 reason I didn't mention NAACP, because they're
19 not a paid staff. They're volunteers.

20 DR. HILL-SMITH: We never have
21 been.

22 MR. COOPER: There would be gaps in
23 keeping current. When I worked here I was a
24 paid staff person. You had to keep --

25 DR. HILL-SMITH: We're in a serious

1 Proceedings

2 budget crunch. The Government's not putting
3 out any money. You have to go back to
4 volunteers. Thank God we have trained
5 volunteers.

6 MR. COOPER: I think the State -- I
7 think State Department of Education could do
8 something about this. Again, it would have to
9 be pressure. They might have the money but
10 they don't have the staff with the freedom --
11 they have the staff but not the freedom to do
12 this thing.

13 You see, you've got to have good
14 staff with a certain amount of freedom in
15 addition to the funding. You see? But in
16 the State Department everybody's so hooked in
17 that if they did something, the State did
18 something -- the reason you got as good a
19 study out of the State this time, they did
20 something that they have never done before,
21 they organized the committee, they organized.
22 Didn't just take one little department, they
23 got specialized people from about five
24 departments that made up that committee.

25 That's why you got the kind of

1 Proceedings

2 report that you got from the State, the last
3 report you got. And that was due to a lot of
4 pressure and a lot of demands from
5 constituents and Government officials
6 stimulated by the local and state NAACP. They
7 were the stimulators of that and they got it
8 and that's how you got that and that's how we
9 got you here too.

10 MR. DARDEN: I know.

11 MR. COOPER: I must compliment
12 you. I've been very impressed both with the
13 committee and with the people out here that
14 have been talking. Myself being an old-timer,
15 I'm extremely impressed with the process that
16 I see going on at this point.

17 CHAIRMAN BALCH: I hope we can
18 continue it.

19 MR. COOPER: Yeah. I do to.

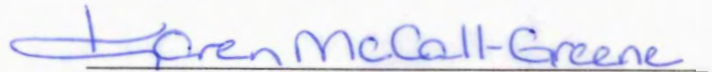
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C E R T I F I C A T E

I, KAREN MCCALL-GREENE, a Shorthand Reporter of the State of New Jersey, do hereby state that the foregoing is a true and accurate transcript of my stenographic notes of the within proceedings, to the best of my ability.



KAREN MCCALL-GREENE
Notary Public for the
State of New Jersey

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BY THE U.S. COMMISSION ON CIVIL RIGHTS

Attach
to
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This Privacy Act statement was given to William D. McIvor
on June 26, 1989 William D. McIvor
Signature

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This Privacy Act statement was given to

Lorraine L. Bagley

on

June 27, 1989

Lorraine L. Bagley
Signature

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The U.S. Commission on Civil Rights is established as a factfinding agency within the Executive Branch. It is authorized by statute (the Civil Rights Act of 1957 as amended, 42 U.S.C. §1975 (Supp. II, 1972)) to study and collect information concerning legal developments constituting denials of equal protection of the laws under the Constitution because of race, color, religion, sex, or national origin, or in the administration of justice. This is the statutory authority for collection of information on individuals.

Information supplied to staff members of the U.S. Commission on Civil Rights is on a voluntary basis. The Commissioners are authorized to hold hearings (see 42 U.S.C. §1975(a)), issue subpoenas and take testimony under oath.

Information requested of individuals by Commissioners and Commission staff on behalf of the Commission is collected and will be maintained in accordance with the Notices of Systems of Records published in the Federal Register to meet the Privacy Act requirements (see Federal Register, September 3, 1975 and October 2, 1975). Information obtained by interview or letter from you as part of a Commission project may be used routinely as set out in the Systems Notice entitled "CRC-004, Commission Project." This system includes reports, hearings, statements, conferences, commentaries on legislation, and possible referrals to other agencies.

For further information regarding the Privacy Act and information collected by the Commission contact the Office of General Counsel, 1121 Vermont Avenue, N.W., Washington, D.C. 20425 (202-254-6610).

This Privacy Act statement was given to

DAVID V. MANASHAN

on

June 27, 1989

David V. Manashan

Signature

CCR Form 176 (Sept. 75)

Copy to be retained by Commission on Civil Rights