

***New Jersey
Quality
Single Accountability Continuum
(QSAC)***

2006 Pilot Program Evaluation



THE STATE UNIVERSITY OF NEW JERSEY
RUTGERS
NEWARK

Institute on Education Law and Policy
Rutgers University – Newark
123 Washington Street
Newark, New Jersey 07102

<http://ielp.rutgers.edu>

The Institute on Education Law and Policy

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- to improve public understanding of these issues
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Introduction

This report was prepared under contract with the New Jersey Department of Education (NJDOE), with support from NJDOE and additional support from The Prudential Foundation. It provides an evaluation of the 2006 pilot program conducted by NJDOE to implement the New Jersey Quality Single Accountability Continuum Act of 2005 (QSAC), N.J.S.A. 18A:7A-10 *et seq.*

QSAC requires that the performance of public school districts be measured in five areas: Instruction and Program, Fiscal Management, Personnel, Governance and Operations. Every school district in the state is to be evaluated annually on its “progress in complying with the quality performance indicators” adopted by NJDOE. In accordance with this requirement, NJDOE has developed a set of performance indicators known as the District Performance Review (DPR). The DPR is designed to allow districts to assess their own performance by reference to the indicators, which are presented in a “checklist” format. After districts conduct their self-assessments, county superintendents review the results and the completed DPRs are submitted to the Commissioner of Education for review and a determination of each district’s placement on the “accountability continuum.” That placement, in turn, determines the extent of state support and assistance to be provided to the district and the extent, if any, of state intervention in district operations.

In the spring and summer of 2006, NJDOE field-tested the DPR in 13 pilot school districts. NJDOE’s stated objectives for the pilot were to evaluate (1) the reliability and validity of the DPR as an instrument to effectively address QSAC, and (2) the operational aspects of completing the DPR. The objectives of the Institute on Education Law and Policy in evaluating the pilot program were to determine (1) the effectiveness of the DPR for assessing school district performance; (2) whether QSAC, and NJDOE’s method of implementing QSAC with the DPR, are likely to further school districts’ efforts to build local capacity and improve performance; and (3) whether QSAC and the DPR are likely to provide for a return to local control in the state’s three state-operated districts in a rational manner within a reasonable time frame. This report is intended to meet those objectives.

The report is presented in two parts, *Part 1: Comments and Observations of Pilot Districts and County Superintendents* and *Part 2: Comments and Recommendations of the Institute on Education Law and Policy*.

Principal investigators and authors of the report are Kathleen Callahan, Assistant Professor of Public Administration; Kathryn Kloby, doctoral candidate in the School of Public Affairs and Administration; and Teresa Moore, Esq. They received substantial input and assistance from Brenda Liss, Esq., Executive Director of the Institute on Education Law and Policy; Alan Sadovnik, Professor of Urban Education, Sociology and Public Administration, and Associate Director of the Institute on Education Law and Policy; and Paul Tractenberg, Professor of Law and Founding Director of the Institute on Education Law and Policy.

Background

Evaluation standards for New Jersey public school districts have been evolving for at least the past 30 years. In 1975 the Legislature sought to address the variability -- or the lack -- of statewide educational standards, and to satisfy the state's obligation under the "Thorough and Efficient" Education Clause of the New Jersey Constitution,¹ by mandating that the Commissioner of Education develop a "uniform, Statewide system of evaluating the performance of each school."² Uniform standards were adopted shortly thereafter. Those standards, which became known as the "T & E" standards, have guided the evaluation of school district performance ever since.

Since the late 1990s, the T & E standards have included elements pertaining to quality assurance, school-level planning, curriculum and instruction, pupil performance, pupil behavior, teaching staff/professional development, school resources (finance and facilities), and state/federal mandated programs.³ The evaluation process, referred to as "monitoring," has consisted of an annual "desk audit" comprised of a review of aspects of school district operations reported annually in the Quality Assurance Annual Report (QAAR),⁴ and a site visit every seven years by the county superintendent of schools. If satisfactory performance is demonstrated at the site visit, districts are certified for a seven-year period as providing their students a thorough and efficient education.⁵ Districts that are not certified, or given certification with conditions, are subject to additional monitoring.⁶

The T & E standards are only a small subset of the performance requirements governing New Jersey school districts. The state has a patchwork of standards and guidelines for assessing various aspects of district performance: mandatory curriculum standards in seven subject areas, called the core curriculum content standards,⁷ high school graduation standards,⁸ particularized mandates for the 31 special needs districts known as the Abbott districts,⁹ and extensive requirements relating to students who are eligible for special education services under the Individuals with Disabilities in Education Act.¹⁰ The state publishes school report cards annually to inform the public of each district's, and every school's, performance in each of these areas and others.¹¹

The T & E monitoring process has served to identify some districts with severe deficiencies in performance. In 1987, the Legislature found that "the monitoring process may reveal some school districts which are unwilling or unable to correct the deficiencies identified during the process," and that "the State Department of Education should be empowered with the necessary and effective authority in extreme cases to take over a local school district which cannot or will not correct severe and complex deficiencies in that school district." Accordingly, the Legislature authorized the State Board of Education to remove the district board of education in such cases, appoint a state district superintendent, and establish a state-operated school district.¹² The state has exercised this "takeover" authority three times: in Jersey City (in 1989), Paterson (in 1991), and Newark (in 1995). These three districts continue to be state-operated.

In January 2002, another layer of accountability was added by the federal No Child Left Behind Act (NCLB).¹³ The stated purpose of NCLB is to improve academic performance by mandating that schools, and school districts, reach established levels of proficiency in stated time periods, and 100 percent proficiency (“no child left behind”) by 2014. The legislation permits states to set their own proficiency standards, but mandates that states require schools and districts to meet those standards within specified timeframes. New Jersey has established annual goals pursuant to NCLB for measuring student achievement in every school and every district by means of standardized tests.¹⁴

QSAC – The Single Accountability Continuum

By around 2000, it had become clear that even with the many standards governing school district performance, New Jersey lacked clear guidance for measuring the performance of the state-operated districts, their capacity to perform satisfactorily without state intervention, or their ability to be returned to local control. In 2002, the Rutgers-Newark Institute on Education Law and Policy issued a report prepared under contract with NJDOE entitled *Developing a Plan for Reestablishing Local Control in the State-operated Districts*,¹⁵ in which it discussed “state takeover,” its impact in the three state-operated districts, and the legal and policy considerations for reestablishing local control. The report recommended, among other things, that the state adopt a single system of school district accountability standards, that the standards be clear and objective, and that those standards be used to measure the performance of the state-operated districts with the goal of returning them to local control at the earliest reasonable time. It also recommended that the same single, uniform set of standards be used to assess the performance of all school districts in the state (except, of course, where certain standards applied only to certain districts, such as high school standards only for districts with high schools and the requirements relating to the Abbott mandates only for Abbott districts).

After the Institute’s report was issued, then-Commissioner William Librera appointed a working group to advise him on returning the state-operated school districts to local control. The working group issued its recommendations to the Commissioner in March 2003. Among other things, it endorsed the Institute’s recommendation that the takeover law should be amended to require objective standards for measuring the performance of state-operated districts and others, and the need for state intervention. Legislation that became QSAC was drafted, introduced, and, in September 2005, adopted.

Development of New Accountability Standards

State operation, the Institute’s 2002 report, and the experience of school districts statewide around the time the report was issued made clear that the state’s system for assessment of school district performance districts needed a sharper focus. The 30-year-old monitoring process had become inadequate. The monitoring site visit, which once had been a comprehensive inspection and evaluation of facilities and programs, had become perfunctory, largely because county office staffs had been trimmed over

the years to four key staff members.¹⁶ With bare-bones staffing, it had become more and more difficult for county offices to monitor district performance.

At roughly the same time that QSAC was proceeding through the legislative process, NJDOE developed new performance indicators to replace the T & E standards. The indicators were collected in what came to be known as “checklists.” Different versions of the assessment checklists were field-tested by approximately 25 school districts in 2004 and 2005. (Thirteen of those districts also participated in the 2006 QSAC pilot.) The districts conducted self-assessments using the checklists, and submitted comments on the checklists to NJDOE. The Department determined that those checklists were too detailed and unwieldy, and set out to develop a more streamlined set of indicators. From late 2005 through spring of 2006, NJDOE staff drafted another set of performance indicators to implement QSAC.

QSAC’s Performance Standards

QSAC provides for annual evaluation of school districts¹⁷ in “five key components of school district effectiveness.” Those “key components” are the areas of instruction and program, personnel, fiscal management, governance and operations.¹⁸ The “capacity and effectiveness” of districts are to be “determined using quality performance indicators comprised of standards for each of the five key components of school district effectiveness.”¹⁹ Once evaluated, each school district is to be placed at the appropriate point on a “performance continuum” according to its level of performance. The district’s placement on the “continuum” will determine the extent of any oversight or technical assistance it may receive.²⁰

The Legislature expressed the goal in QSAC that all New Jersey public school districts operate “at a high level of performance.”²¹ A “high level of performance” is defined as meeting 80 to 100 percent of the quality performance indicators in each of the five areas of school district effectiveness.²² Districts that do not meet at least 80 percent of the standards in each area must develop improvement plans.²³ NJDOE may intervene in one or more areas of a district’s performance if it is found to be unsatisfactory based on those standards.²⁴

QSAC does not specify the standards, or “quality performance indicators,” for the five components of school district effectiveness. NJDOE has proposed, in administrative regulations published in the *New Jersey Register* on September 5, 2006, that districts assess themselves in the five areas according to indicators developed by NJDOE.²⁵ The indicators themselves are not included in the proposed regulations. Instead, the indicators are contained in an assessment instrument known as the District Performance Review.

The District Performance Review

The District Performance Review (“DPR”) has five sections, one for each of the five “key components of school district effectiveness.” Each section has a list of indicators. There are different numbers of indicators for each of the five sections.

Each indicator in the DPR – or, in some cases, groups of indicators – carries a point value. Point values vary according to the weight the Department has assigned to each indicator, and the total number of points in each of the five sections varies. The number of points in the Instruction and Program section ranges from 108 to 120, depending on the type of district. In Governance, there are 99 points; Fiscal Management, Personnel and Operations each have 100. For districts to be designated “high performing,” they must achieve at least 80 percent of the points for each section.

The DPR is designed to be completed in three phases: first, districts evaluate themselves; second, county superintendents verify the districts’ responses; and third, the Commissioner of Education reviews the districts’ responses. The proposed regulations require each district to assemble a committee charged with the responsibility of completing the DPR. Committee membership must include specified district administrative and teaching staff members as well as representatives of the collective bargaining unit of the educational staff, the community, parents and the board of education. The board of education must approve the district’s self-assessment and an accompanying statement of assurance before submitting the DPR to the Commissioner. The county superintendent then will verify the response by doing a “desk audit” of the completed DPR and supporting documentation assembled by the district, as well as with a site visit to the district. NJDOE Abbott personnel also participate in the verification process for Abbott districts.

After verification, the districts’ responses on the DPR are submitted to the Commissioner of Education. The Commissioner is to determine each district’s level of performance and its placement on the “performance continuum.”²⁶ A district’s placement on the continuum will determine whether it can be designated “high-performing,” and if not, what support and assistance will be provided to the district by NJDOE.²⁷

The 2006 QSAC Pilot

From May through July 2006, the draft DPR was field-tested in 13 school districts. The pilot districts were: Allendale, Bridgeton, Galloway Township, Haworth, Jersey City, Montville Township, Mount Olive Township, Newark, Paterson, Pleasantville, Ridgewood, Roselle and Somerset County Vocational-Technical. The group included urban, suburban and rural districts in nine counties; five Abbott districts, including the three state-operated districts; and ten K-12 districts, two K-8 districts and one vocational-technical district. Five of the districts are classified in District Factor Group (DFG) A, two in DFG B, one in DFG CD, one in DFG GH, one in DFG I, and one in DFG J. Their student populations range from 522 (Haworth) to 43,000 (Newark).²⁸

Each of the districts evaluated its performance in the area of Instruction and Program and in one of the other four QSAC areas of effectiveness. Nine county superintendents and their staffs then reviewed and verified the information.

The NJDOE staff members who designed the pilot envisioned that participating school districts would complete their DPR sections in the period from May 2 to June 30. The districts were encouraged to submit each section to the county superintendent as soon

as it was ready, and not to wait until both sections were completed before submitting one. The county offices were encouraged to begin the process as soon as they received sections of the DPR. Verification occurred throughout the month of July and in early August. The process was complete by August 9, 2006.

Part 1: Comments and Observations of Pilot Districts and County Superintendents

Methodology

The information presented in this part was gathered by reviewing pilot districts' responses to the DPR and their supporting documentation, conducting interviews of pilot district administrators, and conducting a focus group session with county superintendents (and, in some cases, their staffs) of the nine counties in which pilot districts are located.

Four researchers/interviewers with the Institute conducted face-to-face and telephone interviews of pilot district officials from June 13, 2006 to August 4, 2006. When scheduling permitted, interviews were conducted by teams of two researchers/interviewers. A total of 21 district officials were interviewed in person and three via telephone. Interviewees held the positions of superintendent, assistant superintendent for curriculum and instruction, principal, school business administrator, and other district central office administrators.

During each interview, interviewer(s) asked questions contained in an interview guide (see Appendix A). Each interview lasted approximately 1.5 to two hours. Face-to-face interviews were conducted in district offices and were tape-recorded and transcribed. Telephone interviews were not tape-recorded, but notes were taken by the interviewers.

The interviews were designed to identify:

- how each district implemented an assessment committee;
- the effectiveness of the assessment committee;
- the fiscal impact associated with implementation of the DPR;
- whether districts were provided with adequate training for the pilot implementation;
- whether districts received adequate technical assistance from NJDOE;
- whether self-assessment was an effective tool to determine district performance and capacity;
- indicators that were vague, ambiguous, and/or redundant; and
- design elements of the DPR that may need improvement.

The focus group session was conducted by two researchers on August 9, 2006 at the New Jersey Department of Education office in Trenton. Eighteen county superintendents, county business administrators, education specialists, and Abbott division staff members participated. The researchers conducted the discussion with a focus group guide (see Appendix B). The session lasted approximately 75 minutes.

The focus group was designed to identify:

- how county superintendents and their staffs verified district information;
- strengths and weaknesses of the QSAC assessment process;
- the fiscal impact or costs associated with QSAC verification;
- issues and suggestions to improve instrumentation; and
- capacity issues associated with implementing QSAC verification.

Comments and Observations

The statements presented here reflect comments by county superintendents, school district superintendents, assistant superintendents, school business administrators and other district officials during interviews and the focus group session. They do not necessarily reflect the views of the researchers/interviewers or the Institute (although, as discussed in Part 2, the views of the researchers and the Institute overlap considerably with those presented here, and certainly are informed by the comments of interviewees and focus participants).

Summary of Comments

The salient comments and observations of pilot district personnel, county superintendents and their staffs may be summarized as follows:

- *The two-month duration of the pilot was too short.*
- *The May-June timeframe is not a good time of year for district officials to engage in this process.*
- *Indicators pertaining to Adequate Yearly Progress (AYP) generated the most concern.*
- *The student achievement standards set forth in the DPR are different from those that districts are otherwise required to meet, and they are unrealistic.*
- *The scoring system should be reworked.*
- *Partial points should be awarded for partial performance of any indicator.*
- *“Not Applicable” should be a response option where the subject of a particular indicator is in fact inapplicable to a particular district.*
- *Some way of demonstrating progress or improvement should be provided. The yes-or-no scoring design prevents districts from doing so.*
- *Certain indicators in the DPR are inapplicable to county vocational school districts.*
- *Opinions of the value of the committee process were mixed.*
- *Opinions of the level and quality of technical support provided by the Department of Education were mixed.*

Detailed comments of interviewees and focus group participants are presented in the pages that follow. The comments are divided into three parts: the Assessment Process, the District Performance Review (DPR) (with comments on the DPR form and each of

its five sections), and County Office Verification. The comments are followed by a summary of the recommendations made by interviewees and focus group participants.

The Assessment Process

District Assessment Committees

School district administrators expressed differing opinions on the committee process. One said it was the most important aspect of the assessment, while others said it was too time consuming or that the process was purely symbolic, with the sole purpose to demonstrate stakeholder support whether the district had it or not. Three districts that embraced the committee process during the 2005 pilot did not utilize it this time, because they were discouraged that their committees' efforts in 2005 had been in vain and they did not want to ask people to commit to a process that once again might be dismissed. One administrator felt parents and other community members were not sufficiently informed to make meaningful contributions, and remarked, "The committee is not going to be effective. Lay people aren't knowledgeable."

Even in districts that created committees, many administrators prepared the DPR responses with little or no input from the committee. They reported that they took the committee process more seriously the first year. As one administrator noted, "There was not a lot of committee time this year." In one district (that did not have a committee), administrators completed the Instruction and Program section of the DPR in 45 minutes.

Districts that did form assessment committees utilized different approaches to do so. Some worked with existing committees, whereas others relied on the superintendents to hand-select members. In both approaches, committee members tended to be the same handful of people with whom administrators had worked in the past. In one district, principals were asked to recommend potential committee members.

Some district officials expressed a preference for the NJDOE to give superintendents discretion in the formation of the committee, whether to convene a committee, and whether to assign sections of the DPR to knowledgeable people to complete. They felt that mandating committees did not leave enough flexibility to make district-specific decisions.

Administrators who thought the committee process was effective thought so because the group process:

- is informative
- builds trust; according to one administrator, "Communication promotes understanding and builds trust"
- increases visibility
- emphasizes accountability
- encourages diverse perspectives
- encourages shared responsibility for data collection

- promotes dialogue and frank discussion, “a critical and honest debate about district performance.”

Administrators who thought the committee process was ineffective thought so because the group process:

- is time-consuming
- includes members who lack knowledge
- is purely symbolic; data was collected without committee input
- requires committee members to accept data at face value; data is often presented to them by administrators as fact.

Documentation

While there was variation in the manner in which districts retrieved the documentation required to support their DPR responses, administrators from most districts stated that it was extremely time-consuming. One administrator estimated, for example, that it took ten full days for an employee to collect the required documentation. Other issues relating to documentation include the following:

- storage issues were raised by several districts, since the required documentation is voluminous.
- duplication/redundancy was a source of frustration -- some documents were copied three or four times to respond to different indicators.
- some administrators wondered if county superintendents would even look at the supporting documentation.

Fiscal Impact

No district officials reported that the assessment process had a significant fiscal impact. Most districts incurred “minor” expenses for photocopying and for refreshments.

One district hired a consultant for ten days, at a fee of \$500 per day, totaling \$5,000. The consultant attended pilot meetings in Trenton, among other duties. Another district hired per diem clerical workers to copy and file. One spent \$70 on binders.

Large districts pointed out that substantial expenses would come in the future as they attempted to meet the Instruction and Program criteria that had not been met to date, including purchasing updated curricular materials.

Required Time

The most significant cost reported by district officials was in staff time and energy. The staff burden was felt more acutely by smaller districts. Some districts hired additional staff, while others relied on existing staff and found themselves “stealing an

hour or two here and there” to complete the DPR sections. Administrators described the assessment process as “very labor-intensive.” Comments on the time required include:

- One assistant superintendent committed 8 to 10 full days to complete the two sections, and held “two or three” meetings to discuss the information with colleagues. At least several days of secretarial time were involved in typing, collating and copying supporting documentation.
- Personnel in another district took about three weeks to complete the two DPR sections with the support of subcommittees. The Instruction and Program section had to be “squeezed in” at the end of a busy time of year. As one administrator noted, it was a “tremendous task” to complete in two months, particularly in May and June.
- One district described the process as “a push from start to finish.” The process of collecting the required documentation for two DPR sections, communicating with committee members, holding meetings, and finalizing the instrument for submission to the county superintendent took nearly eight weeks.

The pilot time frame of early May through late June was described as “very tight” and “unrealistic.” Some administrators observed that addressing five DPR sections as opposed to the two completed for the pilot would be even more time-consuming. Several recommendations were made to address the time requirement:

- stagger the various sections of the DPR for submission throughout the year
- allow districts to submit their own timetable for submitting required responses and documentation at any time up to June 30
- set aside at least four and one-half months to complete the DPR
- require the process to be completed during the October through March time period.

Technical Assistance

In meetings with pilot districts on February 3 and March 21, 2006, NJDOE distributed and discussed drafts of the DPR. Districts were given the final draft of the DPR at a meeting on May 2, 2006. The final draft reflected changes made to the prior versions in form and substance. On May 2 the pilot districts also were given the student achievement data needed to complete the first seven indicators on the Instruction and Program section of the DPR, a QSAC “Q & A” sheet, and a PowerPoint presentation on completing the DPR sections. Participants were not given a hard copy of the PowerPoint presentation, and some later reported that many were “writing away furiously” but knew they had missed a few things. (Institute researchers did not attend the May 2 meeting.) Although the NJDOE had said at the February and March

meetings that a DPR guidance manual would be developed, no such manual was provided for the pilot program.

The Department offered to provide technical assistance to the districts during the pilot through county superintendents' offices and Trenton staff. Most districts reported that they did not request such assistance. Several requested assistance such as clarification of certain language, permission to award partial points, or other information. Interviewees reported mixed experiences with feedback from county offices and from Trenton. Some reported prompt responses to phone calls; others made several attempts via phone calls and e-mails that went unanswered. Several reported that when they requested language clarification, they were told they should interpret the indicators as best they could, and that further assistance was not available. For example, one district requested clarification of the term "ensures" in the Instruction and Program section, as in, "the district ensures...." (This phrase appears in 16 separate indicators, mostly in Section C). The district was uncertain whether the word "ensures" was intended to mean "guarantees" or was intended more expansively, as in "the district provides" or "the district makes every effort to provide that...." The district was concerned that it could not "guarantee" that its policies and procedures are followed at all times in every classroom. The district was advised to decide for itself how to interpret the word "ensures."

Other comments regarding technical assistance provided to pilot districts:

- More training would have been better. Some suggested that training be provided on a regional basis so people don't lose a full day traveling to Trenton. A northern and southern meeting would have allowed more people to participate in the training. One large district stated that in-district training would have communicated the importance of the assessment more effectively to more people.
- Many administrators said they like the idea of having district personnel who participated in the pilot providing technical assistance to their colleagues in other districts; however, they questioned whether they are capable of providing such assistance because they don't understand the system well enough themselves to train others (e.g., they can't explain the rationale behind the scoring system, why certain indicators are included, etc.).
- The sample DPR sections listing recommended forms of documentation were helpful to many administrators, although in some instances the notes caused confusion. Administrators weren't sure if they had to collect all of the recommended forms of documentation, or whether one or two of the examples of documentation were sufficient.
- Administrators agreed that a DPR Guidance Manual would have been helpful.

Self-Assessment

All of the administrators interviewed thought the self-assessment technique was valuable, and preferred it to an external evaluator. Some administrators thought an independent assessment would be intrusive. Some also thought “outsiders” would not be familiar enough with the specific context of each district. One administrator had this to say about external evaluators: “They are coming in and they don’t have the knowledge background or know what the generic make-up [of the district] is, or how it has changed or where it is in the process.... They may be objective, but when you’re doing an assessment regarding education, it can’t just be cut and dry. There are other factors that have to come in regarding the needs of the district.... It would be a hindrance to have an outside agency come in.”

Another administrator suggested that external evaluators could complement the self-assessment committee process: “Adding outsiders as part of the committee process would be helpful. An outside perspective can encourage you to take another look. An outside perspective on the committee would generate greater discussion and self-reflection. However, I wouldn’t want a totally outside review.... You can’t understand a district in three days.”

Several administrators said the self-assessment was effective because:

- it forced districts to critically assess themselves
- it was empowering to identify their weaknesses rather than have an external body tell them where they were weak
- it enabled honest reflection
- they have intimate knowledge of the district; they know where the documents are and who to ask for documentation; if an external body evaluated, district administrators still would be the ones gathering the documentation.

One administrator acknowledged that a self-assessment could lead to districts rating themselves more favorably than an external evaluator. This is particularly true, he said, since some indicators have no objective standards and therefore are subject to interpretation. Several administrators raised concerns about the ambiguity of certain language, which could result in inconsistent interpretation (in either self-assessment or assessment by an external evaluator).

One large urban district suggested that if an outside evaluator were used, the Council of Great City Schools should be chosen for urban districts since the Council is familiar with the operations and issues associated with large urban school districts across the United States.

Return of State-Operated School Districts to Local Control

For the most part, the state-operated districts were comfortable with the assessment process. Administrators from these districts said that because of state operation, they are familiar with oversight and monitoring of many aspects of school district operation.

They were hopeful that the QSAC/DPR process would bring their strengths to light, pinpoint areas that need particular resources and attention, and assist in returning them to local control.

The District Performance Review (DPR)

Overall Concerns

Design. Interviewees and focus group participants had the following comments on the design of the DPR instrument:

- *Confusion between indicators to be scored and subheadings not to be scored.* Interviewees commented that sometimes they could not distinguish indicators from subheadings (e.g., Instruction and Program, pages 3 and 15). There are boxes that appear as though the respondent should fill in a score, although they are next to a subheading rather than an indicator. Several recommended shading or placing an X in any box where points are not needed.
- *Inconsistent format.* Adding to the confusion is an inconsistent format of indicators, both among the five DPR sections and within each section. The Instruction and Program section, in particular, includes subheadings, some of which are indicators to be scored and some of which are simply introductory statements that are not to be scored. Some administrators pointed out that the Instruction and Program and the Fiscal Management scoring sheets have different formats.
- *No space for narrative.* Several administrators thought an area for narrative statements, to allow districts to report progress toward compliance with various standards, would be extremely helpful. One suggested that, rather than merely checking off on proper documentation and showing what has been done, there should be a way to communicate how their efforts have gone above and beyond the requirements of codes and mandates, remarking, “If we demonstrate capacity and show a record of having done things that were not required and official, ... they [NJDOE] should take that into consideration.”
- *Combine district and county office forms.* One county superintendent recommended adding columns to the DPR sections so the county verification could be included on the same form as the district assessment. Specifically, the official suggested reducing the width of the “point value” and “points earned” columns and adding a column for the county verification. In addition, a space for county superintendents to add narrative comments was recommended.

Indicators. Interviewees had the following general comments on the indicators in all sections of the DPR:

- A majority of the indicators address compliance with code and mandates. Fewer indicators measure actual performance, progress or improvement over time.
- The sheer number of indicators in the five sections is extensive. Several administrators said there are too many indicators, especially in comparison to the previous certification process.
- DPR indicators with multiple dimensions require that districts indicate “yes” in all fields in order to receive any points. This is perceived as an “all or nothing approach,” which presented considerable difficulty when assigning scores. District scores, as a result, are lower than they would be if the multiple dimensions were scored separately, and do not accurately reflect district performance on each of the items included in the indicators.
- Some of the dimensions for some of the indicators are overlapping, vague, inaccurate, or do not pertain to some districts. This was particularly difficult for administrators to negotiate, especially with the all-or-nothing point values.
- Although some indicators/dimensions are inapplicable to some districts, “NA” is not presented as a possible response. As a result, administrators and committee members spent a great deal of time discussing whether their districts were eligible or points on those inapplicable items. When in question, some districts gave themselves the points and others did not.

For example, administrators in one district reported that they had some uncertainty since their Pre-K program is administered through contracted agency. This led to some frustration, as they were not sure how to determine the points earned for Instruction and Program, and they did not get a clarification from NJDOE after several attempts.

Another district that has grades K-8 questioned how they were to assess themselves on Instruction and Program indicator D3, which reads, “The district has a K-12 gifted and talented program.” The administrator from this district suggested changing the wording to “The district has a gifted and talented program for all grade levels,” which would eliminate the need for a “not applicable” option.

Similarly, certain indicators in Instruction and Program, Fiscal Management and Operations are not applicable to county vocational school districts. County vo-tech school districts would have to answer “no” to those indicators, and lose points. Detailed correspondence on this issue was submitted to the Department.

- Several administrators noted that some of the indicators are redundant (for example, Instruction and Program B4, B5, B6 and C1, C2a, C2b). They recognized that these indicators reflect aspects of curriculum, instruction and

supervision, but said such redundancies required unnecessary duplication of supporting documentation.

- Most administrators said the current format and all-or-nothing point value scheme is not particularly useful, and they did not think the DPR instrument would be useful for district-level planning or assessing progress over time.

No one offered suggestions for additional indicators that might be included.

Point System. Many administrators said the point system doesn't make sense or is "confusing." Several said they didn't understand the rationale behind the point allocations. They also questioned why the total point value for each of the five DPR sections was not 100, a measure they could understand. Many said they were confused over how the points (weight) for each indicator had been calculated. Several indicators with multiple parts (e.g., Instruction and Program indicators A9 and A10) were worth only two points. Likewise, special education and Pre-K are worth only three points each. According to administrators, these point allocations do not reflect the value and importance of these programs. Abbott districts emphasized this point particularly.

Administrators uniformly agreed that partial points should be allowed. They said the DPR would be improved, and would more accurately reflect school district performance, with partial credit. This is particularly true in instances where five to ten dimensions are included in one indicator, and if a district does not satisfy one dimension it receives no credit. For example, when assessing professional development (Personnel indicator B2), one district considered itself to provide exceptional professional development opportunities, but its professional development plan had not been approved by the county office. The plan had been resubmitted with recommended improvements incorporated, and the district was waiting for a response from the county office. Rather than lose the entire 15 points assigned to that indicator, the district indicated that its professional development opportunities are "in process." The administrator "would have felt terrible indicating NO," since that would not have been an accurate reflection of the professional development opportunities provided for district employees.

All of the administrators agreed that partial points should be allowed, to allow school districts to demonstrate progress or improvement. One stated: "Right now, we feel that there should be a progress standard rather than an absolute standard for many of these indicators where you can show that you are moving forward. The DPRs don't show that.... It's yes or no." One indicator in the Instruction and Program section, for example (C3), asks whether "the district ensures that integrated/cross disciplinary instruction is intentionally planned, implemented, and observed in all NJCCCS area at all grade levels." One district administrator said that while a substantial amount of work has been directed at this initiative, his district was unable to indicate that cross-disciplinary instruction would be in place by 2008. As a result, the district was not eligible for two points. Administrators acknowledged that two points does not seem like a lot, but noted that it does add up when it is time for scoring. On the other hand, an administrator in a state-operated district observed that "the all-or-nothing approach reinforces the sense of urgency."

Another commented, “A yes-no checklist is not a self-assessment. If the goal of QSAC is to self-assess, to be honest, to report to the board and to the public what this district’s accomplishments are, this process fails.... The DPR allows you to do the minimum and still get points. The flip side is true also. It doesn’t show how extraordinary a district is....Those sitting on the bench appear to be playing as well as Michael Jordan.”

The interviewers showed district administrators a Likert scale (see Appendix C) and asked their opinion of that type of scoring system. Most said a five- or seven-point scale such as that used in the Likert scale would allow districts to demonstrate that they are making progress. They thought such an option made sense for the AYP indicators in particular, although several administrators said it would be difficult, with the committee process, to agree on the level of progress.

Measuring Progress over Time. Interviewees characterized the DPR as a snapshot of their districts that does not capture the districts’ improvements over time. One administrator responded, “The DPR does not do this [measure progress over time]; it’s a bureaucratic checklist based on mandated testing.”

Instrument Validation. One district administrator questioned whether the DPR had been “validated” as standardized tests are. This administrator contrasted the DPR to the standardized assessments that form the basis for measuring student achievement on the DPR. It appeared to this administrator that the DPR had not been validated, and if not, the validity of the QSAC assessment process was lessened.

Instruction and Program Section

The Instruction and Program section of the DPR was the biggest area of concern on the DPR. Many district administrators said they believed their scores on the Instruction and Program section are not a fair assessment of what their teachers do or their capacity to perform as a district.

AYP and Student Achievement Indicators. Many administrators expressed frustration, reporting that the “bar is set entirely too high” and “the student achievement indicators are “very, very stringent.” This sentiment was expressed by interviewees from all sizes and types of districts. In one district, 94% (but not 95%) of the students demonstrate math proficiency *and* the percent proficient did not increase by 5% over the previous year, so no points could be earned for indicators A3 through A6. Some districts, or subgroups within districts, have not achieved either 95% proficiency or a 5% increase in their proficiency levels for all subgroups, and are not likely to do so in the near future; they also did not earn any points for indicators A3 through A6.

Many administrators also suggested that for clarity and greater simplicity, the percentage of students that achieve proficiency for indicators A3 through A6 be the same as the percentage required for adequate yearly progress (AYP) under No Child Left Behind. They pointed out that the proficiency level required by New Jersey for

NCLB is not set currently at 95%, yet that is the level of student achievement that the DPR requires (in Student Performance indicators A3 to A6). One administrator also noted that New Jersey's proficiency standards for math and literacy differ under No Child Left Behind until 2014, and wondered why math and literacy standards are the same in the DPR.

Some administrators in higher-performing districts said the DPR does not recognize adequately the academic achievement of their students. They suggested a standard that would allow them to show increases in numbers of students achieving "Advanced Proficient" levels, to encourage and recognize districts and schools with high achievement.

Subgroups. Lumping all subgroups together in one indicator is problematic; if one subgroup fails, they all fail. One administrator noted, "This does not contribute to understanding how discrete subgroups are doing at the district level, county level or statewide." Another commented, "I just don't understand. We need to know what students are meeting AYP and what students are not. Different types of remediation are needed for the total student population versus discrete groups of students."

Including test scores of special education students with all other test scores is also problematic. One administrator questioned, "How can the expectations for special needs be the same as for the general population?"

Subgroup Sample Size. This is the first time NJDOE has asked districts to measure student achievement in subgroups of ten students. The state's AYP standards ask districts to measure proficiency in subgroups of 35. One administrator noted that the smaller n (subgroup sample size) "levels the playing field" between large and small districts. Smaller districts (typically, high-achieving suburban districts) now have to demonstrate proficiency for subgroups such as students with disabilities and English language learners that they weren't accountable for in prior years because they did not have 35 students in those subgroups. Some of administrators from smaller districts believe the n of 10 "sets the bar too high" and can significantly jeopardize a district's ability to demonstrate academic achievement. Yet, as an administrator in a large district said, "Welcome to our world."

Validity of Analysis of Student Achievement Data. Almost all interviewees questioned Student Achievement indicators A3, A4, A5, A6 and A7, which require averaging the scores of the different tests administered at different grade levels, and suggested that the statistical analysis required by these indicators is statistically invalid. By requiring that all grade-level testing be combined to determine district-wide proficiency in language arts, mathematics and science, these indicators treat test results that are not comparable as like measures. The administrators point out that some of the grade-level tests are criterion-referenced and some are norm-referenced, and that calculating the average proficiency of all grade levels does not determine the actual proficiency level of individual grades. Some administrators also noted that NJDOE is looking at proficiency rates from year to year for different cohorts of students, rather than tracking individual student progress.

Duplication. Interviewees noted that there is a lot of repetition on the Instruction and Program section. For example, B4, B5 and B6; C1, C2a and C2b concern curriculum alignment, and appear in the curriculum, instruction, and supervisory sections. They further noted that duplication of indicators results in unnecessary duplication of supporting documentation.

Too Many Indicators. Interviewees commented that the volume of indicators and the level of required documentation are overwhelming. One, for example, said, “They [NJDOE] should look at what research and experience tell us are the most important factors” and ask districts to report on those.

Comments on Specific Indicators.

- *Student Performance, A1 and A2.* These indicators state, “The district meets the current district definition of Adequate Yearly Progress (AYP)” in language arts literacy and mathematics. Interviewees mentioned that under No Child Left Behind, which is the foundation for these indicators, AYP relates to schools rather than entire districts. Some also questioned what is meant by “current district definition” of AYP. At first, districts were told it meant in a minimum of one subgroup; during the pilot implementation they were informed that it means the average test scores in all four grade levels that are tested (3, 4, 8 and 11).
- *Student Performance, A7.* Interviewees questioned what is meant by “operational grade levels.” One district surmised that the term means the four grades in which standardized tests are administered.
- *Student Performance, A8a.* It is difficult to compare AYP with “comparable districts,” since the AYP data comes out late (for example, 2005-06 data was unavailable as of the time of the interviews).
- *Student Performance, A11.* Too many elements are combined in this indicator (instruction, curriculum, materials, etc.).
- *Student Performance, A13 a-d.* This indicator asks if the district is assessing the progress of each student in mastering the NJCCCS at least two times a year including content areas not included on statewide assessments. Administrators noted that this indicator is broad and vague and that districts are likely to interpret it differently.
- *Curriculum, B1-B7.* Curriculum standards across subject areas (such as math, science, social studies, language arts, physical education) are appropriate categories. But the areas of career education and technology are often infused into the curriculum. Career education and technology are not “stand alone” areas of instruction, yet it seems that they are given the same weight as more substantial curriculum areas. One K-8 district gave itself credit on this item although it has no career education program for its students, and the indicator

reads as though equal value is given to the more “peripheral” areas such as career education and technology. One K-8 administrator noted, “We are concerned about our students’ reading ability, not their ability to land a job,” and suggested that these standards should be broken down by grade level.

- *Curriculum, B1.* This indicator asks whether districts ensure that curriculum in each of the nine core curriculum content areas is “annually approved” and “fully implemented.” Some interviewees questioned what is meant by “annually approved,” since the state currently has a five-year cycle for curriculum development. Also, if certain curriculum is under development, there is no way to earn partial points for the partially approved curriculum. One administrator noted, “This is an area where QSAC shows no flexibility.”
- *Curriculum, B6.* This indicator asks that districts convene articulation meetings at least twice a year. For county vocational school districts, the indicator may be interpreted to mean they should articulate their curriculum with each of their sending districts. Interviewees questioned whether it is practical, or intended, that there be full articulation across all sending districts in a county.
- *Curriculum, C2.* The overall statement introducing this indicator does not relate to subsections a, b and c.
- *Instruction, C1.* Several administrators raised concerns over the terms “ensure” and “in every classroom,” noting that a district can provide appropriate training and materials for their staff and they can monitor and evaluate their staff, but it is nearly impossible to “ensure” -- in the sense of “guarantee” -- that proper instruction is taking place in each and every classroom. They recommend replacing “the district ensures” with “the district provides for.” (One district was advised by the county office that as long as lesson plan expectations were aligned with board-adopted curricula, the indicator would be met.)
- *Instruction, C5b.* This indicator asks if the district provides materials to English language learners in their native languages when necessary. Some administrators pointed out that their districts have students speaking over 30 languages, and said, “DOE doesn’t evaluate this or require this. It’s ironic that it is included on the DPR.”
- *Instruction, C6.* This indicator requires districts to show that they ensure that instruction for gifted and talented reflect adaptations in content, product, process, and learning environment across instructional areas. One interviewee pointed out that they are required to have gifted and talented documentation overall, not in each instructional area.
- *Mandated Programs, D.* The code citations are too general, and are unhelpful in explaining the indicators.

- *Mandated Programs, D1b and D1c.* This indicator specifies meeting the Annual Measurable Achievement Objectives (AMAO) for English language learners. A district with achievement objectives that are several years old was uncertain if they could be used here.
- *Mandated Programs, D3.* This indicator states that the district has a K-12 gifted and talented program. One administrator questioned the placement of this indicator in mandated programs, contending that New Jersey has no mandated gifted and talented program, and does not fund the ones that exist. The administrator noted that very few, if any, districts have gifted and talented programs for kindergarteners.
- *Early Childhood Programs, E1b.* This indicator asks whether outreach efforts have increased or maintained the enrollment of eligible three and four year-olds. One administrator reported that his district has an extensive outreach program which has expanded in recent years, but the pre-k enrollment numbers have dropped nevertheless; therefore, they did not receive any points for this indicator. The district is being held accountable for the decisions of parents who decide to enroll their children in private programs. The administrator suggested separating the outreach and enrollment items so that districts could at least demonstrate, and get credit for, their outreach efforts.
- *High School/Graduation, F1.* While the explanation of how to determine the high school graduation rate is explicit, district administrators calculated the rate differently. Many used the graduation rate calculated for the annual school report cards, which is determined by the percentage of seniors who graduated. One district looked at the cohort of students entering in ninth grade and calculated the percentage that graduated from high school. Districts asked whether dropouts or transfers should be included.
- *Section F* was confusing to one district because it was not clear whether it is a district with a high school vocational program or not. The county operates a shared-time county vocational-technical school in which the district participates. Since there was confusion, the district responded to the DPR assuming that it has “an old-fashioned vocational program because the high school offers shop in a comprehensive high school program.” The issue of whether or not the district has a high school vocational program was also important for deciding the district’s configuration for scoring.

Governance Section

Interviewees said, in general, that the Governance section was easy to complete, especially when the assessment committee was fully staffed. Districts with board members on their committees reported that board participation helped with access to documentation. One administrator noted, “If they weren’t part of the process, it would have taken hours to figure out how to document and where to find the documents.” Another administrator said board members were resistant to participating.

Some interviewees said that since Governance indicators are about compliance – not performance – they are easier to satisfy. On the other hand, certain administrators expressed discomfort with board employees and assessment committee members rating board members on ethical and employment practices. Others said the Governance indicators are not thorough enough to discover unethical behavior.

The superintendent of one district gave each board member a blank Governance section to complete, and the assessment committee reviewed the responses given by the board members. The board members reached consensus on their assessment, and the committee “did not override the board’s self-evaluation.”

For some of the Governance indicators, there are no recommendations as to how to document the response. One administrator asked, “Why have an indicator if it can’t be documented?” For example, E2 asks whether the board annually reviews and revises an evaluative instrument for the chief school administrator, and E4 asks whether the school board has a contract with the CSA providing for an evaluation that includes evaluation criteria and procedures. Neither indicator has suggested documentation.

This same administrator pointed out that some of the forms of documentation recommended by NJDOE are “not realistic.” For indicator F6, which asks if the Board conducted an annual evaluation process, one of the suggested forms of documentation is “Flyers sent home with students.” “What district would send home a flyer about their board’s professional development plan?”

One administrator noted that it was hard for assessment committee members to be involved meaningfully in a discussion of board performance. For example, committee members had to accept at face value what administrators told them about ethics and board policy.

An administrator questioned what this assessment process would look like if there were conflict between the superintendent and school board.

One administrator suggested that NJDOE notify board members to explain the Governance section of the DPR and emphasize that the responses will be taken seriously by NJDOE. They also suggested requiring a training program for school boards with less than satisfactory scores.

Fiscal Management Section

Administrators noted that some of the indicators in the Fiscal Management section are redundant. Several ask whether certain mandated reports have been submitted to NJDOE. For example, the documentation for indicator A2b is the CAPA report; the documentation for A2f is the long-range facilities plan; and C1 refers to the annual audit of the CAFR. All are reports previously submitted to NJDOE. Several administrators questioned why the DPR asks these questions since, they said, NJDOE already knows the answers. One administrator said, “I spent a lot of time digging up old data – ’03-’04, that is absolutely useless. QSAC was supposed to streamline and simplify the process and instead I’m doing everything twice. I’m making copies of

reports that were already submitted to DOE. The law requires certain financial statements be filed with the state, so DOE already has this information and yet they're asking for it again. It's all about compliance."

According to some administrators, the data collected for Fiscal Management (as well as for Instruction and Program) are of little help, both for districts performing at 92% and those performing at 60%; meaning that the data collected, whether by a high-performing or low-performing district, is of little value for purposes of achieving the districts' primary mission, educating their students.

In addition, administrators noted that the Fiscal Management section requires them to "work from the documentation backwards." One administrator noted that budget decisions are already made by the time the DPR is completed. Therefore, it is unlikely that changes could be made immediately to existing processes and systems (especially in instruction and curriculum). In some cases, change and improvement may take a significant amount of time.

Indicator D1c asks districts to account for funds transmitted to charter schools ("pass-through funds"). Administrators said this was problematic, as those funds are controlled by the charter schools, not the districts themselves.

Personnel Section

Administrators commented that Indicator B2b asks whether parents and the community have been invited to participate in affirmative action training, so that districts with aggressive affirmative action plans and extensive training do not receive any points if do not invite the public to their training sessions. This all-or-nothing rating prevents districts from demonstrating significant but partial performance.

Operations Management Section

Interviewees observed that in this section, the Department has compiled requirements in a variety of areas that seem "disconnected," and put them together under "Operations" even if it is unclear how some of them fall under that heading. They wondered why facilities and student conduct, for example, were included together in this section of the DPR.

Administrators also observed that the facilities assessment required by this section of the DPR is very different from previous monitoring and certification requirements. Under the old system, districts had to demonstrate that they met each of the health and safety rules that call for 100% compliance. The DPR awards seven points for all health and safety requirements at 100% compliance and 80% compliance in applicable items (Facilities, indicator A3). One administrator found this troublesome, noting that ensuring that school facilities are in compliance with health and safety standards is critical, yet on the DPR it is worth less than an attendance policy and a 90% attendance rate (Student Conduct, indicator B5).

Comments on Specific Indicators.

- *Facilities, A1(a) (annually approved Long Range Facilities Plan).* Administrators from Abbott districts commented that this indicator is potentially unfair to their districts because, except for one Abbott district, no long-range facilities plan has been approved by NJDOE. The districts are developing 2005-2010 plans now. To the extent that this indicator requires an approved plan, it prejudices the Abbott districts whose plans are not yet approved.
- *Facilities, A3 (annual reviews conducted according to the Evaluation of School Buildings Checklist).* One administrator described facilities as the “heart” of school district operations, and described this indicator as the “hands-on” part of the Operations section. The administrator said it is vital that district personnel know how to evaluate the physical plant thoroughly, but that the indicator as written does not allow districts to demonstrate the thoroughness — or lack thereof — of any inspection. County offices used to assess each district’s physical plant, but cannot do so now due to lack of county office staff capacity. Since district personnel now inspect facilities, this administrator recommended that NJDOE provide extensive training in facilities assessment for district personnel.
- *Student Support Services, D1c.* This indicator requires professional development training for “all school personnel.” Interviewees wondered what “all” means: Is the professional development requirement intended to apply to both certificated and non-certificated staff? Typically, interviewees said, “professional development” in public schools refers to training provided to certificated staff. By contrast, *all* staff are required to undergo training in sexual harassment.
- *Student Support Services, D4d.* Administrators noted that districts have Intervention and Referral Services Teams, but the teams typically do not have community members as this indicator seems to require. The administrative code does not require community members.
- *Student Support Services, D8.* This indicator is inapplicable to county vocational districts, because they do not have nonpublic schools.

County Office Verification

The following comments were made by county superintendents and members of their staffs involved in the process of verifying information provided by pilot districts.

Strengths and Weaknesses of the DPR

County office staff identified the following strengths of the DPR:

- *The DPR is comprehensive.* County superintendents described the DPR instrument as thorough and comprehensive, but they also said there are “too many indicators” and “too much paper.”
- *The process fosters collaboration.* County office staffs and NJDOE Abbott Division staff are collaborating with one another to verify district responses.
- *The assessment has useful diagnostic features.* County office staff members observed that the DPR can be helpful for determining district needs or strengths. The Governance section, for example, was highlighted as a useful tool for determining Board effectiveness and areas in need of improvement.
- *The DPR can serve as a valuable tool* for measuring performance in areas such as finance. It allows for comprehensive review of financial management by county offices.

County office staff identified the following weaknesses of the DPR:

- *County office capacity for full implementation.* For example, some county superintendents are responsible for over 70 districts. A county superintendent observed that county offices need to have a presence in the district, but their lack of capacity will force them to focus on the “paper process” rather than conducting thorough site visits and interacting with district personnel. (On this point, one district administrator noted, “It would be too time-consuming to review all the documentation. They [the county] will likely accept reports at face value.”)
- *Costs associated with verification.* While county offices may seek the support of highly skilled professionals for the verification process, identifying and adequately paying these individuals is anticipated as a significant challenge.
- *Insufficient training.* County superintendents said they were not provided with adequate training on the verification process. For example, they said they were not informed how to implement the verification (e.g., whether it should be conducted in-office or on-site, and how to interpret some language of the DPR).
- *Inconsistencies in the verification process.* According to some county superintendents, the definition of “verification” needs to be clarified. Does it require site visits to all the schools in the district, or is a sample of district schools sufficient? Is a desk audit considered verification? The procedure for conducting school site visits is not clear. County superintendents also were uncertain as to what questions they should ask to verify district responses. One reported that they used the site visit questions from the old certification system.
- *Lack of consequences for unsatisfactory performance.* Some county superintendents noted that other than additional reports and follow-up, there are no specified consequences for failing to meet QSAC targets or specified

rewards for meeting QSAC targets. There is no “or else.” Failing to meet standards is “just another reason to prepare another plan. In many instances these plans are beautiful, and that’s the end of it.”

- *Concerns regarding quality assurance.* Several county superintendents noted that it is difficult to determine the level of quality of district performance, beyond having the proper documentation and meeting a specified standard. One cited vertical articulation as an example: there may be sign-in sheets or other documentation, but it is difficult to determine if there is “meaningful implementation.”

Indicators

County superintendents and their staffs had the following comments on the indicators:

- The indicators should be reviewed for clarity. For example, one county office staff member asked the group, “How many [districts] provide gifted and talented phys. ed.?”
- Terms like “lesson plans,” “hypothesized causes,” “culturally responsive,” and “collaboration” need to be clearly defined to increase the likelihood that districts and counties across the state are assessing similar features. Collaboration and cultural responsiveness in one district may be entirely different than in another.
- In the Instruction and Program section, NCLB standards for AYP should be used as the indicator of student achievement, not the standard contained in the DPR. Use of different standards is confusing.
- If student achievement standards are met, districts should receive full credit. If they show some improvement (for example, safe harbor districts), they should receive partial credit.
- There are a number of redundancies. In many instances the DPR asks county superintendents to verify that districts have submitted reports and documentation that had been submitted previously. If the reports are not submitted on time, all appropriate offices are notified with follow-up by the county office. Verifying that this has occurred is redundant.

Scoring

Several county superintendents thought the “all-or-nothing” rule should be reviewed. Partial credit would be useful, in their view. In the Fiscal Management section, issues are “black and white”; districts either comply with code or they don’t. But in other areas, such as Instruction and Program, a majority of county office staff members said there should be an opportunity to indicate progress or an opportunity to receive partial credit. They suggested that partial credit would help boost the morale of lower

performing schools and districts. It would show that the district is working hard and moving in a positive direction.

Several also noted that the scoring is inconsistent. In some instances, one point is given for an indicator with five or six dimensions. This sends the wrong message, as if some areas of performance are more important than others.

There was confusion over the scoring. One county superintendent said “Not Applicable” should be an option in the Instruction and Program section. The official thought districts lost points if they didn’t provide certain non-mandated services.

County superintendents said they want to be able to acknowledge corrective action taken by districts that identify a problem or need during the self-assessment process and make changes prior to the county office verification and site visit.

Format

There is too much paper. Administrators recommended using Excel for the DPR to simplify scoring (e.g., formulas could be entered into spreadsheets in order to insure proper calculations based on district type and to insure basic addition is correct). One suggested designing one DPR form for use by both districts and county offices.

County Office Capacity

A majority of the county superintendents and their staffs reported that the verification process was time-consuming. The Fiscal Management section for one district, for example, took one county superintendent eight hours to verify; that individual said ten or more verifications in a given year would be extremely difficult to manage. Other county superintendents mentioned the large number of schools and districts in their counties. Several raised concerns about insufficient staff and time. One mentioned a staff of three would be required to visit 32 schools and estimated that each site visit would require at least ten days.

County superintendents cautioned they will struggle to address school site visits, especially in larger districts. They predicted that visiting every school site would be “impossible,” even with the assistance of other county staff members. Some cautioned that this will have a negative impact on their ability to monitor districts, leading some problems to “slip through the cracks.”

County superintendents noted that statements of assurance have not been utilized in this pilot. Under the old certification system, they said, districts provided written assurance to the county superintendent that the information provided was up to date and accurate. Some commented that without such assurances the burden of verification is shifted to the county, and county superintendents undoubtedly will struggle to verify all district responses.

Summary of Recommendations of School Districts and County Offices

The following is a summary of the recommendations made by interviewees and focus group participants to assist NJDOE to improve the effectiveness of the District Performance Review.

Clarify the language in the DPR. Clarify ambiguous terms in the DPR. District personnel suggested that a glossary of terms might be helpful as they interpret the DPR indicators. They also suggested that a guidance manual containing a glossary and an explanation of the assessment process would be useful.

Revise the DPR scoring to permit partial credit. This recommendation was made by an overwhelming majority of school district and county office administrators. From their perspective, the aim of partial credit would be to demonstrate actual performance, sustain morale for lower-performing districts, and measure areas of improvement over time. They noted that one of the assessment checklists used in 2004 or 2005 used a performance continuum that allowed for partial credit.

Reduce the amount of time it takes. Administrators at the county office and school district levels said the QSAC process was burdensome and time consuming. The process could be streamlined by eliminating redundancies and indicators that pertain to reports or other information that were previously submitted to the county office and/or Trenton. The volume of indicators and the level of documentation needed were considered overwhelming. NJDOE should look at what research and experience tells them are the most important factors and ask districts to report on those. One form that would include the district assessment and county verification would reduce the amount of paper and the need to transfer information from the district level to the county office level.

Increase guidance for district assessments and county office verification. Implementation methods and strategies varied among districts and among county offices. For example, some county superintendents and their staffs were unclear on how or whether to conduct site visits. As one county administrator cautioned, this variation will detract from QSAC's effectiveness, especially county superintendents' ability to verify district responses and enforce corrective actions.

Anticipate questions and offer consistent responses. Interviewees reported that NJDOE did not provide necessary and consistent direction and support to pilot districts. They reported that NJDOE personnel sent mixed messages at meetings with staff members, and that they contradicted one another. Changes in directions, recommendations, and the DPR documents were hard to keep track of, with several administrators questioning at times whether they were working with the most up-to-date versions.

Build capacity for meaningful implementation of QSAC. School district administrators are not sure that the county offices and/or Trenton staff have the

capacity to implement QSAC meaningfully. As some noted, the burden will be higher for regions with more Level II and Level III districts. Others noted that there must be a concerted effort to look beyond the “paper process” of QSAC. Other measures must be employed to determine the quality of the documentation and whether what is presented on paper is actually implemented.

Encourage training and mentoring between pilot districts and others. NJDOE should encourage, or facilitate, regional training and other activities that would foster collaboration between pilot districts and districts that are less familiar with QSAC. Some administrators suggested regional meetings for districts as a way of sharing techniques for QSAC implementation, as well as providing support for districts that have not participated in the pilot process. Another suggested that training be offered by county superintendent offices.

Review the Instruction and Program section. The Instruction and Program section of the DPR generated the most concern among administrators. Specific areas identified for review and revision are listed in Section C of this report.

Consider new database applications. In addition to circulating the DPR and other forms in their current format (as Word documents) via the NJDOE intranet, consider offering the DPR via Excel, with formulas for scoring embedded into the document.

Build mechanisms for the input of people in the field. According to some administrators, the 2004-05 pilot was very different than the 2006 QSAC pilot. The 2006 QSAC pilot did not incorporate input from the participants as the 2004-05 pilot did. These administrators felt that NJDOE should have come to the school districts to find out what they needed at the very beginning of the 2006 pilot to develop a process and instrument that would reflect district level concerns.

Reconsider the requirement that pilot districts complete the 2006 QAAR. Many administrators objected to having to complete the fall 2006 QAAR after having spent considerable time and resources gathering the information required by the QAAR during the DPR pilot.

Clarify whether information gleaned from the 2006 DPR pilot will be used in initial QSAC assessments. Several district administrators questioned this.

Clarify how to handle confidential student information. When the supporting documentation for a district’s response to an indicator includes student information that is confidential (e.g., identifying information on health records), should the district remove the student’s identifying information before making the documentation available for verification?

Part 2: Comments and Recommendations of the Institute on Education Law and Policy

The Institute on Education Law and Policy is pleased to have conducted this evaluation of the 2006 QSAC Pilot Program. The evaluation builds on the Institute's ongoing research, analysis and discussion with numerous state and local officials regarding the state's system of accountability for public schools and school districts. It is informed by that work; by the researcher/interviewers' collective expertise in public administration, education policy and the law; and by the insightful comments and observations of the district administrators and county superintendents who participated in the pilot. The participants' extensive analysis of the DPR instrument and the QSAC assessment process demonstrated to us the great care with which they approached their role in the pilot. As discussed in this section, we agree with many of their recommendations and we have some of our own.

Comments and Observations

Overall Comments

Performance Measurement

Preliminarily, some discussion of the purpose and importance of performance measurement for public agencies, including public school districts, is in order.

Performance measurement is, first and foremost, a management tool intended to produce reliable, objective, relevant and timely information on program or organizational performance. Once collected and reported, that information can be used to strengthen management practices and inform decision making, which can improve performance. Harry Hatry, a leading expert on performance measurement, uses a sports metaphor to explain the need for performance measures: "Unless you are keeping score, it is difficult to know if you are winning or losing."²⁹ Sports team managers need to know the strengths and weaknesses of their players to determine what changes or adjustments need to be made to keep their teams competitive. Similarly, managers of public entities need similar information to assess and improve performance.

Good performance indicators help public managers and other stakeholders keep track of how a program or agency is doing. Are service levels where we expect them to be? What do we need to achieve in order to make it to "the finals"? Where are the weak links in our team? What can we do to help the players improve their performance? An effective performance measurement system can help public managers motivate

employees, celebrate accomplishments, promote organizational achievements and communicate results.

The data alone does not improve performance, however. The data can tell managers how well or how poorly a program or organization is performing, but it is up to the managers to figure out how to use the information to improve performance. Measurement for the sake of measurement is insufficient. Managers can have stacks of data at their fingertips, but unless they are using it to inform decision making, improve policies, enhance programs, and streamline procedures, the data is useless or even counterproductive. Too much information can generate confusion and overwhelm the most competent administrator. Theodore Poister and Gregory Streib of Georgia State University refer to this conundrum as the DRIP syndrome—data rich, improvement poor.³⁰ In order to be useful in making decisions, performance measures must be relevant to the management process they are intended to support.

While performance measurement has emerged as the primary mechanism for holding government agencies accountable for results, there are often problems associated with the collection and appropriate use of performance data. In many instances, the difficulty associated with adequately defining public sector outcomes is compelling enough to limit measurement to compliance. “Performance” is often narrowly defined by examining compliance with regulations and codes, and as a result, many performance measurement systems focus on documenting compliance instead of measuring the impact and outcomes. The better approach is to examine quality of performance, strengths and weaknesses, as well as whether various requirements have been met.

Performance measurement systems also run the risk of being employed as tools for control as top-down directives, associated with sanctions instead of rewards. When measurement systems are designed and developed with the input of stakeholders who are responsible for program implementation and achievement of performance targets and program outcomes, the systems tend to be more realistic and to contribute more effectively to organizational improvement efforts. Collaborative endeavors, in contrast, create a sense of ownership and support successful implementation. They should be employed whenever possible.

In short, performance measurement can be a valuable management tool. It is most effective when it includes collection of sufficient, but not excessive, quantities of useful data; and when the data is collected not for its own sake, but rather to enable managers to engage in meaningful assessment of strengths and weaknesses in performance, and ultimately to improve that performance.

Measuring School District Capacity and Effectiveness

The DPR is weighted heavily in favor of assessing compliance with legal and regulatory requirements. We endorse the practice of systematically evaluating districts’ compliance with applicable laws and regulations, but compliance with such mandates does not tell the whole story, as discussed above. Measuring each district’s *capacity* to comply with applicable requirements and its *effectiveness* in meeting those

requirements are vital as well. Very few of the indicators address capacity or effectiveness.

Capacity-building should be the central focus of improving school district performance, and of state intervention in local district operations. Moreover, research suggests that districts have a specific role to play in assisting schools to build the necessary capacity to improve student achievement. Districts can and should assist schools in developing organizational or structural capacity as well as instructional capacity.³¹ We made these recommendations in our 2002 report, and they are reflected in QSAC, which requires assessment of “school district capacity”:

The [QSAC] system shall be based on an assessment of the degree to which the thoroughness and efficiency standards...are being achieved and an evaluation of *school district capacity* in the following five key components of school district effectiveness: instruction and program; personnel; fiscal management; operations and governance. A *school district's capacity* and effectiveness shall be determined using quality performance indicators comprised of standards for each of the five key components of school district effectiveness.... Based on a district's compliance with the indicators, the commissioner shall assess *district capacity* and effectiveness and place the district on a performance continuum.... (Emphasis added.)³²

Unfortunately, while this provision refers to “school district capacity,” QSAC does not define the term, nor is it defined in the proposed implementing regulations.³³ Since both the statute and the proposed regulations are silent on this issue, we offer the following definition:

“School district capacity” or “local capacity” means the extent of human, financial, community and other resources in a school district; and the ability of a local public school district to perform satisfactorily in the five components of school district effectiveness, to meet state and federal policy and regulatory requirements, and to ensure the provision of a thorough and efficient education.

In accordance with this definition, the DPR should include indicators that measure the extent of each district's human, financial, community and other resources in each area of performance. Indicators should assess the adequacy of staff, funding, community support and other resources; the extent to which the district, with these resources, has the ability – the capacity – to perform effectively and satisfy all applicable requirements; and the extent to which it needs state support, assistance or intervention in order to do so.

QSAC also requires, in the same provision, assessment of school district “effectiveness.” And like “capacity,” school district “effectiveness” is not defined in the statute or the proposed regulations. Even without an explicit definition, “effectiveness” requires a measure of the quality of performance – how well a district performs each required task – in addition to the fact that each task has been performed. Accordingly, in at least some areas, the DPR should include indicators that measure quality, or “effectiveness,” of performance.

Pilot participants noted that the DPR offers no opportunity for qualitative assessment, or to highlight a district's strengths. As one participant commented, "It doesn't show how extraordinary a district is.... Those sitting on the bench appear to be playing as well as Michael Jordan." In fact, such an assessment of whether a district is "on the bench" or "Michael Jordan" is mandated by the statutory requirement to measure district "effectiveness."

Assessment of "capacity" and "effectiveness" are substantially different from assessment of compliance with legal and regulatory mandates. They require different sorts of indicators, as described above. They also may require a more thoughtful, and more time-consuming, exercise than mechanical completion of a checklist. But they are essential to satisfying not only the requirements of QSAC's explicit terms, but its overarching objectives of comprehensive performance assessment and, ultimately, educational improvement.

A "Single" Accountability System

QSAC requires NJDOE to design a "quality single accountability" system for all public school districts statewide. The reason for a single system, as discussed in our 2002 report, is to avoid parallel or overlapping systems that cause confusion and duplication of effort. A particular concern was, and continues to be, the state's 31 special needs districts, which are required to comply with both the monitoring and assessment requirements applicable to all New Jersey school districts and the regulatory provisions implementing the mandates of *Abbott v. Burke*. The goal, which has become a statutory requirement under QSAC, is to create a single system in order to allow a single picture to emerge of how each district is performing in all applicable areas.

Very little of the DPR addresses the *Abbott* mandates. We could identify only one indicator that explicitly relates to *Abbott* (Instruction and Program E1). The following is a list of regulatory requirements for *Abbott* districts that should be added to the DPR so that it will serve as a tool to assess *Abbott* implementation as well as compliance with other mandates:

Instruction and Program

- Programs and services required by *Abbott v. Burke* are accorded the highest priority in development of the school district budget and for dedicating such resources as are necessary to ensure their full implementation within prescribed time frames. (N.J.A.C. 6A:24-1.4d.)
- The district has a full-time media specialist. (N.J.A.C. 6A:24-1.4f.)
- The district has a full-time technology coordinator at each school. (N.J.A.C. 6A:24-1.4g.)
- All new teachers in early childhood programs hold the endorsement for Preschool through Grade 3. (N.J.A.C. 6A:24-3.3 (a) (5).)

- The district has a policy and procedures for ensuring that schools may consider whether there exists a demonstrated particularized need for supplemental educational programs or services to ensure educational success for a specified population of students, and that, upon a finding of such particularized need, an application shall be developed and submitted to the state Department of Education for approval of such program or service. (N.J.A.C. 6A:24-5.1.)
- Each secondary school in the district implements all required programs, including:
 - a mechanism for access to health and social services;
 - a school security system;
 - a mechanism for identifying students requiring placement in alternative education programs;
 - school-to-work or college transition programs that address cross-content workplace readiness standards;
 - infusion of educational technology into all aspects of the curriculum and instructional program;
 - a focused, ongoing program of professional development for all building staff, designed to meet the specific needs of the school and its students as such needs relate to achievement of core curriculum content standards. (N.J.A.C. 6A:24-6.1e.)

Fiscal Management

- The district has procedures for ensuring that any early childhood program aid or demonstrably effective program aid neither expended nor encumbered, nor anticipated as revenue, in the current budget is appropriated in the subsequent year at the direction of the Commissioner. (N.J.A.C. 6A:24-1.4(l).)
- The district budget includes an amount equal to two percent of its Abbott parity remedy funding for expenses required to manage, control, supervise and implement effective and efficient expenditure of state aid. (N.J.A.C. 6A:24-1.4(m).)
- In accordance with established policy and procedures, district staff ensures that each principal annually prepares a school-based budget in accordance with the administrative code. (N.J.A.C. 6A:24-4.4.)
- The school district annually develops a balanced, zero-based budget consistent with statutory and administrative code requirements. (N.J.A.C. 6A:24-7.1(a).)

- The district has a policy and procedures for ensuring that an application for additional state aid is prepared and submitted whenever its resources are insufficient to support all programs required by *Abbott* and all Department-approved supplemental programs and further reallocation would weaken the district's foundational education programs. (N.J.A.C. 6A:24-7.1(b).)

Operations

- The district has, and implements, a district-wide security plan that includes a Code of Student Conduct, one security guard for each elementary school Building, and one for each 225 students at the secondary level. (N.J.A.C. 6A:24-1.4(i).)
- The district is implementing a plan to accommodate the transition to, and eventual full implementation of, school-based management. (N.J.A.C. 6A:24-1.4(k).)
- The district implements a procedure for selection, training, and operation of a school-based School Management Team in every school. (N.J.A.C. 6A:24-2.1.)

Personnel

- The superintendent has standards and procedures for ensuring that each school is led by an effective principal and, where a principal is not effective, for effecting the transfer or removal of that principal in consultation with the SMT and the School Review and Improvement team. (N.J.A.C. 6A:24-1.4(b).)
- The superintendent has a procedure for notifying the SMT and the SRI team prior to the effective date of any transfer or removal of any teacher. (N.J.A.C. 6A:24-1.4(c).)

Additionally, as a single tool to assess all key areas of performance for all school districts, the DPR falls short. While it is fairly comprehensive, its indicators do not reflect all reporting requirements, nor do they cover every essential aspect of district operations. For example, the DPR includes an indicator pertaining to students with disabilities (Instruction and Program indicator C4), but that indicator does not reflect all the relevant substantive and reporting requirements (*see* N.J.A.C. 6A:14-1.2). Similarly, it includes an indicator pertaining to English language learners, but that indicator does not reflect the administrative code requirement for annual data reporting (*see* N.J.A.C. 6:15-1.6). It includes no indicators reflecting requirements pertaining to access to pupil records (*see* N.J.A.C. 6:32-7.5) or student athletics procedures (*see* N.J.A.C. 6A:32-9.1). We mention these examples of omitted items to illustrate the point that the system is less than comprehensive.

Finally, it was not clear to pilot participants, and it is not clear to us, whether the DPR is intended to incorporate or replace the annual Quality Assurance Annual Report

(QAAR). If the intent is indeed to establish a single unified system, and to require submission of the DPR each year, the DPR should incorporate and replace the QAAR. If the DPR is to be submitted less frequently than every year³⁴ but some form of annual reporting still is to be required, both forms should be reviewed to determine which items should be included in each report, to avoid duplication and allow the two together to create one unified system.

Measuring Progress over Time

For the most part, the DPR indicators do not require or allow districts to demonstrate progress over time toward the goal of meeting state standards. Rather, the DPR provides a “snapshot” of district performance at a particular moment. In our view, this does not satisfy the terms of the statute.

QSAC provides that “The quality performance indicators shall take into consideration a *school district’s performance over time*, to the extent feasible.”³⁵ Especially for districts in partial or full state intervention (including the state-operated districts), progress-oriented rather than strictly numerical standards should be established. Those districts should be given an opportunity to show “substantial improvement” or “significant progress” toward achieving state standards.

One way to do that is to allow an indication of progress within the terms of the indicator itself. A few of the DPR indicators already do so. For example, Instruction and Program indicators A3 through A6 require districts to report increases in the percentage of students achieving proficiency, which is a measure of progress. Indicators A8, A9 and A10 require analyses of improvement in student achievement, but they do not provide points for improvement itself (nor do they specify the time periods to be included in the analyses). With minor modification, the latter three indicators could provide a measure of progress as well as an indication that the district has performed the required analysis.

Another way to measure performance over time is to look for increases in the number of points earned for particular indicators in successive assessments. This assumes that partial points will be awarded for partial performance, as recommended by pilot participants and discussed more fully below. With partial points and successive assessments, if a district earns a 5 for a particular indicator on initial assessment and a 7 the next time, it will have shown progress.

Reestablishing Local Control in the State-operated School Districts

As mentioned above, all three state-operated school districts participated in the pilot. Like other participating districts, each of the three completed the Instruction and Program section of the DPR and one other section (Jersey City completed Fiscal Management, Paterson completed Personnel, Newark completed Operations Management). Administrators and assessment committees in each district worked diligently to provide complete, accurate and timely responses. In general, the three state-operated districts devoted more staff time and resources to the assessment process than other districts; this probably reflects the fact that they are large districts

and the assessment required more time in those districts than elsewhere as a result of their size, rather than the fact that they are state-operated. Like other pilot districts, they varied in the extent to which they utilized a committee process to complete the assessment. And they expressed similar uncertainty regarding DPR design and how to interpret certain indicators, and similar frustration regarding minimal guidance and unanswered questions and requests for assistance.

Thus, one of QSAC's objectives – that the performance of state-operated school districts be measured by the same standards as all other districts -- has been achieved with the DPR. The assessment process and the DPR instrument appear to have been as effective in the state-operated districts as elsewhere. Of course, the converse of this statement is also true: areas in which the process and the instrument were ineffective also apply equally to the state-operated districts. The issues raised above regarding the statutory requirements for a "single" accountability system, and for assessment of capacity and effectiveness as well as compliance, apply equally to state-operated districts. The concern for accurate assessment of Abbott implementation certainly applies, as does the need to assess local capacity in order to determine the need for state support, assistance and intervention.

The DPR does not meet one statutory requirement with particular relevance to state-operated districts -- that the performance indicators measure district performance over time, as discussed above. Measuring performance over time is particularly relevant to state-operated districts, as an assessment that measures progress rather than one-time compliance provides a more accurate assessment of district capacity to operate without state intervention. One good score is not as reliable an indicator of district capacity or effectiveness as sustained performance or improvement over time; on the other hand, a district's repeated failure to meet standards may not necessarily indicate a lack of capacity or effectiveness if, despite its failure, the district shows steady improvement. Especially in districts where socioeconomic factors typically result in low student achievement, a district's performance is more accurately assessed on the basis of progress toward compliance with state standards rather than compliance alone. Thus, to obtain an accurate assessment of readiness for return to local control, and to comply with the terms of the statute, the DPR should take into consideration district performance over time.

We also note that none of the state-operated districts piloted the Governance section of the DPR. As a result, the pilot provided no basis on which to determine the extent to which that section applies to, or would be effective for, the state-operated districts. Since the districts' performance and capacity in this important area will need to be assessed in the near future, the Department should perform a careful review of the Governance section to determine whether, and to what extent, it will need to be modified for that purpose. In doing so, the Department should consider pilot participants' comments on other sections, to the extent they apply to the Governance section as well. It also should seek and consider the input of administrators, advisory board members and community representatives in the three state-operated districts.

The Assessment Process

Self-Assessment

District self-assessment, the cornerstone of the DPR assessment process, is a substantial departure from the assessment procedure used in the T & E monitoring process. Self-assessment was present to some degree in T & E monitoring, but the scope of areas assessed by the DPR is more wide-ranging, and it involves more stakeholders – and therefore, theoretically, a more thorough and accurate assessment -- through the use of a committee system.

From the first discussion of self-assessment as the primary tool for assessing district performance, while QSAC was still in the form of proposed legislation, the Institute has expressed skepticism about its reliability and effectiveness. Our interviews with pilot participants tempered this view somewhat, since district administrators uniformly praised self-assessment and their descriptions of its beneficial effects – that it was informative and “empowering” – were convincing. We remain persuaded, however, that while self-assessment may be a valuable tool, it may not be appropriate or desirable in all cases.

In our view, QSAC does not require self-assessment. NJDOE’s proposed regulations require it, by requiring that school districts complete the DPR.³⁶ Presumably, the decision to require the self-assessment technique is rooted in this statutory language:

Each school district and county vocational school district shall make a ... report of its progress in complying with the quality performance indicators adopted pursuant to section 10.... [N.J.S.A. 18A: 7A-11.]

Other language in QSAC may be read to preclude self-assessment, however, and to require assessment by the Commissioner or highly skilled professionals:

- a. A district which has been certified as a Level I district by the State Board of Education ... shall ... be evaluated by the commissioner in the five key components of school district effectiveness as set forth in section 10
- b. A State-operated district or a district which has been certified as a Level II or a Level III district by the State Board of Education ... shall be evaluated by a team of highly skilled professionals in the five key components of school district effectiveness as set forth in section 10 [N.J.S.A. 18A: 7A-53.]

Thus, while the differing language in the various provisions creates some ambiguity, we believe the best interpretation is that both the district and the Commissioner (or the Commissioner’s representatives) should participate in the assessment process. The Commissioner (or the Department, or highly skilled professionals engaged by the Commissioner) should not attempt to assess district performance without some district input and participation (a district “report”), nor should the Commissioner rely entirely on the district’s self-assessment. In some districts, where the committee process is

effective and no particular problems are identified, primary reliance may be placed on the self-assessment, with verification by the county superintendent or other representative of the Commissioner. But where there is reason to believe self-assessment will be unreliable, insufficiently thorough or an inordinate drain on resources, another assessment method should be used.

For example, engaging a knowledgeable, well trained outside evaluator to spearhead the assessment, using the committee structure as part of the process, might be desirable in some districts. Pilot districts reported that completing the DPR was time-consuming; for some, the time required to assemble documentation and meet with the committee might overwhelm existing resources. In such districts, third-party evaluators or facilitators might be useful. (NJDOE would need to take on the responsibility for training those evaluators and facilitators, and monitoring the quality of their services.)

Outside evaluators also could reduce some of the burden of verification that currently rests with the county superintendent, by introducing another element of neutrality into the process. The primary responsibility for verification appropriately rests with the county superintendent, but county office capacity is a concern, as discussed further below. Having a third party participate in, or conduct, the district assessment would not eliminate the role of the county superintendent, but could augment county office capacity and, by providing another check on the district's natural self-interest, reduce the need for verification to entail exhaustive assessment.

The more a district relies on self-assessment, the more time-consuming it will be, both for the district itself and for the county superintendent. Districts should be permitted, with the approval of the Commissioner or the county superintendent, to use outside evaluators if they wish; and should be required to do so in cases where the Commissioner or county superintendent determines that outside evaluators are necessary to obtain a more reliable assessment or to augment local resources.

Documentation

Pilot districts expressed two complaints regarding the documentation required to support their DPR responses: (1) they were required to photocopy and submit reports that already had been submitted to NJDOE or the county office; and (2) when the same document was responsive to more than one indicator, they were required to photocopy and attach it multiple times. These requirements, they said, were redundant and inefficient.

We agree that photocopying the same document several times is redundant and burdensome, and districts should not be required to attach copies of previously submitted reports or include multiple copies of the same documentation. It is not clear whether the Department intended to require such extensive and duplicative documentation; but based on the pilot participants' comments, the Department should clarify and emphasize, in its guidance to school districts, that multiple copies of documents are not necessary. When the same document or documents supports more than one indicator, districts should be permitted to attach one copy. When a document

is available in electronic form, paper copies should not be required or even permitted. When a document has previously been submitted to NJDOE for another purpose, a reference to that effect should be sufficient.

Training and Technical Assistance

Training for district officials, county superintendents and their staffs before they embark on the DPR process, and technical assistance during the process, are vital to ensuring meaningful results. Because QSAC and the DPR are new, implementers (school district administrators, committee members and county office verifiers) will need effective training and clear guidance to enable them to understand the DPR process and instrument. As a first step in this training, NJDOE must communicate clearly its expectations for completing the DPR, in multiple forms of media.

Many pilot participants reported having questions regarding the correct interpretation or intent of various indicators. Some of them requested assistance from NJDOE; others did not. Many who requested assistance reported that they received little or no guidance from Trenton or their county office. County superintendents reported that they did not receive adequate training from Trenton to allow them to provide technical assistance to districts. Perhaps the insufficient training and technical assistance were due, in part, to the nature of the pilot program. The pilot was intended to ferret out issues that may not have been foreseen by NJDOE. Nonetheless, questions regarding what information an indicator was intended to measure — *i.e.*, the intent of the indicator — should have been answerable by the drafters of the instrument.

Training and technical assistance can take many forms. Our suggestions include a clearly written guidance manual, with definitions of terms, an explanation of the process and contact information for further information, disseminated electronically and in print; county, regional or statewide information and training sessions; a telephone hotline; and an interactive website allowing visitors to post questions and receive answers. Based on the pilot experience, guidance is particularly needed for the Instruction and Program section. We also believe district administrators and committee members would find an explanation of QSAC's history and purpose, and the objective of performance assessment, to be useful.

Training for county office staff and all others involved in verification of DPR responses is also essential. County superintendents and their staffs must be trained adequately to provide technical support to districts as they complete the DPR.

Local, County and State Capacity for Effective Performance Assessment

One of the repeated comments by local, county and state officials during the pilot was that there is a lack of capacity to conduct effective performance measurement. District administrators are concerned that the DPR requires a major time investment, at least when completed in a compressed time period. County offices are so thinly staffed that DPR verifications could overtax their personnel resources. The Trenton office of NJDOE is not presently organized to manage statewide QSAC assessments and to

provide the necessary technical assistance, or to provide support for districts that need to improve their performance.

These concerns appear to be well-founded. While the concern is for capacity at all levels, the concern about county offices' ability to add DPR verification to their responsibilities is particularly acute. County office staffs are in an excellent position to perform the verification, since they know their districts and have been involved in T & E monitoring. As presently constituted, however, they cannot handle verification of district DPR responses on an annual basis – or even triennially, as proposed in S2136 – if the process is to be approached with the degree of diligence and thoroughness that it should be given. In particular, county superintendents who participated in the pilot were concerned that their offices lack the capacity to verify the DPR responses of large school districts, where documentation and site visits are likely to be more extensive than those of smaller districts.

Given the minimal staffing of the county offices, attention needs to be paid to providing support to accomplish the required verifications in a timely and effective manner. Support may include, but certainly need not be limited to, restructuring the county office staffs and their responsibilities, engaging “highly skilled professionals” to conduct verifications, and augmenting staff. We are aware, of course, that such measures probably require additional funding; but given the statutory mandate and the importance of district performance assessment, there may be little alternative.

With respect to local districts, it appears that if measures are taken to reduce the burden of the DPR, the issue of capacity would fade. For example, permitting external evaluators, staggering the dates for submission of the several sections of the DPR, reducing the required documentation or at least the amount of photocopying, and providing adequate training and technical assistance all would contribute to a more efficient use of resources to complete the DPR.

Finally, the NJDOE's limited capacity to implement QSAC must be addressed. Reorganizing the agency to assign additional staff to QSAC-related duties, or augmenting agency staff, may be warranted. As with our recommendation regarding county office staff, we are aware that such measures are likely to require additional funding. This may be an inopportune time to make such a request, but the need for additional resources to satisfy the statutory mandate set forth in QSAC – indeed, the constitutional mandate to provide for a thorough and efficient system of education, in which QSAC plays a large part – must be addressed with the Governor and the Legislature.

Frequency of Assessment

An alternative worth considering – one that would necessitate legislative action – is to require the assessment process to take place less frequently. As mentioned, S2136, if adopted, would reduce the frequency from every year to every three years. Given the time and resources required for thorough assessment, as shown by the pilot experience, reducing the assessment interval even more for districts in which performance has been satisfactory – and, thereby, further reducing the number of assessments to be

verified each year – could reduce the burden on districts and county offices without sacrificing effectiveness. T & E monitoring has occurred, generally, every seven years; the impetus behind QSAC was not to change that interval in districts where no problems or concerns regarding performance or capacity have been identified. We recommend giving serious consideration to reducing the frequency of assessment to seven years, which would mean no change in the assessment interval for most districts.

The Ongoing Assessment Process

We also recommend that the Department’s monitoring and assessment of the statewide assessment process be ongoing. The 2006 QSAC pilot proved to be a valuable exercise; it should be the beginning of a continuing process of examination and evaluation. Some adjustments to the DPR process and modifications to the instrument should be made immediately, based on the pilot experience. Then, the experience of districts that are assessed in 2007, with those adjustments and modifications, also should be evaluated, and further adjustments and modifications should be made. The process and the instrument should be evolving, not static.

As QSAC mandates, initial assessments of the state-operated school districts and Level II and III districts will occur shortly (these assessments must be completed within 120 days of adoption of the implementing regulations, pursuant to S2136). Our understanding is that the regulations could be effective in January 2007. If so, initial assessments of the state-operated, Level II and Level III districts will begin shortly thereafter and may be completed by May 2007. Initial assessments of Level I school districts will be phased into a three-year assessment cycle (assuming the three-year assessment interval is adopted), taking into account the time that has elapsed since the last certification of each district under the T & E monitoring and assessment rules.³⁷ Presumably, initial assessments of a first group of Level I districts could occur concurrently with the initial assessments of the Level II, Level III and state-operated districts in 2007. Thus, by the end of the 2006-07 school year, NJDOE should have the initial assessment experience of a diverse sample of school districts. Their experience should be evaluated in summer 2007, in a process as thorough as that in which we engaged for the 2006 pilot.

The District Performance Review

Overall Concerns

Instrument Design. Pilot participants had four general comments on the design of the DPR instrument. Those comments pertained to confusion between indicators to be scored and subheadings not to be scored, the inconsistent format, that there is no space for narrative, and that the forms used by districts and county offices should be combined (see page 14 above). We concur with each of these comments.

We also acknowledge the participants’ comment that the number of indicators in the instrument is extensive.³⁸ We do not believe, however, the number should necessarily be reduced. The number is extensive, but it did not appear to overwhelm participating

district administrators or county office staff. If a large number of indicators is needed in order to achieve comprehensive assessment, the number should remain large. As mentioned above in the section entitled “A Single Accountability Continuum,” we recommend adding indicators to make the system more comprehensive. We recommend even more indicators in specific sections below. If they are needed, as we believe they are, they should be included.

More important than the number is whether specific indicators, and the overall instrument, provide for meaningful assessment. Indicators that are duplicative or merely parrot reports made in other forms do not generate meaningful information, and probably could be eliminated. For example, student achievement information that is also included in school report cards probably need not be reported in detail on the DPR. The instrument could be streamlined by eliminating duplicative detail.

The different numbers of points available in the various sections of the DPR – 100 in Personnel, Operations Management and Fiscal Management, 99 in Governance and from 108 to 120 in Instruction and Program, depending on district configuration – also seems unnecessarily confusing. The same number of points for each section would simplify scoring and make the entire instrument more of a consistent package.

Point System. Many district administrators criticized the DPR’s all-or-nothing, yes-or-no approach to scoring. They pointed out that for indicators with multiple parts, if a district could answer “yes” to some but not all, no points at all could be taken. The unavailability of partial points for partial performance was frustrating to many administrators who believed their districts’ performance was not captured fully in the scoring. They provided many examples of indicators they believed should be broken down into separate parts with distinct point values, or for which partial points should be available. We agree that a scoring system that awards partial points for satisfaction of some but not all subparts of indicators would be desirable.

Allowing partial points also would allow districts to demonstrate that they have taken some action toward satisfaction of particular standards even if they cannot show full satisfaction, and thus provide a truer assessment of performance. One way to indicate partial performance of this type is to use a *Likert scale*, a format commonly used in questionnaires and assessment instruments, which allows respondents to specify their level of agreement with a statement or indicate the level of progress achieved in service delivery or other activity, such as on a scale of zero to ten. For example, for an indicator requiring that a district adopt and implement a certain policy, where the board of education has adopted the policy but it has not yet been implemented, a district could earn five out of ten available points, because it could demonstrate that part of the indicator has been achieved. If the policy has been partially implemented (some but not all parts implemented, or implemented in some but not all schools in the district), the district could earn seven out of the ten points. The Department could establish that a certain number of points is required to show satisfactory performance. On the scale of zero to ten, if ten points indicate full satisfaction of an indicator, the Department could establish that a score of six or more is needed to show satisfactory performance, and that a score of eight or more is needed to show high performance. (For an example of an indicator scored by a Likert scale, see Appendix C.)

This is the method employed by the California Fiscal Crisis and Management Assistance Team (FCMAT) in its assessment of school district performance. The Institute's 2002 report recommended that New Jersey employ a scoring system similar to FCMAT's, and we continue to believe it would be useful.

The view opposing such a system of partial points for partial performance is that each DPR indicator is either satisfied or not, and therefore worthy of all assigned points or none; and anything less than full compliance is noncompliance, for which no points should be awarded. The arguments in favor of this view are two-fold: (1) the legal requirements addressed in the DPR indicators are absolute, with no tolerance for partial performance, and (2) in order for the system to effectively identify and address all instances of noncompliance, it needs to be designed to award points sparingly, rather than allowing some districts with serious compliance issues to be designated "high-performing" and thereby precluding corrective action by the state to correct those districts' deficiencies. (To be clear, this view has no bearing on the issue of awarding points separately for separate subparts.)

We believe these arguments misperceive QSAC's intent. The intent was to create a system of performance assessment that would yield useful information and identify specific areas in which district performance was lacking or local capacity was inadequate, so that appropriate forms of state support and assistance could be provided or the state could intervene in local district operations to the extent necessary. The intent was not to enable the state to identify each and every instance of noncompliance with legal or regulatory requirements, to authorize the Commissioner to intervene in every district where any state or federal mandate had not been met, or to require a corrective action plan in every district that failed to satisfy any regulatory requirement. Other mechanisms exist for the Commissioner to take corrective action as needed in specific circumstances;³⁹ QSAC was not intended to supersede those mechanisms, but rather to provide a system of assessing overall district performance through specific, objectively measurable indicators.

To this end, accuracy and precision are important components of QSAC's system of performance assessment. Accuracy and precision can be achieved without impairing the Commissioner's authority to take corrective action where necessary and appropriate. In most areas, however, they cannot be achieved with an all-or-nothing approach. As discussed above, performance measurement research shows that effective performance measurement examines quality of performance in addition to compliance with mandates. Scoring mechanisms that are graduated are more likely to yield information on performance quality.

There may be some indicators that pertain to areas so vital to school district performance that partial performance is unacceptable, and full compliance with them must be demonstrated in order for a district to be designated "high-performing," regardless of its score on other indicators. If so, these should be identified and the scoring system designed to take this into account. (In our view, a scoring system requiring 80 percent of all indicators in each area to be satisfied and also requiring certain specific indicators to be satisfied would be consistent with QSAC.)

There also may be some indicators on which a certain minimal level of compliance should be demonstrated in order for any points to be awarded. On these, districts should be required to report the extent of their compliance even if it is not up to the required minimum level, so that, with successive assessments, progress or improvement toward compliance may be demonstrated.

For example, Instruction and Program indicator B1 requires annually approved written curricula, aligned with core curriculum content standards, in each of nine subject areas. Compliance as to each subject area is required in order to receive any points. Even if the Department believes anything less than full compliance is noncompliance with respect to this requirement, a system that requires districts to report that they have approved curricula in some but not all subject areas would be useful. Such a system would specifically identify problem areas, and comparison of more than one assessment over time would measure progress toward full compliance.

As another example, Personnel indicator A2 requires all administrators, teaching staff members and other staff to be appropriately certified and credentialed for their assignments. If taken literally, 100 percent of all staff must be appropriately certified – no exceptions – in order for a district to receive any points on this indicator. (All staff also must be in positions with appropriate recognized titles and have board-approved job descriptions in order to receive any points on this indicator, an example of where awarding points separately for separate subparts would be useful.) Even if the Department believes 100 percent compliance should be required for this item, a system allowing districts to specify whether 99 percent of their staff is appropriately certified, or 50 percent, would provide more useful information. It would allow the state to distinguish between districts with occasional lapses and those with serious issues of noncompliance, and perhaps inadequate capacity, in this area.

As to the argument that the system should be designed to award points sparingly in order to identify and address all instances of noncompliance, the pilot experience suggests that the all-or-nothing approach does not entirely do so. Where district administrators found ambiguities in particular indicators, some awarded themselves full points if that position was defensible, while others took none if they could not demonstrate complete satisfaction with all dimensions. For those who awarded the full points, the system may have resulted in higher scores than one providing partial points for partial performance would have given them.

Using a Likert scale also might eliminate some of the uncertainty regarding the weighted scores assigned to each indicator in the DPR. As we understand it, the weights assigned to various indicators represent an exercise of judgment by NJDOE staff which was informed but not scientific. In our view, the DPR instrument would be strengthened if it were reviewed, and the scoring revised if necessary, by someone with expertise in performance assessment or psychometrics. A solid basis for the scoring system also would bolster the Department's ability to explain and promote the DPR.

Comments on Specific Sections

Instruction and Program. The Instruction and Program section of the DPR contains indicators in six areas: student performance; curriculum; instruction; mandated programs; early childhood programs; and high school/graduation. This section generated the most comments, consternation and constructive criticism by pilot participants, which perhaps is understandable, as Instruction and Program are the heart of what school districts do. We agree with pilot participants that the section could benefit from reconsideration and revision.

Many administrators said the performance snapshot that the DPR provides does not present a true picture of student achievement. Chief among their concerns were the phrase “meets the current district definition of Adequate Yearly Progress” (A1 and A2) and indicators measuring student performance in literacy and mathematics using a 95 percent standard for proficiency (A3b, A4b, A5b and A6b), which differ from requirements adopted by the state under No Child Left Behind.⁴⁰ We endorse their recommendation that the DPR use the same measure for AYP that New Jersey has adopted for purposes of NCLB, to avoid confusion and unnecessary complexity.

Districts that do not meet the 95 percent proficiency standard in language arts or mathematics are permitted to meet an alternative standard by demonstrating progress, a five percent increase in the number of students achieving proficient and advanced proficient status in language arts and mathematics (indicators A3a, A4a, A5a and A6a). These alternative indicators, while imperfect in some respects,⁴¹ do allow districts to provide reasons for their progress or lack of progress, which is useful.

For further clarity, we suggest that “or” be inserted at the end of indicators 3a, 4a, 5a and 6a.

Administrators were puzzled as to why indicators A3 through A7 require entirely different standardized assessments to be used for four different grade levels to calculate the district’s average level of proficiency. We have the same question, and agree that these indicators should be reworked to provide for analysis of data for each grade level.

In addition to changing the scoring mechanism as discussed above, we recommend that scoring of particular indicators be reconsidered. In Student Performance, indicators A11 and A12 address deficiencies, apparently assuming districts will fall short of AYP goals. A11 awards four points for addressing deficiencies; A12 awards one point for periodic meetings to evaluate progress in addressing identified problem areas. Districts that satisfy AYP goals will not be eligible for the five points assigned to these indicators. Indicator D2, which apparently assumes that a corrective action plan is in place for special education, is similar. The anomalies in these indicators should be addressed.

In the same vein, districts cannot earn the points in Instruction and Program Part E if they have no early childhood education program. Since not all districts are required to offer early childhood education, scoring for this indicator should be addressed. Perhaps the configurations of the districts listed on the score sheet of the section could

be modified to distinguish between districts that are required to have early childhood education and those that are not.

Regarding the indicators pertaining to mandated programs, several pilot participants objected to awarding points to districts that have gifted and talented programs, and to the indicators requiring the provision of such programs from kindergarten through grade twelve. (As one participant said to a group, “Do any of you have a kindergarten gifted and talented program?”) They said the state does not mandate that districts provide gifted and talented programs or fund programs provided by districts. We believe their objections are based on a misunderstanding of the law: New Jersey does mandate that “district boards of education shall be responsible for identifying gifted and talented students and shall provide them with appropriate instructional adaptations and services.”⁴² Such students are to be identified and served from kindergarten through grade 12.⁴³

Similarly, some pilot participants disagreed with awarding (or subtracting) points for districts with English language learner programs, again saying such programs are not mandated. New Jersey law is to the contrary: “District boards of education shall be responsible for developing English language assistance programs for limited English proficient students that are aligned to the [CCCS] and the English Language Proficiency Standards.”⁴⁴

Governance. The Governance section of the DPR consists of nine indicators in the areas of student achievement; board training, disclosure and operation; ethics compliance; policies, procedures, and by-laws; standard school board practices; annual evaluative process; school board/administration collaboration; budget priorities; and communications. For each indicator there are four to seven sub-parts. Each indicator carries a total of eleven points. In order to earn eleven points, the district must answer yes to all sub-parts for each indicator. If any sub-part is not satisfied, the district gets no points.

The Governance section is constructed differently from the other four DPR sections, and its scoring system differs from the rest of the DPR. There are only eleven Governance indicators that carry points, whereas the number of indicators on the other DPR sections with points assigned totals as much as 42 (on Fiscal Management). Governance shares the all-or-nothing approach of the rest of the DPR for scoring each indicator, but in the other DPR sections smaller segments of information are measured as indicators. (As many pilot districts pointed out, however, numerous indicators could be broken down still further for clarity and scoring purposes.)

We recommend that the design and scoring of the Governance section be aligned with the other DPR sections. The sub-parts of indicators should be scored individually. Uniformity in procedure would promote ease of administration and would result in a more accurate picture of board governance.

We also recommend that the following additional indicators be added to the Governance section to assess performance in certain importance aspects of district governance:

- Board policies are written, organized, and readily available to all members of the staff and public. (Add to indicator D.)
- The board evaluates the superintendent annually. (Add to indicator F.)
- Decisions and other information are effectively communicated throughout the school district in a timely manner. (Add to indicator I.)
- The board has a proactive communications and media relations plan. (Add to indicator I.)
- Board spokespersons are skilled at public speaking and communications, and are knowledgeable about district programs and issues. (Add to indicator I.)
- Parents and community members are encouraged to be involved in the public schools. (Add to indicator I.)
- The board supports partnerships with community groups, local agencies and businesses. (Add to indicator I.)
- Individual board members display respect for decisions of the majority and support the board's actions in public. (Add to indicator I.)
- The board demonstrates respect for public input at meetings and public hearings. (Add to indicator I.)
- Board agendas, minutes and other pertinent data are available to the public. (Add to indicator I.)

We also note here that governance in the state-operated school districts differs from governance in the rest of the state's school districts. Each of the state-operated districts is managed by a state district superintendent appointed by the State Board of Education. The boards of education in those districts, although elected, act in an advisory capacity only. As noted above, some of the indicators in this section of the DPR are inapplicable to state-operated districts because the DPR presumes the existence of a fully-functioning board of education rather than an advisory board, although most of them are useful measures even for advisory boards, because they encompass fundamental standards of performance. Inapplicable indicators include A4, F1 to F4, G2, G3, and H1 to H6. As mentioned above, a modified version of the Governance section of the DPR needs to be developed to assess the performance of the state-operated districts in this critical area.

Fiscal Management. The Fiscal Management section of the DPR contains indicators in five areas: budget planning, financial and budgetary control, annual audit, restricted revenue and efficiency. Some indicators have sub-parts that are each assigned points

(e.g., A2), while other indicators with sub-parts have a point value for the entire indicator (e. g., A1). For simplicity and clarity, all indicators should be designed alike, as discussed above.

The Fiscal Management section incorporates federal reporting requirements under the No Child Left Behind Act (NCLB), Individuals with Disabilities in Education Act (IDEA), and “other entitlement and discretionary grants.” (Indicator D2.) The names of all the “other” grants, and some reference to their specific reporting requirements, would be more helpful than this catch-all indicator.

To include important areas of fiscal management, and thus to obtain a more accurate assessment of this component of district performance, we suggest adding the following indicators:

- The district has adopted and follows a budget calendar that reflects all applicable legal and management requirements.
- The board, superintendent and chief negotiator work together closely to ensure that collective bargaining agreements effectively represent the policy interests of the district. The Board and district administrative team develop parameters and guidelines for collective bargaining negotiation that avoid representation of special interests or selected employees.
- The district has available and considers multi-year projections in calculating fiscal provisions of collective bargaining agreements.
- Automated financial systems provide accurate, timely and relevant information and conform to all accounting standards.
- The district has a comprehensive risk management program.
- The district has a work order system that tracks all maintenance requests, the worker assigned, date of completion, labor time spent, and the cost of materials.
- Materials and equipment inventory is safeguarded from loss through appropriate physical and accounting controls.

Personnel. This section of the DPR contains indicators pertaining to licensed personnel, personnel policies, and professional development. The licensed personnel section incorporates the NCLB requirement that all teachers teaching core academic classes qualify as “highly qualified teachers.”

As with other sections, to include important areas of personnel management and obtain a more accurate assessment, we recommend adding the following indicators:

- The organizational structure clearly identifies key areas of authority and

responsibility. Reporting lines are clearly identified and logical.

- Employment procedures and practices are conducted in a manner which assures equal employment opportunities. Written hiring procedures are implemented.
- The job application form requests information that is legal, useful and easily understood.
- The district has procedures for recruitment of capable administration, teaching staff, and other staff.
- The district has a recruitment plan that identifies likely sources of candidates, provides training for a recruitment team, includes a cost estimate that is reflected in the department budget, and includes an evaluation of each year's recruitment efforts.
- Initial orientation is provided for all new staff.
- Personnel files are complete and well-organized.
- The personnel officer or department has an operations procedures manual for internal department use to establish consistent application of personnel actions.
- The personnel officer or department has a process in place to systematically review and update job descriptions.
- The personnel and payroll officers or departments communicate regularly to resolve problems and to ensure consistency of action.
- Personnel staff members keep abreast of current acceptable practices and requirements.
- An on-line position control system is utilized and integrated with payroll/financial systems.
- The district has an applicant tracking system.
- The district has a computerized employee database.
- Teachers and other professional personnel are given diversity training.
- The district provides training for all supervisory staff responsible for employee evaluations.
- Standards are developed and implemented to ensure that adequate levels of

supervision and support are provided at all levels within the district.

Operations Management. The Operations Management section includes indicators in the areas of facilities; student conduct, student safety and security; student health; and student support services. It does appear to provide a comprehensive assessment of the covered areas.

Other Issues

Impact of Recent and Pending Legislation on QSAC

This report would not be complete without mentioning one recently adopted statute and two bills currently pending in the state legislature that could affect QSAC implementation. The School District Fiscal Accountability Act of 2006 (Accountability Act),⁴⁵ enacted in April 2006, could have an impact in some districts. Senate Bill 2136 and Assembly Bill 54, both pending as of this writing, could make fundamental changes in the assessment process statewide.

The Accountability Act provides for appointment of a “State monitor” to provide “direct oversight” of a district’s “business operations and personnel matters” if certain adverse fiscal events occur.⁴⁶ QSAC itself has a similar provision: it provides that a “highly skilled professional” may be appointed to provide “direct oversight” in any of the five components of school district effectiveness, including fiscal management and personnel,⁴⁷ which sounds much like the “State monitor.” The “direct oversight” of “business operations” and “personnel matters” by a State monitor under the Accountability Act could, theoretically, be identical to the direct oversight of a highly skilled professional under QSAC. Could a State monitor be appointed prior to or after the state intervenes in a district that fails to satisfy fiscal and personnel performance goals under QSAC? How will the Commissioner determine when the situation in a school district justifies that the powers of one statute or the other will be invoked to establish the appropriate oversight? The appropriate role of each type of monitor is not addressed in either statute, in the proposed amendments to QSAC in S2136, or in the proposed QSAC regulations.

To clarify the uncertainty, we recommend further legislative amendment to specify how the oversight functions of the Accountability Act will be triggered and when, in contrast, QSAC oversight functions will be triggered. Implementing regulations adopted under each statute should address the circumstances in which oversight will be handled pursuant to the Accountability Act or pursuant to QSAC.

Senate Bill 2136, introduced July 7, 2006, includes amendments to QSAC that will likely improve its effectiveness. Proposed amendments include (but are not limited to):

- Decreasing the frequency of QSAC assessments from one year to three (as discussed above, we suggest decreasing it further, to seven years);
- Reducing from seven years to three years the period for which school districts

will be certified as providing a thorough and efficient education (consistent with the previous comment, we would favor keeping it at seven);

- Extending from 45 days to 120 days the time period for initial QSAC evaluations of the Level II, Level III and state-operated districts;
- Reducing the time frame from three years to one year for state-operated districts to call a special election to determine the classification status of the district.

Many of these and other proposed amendments are consistent with recommendations made to NJDOE by the Institute.

Assembly Bill 54, introduced June 8, 2006,⁴⁸ part of a legislative package designed to consolidate government services, would restructure the office of the county superintendent and create “executive county superintendents” appointed by the Governor for two–year terms, rather than appointed by the Commissioner of Education for three. Biennial performance reviews would be “based on the ability of the superintendent to effectuate administrative and operational efficiencies and cost savings with the school districts in the county,... and on the capacity of the school districts in the five key components of school district effectiveness under the New Jersey Quality Single Accountability Continuum.”⁴⁹ The bill mandates that the executive county superintendents implement QSAC in their districts, but is silent as to whether such “implementation” consists of QSAC verifications or whether implementation goes beyond the verification process. Notably, while the bill seems to enlarge the responsibility of the county superintendent substantially, it has no provision for appropriation of funds.

QSAC’s Impact on Administrative Code Provisions

We also recommend that NJDOE consider the effect of QSAC, its implementing regulations, and the DPR on the standards and assessment regulations currently in force in chapter 8 of the state’s education regulations. Among other things, chapter 8 contains the AYP goals for years 2002-2012, but those achievement standards differ from the student achievement standards in the DPR.⁵⁰ Moreover, chapter 8 cross-references school district evaluations that are to occur every seven years, but under the proposed statutory amendments to QSAC as well as the proposed amendments to Chapter 30 of the regulations, school district evaluations are to occur every three years.⁵¹ The State Board has not proposed to amend Chapter 8 of Title 6A. Appropriate amendments should be proposed, and adopted, to conform Chapter 8 with Chapter 30 and any amendments to QSAC that are enacted.

QSAC and State Education Policy

Finally, the Commissioner and the State Board of Education should engage the education community in further consideration of QSAC’s role in state education policy. QSAC’s adoption was the culmination of a policy development process that included important contributions from academics and policy analysts (the Institute on

Education Law and Policy) as well as education practitioners and representatives of a wide range of education constituencies. That collaborative process need not have ended with QSAC's adoption; and QSAC need not, and should not, be implemented in isolation from other important education initiatives. The pilot experience, as related in this report, should be used not only to improve QSAC implementation but to inform the ongoing policy development process.

Specifically, current discussions of school finance reform should address the relationship between the state's system of school district accountability, as embodied in QSAC, and its system of school finance. The State Board has recognized this relationship in terms that seem to refer to QSAC, stating that "an assessment of the educational needs [in each district] and the identification of the approaches that will successfully address those needs is a prerequisite to ensuring that adequate resources, including fiscal resources, are provided and appropriate accountability for their use is guaranteed."⁵² One comprehensive system in which both state financial support and other forms of assistance or intervention are based on comprehensive needs assessment may be indeed worth pursuing. Whether such a system ultimately would be supportable could depend, in part, on the input of pilot participants and others who have been involved with QSAC as it has evolved. Further research and discussion on this issue would be worthwhile.⁵³

Policy makers also may wish to consider a system of school finance that includes incentives for improvement in district performance. The pilot experience, and the insights it has provided regarding performance measurement in school districts, certainly would be relevant to consideration of such a system.

In short, the 2006 QSAC pilot should not be viewed as an isolated exercise in school district administration. QSAC's development and implementation, including the pilot, may offer insights into areas of education policy beyond school district accountability. The Institute on Education Law and Policy would be pleased to continue to explore these areas with the Commissioner, the State Board and other policy makers.

Summary of Recommendations of the Institute on Education Law and Policy

In addition to the recommendations made by pilot participants, the Institute on Education Law and Policy recommends the following:

Communicate clearly NJDOE expectations for completing the DPR. To ensure that all participants have a thorough understanding of the new assessment process and instrument, ample training should be provided in geographically convenient locations before launching the District Performance Review statewide. Training should be available for all participants, including school district officials, county superintendent staffs, and district assessment committee participants. Detailed guidance materials should be disseminated in paper and electronically. NJDOE staff should be equipped and available to provide technical assistance upon request.

Include indicators that measure school district capacity and effectiveness as well as compliance with legal and regulatory requirements. In accordance with the statute, the DPR should include indicators that measure the extent of human, financial, community and other resources in a school district and its ability to perform satisfactorily (its “capacity”) and the quality of its performance (its “effectiveness”).

Create the single, comprehensive accountability system envisioned by QSAC. To the extent that certain requirements are not included in the DPR instrument, add them. Clarify whether the QAAR is to be replaced by the DPR; if not, coordinate the two systems to avoid duplication.

Include indicators that assess compliance with Abbott mandates. Comprehensiveness is particularly important with respect to *Abbott* mandates, both to ensure satisfaction of the constitutional obligation and to provide for efficient use of resources.

Streamline the assessment process to the extent possible. Reduce the amount of paper involved in the DPR. Consolidate self-assessment data and verification data on one form. Permit electronic filing of the DPR and attachments, and provide electronic versions of guidance materials and forms.

Refine the scoring. Award points separately for separate subparts of indicators, and allow partial points for partial performance unless full compliance is essential to designation as “high-performing.” Modify indicators to eliminate most yes-or-no responses. Use a Likert scale or similar system.

Design the DPR to measure progress toward meeting performance standards. Progress can be measured either by indicators that address whether improvement has occurred or by comparison of responses in successive assessments where partial performance has been reported.

Reduce the frequency of comprehensive assessment to every seven years in districts where performance has been satisfactory. In most districts, a seven-year interval between comprehensive performance reviews has been sufficient. Reducing the frequency of assessment in these districts will conserve resources at the local, county and state levels.

Permit school districts to engage knowledgeable, well trained outside evaluators to participate in the DPR process with the approval of the Commissioner or county superintendent. The Commissioner also has the authority to appoint outside evaluators, without a district request, where circumstances warrant.

Develop a method for assessing governance in the three state-operated school districts. The Governance section of the DPR needs to be tailored to the circumstances of state-operated school districts with state district superintendents and advisory boards of education.

Provide for ongoing assessment of the DPR's effectiveness. This pilot evaluation should be only the beginning of NJDOE's assessment of the effectiveness of the DPR. The DPR process and instrument should be evaluated again after the initial implementation phase in 2007, and again with each year of experience.

Clarify the relationship between QSAC and the School District Fiscal Accountability Act of 2006. To the extent possible, clarify and coordinate the provisions of the two schemes in implementing regulations. Consider further legislative action to address when the interventions provided in each of these statutory schemes will be triggered.

Engage the education community in further consideration of QSAC's role in state education policy. The 2006 QSAC pilot experience should be used not only to improve QSAC implementation but to inform the ongoing education policy development process. In particular, the relationship between school district accountability, as embodied in QSAC, and the state's system of school finance should be given further consideration.

Appendices

Appendix A: School District Interview Guide

QSAC INTERVIEW QUESTIONS—SCHOOL DISTRICTS

Assessment Process

1. QSAC Committee:

What procedure did the Chief School Administrator (Superintendent) follow to form the district QSAC committee?

Did the committee function effectively?

Was there consistent participation from all members?

Would you recommend any changes to the committee's role?

2. How long did it take to complete the two sections of DPR?

3. What costs, if any, were incurred in the pilot? How funded?

4. Self-assessment:

How comfortable was the district in doing a self-assessment?
Why or why not?

If the district has criticisms of the self-assessment technique, would the district prefer that the Department, an independent assessor, or other, completed the DPR or spearheaded the process? Identify a preferable entity.

5. How does the QSAC assessment system compare to the current district certification system [of Title 7F]? Is QSAC an improvement? If so, how? If not, what are its weaknesses?

Assessment Instrument (DPR)

1. Discuss district committee's responses to each of the two sections of DPR (ask each subpart for each DPR section completed):

What were the strengths of the section?
Any ambiguities/difficulties noted by the district?
Did district find any indicators to be inappropriate measures for this district? Identify, and tell why.
Did the district find particular indicators to be objective or subjective?
Did district experience difficulties with particular indicators?
Did district offer any suggested improvements to its sections?

Are the indicators capable of measuring progress over time toward meeting student achievement goals?

--For example, on the Instruction & Program DPR, were the alternatives of meeting AYP vs. discrete groups making a 5% increase in achievement in math & language arts literacy a satisfactory measure of local capacity and/or progress in student achievement?

Did the district note any additional capacity-building suggestions?

2. Do the indicators measure local capacity to perform at a satisfactory level?

4. Did the indicators address thoroughly the two DPR sections assigned to the district? Were any areas of performance missing for which indicators should be included?

5. For Abbott districts: do the indicators address the particular needs of your district?

6. For SOSDs: are there indicators that do not pertain to a state-operated district?

7. Scoring system:

Is the scoring system for each DPR section adequate to capture the true performance picture for your district?

Would a rating system on a scale of 0 to 10, or a way to earn partial points for certain indicators, better provide a picture of the true performance of your district?

--Introduce F. scale as an alternative scoring system

8. Governance [Allendale, Montville, Roselle, Galloway Twp.]:

Assess this section's usefulness in measuring performance.
Did the bd of ed participate in responding to this section?

Technical Assistance

Would a QSAC Guidance Manual have been a useful tool for completing the DPR?

What technical assistance did the Department offer to pilot districts?

What technical assistance did the Department provide to your district?

What additional technical assistance should be provided to districts?

County Superintendent Verification

Describe your experience with the County's review of the assessment. How was it conducted? Cooperative or adversarial?

Was County verification useful? If so, how? If not, why not?

State-operated Districts (Newark, Jersey City, Paterson)

Based on your experience with the QSAC pilot program, will QSAC be likely to lead to re-establishment of local control? Why or why not?

Documents to Request from Districts

Completed sections of DPR

Appendix B: Focus Group Discussion Guide

District Verification Focus Group Questions August 9, 2006

Process and Training

How did you conduct the verification?

What staff were involved in the process?

Were there site visits?

On average, how long did it take to verify a district?

Was the process costly?

Was there adequate training and documentation as to how you were to proceed with the verification?

- Was the state responsive and available to address the needs from your office and the pilot districts?

Strengths/Weaknesses and Improvements

What are the strengths of QSAC?

- What are the weaknesses of QSAC?

What were the major strengths of the QSAC verification process?

- What were the major weaknesses of the QSAC verification process?

In what ways can verification be improved?

Instrumentation

With regard to the DPR, were there indicators that were particularly problematic?

Consider the design of the DPR documents. In what ways can they be improved?

Probes:

- What about the scoring system?
- Should there be an N/A column?
- Should districts be able to earn partial points?

- Would a column for your verification on the district DPR improve the process?

Do the DPR instruments adequately measure district capacity?

Do the DPR instruments adequately measure district progress?

QSAC and Previous Assessments

In what ways is QSAC different than previous district assessments?

Will the verification process help you make informed decisions about district performance and capacity?

Thinking about implementation, and the process of verifying all districts with five DPR sections, will you have the capacity to conduct the verifications?

Appendix C: Sample Indicator Scored with Likert Scale

DPR SAMPLE Indicator: Instruction and Program

A. Student Performance

11. The district assesses the progress of each student in mastering the NJCCCS at least two times each year including content areas not included on statewide assessments.

Score: 5

Scoring Options 0-7:

Score: 0	There is no evidence of implementation
Score: 1	Preliminary implementation with an assessment plan in place.
Score: 2	Beginning stages of implementation. The appropriate staff are engaged in the implementation of the assessment plan.
Score: 3	Elements of an assessment plan are in the implementation stage, with staff fully engaged in the process.
Score: 4	All elements of the assessment plan are implemented with systematic monitoring.
Score: 5	All elements of the assessment plan are implemented with systematic monitoring and appropriate adjustments.
Score: 6	Implementation of the assessment plan is sustained for a minimum of one school year.
Score: 7	Implementation of the assessment plan is sustained for a minimum of one school year with high quality, ongoing evaluation and appropriate adjustments.

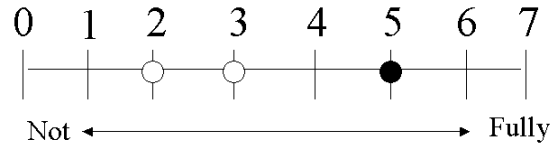
Progress:

November 06 Rating Score: 2

November 07 Rating Score: 3

November 08 Rating Score: 5

Implementation Scale:



- = Past Performance
- = Current Performance

Appendix D: Recommended Corrections to Citations

Instruction and Program

Indicator A15. The cited section, N.J.A.C. 6A:8-3.1, is too broad, since that administrative code section governs curriculum and instruction in general. The citation that governs board reporting, which is the focus of this indicator, is N.J.A.C. 6A:8-3.1 (a) (3).

Indicator B1. The cited section, N.J.A.C. 6A:8-3.1, is too broad, since that administrative code section governs curriculum and instruction in general. The focus of the indicator should be identified, and a specific code section should support the indicator.

Indicator C6. The specific administrative code citation for gifted and talented programs is N.J.A.C. 6A:8-3.1 (a) (5), and should be used.

Indicator D2. Again, the cited section, N.J.A.C. 6A:14, is too broad, since that chapter of the administrative code governs special education in general. It appears that the indicator is intended to measure compliance with a special education corrective action plan, pursuant to N.J.A.C. 6A:14-9.1 *et seq.*

Indicator D3. The specific administrative code citation for gifted and talented programs is N.J.A.C. 6A:8-3.1 (a) (5), and should be used.

Indicator E. Citations are needed for all parts of this indicator.

Indicator F3. Insert this additional citation: N.J.A.C. 6A:8-2.2 (“Authority for the State Plan for Vocational Education”).

Indicator F4a. Insert this additional citation: N.J.A.C. 6A:16-9.3 (“Mandatory Student Placements”).

Governance

Indicator A3. This indicator is limited to students, but chapter 7 of N.J.A.C. 6A also mandates equality in employment and contract practices, at N.J.A.C. 6A:7-1.8. An indicator for board compliance with N.J.A.C. 6A:7-1.8 should be added to this DPR section.

Indicator C2. The correct citation is N.J.S.A. 18A: 12-21 *et seq.*

Indicator C4. The cited statute, N.J.S.A. 10: 4-6 *et seq.*, is too broad. Instead, use the section that addresses accurate record-keeping, N.J.S.A. 10: 4-14.

Indicator 53. The correct citation is N.J.S.A. 18A: 15-1 *et seq.*

Indicator E5. The Open Public Meetings Act citation pertains only to the first phrase of the indicator, which is “Meeting minutes, including minutes of executive sessions, reflect all board actions....” Therefore, the statutory citation should be inserted after “actions.” The Open Public Meetings Act requires meeting minutes to be available to the public “promptly,” not, as the indicator states, “within ten days of the meeting or of final board action.”

Indicator F1. The correct citation is N.J.S.A. 18A: 17-20.3.

Indicator F2. The correct citation is N.J.S.A. 18A: 17-20.3.

Indicator G6. The correct citation is N.J.S.A. 18A: 12-24.1 (d).

Indicator H4. The two statutory sections that are cited address budget transfers, as the indicator does, but do not address awarding contracts, also included in the indicator. Because the citations do not support awarding contracts, delete “and awards contracts.”

Indicator H5. The 60-day approval period referenced in the indicator is not supported by the administrative code citation.

Indicator I4. The correct citation is N.J.S.A. 47: 1A-5.

Fiscal Management

There are only five citations for the 42 indicators in this DPR section. We recommend that all of the indicators be supported by citations to applicable legal authority.

Indicator C1. The statutory citation does not support this indicator.

Personnel

Like Fiscal Management, this section has very few citations. We recommend that all of the indicators be supported by citations to applicable legal authority.

Indicator B7. This administrative code citation pertains to the duties of a district affirmative action officer, which include handling discrimination complaints, or “grievances;” it does not support the indicator, which addresses employment “grievances” brought under a collective bargaining agreement.

Indicator C4. The administrative code citation does not support this indicator.

Operations Management

Indicator A2a. The third citation should be N.J.A.C. 6A:26A-3.1.

Indicator A3. None of the three citations mentions the Evaluation of School Buildings Checklist Report, which seems to be the focus of this indicator.

Indicator B. Delete “proposed,” since the proposed amendments to Chapter 16 were adopted Sept. 6, 2006.

Indicator B1a. The correct citation is N.J.A.C. 6A:16-5.1 (a) (2).

Indicator B1b. The correct citation is N.J.A.C. 6A:16-5.1 (c).

Indicator B1c. Delete “proposed.”

Indicator B2. The citations should be clarified to read “N.J.A.C. 6A:16-5.3 and 6A: 16-7.

Indicator B6. The citations should be clarified to read “N.J.A.C. 6A:16-7.1 (c) and 6A: 16-7.9 (d). The phrase “to all staff” should be moved to follow “training.”

Indicator B8. Delete “proposed.”

Indicator B9. The second citation should be N.J.A.C. 6A: 27- 12.1 (g).

Indicator C1. Delete “proposed.”

Indicator C3. Delete “proposed.”

Indicator C4. Delete “proposed.”

Indicator C5. Delete “proposed.”

Indicator D2. The cited statute does not reference a Technology Plan, which appears to be the focus of this indicator.

Indicator D6. The correct citations are N.J.A.C. 6A:32-7.5 (e) (iii) and N.J.A.C. 6A:16-7.10(b).

Indicator D7. The correct citations are N.J.A.C. 6A:16-7.2 (a) (5); 6A:16-7.3 (a) (9); and 6A:16-10 *et seq.*

Indicator D8. The correct citations to Chapter 14 of the administrative code are N.J.A.C. 6A:14-6 *et seq.* The citation to the Remedial Services for Handicapped Children in Nonpublic Schools Act should be N.J.S.A. 18A: 46-19.1 *et seq.* The citation to the Educational Technology Teacher Training Act should be N.J.S.A. 18A: 6-103 *et seq.*

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Notes

¹ New Jersey Constitution, Article VIII, § 4, ¶1. The “T & E Clause” states: “The Legislature shall provide for the maintenance and support of a thorough and efficient system of free public schools for the instruction of children in the State between the ages of five and eighteen years.”

² Public School Education Act of 1975, N.J.S.A. 18A:7A-10 (amended by QSAC, P. L. 2005, c. 235).

³ N.J.A.C. 6A:30-1 *et seq.* (proposed for modification and repeal, 38 N.J.A.R. 3378(a) (Sept. 5, 2006)). The standards were collected in the *Manual for the Evaluation of Local School Districts*. The manual contains compliance standards to implement N.J.S.A. 18A:7A-1 *et seq.* (Public School Education Act of 1975) and N.J.S.A. 7F-1 *et seq.* (Comprehensive Educational Improvement and Financing Act of 1996).

⁴ N.J.A.C. 6A:32-12.1. The QAAR includes information relating to pupil performance, school report cards, professional development, school facilities, mandated program reviews and community support data. *See also* N.J.S.A. 18A:7A-11 (amended by QSAC, P. L. 2005, c. 235).

⁵ N.J.S.A. 18A: 7A-14 (a) (1); N.J.A.C. 6A:30-2.5 (proposed for modification and repeal, 38 N.J.A.R. 3378(a), Sept. 5, 2006).

⁶ N.J.S.A. 18A: 7A-14; N.J.A.C. 6A:3.1 *et seq.*

⁷ N.J.S.A. 18A: 7F-1 *et seq.*; *See, e.g.*, N.J.A.C. 6A:8-2 and 8-3.

⁸ N.J.S.A. 18A: 7C-1 *et seq.*

⁹ N.J.S.A. 18A: 7F-3; N.J.A.C. 6A:10A-1.1 *et seq.* (expired June 30, 2006); N.J.A.C. 6A:24-1.1 *et seq.* (expired June 8, 2005).

¹⁰ 20 U.S.C. §1400 *et seq.*; N.J.S.A. 18A:46A; N.J.A.C. 6A:14.

¹¹ N.J.S.A. 18A:7E-1 *et seq.*; N.J.A.C. 6A:32-12.2 (a).

¹² N.J.S.A. 18A: A-15.

¹³ P.L. 107-110.

¹⁴ N.J.A.C. 6A:8-4.4 (a) (1) (i).

¹⁵ *See* <http://ielp.rutgers.edu/projects/QSAC>.

¹⁶ The non-clerical staff of the 21 county offices are, typically, the County Superintendent of Schools, Assistant Superintendent, Business Administrator, and County Supervisor of Child Study.

¹⁷ N.J.S.A. 18A:7A-11. In Senate Bill 2146 (pending before the Senate Education Committee), the evaluation period would be extended to every three years.

¹⁸ N.J.S.A. 18A:7A-10.

¹⁹ N.J.S.A. 18A:7A-10.

²⁰ N.J.S.A. 18A:7A-10.

²¹ N.J.S.A. 18A:7A-10.

²² N.J.S.A. 18A:7A-14(a).

²³ N.J.S.A. 18A:14(c).

²⁴ N.J.S.A. 18A:14 and 15.

²⁵ 38 N.J.A.R. 3378(a).

²⁶ N.J.S.A. 18A:7A-10.

²⁷ Support for districts that are performing below the highest level can include retention of a “highly skilled professional” to advise or direct the district in areas of deficiency, an in-depth review of the district by the NJDOE, development of a district improvement plan, partial state intervention in the district, or full state intervention in the district. N.J.S.A. 18A:7A-14 and -15.

²⁸ One additional district, the School District of the Chathams, initially volunteered to participate in the pilot but withdrew early in the process.

²⁹ Hatry, H. *Performance Measurement, Getting Results*. Urban Institute, Washington, DC, 1, 1999.

³⁰ Poister, T. and Streib, G., Performance measurement in municipal government: assessing the state of the practice, *Public Administration Review*, 59(4), 325, 1999.

³¹ For a discussion of the research and detailed description of how districts can build instructional and organizational/structural capacities, see our 2002 report at 166-183.

³² N.J.S.A. 18A:7A-10. This language remains unchanged in Senate Bill S2136. Capacity is also referenced at N.J.S.A. 18A:7A-14 (c) 2 and (e).

³³ 38 N.J.R. 3378(a).

³⁴ Senate Bill 2136, now pending in the New Jersey Senate, would reduce the QSAC reporting requirement from annually to every three years.

³⁵ N.J.S.A. 18A:7A-10 (italics added).

³⁶ N.J.A.C. 6A:30-3.2.

³⁷ See proposed N.J.A.C. 6A:30-8.2.

³⁸ The five sections of the DPR contain a total of 131 indicators to be scored, many of which have multiple sub-parts – 461 in total – that are not to be scored individually. NJDOE staff has stated that its intent was to make the QSAC assessment instrument simpler than the predecessor

instruments used in the 2004 and 2005 pilots. The 2005 instrument contained 310 indicators; an instrument dated September 17, 2004 had 149. Thus, the number of indicators to be scored on the DPR (131) is fewer than those in precursor instruments, but if the sub-parts were scored individually, the DPR indicators would total 592, much more than the earlier numbers.

³⁹ If the Commissioner were to identify any instance of noncompliance or poor performance that resulted in a district's failure to satisfy a constitutional mandate, she certainly would be authorized, indeed obligated, to take corrective action, even if the issue had not been identified by the DPR or, as a result of the DPR, the district had been designated "high-performing." Her enforcement authority and obligation, both under CEIFA and in accordance with relevant case law, are broad. *See* N.J.S.A. 18A:7F-6; *Jenkins v. Morris Twp. Sch. Dist.*, 58 N.J. 483 (1971).

⁴⁰ N.J.A.C. 6A:8-4.4 (a).

⁴¹ District administrators recommended disaggregating the data for each subgroup in order to analyze achievement levels of each subgroup, and also disaggregating data for each grade level that generates student achievement data. These recommendations seem to be educationally sound.

⁴² N.J.A.C. 6A:8-3.1 (a) (5).

⁴³ N.J.A.C. 6A:8-3.1 (a) (5).

⁴⁴ N.J.A.C. 6A:8-3.1 (a) (7).

⁴⁵ N.J.S.A. 18A:7A-54 *et seq.*

⁴⁶ N.J.S.A. 18A: 7A-55. In 2006, State monitor[s] have been appointed in the Camden [and Willingboro] school district[s].

⁴⁷ N.J.S.A. 18A: 7A-14 (c) (6).

⁴⁸ A54, pending before the Assembly Committee for Housing and Local Government (discussion scheduled Oct. 11, 2006 before Joint Legislative Committee on Government Consolidation and Shared Services).

⁴⁹ A54, section 7-1 (b).

⁵⁰ New Jersey's AYP standards are codified at N.J.A.C. 6A:8-4.4 (a). DPR student achievement standards appear in the Instruction and Program section, indicators A1 through A7.

⁵¹ N.J.A.C. 6A:8-4.4(b) and (c); proposed N.J.A.C. 6A:30-3.1; S2136, section 3.

⁵² *Bacon v. New Jersey Dept. of Education*, State Board of Education Docket No. 4-03 (January 4, 2006), slip op. at 60.

⁵³ The Institute on Education Law and Policy is currently engaged in a project entitled "Toward a Rational State Policy on Education Finance and Accountability, exploring this and other issues.

New Jersey Quality Single Accountability Continuum (QSAC)

2006 Pilot Program Evaluation

In this report the Institute on Education Law and Policy provides an evaluation of the 2006 pilot program conducted by the New Jersey Department of Education to implement the Quality Single Accountability Continuum Act of 2005 (“QSAC”).

QSAC requires that the performance of every school district in the state be evaluated on its “progress in complying with the quality performance indicators” adopted by the Department of Education. In accordance with this requirement, the Department has developed a set of performance indicators known as the District Performance Review (“DPR”).

In spring and summer 2006, the Department field-tested the DPR in 13 pilot districts. The Department’s stated objectives were to evaluate (1) the reliability and validity of the DPR as an instrument to effectively address QSAC, and (2) the operational aspects of completing the DPR. The Institute’s objectives in evaluating the pilot were to determine (1) the effectiveness of the DPR for assessing school district performance; (2) whether QSAC, and NJDOE’s method of implementing QSAC with the DPR, are likely to further school districts’ efforts to build local capacity and improve performance; and (3) whether QSAC and the DPR are likely to provide for a return to local control in the state’s three state-operated districts in a rational manner within a reasonable time frame.

The report is presented in two parts:

Part 1: Comments and Observations of Pilot Districts and County Superintendents

Part 2: Comments and Recommendations of the Institute on Education Law and Policy.

Institute on Education Law and Policy
Rutgers University – Newark
123 Washington Street
Newark, New Jersey 07102

<http://ielp.rutgers.edu>