

## SYNOPSIS OF FINDINGS AND RECOMMENDATIONS

### THE NEW TAMMANY HALL

Findings: Community schools districts are used as patronage troughs by school board members.

Politics outweighs merit in school board personnel decisions.

Racial, ethnic, and religious bias taint school board hiring and personnel decisions.

People with no interest in education are attracted to run for the community school board seats by the lure of improper patronage.

Millions of dollars are squandered on unnecessary patronage jobs.

#### Recommendations:

♦ The Legislature should transfer hiring authority for teacher aides, paraprofessionals, and other district support personnel from the community school boards to the community district superintendents.

♦ The Chancellor should establish staffing models for teacher aides, paraprofessionals, and other support personnel, and require districts to justify any departure from those models.

♦ The Chancellor should create rules governing hiring of teacher aides, paraprofessionals, and other support personnel, and require districts to justify any departure from those rules.

Finding: The qualifications for assistant principal and principal have been set so low that ill-motivated board members have been free to select mediocre candidates for improper reasons.

#### Recommendations:

♦ The Legislature should continue the community school board's authority to appoint principals and assistant principals.

♦ The Chancellor should set detailed standards governing qualifications for principalships and assistant principalships that will guarantee the selection of highly-qualified people for these critical positions.

Findings: Community school board members have subjected district superintendents and district personnel to extortionate pressures to force them to acquiesce to their patronage demands.

Vulnerable superintendents and district personnel need protection from this kind of pressure.

The lack of standards for evaluating superintendents has contributed to their vulnerability in the face of improper pressures.

The failure to scrutinize the hiring and renewal of superintendents has contributed to their vulnerability in the face of improper pressures.

Recommendations:

♦ The Chancellor should set detailed standards governing qualifications for district superintendent, and evaluations of district superintendent that will guarantee the selection of highly-qualified people for these critical positions.

♦ The Chancellor should exercise his power to veto the selection of a superintendent or the renewal of a superintendent's contract whenever a community school board votes to hire or reappoint an unqualified candidate.

#### FRAUD IN THE COMMUNITY SCHOOL BOARD ELECTIONS

Findings: Democracy works only if people vote.

Voters are mystified by the community school board elections.

There is almost universal agreement that the proportional voting system, paper ballots, and May elections result in voter confusion and open the door to corruption.

Recommendation:

♦ The Legislature should abolish proportional voting, move the community school board elections to November, and require the use of voting machines.

Findings: The Board of Elections has given lip service to protecting the integrity of community school board elections, but has failed to do so.

The Board of Education has given lip service to protecting the integrity of community school board elections, but has failed to do so.

Recommendation:

♦ The Board of Education and the Board of Elections should coordinate their election efforts to register bona fide voters and to prevent voter fraud.

Findings: The Board of Elections failed to take even the most minimal steps to implement the Legislature's new campaign disclosure law.

The Board of Elections affirmatively misled school board candidates about their obligations under the new campaign disclosure law.

Recommendation:

♦ The Board of Elections must take its campaign disclosure responsibilities seriously, and, if it fails to do so, its leadership should be removed and replaced with people with the competence and desire to do so.

Finding: Scores of voters are disenfranchised by the slipshod procedures of the Board of Elections.

Recommendation:

♦ The Board of Elections must alter its procedures to prevent the disenfranchisement of voters by the unexplained loss of registration forms delivered to it and the unexplained failure to deliver registration cards to the polls.

Finding: Experience during this election indicates that the \$1000 threshold for campaign disclosure, included in the statute, allowed a great many candidates to

hide the sources of their campaign funds and the nature of their expenditures from other candidates and from the public.

Recommendation:

♦ The Legislature should repeal the \$1000 threshold and require all community school board candidates to file itemized lists of contributions and expenses.

Finding: Experience during this election indicates that a \$100 fine is not sufficient to inspire school board candidates to file their campaign disclosure forms.

Recommendation:

♦ The Legislature should impose meaningful sanctions for failure to file campaign disclosure forms.

#### THE HIRING OF FRANK CARR: A CASE STUDY

Finding: The Board of Examiners has failed to safeguard public school children, since its screening of potential teachers has been woefully inadequate.

Recommendation:

♦ The Legislature should abolish the Board of Examiners.

Finding: There has been no true accountability for the screening process, because the Board of Examiners and the Board of Education have traditionally blamed each other for any failures.

Recommendation:

♦ The Legislature should empower the Chancellor to assume the functions of the Board of Examiners, and a new unit should be created to implement this reform.

Finding: Thorough criminal and employment checks, both in New York and in other states, are necessary to prevent unfit people from obtaining access to our classrooms.

Recommendations:

♦ The Chancellor's unit should include personnel with professional experience in criminal investigations.

♦ Its background employment checks on all teaching candidates must, at a minimum, include independent verification of previous employment.

♦ Its investigators should contact the state police in every out-of-state applicant's prior state of residence to obtain his or her arrest record.

♦ No candidate should be certified until receipt of the results of the FBI fingerprint check.

♦ Upon discovery that an applicant has made a false statement in the application, the Chancellor should refer the matter to the appropriate district attorney for follow-up.

Finding: There has been little or no scrutiny of the assignment of temporary per diem teachers, a failure that has allowed improperly motivated principals to assign teachers to jobs they are unfit to fill.

Recommendations:

♦ The Chancellor should impose greater controls on the use of Temporary Per Diem teachers.

♦ The Chancellor should require that candidates be assigned to work only in areas for which they have been tested, unless a specific waiver is obtained.

♦ The Chancellor should require principals hiring temporary per diem teachers to report any prior relationship to the individual.

Finding: Board employees at all levels have ignored reporting requirements, even about matters as loathsome as sexual molestation of students by teachers, and they have done so with impunity.

Recommendation:

♦ The Chancellor should file disciplinary charges against anyone who violates the rules about reporting allegations of sexual assault, corporal punishment, and other sensitive matters.

## FISCAL IRRESPONSIBILITIES

Findings: Some districts are out of control fiscally.

Some employees have abused the system for private gain.

District business managers have ignored losses in the tens of thousands of dollars as problems too small to warrant their attention.

District superintendents have not taken responsibility for maintaining the fiscal integrity of their districts.

No one has held business managers or district superintendents accountable for the financial mismanagement of their districts.

Recommendations:

♦ Employees who abuse the system for private gain should be disciplined and forced to make restitution of lost public funds.

♦ District business managers and superintendents who do not maintain the fiscal integrity of their districts should be disciplined, and sanctions for gross mismanagement should be termination and liability for lost public funds.

Findings: High-level Central bureaucrats are perfectly well aware of the fiscal mismanagement in the districts.

The Central bureaucracy has seen its mission as reporting on financial problems and finding someone at the district level to blame for them.

Political considerations have, all too often, subverted effective fiscal intervention by the Central staff.

Recommendation:

♦ The Chancellor should insure that his staff does not merely identify fiscal problems, but solves them.

Findings: Principals do not safeguard equipment in their schools.

Business managers and superintendents do not safeguard equipment in their districts.

The Central bureaucracy does not ensure that equipment is properly safeguarded.

Recommendations:

♦ The Chancellor should require surprise inspections to determine the whereabouts and the actual use being made of all types of major equipment, and should publicize the program of surprise inspections and its results prominently.

♦ Principals and district personnel who do not maintain the records they are required to or cannot adequately account for the equipment entrusted to their care should be disciplined.

♦ In cases of gross negligence, principals and district personnel should be held liable for the losses their negligence has caused.

#### WHAT THE STUDENTS SEE

Finding: While some schools are secure, others are not.

Recommendation:

♦ All school security forces must keep non-students outside, guard or lock all entrances, and patrol their lunchrooms.

Finding: Some teachers have failed to provide adequate supervision of students during class periods.

Recommendation:

♦ Principals must ensure that teachers are providing adequate supervision during classes.

Finding: Unannounced observation provided an unparalleled and accurate picture of crime in the schools, flaws in security, and failures in instruction as well.

Recommendation:

♦ Investigative agencies, security monitors, and educational monitors should place unannounced observers placed

in schools as students from time to time, when it is needed to get the truest picture possible of what is going on inside.

## DISCIPLINE

Findings: The Central Board has not articulated clear substantive policies about critical disciplinary issues.

This failure has left the staff at sea about what it should consider misconduct and what punishments it should seek.

Recommendation:

♦ The Central Board should adopt policies, standards, and priorities to govern the discretion of the lawyers handling disciplinary cases when making charging decisions and settlements decisions.

Findings: No one is accountable for decisions about whether disciplinary charges should be brought.

All too often the "consensus" reached is that no charges should be filed.

All too often the participants blame each other for the failures of the disciplinary system.

No one can justify the "technical assistance conference" system or its results.

Recommendation:

♦ The Chancellor should abolish the "technical assistance conference" system, and institute a system for filing disciplinary charges, which forces the supervisor, the investigator, and the disciplinary lawyer each to make a clear decision, for which each can be held accountable.

Finding: No one has ever held the decisions of those in charge of discipline up to scrutiny.



Recommendation:

♦ The Chancellor should require his staff to compile an annual report detailing:

- disciplinary charges declined;
- disciplinary charges filed;
- settlements entered before a hearing;
- settlements entered during a hearing;
- settlements after hearing but pending determination;
- decisions after hearings;
- penalties imposed in all cases; and
- appeals taken and decisions.

The report should also specify the nature of the charges, the reasons for the decisions made by the Chancellor's staff, and the length of time taken to reach disposition.

Finding: Evaluations of principals and teachers are useless, because they are often misleading.

Recommendation:

♦ The Central Board and the Chancellor should require principals, supervisors, and superintendents to make specific and accurate evaluations, and should hold them accountable for the accuracy of the evaluations they submit.

AN EFFECTIVE INVESTIGATOR

Findings: The Board of Education has a conventional inspector general's office, that has devoted far too much energy toward internal management matters.

The Inspector General's handling of criminal investigations has been lethargic and largely ineffective.

The Inspector General's Office has created a crisis in confidence, by alienating itself from the people who should work with it to accomplish its goals,

and left the public and the people in the system afraid to come forward.

The Inspector General's office has been structured and staffed in a way that is almost designed for failure in the area of criminal investigation.

Recommendations:

♦ The Mayor should create a Special Commissioner to investigate corruption, impropriety, and gross mismanagement in the city's public school system.

♦ The Mayor should appoint, and have the power to remove, the Special Commissioner, and should require a formal annual report detailing the Commissioner's work.

♦ The Special Commissioner should be independent of the Board of Education and the Chancellor.

♦ Aside from these annual reports, the Special Commissioner should report to the Mayor when the Commissioner deems reporting appropriate.

♦ The Special Commissioner could be made a deputy commissioner of the City's Department of Investigation, so that the office would have subpoena power, the power to obtain sworn testimony, and the power to grant use immunity.

♦ The Board of Education should grant the Special Commissioner the same powers it granted to this Commission.

♦ The Special Commissioner should obtain a squad of police officers, and the power to make arrests.

♦ The Special Commissioner should hire a few outstanding retired police personnel, in order to infuse the office immediately with the kind of talent and expertise that a professional investigative agency cannot do without.

♦ The Special Commissioner should acquire a staff of skilled investigative attorneys.

♦ The Special Commissioner should focus all of its attention and energy on serious criminal wrongdoing, and build solid criminal cases against real criminals.

♦ A small portion of the Inspector General's current staff should continue to deal with internal management matters, but should be under the direct control of the Chancellor.