

MEMORANDIUM

FROM: Jersey City Board of Education Members
Younass Barkouch, Paula Jones-Watson, Afaf Muhammed, Dejon Morris, and
Christopher Tisdale

DATE: March 11, 2024

RE: Response to Statements made by Dr. Norma Fernandez, Superintendent JCPS

This response is being submitted collectively on behalf of five elected officials serving on the Jersey City Board of Education: *Younass Barkouch, Paula Jones-Watson, Afaf Muhammed, Dejon Morris, and Christopher Tisdale*. Its purpose is to offer some clarification regarding the statements made by Dr. Norma Fernandez, Chief School Administrator/Superintendent of Jersey City Public Schools. In the outset, we contend that the aforementioned allegations lack empirical support in the form of concrete evidence or specific instances. As accurately noted, the Superintendent acknowledges that the prosperity and integrity of our educational system are shared obligations. It influences the future of "*our community*" and the lives of our students as a "*transformative force*." The claim that the Board of Education committed multiple regulatory violations is a significant allegation that may compromise this responsibility. It is crucial that this allegation be presented with complete clarity and precision, specifying which regulations the trustees, in their official capacities as board members, violated. A general statement should not suffice. This is not included in the statement provided by the Superintendent.

The Superintendent asserts that the success of the business office is critical to organizational excellence; however, her statement contains inaccuracies concerning her handling of the Business Administrator/Regina Robinson incident and the Board of Education's subsequent actions. The board acknowledges that although the district's financial administration may have encountered difficulties, attributing them exclusively to Regina without considering the wider context would be unjust. It is imperative to consider the circumstances surrounding the occurrence of these financial inconsistencies and recognize Regina's endeavors to confront and resolve these concerns throughout her term. A comprehensive assessment of the Tenure Charges should be predicated on a precise comprehension of the chronological sequence of occurrences and the measures implemented by Ms. Robinson to enhance the district's financial administration. Additionally, it is critical to specify that attributing JCPS's unnecessary expenditures and penalties exclusively to Regina's mismanagement would be both erroneous and unjust. The notable inadequacies and vulnerabilities discovered in the financial records probably stemmed from systemic problems that existed prior to Regina's tenure as leader.

Furthermore, concerns regarding transparency are raised by the superintendent's omission of the Board of Education's membership composition during the deliberations leading to the decision to grant administrative leave to Ms. Robinson. The subsequent reversal of two board members' initial decision suggests that critical information might have been omitted or distorted, during initial review, thereby compromising the superintendent's accountability. Furthermore, it is worth noting that out of the nine board members who were involved in determining Ms. Robinson's leave, a mere four currently comprise the board. Concerns were also raised regarding due process and impartiality in light of the Superintendent's claim that Ms. Robinson has "at all times" failed to perform her duties since her 2017 hiring, without any prior documentation or corrective actions from previous Superintendents. Allegations of chronic underperformance, according to the Board, should be supported by evidence and a record of documented efforts to rectify the problems, neither of which were present in this instance. When queried about her specific disciplinary actions against the business administrator, the superintendent's utilization of email correspondence to relay performance-related concerns regarding Ms. Robinson was inadequate and cast doubt on the process's comprehensiveness. The Superintendent's assertions were devoid of credibility and failed to illustrate a comprehensive strategy for addressing concerns regarding

an employee's performance, as the emails in question were not presented as evidence. Additionally, the superintendent's admission that staff members are concerned about potential reprisals should the Board fail to safeguard them implies the existence of a hostile workplace atmosphere and ineffective leadership in resolving employee issues. The Superintendent's potential failure to adequately resolve these concerns and establish a secure and courteous work environment could compromise the welfare and legal rights of the employees under her authority. The five members of the Board reached the consensus that the superintendent's management of the business administrator incident gave rise to substantial apprehensions regarding the Jersey City Public Schools' transparency, due process, communication, and employee welfare.

Moreover, it is critical to emphasize that the participation of particular individuals in determinations, such as granting administrative leave to an employee, can have a substantial influence on their vocational standing and future opportunities. Simplifying the situation by attributing the action to all nine board members without considering the intricate dynamics within the board may result in misinformation and injustice towards Ms. Robinson and the more recent board members who are reassessing the situation. Hence, it is imperative to present a more precise and impartial account of the present circumstances by recognizing that the nine members of the board do not all concur unanimously on Ms. Robinson's administrative leave or the certification of tenure allegations against her.

The trustee's email containing the statement regarding Ms. Robinson's reinstatement was predicated exclusively on concerns pertaining to fiscal irresponsibility, specifically the possible inefficiency of expenditures within the district. The trustee's focus on the financial consequences of compensating Ms. Robinson for her stay-at-home arrangement while concurrently remunerating exorbitant fees for interim roles such as acting business administrator, acting assistant business administrator, and consultant exposes possible district resource inefficiencies and misapplication.

The district's decision to maintain Ms. Robinson's salary while also incurring substantial costs for temporary replacements raises doubts as to whether it is implementing the fiscal management best practices advocated by the superintendent. The trustee's apprehension regarding the potential ramifications of this choice on the district's fiscal stability and overall well-being highlights the criticality of exercising prudence and cost-efficiency in decision-making to guarantee the efficient distribution of resources. The district's leadership, which consists of the superintendent and the Board of Trustees, must prioritize the responsible stewardship of taxpayer funds, and conduct thorough financial analyses prior to making decisions.

The superintendent's remark concerning the trustees' conduct at the meeting on February 29, 2024, emphasizes the significance of professionalism, cooperation, and regard between the Board of Education and the superintendent. The importance of a unified governance team that collaborates to promote student success, address community concerns, and govern with respect is underscored by the Superintendent. Adhering to this methodology is crucial in maintaining the tenets of proficient leadership and guaranteeing that every student receives a high-caliber education, as required by the New Jersey Constitution.

However, particularly if the trustees' actions did not entail violence or unlawful activities, the superintendent's use of the term 'coup' to describe their conduct during the February 29, 2024,

meeting might be considered provocative and extreme. It is crucial to provide an accurate account of the events that transpired and to address any concerns or disagreements respectfully and professionally. During the February 26, 2024, meeting of the Caucus, Trustee Ioffe confirmed that she was completely informed of her impending removal. Effective and transparent communication among members of the board is of the utmost importance in cultivating confidence and comprehension among the governance team.

In an effort to discredit the decision to remove Ioffe from her position on the Board of Education as President, the superintendent's statement appears to be predicated on personality issues and retaliation for ethics charges lodged against the 'alleged president' of the 'rogue board' and a lack of sufficient evidence or justification. Nevertheless, the Board members' reaction suggests that the dismissal of Ioffe and Valasquez was not an arbitrary or capricious choice, but rather stemmed from a lack of trust in their capacity to govern the Jersey City Board of Education in an unbiased and efficient manner. The claim that the removal of President Ioffe was motivated by personal grudges or vengeance is disproven by the Board members' declaration that they lack confidence in both her and Trustee Valasquez to administer the organization with integrity and efficiency. The determination was founded upon valid apprehensions regarding the leadership prowess of Ioffe, as opposed to personal animosities or grievances.

Moreover, there is scrutiny regarding the affiliation among the superintendent, Ioffe, and Valasquez, as Board members voice apprehensions that their intimate connections may undermine their capacity to govern impartially and autonomously. The mention of secret dealings and exclusionary practices by the president and vice president by Board members undermines the authority and efficacy of the entire governing body by demonstrating a lack of transparency and collaboration within the Board. The superintendent's decision to adhere to the positions of the deposed president and vice president, disregarding the viewpoints of the remaining board members, gives rise to inquiries regarding the district's emphasis on collaborative decision-making and governance processes. Regardless of leadership transitions, the superintendent must exhibit an unwavering dedication to collaborating with every board member in order to guarantee consensus on critical initiatives and priorities that have an effect on both students and staff. Her apparent support for Trustee Ioffe and Trustee Valasquez, coupled with her suggestion that Ioffe's removal could potentially violate purchasing laws for public entities, gives rise to additional skepticism regarding her objectivity and dedication to collaborating with the entire Board. The responsibility of the Superintendent ought to be to assist and collaborate with the Board in its entirety, irrespective of the particular members occupying leadership roles. She should refrain from taking a stance or developing a personal interest in safeguarding the positions of particular trustees. Undoubtedly, this conduct is disconcerting and signifies an absence of impartiality and openness in the superintendent's methodology regarding administration and choices.

The Superintendent's attempt to evade responsibility and deflect blame onto the Board members is disconcerting, especially considering that she may have operated undetected during the previous administration. This brings into question her genuine motivations and intentions regarding the accusations she has leveled. Her behavior of labeling board members as "rogue" for their audacity to query the decisions of the district administration and think independently is not only derogatory but also indicative of an underlying ambition for authority and a failure to cooperate with the board members. Evidently, the superintendent anticipated that the board

members' endorsement from the teacher's union would result in unwavering allegiance and submission; in other words, they would be converted into rubber stamps rather than critical thinkers who would question and hold the administration accountable, as the teacher's union president had pledged.

The fact that the president of the JCEA used the term 'rogue' to describe board members endorsed by the union, last year for attempting to remove the same president and vice president, shows a disturbing pattern of expecting blind obedience rather than constructive engagement from elected officials. By using this term, the president was essentially sending a message that any questioning or deviation from the prescribed plan would not be tolerated, as demonstrated in March of 2023 at a board meeting. This conduct erodes the autonomy and independence of the board members.

The board members, who are elected to safeguard accountability within the district and represent the community's interests, possess complete authority to scrutinize and contest the decisions made by the administration. Their responsibility is to act in the community's and students' best interests; they cannot simply comply with the superintendent's directives without question. In addition to undermining the democratic process, the superintendent's refusal to recognize the independence and inclination for critical thinking of the board members demonstrates a disregard for the intellectual capacities of those serving on the board. Board members have unequivocally expressed their disinterest in being subjected to control or reduced to mere postage stamps for the agenda of the superintendent.

On the contrary, departing from a meeting during which critical deliberations and decisions were being conducted signifies a lack of regard for the democratic process and the obligations associated with a position of authority in the school district. In the capacity of the Chief School Administrator, the Superintendent bears the responsibility of actively participating in dialogues, attending to apprehensions, and fostering cooperation with the Board in order to guarantee optimal results for the students and the community at large. The superintendent's decision to abstain from engaging in productive discourse and striving for a resolution in favor of walking away potentially eroded the trust and esteem that are fundamental for proficient leadership and decision-making in the district. Although the superintendent's dedication to the educational system's prosperity is noted, her absence from a public meeting gives rise to apprehensions regarding her capacity to lead and collaborate with the board in a manner that is both *transparent* and *accountable*.

Moreso, superintendent's commendable accomplishments and initiatives in the JCPS regarding the improvement of labor relations, sustainability efforts, mental health services, community schools, and infrastructure upgrades demonstrate a dedication to enhancing students' educational experiences as a whole. Nevertheless, it is of the utmost importance to attend to the outstanding issues pertaining to diverse facets of the district's functioning and associations. Although the Superintendent acknowledges that labor harmony has been achieved with the majority of unions in the district, lingering concerns regarding the district's relationship with certain union representatives must be resolved. Cultivating positive and cooperative associations with all constituents of the union is critical for sustaining communication, cooperation, and mutual comprehension throughout the decision-making procedures. Noting the establishment of mental health clinics and full-service community schools in economically disadvantaged communities,

the Superintendent emphasizes the significance of these initiatives in addressing the families' and students' holistic requirements. To ensure positive outcomes for all students, however, concerns regarding the efficacy of these programs, the quality of services rendered, and the fair allocation of resources among community schools must be thoroughly assessed and resolved. Although it is critical to invest in infrastructure improvements to ensure safe and conducive learning environments (e.g., furnace replacements, facility enhancements, and roof repairs), concerns have been raised regarding the district-wide consistency and equity of these repairs. Prioritizing maintenance and restorations are of utmost importance in order to guarantee that students in all locations have access to secure and well-kept facilities. Although the superintendent's list of achievements demonstrates progress in several facets of district operations, it is imperative to acknowledge and tackle the outstanding issues and obstacles in order to guarantee a thorough and fair educational journey for every student in the Jersey City Public Schools.

In order to advance the district's student outcomes, it will be essential to cultivate effective communication, address concerns openly, and prioritize collaboration among all stakeholders. These practices will also serve to maintain employee morale and contribute to the promotion of a positive work environment. Supporting the overall success of the school community, the superintendent can foster a culture of trust, respect, and openness by valuing diverse viewpoints and assuring inclusive decision-making processes.

In this case, though, it is evident that the superintendent is employing inflammatory language in an effort to influence public opinion and instill a sense of urgency regarding the Board of Education members' alleged violations. Nevertheless, her assertions appear to be grossly exaggerated and inaccurate in depicting the true circumstances. Detective Dejon Morris' invitation of the public to the budget meeting, without inciting violence or peril, indicates that the superintendent might be manipulating the facts to further her own agenda. Moreover, the superintendent's apparent preoccupation with expediting the implementation of her one-billion-dollar budget rather than attending to community concerns and requirements and ensuring a secure and efficient atmosphere for all is cause for concern. Furthermore, her lack of response to Detective Morris' attempts to discuss the budget and other crucial matters following the February 29, 2024, meeting, does not indicate a dedication to carrying out the plans outlined in her statement.

Approaching these circumstances with transparency, honesty, and an authentic dedication to serving the best interests of our pupils, staff, and community is of utmost significance for the superintendent. It is imperative that she places collaboration and communication with all stakeholders as a top priority, abstaining from the use of provocative language and manipulation. To be more precise, it is critical to contemplate the subsequent aspects:

1. **Insufficient Transparency:** The superintendent's dearth of response to Detective Morris's inquiries regarding the budget and other significant issues demonstrates a deficiency in transparency pertaining to her decision-making and communication procedures. This lack of transparency has the potential to undermine community trust and generate unwarranted tension and conflict.

2. **Misrepresentation of Facts:** The superintendent's assertion that Detective Morris instigated hazardous conduct during the February 29 meeting constitutes a misrepresentation of facts, which may harm the reputations of both Detective Morris and the Board members. Misrepresentations of this nature have the potential to erode trust and hinder collaboration among members of the district.
3. **Adherence to Personal Agenda:** The superintendent's emphasis on expediting the implementation of a one-billion-dollar budget while neglecting community concerns and ensuring a secure environment for all implicated individuals prompts inquiries into her underlying motivations and priorities.
4. **Absence of Collaboration:** Collaborative efforts and transparent discourse among all parties involved—board members, personnel, students, parents, and community members—are essential for effective leadership in education. The superintendent's lack of response to Detective Morris's inquiries regarding the budget and other Concerning purported Board member violations and ensuring the district's safety and well-being, the superintendent's strategy seems flawed and potentially divisive.

Consistency in judgment, sincerity, and a sincere dedication to the collective welfare of the school community are attributes that educational leaders must manifest. Moreover, the superintendent's choice to lodge a complaint against Regina Robinson, the Business Administrator, in contrast to the Board's position on withholding certification of tenure charges, gives rise to apprehensions regarding her readiness to engage in productive collaboration with fellow leadership team members. The observed divergence in methodology implies possible obstacles in cultivating a cohesive and effective collaborative rapport within the district. It appears that both the superintendent and the board members are driven by a dedication to the welfare of the students and the Jersey City community. Nonetheless, divergent viewpoints regarding the optimal course of action and governance methodologies emphasize the necessity for all stakeholders to engage in transparent communication, collaborate, and work together in order to guarantee the effective functioning of JCPS.

The statement issued by the superintendent underscores the core tenet that each child is entitled to an exceptional education that enables them to attain their utmost capabilities. Her commitment lies in fostering an atmosphere that promotes the academic, emotional, and social development of every student through collaboration with faculty, staff, parents, and community partners. In order to ensure a secure environment for all stakeholders, the Superintendent emphasizes the significance of Board of Education leadership decisions being made in the best interest of students, teachers, and the community. He calls for a thorough evaluation of any potential wrongdoing and the implementation of suitable corrective measures.

In response, the members of the Board reaffirm their collective dedication to ensuring that every student in Jersey City receives an education of the utmost caliber. They indicate a dearth of support for the leadership of Natalia Ioffe and Noemi Valasquez by stating that the majority of the Board has lost faith in them. Notwithstanding the Superintendent's disillusionment with the board's verdict, the members emphasize the criticality of self-governance and the ability to select

leadership that is in accordance with the majority's vision for the board's trajectory, with a particular emphasis on safeguarding the welfare of the community and children. The Board members express a readiness to acknowledge and rectify any instances of improper behavior, while also placing significant emphasis on the ability to select leadership that they deem most suitable for advancing the district's objectives. A desire for autonomy in decision-making processes and a dedication to ensuring that the leadership structure reflects the values and priorities of the broader Board membership are implicit in the board's position.

Respectfully submitted,

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