

**To:** MaryEllen Elia, New York State Commissioner of Education  
**From:** Dr. Jack Bierwirth, New York State Distinguished Educator  
**Date:** January 25, 2018  
**Subject:** First Quarter Report

**To Commissioner Elia,**

**Re: Distinguished Educator First Quarter Report---October 2017 through January 19, 2018**

Most of my time and attention during the first three and a half months was devoted to conducting an assessment of the Hempstead Public Schools and drawing up a plan of action to address the most critical needs as soon as possible for the benefit of Hempstead students and the Hempstead community. In addition, I tried to assist the District in beginning to try to address these needs through my own experience and expertise, in conjunction with NYSED staff and/or in conjunction with other experts at or through Nassau BOCES. Many but far from all of these efforts were contained in the report I sent to you. As you will see below, many of these efforts are progressing nicely. Accordingly, I will not repeat them here. With this and future quarterly reports I will try to provide a concise update on progress made on the action plan you approved.

Updates in this and future reports will be organized along the same "areas of concern" outlined in the report.

Please let me know if you have any questions.

Before moving to specific areas of concern I would like to note the reactions I have received to the report thus far. In general, the sense is that areas of concern make sense and confirm the areas of concern identified by most parents, community members and staff. They indicated that the recommendations to address these are generally on target. There seems to be an appreciation for the candor with which issues and recommendations are laid out. There is hope that these will indeed be addressed given the attention from the State and the fact that the State is not going away after the report was issued. This hope was significantly enhanced by the unprecedented visit by the Chancellor and you made to Hempstead in order to meet individually with each of the five members of the Board of Education. Their hope is counterbalanced by fear that this time will not be substantially different or that the change will only last as long as the State is actively involved.

At the January 17, 2018 meeting of the Board of Education the five members of the Board unanimously adopted and accepted the recommendations in the plan. They requested that the administration draw up plans to implement each of the recommendations with the intent to consider and approve these at the February 1, 2018 work session of the Board in time for transmittal to you on February 2, 2018 as you requested. District administrators are moving rapidly to develop these. The Board's action on the report was extremely encouraging, particularly because it stands in stark contrast with other matters related to the Board, the Superintendent and the Acting Superintendent. Both the Superintendent and the Acting Superintendent have indicated their support for the recommendations and their intent to implement them. Please note that I am emphasizing implementation over planning as getting the recommendations in place is the highest priority.

Update to areas of concern:

## Governance

- The Board remains extraordinarily deeply divided.
- The vote to support the recommendations was unanimous but little else of consequence has been.
- As was the case in the months during the assessment, there has been little discussion at Board meetings on the primary issues of concern except for school security.
- Since mid-December, there has been one emergency meeting, one regularly scheduled meeting changed to a different day on short notice and significant actions taken at what would normally be a work session.
- There have been numerous significant items brought into meetings as “hand-carries” with no advance notice or circulation.
- The divisions within the Board /Superintendent were fought out publicly via Newsday and open letters to the staff and the community.
- The Superintendent, Shimon Waronker, was placed on paid leave the day following a Board meeting on a 3-2 vote.
- The Board appointed the Assistant Superintendent, Regina Armstrong, as Acting Superintendent on a 3-2 vote.
- The contract with the New American Initiative (NAI) was terminated.
- The four master teachers were excessed on one day’s notice.
- The Deputy Superintendent and the Interim High School Principal were terminated on one day’s notice. The High School principal who had been terminated at the end of the summer was rehired.
- As requested in my report, the forensic audit firm provided the Board and the Superintendent with a preliminary report. A copy was forwarded to the Commissioner but the Board has yet to ask general counsel to follow up with the forensic auditing firm as outlined in the contract between the forensic auditors and the District.
- With intensive assistance from key staff at NYSED and extraordinary efforts on the part of a couple of Hempstead staff, the Community Schools grant has just been submitted (five months after the start of the school year and seven months after the beginning of the fiscal year). A revised version of the grant application was filed with NYSED in the first week in January but this version was little different than what had been filed in mid-November. NYSED OSIR staff have provided oversight and guidance to assure that a complete grant proposal could be submitted without further delay
- The members of the Board of Education have agreed to the first training recommended in the report. This is scheduled for Monday January 29. It will be conducted by Tim Kremer, the Executive Director of the NYS School Boards Association.

In my assessment report, I attached a chart with the legal expenses from prior years of the two firms reappointed when the Board majority changed in November. My primary purpose was not to take those two firms to task because legal costs are driven primarily by how a district conducts its business and the decisions of the Board and the superintendent. My primary concern, instead, was and still is that the way in which the District conducts its affairs **often** results in extraordinary legal expenses. These are funds which could be used for the benefit of students. This is illustrated by the fact that the Board and Superintendent are now in court.

***On a note related to all of the above as well as to the response to the recommendations in the report, I have tried to emphasize to the five members of the Board and the Superintendent that they are collectively responsible---100%--- for the governance of the District. Far too much time among the six is spent on who is to blame for what rather than working together to move the District forward. I hope that the Board's unanimous support for the recommendations in the report***

## **Budget/Finance**

- Thanks to Nassau BOCES and the Board and Superintendent of another district on Long Island, one of the deans of the school business officials on Long Island conducted a thorough assessment of Hempstead's business operations at no cost to Hempstead. This report, a copy of which is attached, lays out a series of very specific steps to bring the District's business operations up to par. This report which is consistent with my recommendations as well as the recommendations of the three audit firms provides an excellent road map for a plan of action to improve the District's business operations.
- The Board of Education, in response to preliminary findings brought to them before the full report was completed, supported the addition of two new positions, outreach to the New York State Archives for assistance in digitizing the District's records and a transition period for a new Treasurer. This swift response to the preliminary report allowed the District to immediately begin the process of requesting appropriate Civil Service lists.
- The Business Office is still far behind in processing payments.
- A review by the NYSED OSIR in January of 2016-17 grants revealed a number of problems, one of which was a significant payment to NAI at the end of June, 2017. NAI had not been included in the 2016-17 approved budget.
- A meeting was held with the District's three auditing firms. All three agreed to help the District implement all of their prior audit recommendations prior to the end of the 2017-18 school year.
- The District Budget is being substantially revised for 2018-19. Target date for presentation to the Board and community is February 15.

## **Safety/Security**

- Problems have continued at the High School. There were multiple fights at the High School on Friday January 12 with two students arrested and two staff members, one of which was the High School Principal, taken to the hospital.
- Over the MLK weekend, thanks to your active efforts and the efforts of a large number of school district, State, local and regional officials, extra security and law enforcement support was arranged for the re-opening of school on Tuesday. This brought calm and this calm seems to be continuing
- Arrangements are being made for the placement of School Resource Officers (SROs) in the High School on a permanent basis as soon as possible though coordinated efforts on the part of NYSED, the Village of Hempstead and the District.
- With the assistance of NYSED and Nassau BOCES we are investigating firms who could provide the training as recommended in the report.

## **Facilities**

- There were several days of school lost due to frozen pipes and floods in the High School and one of the elementary schools. This was despite efforts to keep the buildings at full weekday temperatures during the night and over weekends.
- The District has contracted, with unanimous Board approval, with the NYS School Facilities Managers Association to do a top to bottom assessment of the District's facilities and operations on an expedited basis. This will inform the District's plan of action to improve facilities operations.
- The District met with the architectural/engineering firm to request a draft five year capital plan by Friday January 26 for presentation to the Board and community at the February 15 meeting of the Board.
- The District asked the same firm to develop a tentative Energy Performance contract by Friday January 26
- Nassau BOCES is assisting the District in seeking an experienced school facilities manager to run the department on a short term basis if no one can be found on a long term basis

## **High School Instructional Program**

- A monitoring visit by the NYSED OSIR yielded many questions which could not be answered and serious concerns regarding the lack of plans to address the academic needs of a variety of student sub-groups. The District was asked to produce this data and these plans in the next quarterly report (the deadline for this report was later extended).
- The same NYSED team returned the following week to offer assistance at your request. This was most helpful. (While present, the team noted deficiencies in the deployment and actions {or lack of actions} on the part of school security personnel.)
- Analyses of grade 9 and 10, similar to the analyses of grades 12 and 11 have not been completed.
- A complaint was filed with NYSED regarding students being dis-enrolled without following the prescribed steps. An internal investigation is underway.
- I had recommended that the Superintendent seek Board approval in December for the alternative programs which were under consideration for implementation in the second semester. This was not done in December and it was not ready for January. The BOCES-District developed program for students with few credits or who have dropped out (or been dis-enrolled) is ready to start at the beginning of the second semester. A program for violent students is still being developed.

## **PreK-8**

- NYSED OSIR review of Middle School implementation of comprehensive school improvement plan was positive and constructive
- Timeline and process for developing a new PreK-8 comprehensive school improvement plan being developed

## **Special Education**

- Implementation of Corrective Action Plan proceeding.

## **English Language Learners**

- Implementation of Corrective Action Plan proceeding.

## **Nutrition and Food Service**

- Will be addressed in the near future

## **Information Technology**

- With the assistance of the Nassau BOCES technology team, the Assistant Superintendent for Technology and District staff are moving rapidly to implement critical pieces of IT infrastructure, including more and higher quality security cameras, while drawing up a comprehensive action for technology including the Smart Schools technology funds.

***I remain optimistic about the prospects for significant improvement. Governance was and remains my primary concern. Real progress is being made in many areas. I hope that the unanimous support of the Board for the recommendations in the report is indicative of the Board's willingness to come together on the critical issues.***

Jack Bierwirth

**Copies of this will be forwarded to the members of the Hempstead Board of Education and the Acting Superintendent**