

BOARD OF EDUCATION, WILLIAMS FACE AX

STATE TAKEOVER OK'D

Probe uncovers widespread patronage, mismanagement in Jersey City schools



Announcing state plans for the takeover of the Jersey City School District is state Education Commissioner Saul Cooperman, left, accompanied by, left to right, Walter McCarroll, Cummings A. Piatt and Richard Kaplan, all assistant state education commissioners. The announcement was made yesterday in the Capitol Plaza in Trenton.

DON MCCOY THE HUDSON DISPATCH

UNPRECEDENTED ACTION BY N.J.

By MATTHEW DIETRICH
Staff Writer

TRENTON—Describing the Jersey City school district as patronage-riddled and irreparably crippled by mismanagement, state Education Commissioner Saul Cooperman announced yesterday that his office has begun action to take control of the troubled district.

In an unprecedented move which is being watched nationwide, Cooperman yesterday served the Jersey City Board of Education with an order to appear before a state administrative law judge in Newark on June 3 to either accept the takeover or give reasons why the district should be allowed to solve its own problems.

The state Department of Education also filed a motion for "emergency relief," under which the state would immediately receive the authority to monitor and approve or deny all

“...the school district...has reached a state of managerial bankruptcy...”

CRESAP REPORT

district personnel matters and any expenditures of over \$5,000. The department would also have unhindered access to all district communication systems under the order.

Cooperman and three assistant state commissioners who supervised an exhaustive three-month report on the district said the city's educational system had become a pawn for local politicians, who often used promotions and demotions as rewards for political allies and punishment for opponents.

Please see TAKEOVER Page 14

MAJOR FINDINGS OF THE CRESAP REPORT

These are the major findings of yesterday's report prepared by Cresap, McCormick and Paget, a Washington auditing firm:

- The Jersey City Board of Education has consistently and over a period of years resorted to the use of unrecognized titles without obtaining permissions from the county superintendent for their use or determining the appropriate certificate endorsement for such job titles in direct

contravention of regulations (N.J.A.C. 6:11-3.6b).

- The use of unrecognized administrative and supervisory titles has been utilized by the Jersey City Board of Education as a means of overriding tenure rights; as a means of removing qualified persons from positions prior to obtaining tenure; and as a means of assigning unqualified persons to created positions.

- The Jersey City Board of Education and its agents have utilized high-level positions in its administrative and supervisory staff to reward friends, neighbors and political insiders.

- The Jersey City Board of Education personnel procedures were guided by political expediency without consideration of the impact of such actions on the educational process and without the recommendation of the chief school administrator.

- The Jersey City Board of Education's utilization of the designation of "acting" administrator when true vacancies for the position existed effectively impeded employees' tenure acquisition and also resulted in litigation concerning the employees' tenure rights.

- The Jersey City Board of Education has failed to implement decisions of the commissioner of education and the state Board of Education and has failed to obtain a stay in order to do so.



Students leave Dickinson High School in Jersey City after classes yesterday.

AP LASERPHOTO

Report paints volatile picture of relationship

JERSEY CITY—The relationship between the Board of Education and the schools superintendent was tenuous and often volatile.

Manifestations of this relationship are demonstrated, in part, by the following excerpts from the report issued by the Washington auditing firm of Cresap, McCormick and Paget.

Superintendent Franklin L. Williams: What are you trying to say, sir?

Aaron I. Schulman (Board of Education member): Excuse me, I'm not trying, I am saying. I'm saying right now you're interfering because you attempted

to make a point. Failing to make a point, you then tried to attack me and you're unsuccessful in both attempts.

Williams: Say what you have to say.

Schulman: Mr. President, will you tell him to shut up?

Williams: No one can tell me to shut up.

Schulman: Shut up, Frank.

Williams: You can't tell me to shut up. I'll say just as much as you have to say.

Schulman: Try to get you quantity and quality equal.

From the Jersey City Board of Education meeting minutes, April 8, 1987. Page 94.

—MATTHEW DIETRICH

TAKEOVER

CONTINUED FROM PAGE 1

The years of excessive personnel shuffling, they said, created a district rampant with mismanagement and deeply entrenched inefficiency.

"Taken overall, the Jersey City school district can be characterized as a public enterprise that has reached a state of managerial bankruptcy," Cooperman said, quoting foot-thick report, which was prepared for the department by the Washington auditing firm of Cresap, McCormick and Paget at a cost of \$300,000. "Moreover, the district clearly lacks the resolve or resources that are essential prerequisites for the fundamental redirection of the schools."

Cooperman said the district is so lacking in leadership that "sometimes Jersey City schools lost money because they didn't fill out federal forms properly."

The Jersey City board has vowed to fight the takeover, contending that the board knows the needs of the system better than state authorities, and has been preparing its legal defense for more than a year, according to board Attorney William A.

Massa. Last year, the board hired the New York law firm of Shea and Gould to keep tabs on its efforts to improve the system.

Barring a lengthy court battle, the takeover could begin as soon as November, according to Assistant Education Commissioner Cummings A. Piatt. At that time, the current board and all central administrative positions would be abolished. A state-appointed superintendent would replace city Schools Superintendent Franklin L. Williams and would restructure the district's administration.

Once in control, the state would govern the school system for at least five years.

Assistant Education Commissioner Richard Kaplan said political allies were often rewarded with unauthorized positions in the district that were made up specifically for political use.

He also cited repeated violations of state bidding laws and improper purchasing procedures to exemplify the managerial disarray of the district. Asked whether criminal charg-

es could be brought as a result of the spending irregularities, Kaplan said the study "has been forwarded to the appropriate state and federal law enforcement officials."

The department report lists 29 invoices that were issued in violation of various state laws.

Yesterday's announcement ended nearly four years of state scrutiny of the beleaguered district, which was first monitored in the spring of 1984.

When schools still could not be brought up to the state minimum in early 1987, the department began Level III monitoring, under which it decided that the city could not resolve its problems. The 1,500-page comprehensive compliance investigation issued yesterday was compiled during Level III monitoring this spring.

Once in control of the district, the state will have the power to increase taxes to raise money for schools, although Cooperman said this year's \$180.9 million budget would be sufficient to implement recommended reforms.

THE JERSEY CITY SCHOOL TAKEOVER

Williams likely to be dismissed

By **MATTHEW DIETRICH**
Staff Writer

JERSEY CITY—When he was appointed schools superintendent in 1985, Franklin L. Williams took the helm of a rudderless ship in turmoil.

Yesterday, that ship sank.

Williams, 56, became the city's first black assistant superintendent in 1968 and went on to become the first black superintendent. The fanfare surrounding his 1985 appointment, however, was drowned out quickly by allegations that he represented another of the political patronage appointees that many say led to yesterday's takeover announcement.

The takeover could prompt Williams' ouster as superintendent as early as November, although state Department of Education officials said he could be retained by the district as an assistant principal.

A city Board of Education member, Aaron I. Schulman, charged at the time that Williams' appointment was a "political deal," an allegation he repeated this week.

"We needed someone from outside the system," Schulman said. "Cucci (Mayor Anthony R.) was very nearsighted and very provincial in appointing



FRANKLIN L. WILLIAMS
May lose job

him."

Schulman was among five board members who voted to oust Williams last spring in a resolution that was later overturned by Assignment Judge Burrell Ives Humphreys of Hudson County Superior Court here.

Had Williams been fired at the time, Schulman contends, the state takeover could have been avoided.

Williams did not return phone messages at his office yesterday, and there was no answer at his home.

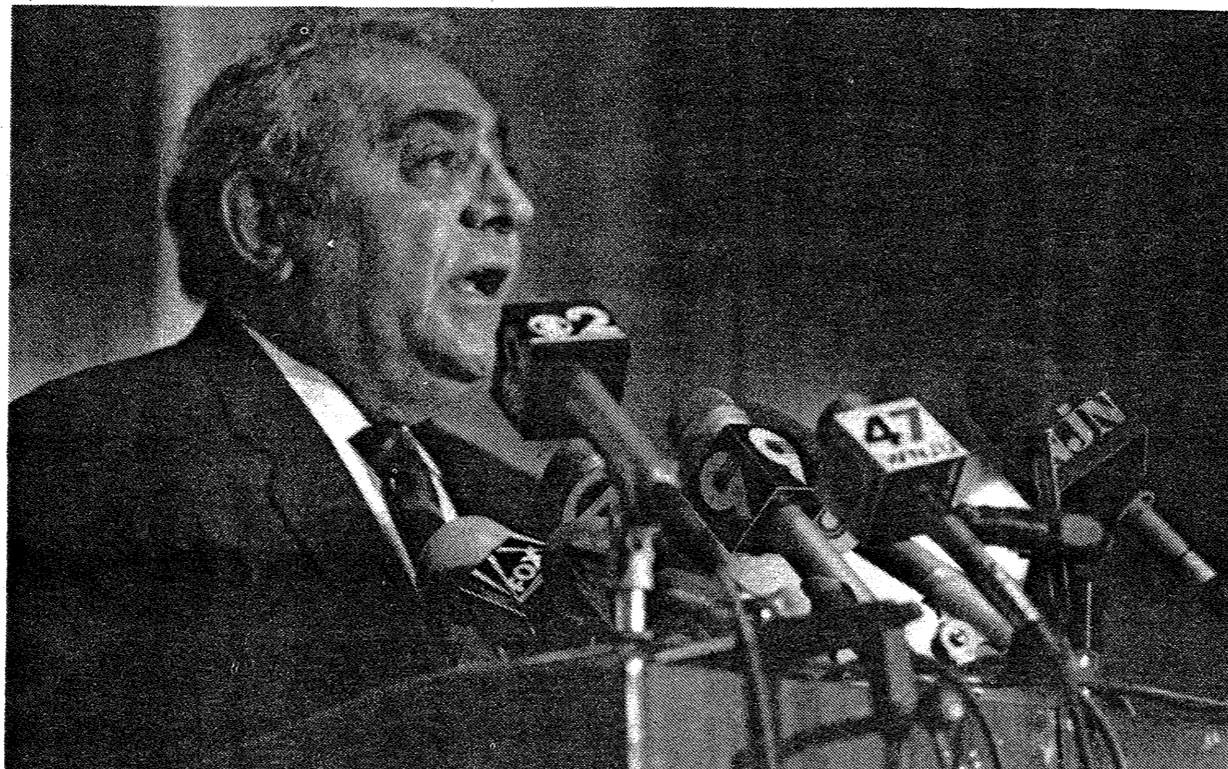
A year after he took office, city schools were placed under Level II monitoring by the state Department of Education, and the system was given an ultimatum to implement programs to bring the district up to state minimum standards or face increased scrutiny.

When the district failed to meet 29 of 51 standards in January 1987, the state began Level III monitoring. Shortly thereafter, the department began a comprehensive compliance investigation, during which it gathered information with which to justify a takeover.

In a scathing letter to Williams in June, Walter J. McCarroll, an assistant education commissioner, criticized the district for disjointed and outdated curriculums, use of school funds for employees' personal expenses, "an inability or unwillingness to correct" fiscal irregularities and poor building maintenance.

Williams had contended repeatedly that the district's problems had been caused by inadequate funding from the state.

State Education Commissioner Saul Cooperman said yesterday that, while the district may have been shorted on money to be used for improvements to school buildings, Williams had ample funds to implement better academic programs.



Jersey City Mayor Anthony R. Cucci speaks at a press conference yesterday at City Hall.

DON McCOY THE HUDSON DISPATCH

Critique of the schools assails Cucci patronage

By **MATTHEW DIETRICH**
Staff Writer

TRENTON—An extensive report on the administrative problems of the Jersey City school district accuses Mayor Anthony R. Cucci of contributing to the system's decay by using it to reward political allies.

More than 10 pages of the foot-thick study is devoted to the employment history of Dianne Silvestri, Cucci's stepdaughter and the wife of Arsenio Silvestri, secretary of the Board of Education.

Mrs. Silvestri began working for the board as a typist in 1976 at a salary of \$8,226 and has risen to the position of administrative analyst, with an annual pay of \$23,990.

The report notes that Mrs. Silvestri received three pay raises, bringing her salary up from \$14,781 to \$22,000, during an eight-month period in 1985 while she was on a continuous leave for personal illness.

Also mentioned is a pay raise of more than \$5,000 that she received just two months after Cucci's inauguration.

"It is significant to note that Mrs. Silvestri's appointment as special education awareness specialist from the position of clerk/typist took place within two months of her mother's marriage to

Anthony Cucci and his swearing-in as mayor of Jersey City," the report states.

At one point, Mrs. Silvestri held the position of audiometrist with the district, even though she does not meet "either the education requirements or the experience necessary to qualify for the position....," said the report.

It also questions the appointment of Councilman Chester Kaminski, who ran for the council on the Cucci ticket and received \$1,700 in Cucci campaign funding, to the \$36,000 position of business intern/manager in August, 1985.

"Chester Kaminski's appointment...is a further example of how the Jersey City Board of Education..., in combination with the mayor's influence, has used the personnel function to reward friends or political allies," the study says.

The transfer of Councilwoman Bernadette O'Reilly-Lando from her position as school nurse at School 8 to the central office medical department, the report contends, is a "further demonstration of the intrusion of political influence" into the board's personnel affairs.

O'Reilly-Lando was the maid of honor at Cucci's wedding to Mrs. Silvestri's mother.

Cucci yesterday disputed the study, angrily responding that he never has rewarded political allies with board jobs.

THE STATE'S PLANS

The state Department of Education will take the following steps under the takeover announced yesterday:

1 June 3 — City Board of Education must respond to state's order to show cause, stating whether it intends to fight the takeover. If the city opts to fight it, a state administrative law judge would grant the district time to prepare its case.

2 June 7 — Hearing before Commissioner Saul Cooperman on state's request for emergent relief, which would give the state immediate power of approval over all personnel decisions and spending over \$5,000 until the takeover decision is resolved.

3 Following show cause and emergency relief hearings, an administrative law judge could grant stays to the board to prepare its case against the state. If no stays are granted, a takeover order would be issued and the takeover could begin by November.

After the issuance of a takeover order, the state would take control through the following steps.

1 Abolition of the Board of Education, the current school superintendent and the administrators in charge of curriculum, personnel and business and finance. A state-appointed superintendent will select his own staff to carry out duties previously done by those administrators.

2 Within 60 days of takeover: appointment of a 15-member school board, with three state-appointed members and two selected by the City Council. Unlike the current nine-member board, which governs the district, the new body would serve strictly as an adviser to the state-appointed superintendent.

3 Six months after takeover: abolition of all central and administrative positions.

4 Within six months of central staff re-organization: three-tiered evaluations of all school principals, the criteria of which would be determined by Cooperman. Only those principals who had been previously evaluated either by a person rehired by the state-appointed superintendent or by a person not employed by the district for the past five years would be exempt from the assessments.

5 Following the six-month assessment cycle, tenured principals could be dismissed if evaluators show just cause.

6 Four years after takeover, nine board members would be elected to one-, two- and three-year terms in an April municipal election. The board would again assume governing power over the district but the superintendent would keep veto power.

7 The state controls the district for at least five years, and possibly longer if schools cannot be brought up to minimum state standards within that time.

Timetable of events

- **January 1984**
State Department of Education comprehensive monitoring process implemented.
- **March-June 1984**
Level I monitoring begins.
- **November 1984**
State announces Jersey City schools failed in 32 of 51 categories despite an improvement plan.
- **November 1986**
State monitors completes a re-evaluation of city schools.
- **January 1987**
Schools fail 29 of 51 categories under Level II monitoring; state announces that Level III monitoring is necessary.
- **January-April 1987**
Preliminary Level III review conducted.
- **June 1987**
Schools Superintendent Franklin L. Williams notified that state will begin a comprehensive compliance investigation, during which Department of Education monitors would gather evidence for a possible takeover.
- **January 1988**
State Legislature passes school takeover bill.
- **February-May 1988**
Department of Education monitors and private consulting firms conduct in-depth investigations of the district's personnel, management administrative and curriculum policies.
- **May 24, 1988**
State Education Commissioner Saul Cooperman issues a show-cause order to the district demanding that it show why it should not be taken over. Cooperman also begins action to assume control off the districts personnel decisions and finances.

—Compiled by **MATTHEW DIETRICH**