

1 **CHAIRMAN LILLEY:** Mr. Ashby and Mr. Fox,  
 2 we appreciate your coming today. I believe our  
 3 procedure has been that we swear our witnesses,  
 4 and also This is a closed meeting. We say nothing to the  
 5 press on our own initiative. Our transcript  
 6 eventually becomes public after we file our  
 7 report but not before. Anything that is said to  
 8 the press you will say it if you care to say it.  
 9 If we are asked anything, we just say that you  
 10 had appeared today.

11 **MR. JAFFE:** Will the record note that Mr. Fox  
 12 is present with Mr. Ashby, Mr. Fox is counsel to  
 13 the Board of Education. Is that right, sir?

14 **MR. FOX:** That's right.

15 **MR. MEYNER:** For how many years?

16 **MR. FOX:** Since Adam.

17 Whereupon,

18 **HAROLD J. ASHBY** there are eight  
 19 called as a witness, first duly sworn, testified as follows:

20 **EXAMINATION**

21 **By Mr. Jaffe:**

22 **Q** Mr. Ashby, I wondered if you could give us your  
 23 full name, your present position in public life, and just  
 24 a brief sketch of your educational and employment background.

25 **A** Harold J. Ashby; address: 236 Custer Avenue,

1 Newark, New Jersey. I am presently the chairman of the  
2 New Jersey State Parole Board; also a member of the  
3 New Jersey Bar; a graduate of Rutgers undergraduate school  
4 and also Rutgers Law School.

5 Q And do you have another position with the Board  
6 of Education?

7 A I am president of the Newark Board of Education.

8 Q I wonder if you can just briefly describe for us  
9 the make-up of the Board of Education and its functions  
10 in the City of Newark.

11 A The Board of Education of the City of Newark is  
12 appointed by the mayor pursuant to statutory authority.

13 It consists of nine members, the terms being for three  
14 years, and the terms of three members expiring annually.

15 Its responsibility is the same as that of all other boards  
16 of education in the State of New Jersey in that it is  
17 responsible for the educational system in the city, in  
18 the school district. At the present time there are eight  
19 male members and one female member of the Board of Education.

20 Q Could you tell us the racial composition of the  
21 board, the number of Negroes, Puerto Ricans, white members?

22 A There are three Negroes, one Spanish-speaking  
23 member, and the others are white.

24 Q What is the background of the appointments of the  
25 Board of Education? Are they educators? Business people?



1 people in the community? What is the general background  
2 if you can tell us?

3 A The members are appointed by the mayor and, as  
4 the statutes indicate, the requirement to be a member of  
5 the Board of Education is only the need to be able to read  
6 and write so, therefore, generally everyone is eligible  
7 to be appointed. The criteria, therefore, is one  
8 established by the executive of the city.

9 Q The membership of the present Board of Education,  
10 are there any educators on the Board of Education? Give  
11 us a brief description of the background of the people  
12 that are presently on the Board of Education.

13 A I will have to write these down. Mrs. Churchman,  
14 Gladys Churchman, is a social worker; John Cervase, an  
15 attorney; Manuel Moran, teacher; Alan Krim, I would say  
16 teacher and a social worker; Doctor Garrett, physician;  
17 Gerald McKinn, an analyst with the Prudential Insurance  
18 Company; A. Thomas Malanga, a retired plumber, in the  
19 plumbing business; Stanley Stolowski, who has a public  
20 relations firm.

21 Q Tell us how the board functions. Does it function  
22 through committees and, if so, what kind of committees and  
23 the method of operation.

24 A The method of operation is by committee. There  
25 are three standing committees, each committee consisting of

1 three members with the president being ex officio of all  
2 committees. I am the third member on the Instruction  
3 Committee. The other two are Buildings and Grounds and  
4 Finance.

5 These committees meet during the month as required in  
6 order to handle the business in the respective jurisdictions.  
7 Then once a month the entire board meets in order to  
8 consider all committee reports. After all committee reports  
9 have been reviewed, then the board meets at its public  
10 meeting the last Tuesday in each month.

11 Q I wonder if you could give us your views -- the  
12 Commission has heard extensive testimony -- on the proposed  
13 appointment by the mayor of Mr. Callahan, the secretary  
14 of the Board of Education. I wonder if you could tell us  
15 your views (a) on the function of the job of secretary,  
16 Board of Education, and your views on the Parker-Callahan  
17 situation which this Commission has heard extensive  
18 testimony on.

19 A As I view the position of secretary of the  
20 Board of Education, I consider it to be an important  
21 position. At the present time our budget is \$52,000,000,  
22 in terms of operating budget. This is aside from federal  
23 funds, with an additional \$6-7,000,000 in federal funds.  
24 So, therefore, as I view this position, this individual  
25 is the general accountant for the Board of Education in



1 handling some \$58,000,000, and in view of the fact that  
2 there is a necessity for these various programs to be  
3 maintained separately in terms of accounting and all the  
4 other techniques, I felt that this position should be  
5 filled by an individual who has had training in accounting,  
6 finance and business, and who also has some experience in  
7 budgeting because the secretary's office is also  
8 responsible for placing all of the requests, the programs  
9 of the superintendent in budget form. So, therefore, I  
10 think this person should also have some knowledge of  
11 budgeting, accounting, finance.

12 I think it is a key position in the Board of Education  
13 because although it is not involved directly in the  
14 instructional program, I think it affects the instructional  
15 program because the efficiency with which their office  
16 operates will affect the morale and efficiency of our  
17 instructional program.

18 With respect to the successor to Mr. Hess, I don't  
19 know exactly what you mean in terms of my views as to  
20 this. If you want to be more specific --

21 MR. MEYNER: Can we have a little something  
22 about Mr. Hess? What are his qualifications and  
23 what did he do?

24 THE WITNESS: Mr. Hess was a former member  
25 of the Board of Education, and I think he was also

1 a former deputy mayor of the City of Newark. I  
2 am not sure whether he went from deputy mayor to  
3 secretary or from Board of Education member to  
4 secretary, but he went from one of those positions  
5 to the position of secretary.

6 I think he also had some background in the  
7 field of education. However, I don't think we  
8 can compare Mr. Hess's coming into this position  
9 with the position as we now find it.

10 MR. MEYER: How many years had he served?

11 THE WITNESS: Back in the forties I believe.  
12 The exact date I don't know, but I know at the  
13 time Mr. Hess became secretary the budget of the  
14 Newark Board of Education was approximately  
15 \$10,000,000, and it was a relatively simple matter.  
16 We didn't have all the complex problems facing us  
17 in this position of secretary.  
18 as today. For example, we are now moving into  
19 machine accounting. We are placing everything in  
20 the electronic equipment for all of our purchasing.  
21 We are going to do all of our scheduling, and  
22 this is under the secretary's office. This  
23 requires a knowledge of accounting. For example,  
24 we have two assistant secretaries and each of  
25 them is required to have a degree in accounting.  
So it has always been my position that the



1 individual who would be the secretary should at  
2 least have as much educational background and  
3 training as those whom he is supervising because,  
4 as I indicated in conference, if there is a  
5 question in the office of who is going to do  
6 something, and in terms of these assistant  
7 secretaries if this individual is not trained  
8 in accounting, finance and business, it would  
9 not be good.

10 MR. MEYNER: Were you consulted by the mayor  
11 prior to his suggested appointment of Mr. Callahan?

12 THE WITNESS: In conference with the  
13 Board of Education it was indicated that  
14 Mr. Callahan would be interested in the position,  
15 and it was suggested that the Board of Education  
16 give consideration to Mr. Callahan for the  
17 position of secretary.

18 MR. DRISCOLL: The appointment is made by  
19 the board, is it not?

20 THE WITNESS: That's correct.

21 MR. DRISCOLL: Not by the mayor?

22 THE WITNESS: That's correct.

23 MR. MEYNER: In theory.

24 CHAIRMAN LILLEY: You can occasionally go off  
25 the record if you think it would clarify for us.

1 question of **MR. MEYER:** Then I will strike "in theory."  
 2 a full-year **CHAIRMAN LILLEY:** Would you clarify that off  
 3 the record?

4 **THE WITNESS:** I will say this for the record.  
 5 As I said before, the mayor had indicated --

6 because this has been in the newspaper, this is  
 7 public information -- that he had suggested to  
 8 the Board of Education that Mr. Callahan be given  
 9 consideration for the position of secretary. Of  
 10 course, it never came to a formal vote because  
 11 of certain conditions that arose in the community.  
 12 However, there were those individuals on the  
 13 board who were willing to vote in favor of  
 14 Mr. Callahan and, of course, there were those  
 15 of us who were opposed to his appointment.  
 16 By Mr. Jaffe: I say, in November, 1954, and

17 **Q:** Does the Board of Education also appoint the  
 18 school superintendent? Is that an appointment made by  
 19 the Board of Education? Is there of a twelve-month year in  
 20 term? **A:** That's correct.

21 **Q:** Was Superintendent Titus appointed during your  
 22 reign as president of the board?  
 23 **A:** He was appointed superintendent during the time  
 24 I have been president.

25 **Q:** I wonder if you would give us your views on the



1 question of keeping the Newark school system operative on  
2 a full-year basis. What are the problems involved? Do  
3 you think it would be a practical suggestion specifically  
4 for special classes, remedial classes and that kind of a  
5 situation?

6 A When you are thinking of a twelve-month year, I  
7 think you have to define it in terms of what type of  
8 program you are talking about. If you are thinking in  
9 terms of our regular instructional program, this gives  
10 rise to many problems in terms of, for example, we have  
11 77,000 students in the City of Newark, and if we are  
12 thinking in terms of a twelve-month year, we would of  
13 necessity have to think of at least one month or a  
14 vacation, and this would mean a staggered vacation period  
15 and we would have the problem of some of our students being  
16 on the streets, we will say, in November, December and  
17 January and other months, which I don't think would be a  
18 wise policy.

19 If you are thinking in terms of a twelve-month year in  
20 terms of our introducing various remedial programs and  
21 other compensatory programs during the summer, then,  
22 of course, this should be done. We are doing it now to  
23 the extent we can within the framework of the funds we  
24 have available. However, if we had more funds, I am quite  
25 sure we would have a more extensive program than we



1 therefore, could not give an opinion. However, I would  
presently have.

2 Q I gather you would be in favor of a full year  
3 operation.

4 A I would be in favor of a full year operation, but  
5 I want to know the type of program. I think there are  
6 schools that should be operating more than they are at  
7 the present time. At the present time we have plants  
8 worth millions, and they are operating from eight-thirty  
9 to four o'clock. Perhaps we ought to be using them for  
10 more hours and also during the summer.

11 Q I wonder if you would give us your views -- I am  
12 sure you are familiar with the Bundy proposal in New York  
13 on the decentralization of the school system. I wonder  
14 what your views would be on a similar approach in theory,  
15 not necessarily in practice, as applied to the Newark  
16 school system: (a) Do you think there is a need for it?  
17 (b) If you think there is a need, do you think the Bundy  
18 approach is the right kind of approach for Newark, or what  
19 suggestions do you have?

20 A In the absence of having studied the Bundy report  
21 I would not be in a position to give an opinion.

22 Q Do you have an opinion as to whether or not there  
23 is a need in Newark for decentralization of the school  
24 system? As you know, Mr. Ashby, there had been quite a  
25 debate

A That is a problem that I haven't studied and,



1 therefore, could not give an opinion. However, I would  
2 say this: That there is a need in Newark as in every  
3 urban community for more community involvement in our  
4 schools, and I think this is what is being attempted through  
5 the Bundy program or proposal to get, and that is  
6 community involvement. I don't know whether that is going  
7 to be successful or if that is the actual approach that  
8 you could use.

9 Q What would be your thoughts on the type of  
10 community involvement and how you would approach it? Do  
11 you have any thoughts in that area to share with the  
12 Commission?

13 A I think this must be developed at the local  
14 level. When I say local level, I mean within the framework  
15 of a particular school and, of course, the key to this is  
16 the principal and the instructional staff of that school.  
17 I think you have to develop those types of programs and  
18 those types of endeavors which are going to bring the  
19 community and the school closer together.

20 We are attempting in our Camden Rutgers project, and  
21 I think the Commission is familiar with that, to do  
22 something of that nature, bringing the community and the  
23 school into closer relationship.

24 Q As you know, Mr. Ashby, there had been quite a  
25 debate in the public press and in the educational field

1 as to the question of whether or not integration now is  
2 desirable from the standpoint of a school system like  
3 Newark as opposed to or in conjunction with the concept of  
4 massive aid to ghetto schools. I wondered if you would  
5 like to give us your views as to these concepts, which ones  
6 you were in favor of and which you think have the most  
7 chance of success in the immediate future in improving the  
8 educational system.

9 A In Newark it is not a matter of a choice. We are  
10 a de facto segregated district and, therefore, we can think  
11 only realistically in terms of compensatory education, in  
12 terms of massive aid for students. Until such time as there  
13 is a change in district lines we cannot even think in terms  
14 of integration.

15 Q What would be your views, assuming the state  
16 were to adopt a changing policy in terms of revamping  
17 school districts, to give a city like Newark an option to  
18 integrate with a community like Irvington or South Orange  
19 in terms of exchanging students and teachers? Do you  
20 think this would be a feasible and a worthwhile approach  
21 at this time?

22 A It is my understanding that there is an obstacle  
23 to such a procedure at the present time. In other words,  
24 if two districts were to decide they are going to exchange  
25 students, this can be done at the present time.



1 what I am referring to is the change of the district  
 2 you are talking about.  
 3 lines so that our district is no longer one that is  
 4 circumscribed by Newark's boundary lines. Until you get  
 5 some change in those district lines, that is the only way  
 6 you are going to achieve integration. For example, if the  
 7 Hillside-Weequahic area were a school district, there you  
 8 could achieve integration, but presently you can't within  
 9 this framework in Newark.

10 Q I think my question was not artfully put.  
 11 Assuming that the Weequahic area, that district in the  
 12 Hillside community could achieve an agreement whereby  
 13 there could be an exchange between Hillside and Weequahic,  
 14 in your position as the head of the Newark Board of  
 15 Education would you be opposed to this kind of thing? Do  
 16 you think this is a practical kind of approach?

17 A I would not be opposed to it, but I think we would  
 18 have to take into consideration the age of the students  
 19 involved. I am quite sure there are many parents,  
 20 particularly of kindergarten and the elementary grades,  
 21 who would not want their children bussed out of the  
 22 neighborhood, and there are those who are perhaps of high  
 23 school age, secondary schools, that would be very willing  
 24 to be bussed to another community.

25 Q I gather your view is the question of bussing  
 becomes more feasible depending upon the age of the student  
 children?

1 you are talking about.

2 A That's correct.

3 Q Assuming that there was a mass infusion of  
4 money into the Newark school system in terms of  
5 strengthening the school system, what are the kinds of  
6 things that you think could be done or should be done?

7 A Of course, the mass infusion of money I would  
8 be with respect to capital funds as well as operating  
9 funds because I am quite sure you are aware of the fact  
10 that we are now some 10,000 pupil stations short and until  
11 such time as we have a seat for every child, our other  
12 programs can't be as effective as they should be. If we  
13 can get some additional 10,000 pupil stations then couple  
14 that with a mass infusion of monies, then we can have a  
15 more effective program.

16 Q How critical a situation is it in the City of  
17 Newark when you are 10,000 pupil stations short?

18 A Very critical because we now have in some of our  
19 schools part-time classes up to the fifth and sixth grades.  
20 This means that a child loses one day of education for  
21 every week that he attends school. We are bussing Newark  
22 approximately 2,500 students each year from overutilized  
23 schools to underutilized schools.

24 Q Are the children you bus younger or older  
25 children?



1 ground A: They are usually children that may be in the  
2 fifth, sixth, seventh grades.

3 It also means we have an extended day in our  
4 high schools. It means that we can't have our classes  
5 that are not overcrowded. It just means that we can't  
6 conduct the type of educational program we would like in  
7 these buildings. Not only are we short some 10,000 pupil  
8 stations, but then there is a question of the age of our  
9 buildings. We have approximately 72 buildings, and I  
10 think four of them more than 100 years old. Probably  
11 two-thirds are more than 50 years old. We do not have  
12 operating funds in order to keep them in the condition  
13 in which they should be and, of course, these buildings  
14 were constructed at a time when you did not have the  
15 educational programs we have now. Therefore, in many  
16 instances your program itself is limited by the fact  
17 that your building is not so structured that it will lend  
18 itself to the type of endeavor that you would like to put  
19 into effect.

20 Q Are there any other projects similar to the  
21 Camden Project now being undertaken in the City of Newark  
22 or planned for it?

23 A Not comparable because Rutgers Camden is unique  
24 in the United States, but we do have the Victoria Foundation,  
25 which involves the Cleveland Street School, whereby that



1 foundation has contributed a sizeable sum of money to an  
2 infusion of services at that particular school.

3 We also have our Expanded Opportunities Program at  
4 West Kinney. We have various other pilot programs around.  
5 We have the Education Center for Youth for the dropouts,  
6 but I think the most significant thing that is happening  
7 in the city as far as I am concerned is the Rutgers Camden  
8 Project.

9 Q I gather you would be in favor of that kind of  
10 a project being expanded on a much larger basis.

11 A I don't think it needs to be expanded. I would  
12 just like to have it funded through the fullest where  
13 it is presently because what it developed there, of course,  
14 will be applied generally in the city if it is proven to be  
15 successful. So we wouldn't want to expand it until it  
16 has had an opportunity to be tested.

17 Q Just for the record, what would be the figure on  
18 capital improvements that the City of Newark needs, a  
19 minimum figure to handle all the pupils presently are in  
20 the school and the projection for the next five or ten  
21 years?

22 A In terms of 10,000 pupil stations it probably  
23 would be about a forty-one million dollar program. But in  
24 terms to provide us with the type buildings we need,  
25 probably \$200,000,000.



1 Q I wonder if you would also like to comment on the  
2 state aid formula that is presently in existence, the  
3 amount of aid that Newark receives under it and your views  
4 as to whether or not you think it should be revised and,  
5 if so, how.

6 A I am not a technician in this area. I am not  
7 able to comment on the formula itself. All that I can say  
8 is there is a great need in the City of Newark for  
9 additional state aid. We now have the highest tax rate  
10 in the country. Our operating budget is about  
11 \$52-53,000,000. It should be much higher in terms of  
12 the problems and the challenges we are facing in this  
13 system, if the funds aren't available. So all that I can  
14 say is I don't know how it should be done and what formula  
15 to suggest, but I think anyone who has had an opportunity  
16 to survey our schools or to look at our needs knows we  
17 need additional funds. The city just doesn't have the  
18 money. So it must come from the state or from the federal  
19 government.

20 MR. LEUCHTER: If you had this extra capital  
21 fund in order to construct the classrooms to  
22 provide the minimum number of pupil stations  
23 that are needed, have you then estimated on that  
24 basis what additional operating funds you would  
25 need?

1 By THE WITNESS: I wouldn't have a specific  
 2 figure that I can give you, but we heard some  
 3 testimony on how severe in the Harringer crisis, the polar-  
 4 ization generally. Do you think that an organization or  
 5 indicative of some deep-seated problems in the Newark  
 6 school system, or what kind of a perspective do you give  
 7 it in?

8 A I think what is happening in Harringer reflects  
 9 in a sense what is happening in the community and if we  
 10 had a community in which there wasn't the tensions and  
 11 in which there wasn't the polarization, I don't think you  
 12 would find it within the school itself. So I think what  
 13 you have in Harringer is really a reflection of the commu-  
 14 nity in that particular area.

15 Q How that made the problem of education in a  
 16 school like Harringer much more difficult?

17 A Oh, yes. Of necessity when you have a school  
 18 where the tensions are such as they are at Harringer, it  
 19 affects the faculty, the students, education generally.  
 20 But we are hopeful this will subside and we will be able  
 21 to proceed as we have in the past.

22 Q It is my understanding, Mr. Ashby, that Newark  
 23 uses the promotional examination system for teacher pro-  
 24 motion for principal and assistant principal, is that right?

25 A That's right.



By Mr. Jaffe:

1  
2 Q Another area that the Commission has heard some  
3 testimony on has been in the Barringer crisis, the polar-  
4 ization generally. Do you view that as symptomatic or  
5 indicative of some deep-seated problems in the Newark  
6 school system, or what kind of a perspective do you place  
7 it in?

8 A I think what is happening in Barringer reflects  
9 in a sense what is happening in the community and if we  
10 had a community in which there weren't the tensions and  
11 in which there wasn't the polarization, I don't think you  
12 would find it within the school itself. So I think what  
13 you have in Barringer is really a reflection of the commu-  
14 nity in that particular area.

15 Q Has that made the problem of education in a  
16 school like Barringer much more difficult?

17 A Oh, yes. Of necessity when you have a school  
18 where the tensions are such as they are at Barringer, it  
19 effects the faculty, the students, education generally.  
20 But we are hopeful this will subside and we will be able  
21 to proceed as we have in the past.

22 Q It is my understanding, Mr. Ashby, that Newark  
23 uses the promotional examination system for teacher pro-  
24 motion for principal and assistant principal, is that right?

25 A That's right.

1 That Q There have been some criticisms leveled at that  
2 by educators in the field that that has been a method of  
3 preventing Negro participation at an administrative level  
4 in the school system. I wonder if you would care to  
5 comment about your views on it. Do you think it is a  
6 sound system and do you think that criticism is justified  
7 or not?

8 A At the present time a committee has been  
9 appointed composed of the superintendent and represent-  
10 atives of his staff, the Newark Teachers Association,  
11 the Newark Teachers Union and the Organization of Negro  
12 Educators. This committee is reviewing the entire  
13 examination procedure.

14 One of the allegations is that the examination is  
15 unfair to Negro teachers. We are hopeful that this  
16 committee will make the type of study and analysis of that  
17 examination to determine whether or not it is unfair.

18 At a recent meeting of the Board of Education it  
19 was proposed that certain substitutes in our system,  
20 individuals who had not passed the examination, be more  
21 or less blanketed in without taking the examination, that  
22 is the written portion thereof. I opposed to that  
23 particular move at this time because I consider it to be  
24 premature in the absence of a thorough-going analysis  
25 having been made of our examination procedure. I feel



1 that there may be areas of the examination which are  
2 perhaps unfair to some candidates, but as I indicated to  
3 the individuals that had made this proposal, I wanted  
4 this analysis of the examination procedure to include also  
5 a review of the test results in terms of I would want to  
6 know, for example, whether or not the candidates are fail-  
7 ing in the areas of mathematics or other areas, or are they  
8 failing in the areas of cultural arts, things of that  
9 nature. There may be certain disadvantages associated  
10 with a certain group with respect to certain areas.

11 However, before we make such a conclusion that the exam-  
12 ination is unfair, I think we should make a thorough-going  
13 examination. *a teacher who passes the examination?*

14 Of course, I should also indicate that with respect  
15 to the procedures that applied in the past I do feel that  
16 there may have been some discrimination with respect to  
17 the examination procedure. *whether or not you are going to*  
18 *adhere to* It is also my understanding that the Newark  
19 School System has a figure of about twenty-twenty-five  
20 percent substitute teachers on a normal basis. I under-  
21 stand that is an abnormally high comparison with other  
22 cities throughout the country and New Jersey. Is my  
23 understanding correct and, if so, could you explain why?  
24 *be to A* I would like to explain it to you. Newark is  
25 the only district that has the examination procedure.

1 Individuals who are considered substitutes in our Newark  
2 system would be regularly employed teachers if they were  
3 in another district. A fully certified teacher who has  
4 met all the state requirements who fails our Newark  
5 teacher's examination and is employed by us would be a  
6 substitute. That same teacher fully certified going into  
7 another district would have an interview with the super-  
8 intendent of schools and be employed as a fully certified  
9 teacher without the substitute status. It is only because  
10 we have this examination does it give rise to the substitute  
11 status.

12 Q Is the pay for a substitute teacher the same as  
13 the pay for a teacher who passes the examination?

14 A No, it is less.

15 Q Does it reduce your operating costs?

16 A No, it isn't a factor of reducing the operating costs;  
17 it is a matter of fact of whether or not you are going to  
18 adhere to your examination procedures.

19 I also should mention there are two other types of  
20 substitutes -- an individual with a liberal arts background  
21 or degree who hasn't had the benefit of the educational  
22 courses coming into our system would not be fully  
23 certificated although a college graduate and still would  
24 be termed a substitute.  
25 Then again there is another type of substitute, an



1 individual who has at least ninety credits or more who has  
2 a limited certificate from the state and is employed as a  
3 teacher in our system. That, too, is a substitute.

4 So that MR. MEYNER: A majority of the present  
5 consider Board of Education could change this examination  
6 because of procedure and hire teachers without the exami-  
7 person is ation, could they not? should have no difficulty

8 in passing the THE WITNESS: That's correct.

9 By Mr. Jaffe: to the matter of revamping the  
10 certifi There has been quite a discussion among educators  
11 of removing the certification process to some extent or  
12 making it a much more malleable process particularly for  
13 using part-time teachers, people with expertise in  
14 particular areas, be they in business or be they housewives,  
15 and coming into the school system on a part-time basis for  
16 a particular subject matter. I wonder if you have any  
17 thoughts about this whole concept of revamping certifi-  
18 cation and allowing this type of teacher in the system.

19 A Prior to answering your question on revamping  
20 the certification I would like to go back for one moment  
21 to the examination procedure and point out the fact that  
22 the passing score for the Newark teacher's examination is  
23 at the fifteenth percentile, which means that eighty-five  
24 percent of all people who take the examination get a higher  
25 score than that which is required by the Newark Board of

1 Education. So, therefore, when a person fails, he is in  
2 the bottom fifteen percent. Therefore, we are reaching  
3 pretty low in terms of our teacher requirements.

4 So that is one of the reasons the board wanted to  
5 consider very carefully this matter of eliminating it  
6 because of the fact that the score is so low that if a  
7 person is properly prepared, he should have no difficulty  
8 in passing the examination.

9 Now, with respect to the matter of revamping the  
10 certificates, I think this should be reviewed carefully,  
11 but I would not want to express an opinion because I  
12 think this is a matter for the state. However, we could  
13 use the services of various individuals in our schools in  
14 certain specialties if they were certified.

15 Q Along an area of special services does the  
16 Newark school system provide psychologists and social  
17 workers and other service people to the students? Is  
18 that a part of the services you give?

19 A These are part of the services, but I should  
20 state that they are wholly inadequate.

21 Q Would you expand on that, please?

22 A Due to a lack of funds we are not able to employ  
23 the number of psychologists, the number of social workers,  
24 the number of other individuals who are furnishing this  
25 type of service in our schools.



1 Secondly, due to lack of funds we are not able to pay  
2 the type of salaries to attract these individuals into our  
3 system.

4 Q Does the Newark school system also have special  
5 classes in terms of children with special problems, be  
6 they whether in terms of retardation or in terms of  
7 perceptibility problems? Do you have that type of special  
8 programs and, if so, do you think they are adequate or  
9 inadequate?

10 A We conduct eleven special schools which cover  
11 various types of problems, schools for the deaf, schools  
12 for the blind, schools for various levels of mental  
13 retardation, schools for the physically handicapped and,  
14 of course, within the framework of some of our regular  
15 schools there are special classes. Here, too, we need  
16 additional help, additional funds in order to carry on  
17 the type of program because unfortunately most of your  
18 special service schools are housed in our oldest buildings  
19 and the elementary schools have been vacated and turned  
20 over to the special services section. I think four of  
21 them are over one hundred years old.

22 Q What are your views on vocational education?  
23 Do you think there should be more of it or less of it?  
24 What are your views as to how it fits into the Newark  
25 school system?

1 A I think there should be more vocational and  
2 occupational training. I think too many of our students  
3 are being graduated without any skills, saleable skills.  
4 For that reason I think we ought to have perhaps an  
5 occupational high school and, in addition thereto, we  
6 should have an occupational program within the framework  
7 of our comprehensive schools.

8 Q I understand some other communities have a  
9 program which is a marriage between business and the  
10 school system in terms of jobs whereby while in the latter  
11 part of the high school education students are also work-  
12 ing part-time, and this is a process of fitting a student  
13 to a job and also getting him used to a work experience.  
14 Does Newark have such a program?

15 A Yes. There again it is on a limited scale, but  
16 we have it in three of our high schools, a work study  
17 program where students will work a half of day and be in  
18 business or industry for a half a day.

19 Also there is our Education Center for Youth where  
20 the school is designed specifically to attract back into  
21 the educational framework the dropout. There the students  
22 will work a week in industry and go to school for a week.

23 Q Have those programs been successful?

24 A The programs have been successful, but they  
25 should be expanded many fold.



1 Q When you say on a limited basis, could you give  
2 us an idea how limited?

3 A This would probably involve maybe one hundred or  
4 one hundred fifty students at a particular high school.

5 post: MR. JAFFE: I have no further questions.

6 small CHAIRMAN LILLEY: Any questions?

7 the MR. DRISCOLL: I would like to get back to  
8 the discussion you had with respect to the  
9 Callahan appointment. Did I understand you to  
10 say that you were not in favor of that employ-  
11 ment? the black ghetto in contrast to the

12 white: THE WITNESS: That's correct.

13 qual: MR. DRISCOLL: Were you in favor of the  
14 appointment of Parker? schools in general I do

15 not: THE WITNESS: The position I took was this  
16 with respect to this matter: initially when the  
17 name of Mr. Callahan was proposed there were no  
18 other candidates at that time who were interested  
19 in the position. I indicated that at the time  
20 I was opposed to Mr. Callahan because he was  
21 not qualified for the position. It was not a  
22 question of race; it was a question of qualifi-  
23 cation. I felt the man lacked the training,  
24 the educational background to fill the position.  
25 Mr. Parker's name did not come into the picture

1 until some time later, and at that time I have  
2 never expressed a view as to Mr. Parker.

3 I would say this: that certainly in my  
4 view he is a man who is qualified for the  
5 position, and should the position ever be  
6 available in the future, he would be one of  
7 the individuals I would be hopeful that the  
8 board would consider for the position.

9 MR. BRISCOLL: With respect to the schools  
10 which are located in what we will call for the  
11 moment the black ghetto in contrast to the  
12 white ghetto, is it your opinion that the  
13 quality of the teaching is lower in those  
14 schools than in other schools in Newark? I am  
15 not trying to lead you; I am just trying to get  
16 your opinion as to how you feel with regard to  
17 the quality of teaching at these schools.

18 THE WITNESS: I would have to know more in  
19 this area to say how we are going to measure  
20 teaching. If we are going to measure teaching  
21 on the basis of the standard reading test or  
22 the standard arithmetic test, in terms of relat-  
23 ing these schools to the national norm, you  
24 will find that these schools generally are all  
25 in this same standard or level perhaps. I



1 would be reluctant to say that the quality of  
2 teaching is different. You have different  
3 students in different schools. Students come  
4 with a different background, different training.

5 I can say this, and this is one of the  
6 charges of the community: the fact is that in  
7 these schools that are located in the inner  
8 city you normally find more of the substitute  
9 teachers than you find in some of the schools  
10 in the outlying areas of our city. So for this  
11 reason the community says that the level of  
12 teaching is lower because you have more substi-  
13 tutes in this particular school than you have  
14 in x school which is located on the fringe. So  
15 if you are going to use the number of substitutes  
16 as a basis for determining the level of teaching,  
17 then you can say yes. But if you are using  
18 some other criterion, your answer might be no.

19 ~~other~~ MR. DRISCOLL: The substitute teacher does  
20 not have tenure? ~~at one particular school~~

21 ~~system~~ THE WITNESS: That's correct, how bad.

22 ~~is~~ MR. DRISCOLL: So that he or she serves at  
23 the will of the superintendent and the school  
24 board? you are rather proud of some of the

25 ~~thing~~ THE WITNESS: That's correct.

1 MR. DRISCOLL: I have nothing else.

2 MR. MEYNER: Mr. Ashby, how long have you  
3 been a member of the school board?

4 THE WITNESS: Since July 1, 1962.

5 MR. MEYNER: So that you have served over  
6 five years?

7 THE WITNESS: Yes.

8 MR. MEYNER: Would it be possible for you  
9 or a representative of the board or the super-  
10 intendent to tell us or give us a summary of  
11 what you think are the accomplishments of the  
12 board or the accomplishments of the school  
13 system?

14 I have always felt that when you want more  
15 money and when you want to recognize these,  
16 you sometimes downgrade what you are doing. I  
17 have a feeling there might be some pluses in  
18 Newark compared with other neighborhoods or  
19 other parts of the country. It is very popular  
20 to point the finger at one particular school  
21 system or some phase of it and say how bad.  
22 I am wondering if we could learn something  
23 about the pluses in the school system. I would  
24 assume you are rather proud of some of the  
25 things you have done.



1 THE WITNESS: Yes, there are some things  
2 we are proud of, but personally I am very con-  
3 cerned about the fact that according to our  
4 most recent reports approximately 93 or 94 out  
5 of 100 children are reading below the national  
6 norm. This to me is very significant, and this  
7 causes me great concern notwithstanding the many  
8 things that we may be doing in some of our  
9 schools. When you have a significant portion,  
10 94 out of every 100 students reading below the  
11 national norm and some should be in excess of a  
12 year below the national norm and a comparable  
13 figure with respect to arithmetic schools, then  
14 I am concerned about our school system notwith-  
15 standing that we have some programs, we may be  
16 doing some very fine things. We know, for  
17 example, that 44 percent of our graduates go on  
18 to post-high school education.

19 MR. MEYNER: How many?

20 THE WITNESS: Forty-four percent of those  
21 that graduate, but also when you look at that  
22 figure you must also look at it in these terms:  
23 that we have a dropout rate of 33 percent.

24 MR. MEYNER: Compared with the national  
25 average or what?

1 THE WITNESS: Probably around 24. This  
2 means that one third of all students who have  
3 entered the ninth grade this year will not  
4 finish high school. So, therefore, what we are  
5 talking about in a sense is 44 percent of 66  
6 percent as going on for post-high school educa-  
7 tion. This perhaps we can look upon with some  
8 terms of success, but what I am concerned about  
9 is these reading and arithmetic skills. Until  
10 such time as I see some significant progress  
11 in those areas, I would challenge how successful  
12 an operation we are conducting.

13 MR. MEYNER: But would not some of your  
14 difficulties be attributable to the education  
15 prior to the time that the people moved here or  
16 because of the mobility of population rather  
17 than the Newark school system?

18 THE WITNESS: When you say the Newark school  
19 system, it depends upon how you view it. If you  
20 view it in terms of well, we accept the respon-  
21 sibility for only those students who have been  
22 with us from kindergarten and beyond and we say  
23 we take credit for those but we won't take  
24 credit for those who are coming from all over  
25 the country, I suppose you could make a



1 distinction. I try to view it as one who says  
2 that these are problems with which we are faced  
3 as a community. They aren't all our problems  
4 perhaps, and they are ones that we have been  
5 subjected to because of conditions in other  
6 parts of the country, but these are our problems.  
7 So, therefore, if this child comes to us in the  
8 first grade or second grade and we know he  
9 comes from the South and perhaps has had all the  
10 training he should have, then our system, know-  
11 ing we are getting this type of student, ~~should~~  
12 should be prepared to cope with this individual  
13 and have the type of programs and the type of  
14 teachers and all the other assets necessary in  
15 order to make this individual a wholly educated  
16 person. to be a remedy; you are going to try, isn't  
17 that MR. MEYNER: Suppose he arrives at the  
18 sixth, seventh or eighth grade or the first year  
19 in high school. Can you give him a program that  
20 will remedy that situation? I know you should  
21 try, but can you? as in the schools, that is, you  
22 have THE WITNESS: I think it can be done. For  
23 example, in many of our Southern Negro univer-  
24 sities at the present time they find they are  
25 receiving as freshmen individuals who are not

1 capable of doing the work at the college level.  
2 So, therefore, in many of the Negro universities  
3 at the present time they have special compensa-  
4 tory programs which are designed explicitly to  
5 bring these individuals up to the point where  
6 they can do college work. If they can do it  
7 at that level and these individuals can go on  
8 and complete college, I should think we in  
9 public education could also do it at the high  
10 school and lower level.

11 MR. MEYNER: You would like to have enough  
12 money to take care of this added attention you  
13 feel they need?

14 THE WITNESS: That's right.

15 MR. MEYNER: But you are not certain it is  
16 going to be a remedy; you are going to try, isn't  
17 that it?

18 THE WITNESS: That's correct.

19 MR. MEYNER: How about the possibility, in  
20 view of the shortage of teachers, of developing  
21 a program of aides in the schools, that is, you  
22 have been talking about the involvement of the  
23 community. Could you get an outstanding mother  
24 who has some spare time, or could you get some  
25 person who would move in and assist the teacher



1 and probably do the job a lot more good than  
2 some of the qualified teachers?

3 THE WITNESS: Yes. Teacher aides are  
4 quite helpful. We find them as such in the  
5 Head Start program and also we have introduced  
6 them to the system this year in other than the  
7 Head Start program, in some of our kindergartens  
8 and otherwise to the extent again we have money  
9 to do it.

10 MR. MEYNER: How much opposition do you  
11 encounter from the professional associations of  
12 teachers in this area?

13 THE WITNESS: They are very much in favor  
14 of it.

15 MR. MEYNER: You would not have any oppo-  
16 sition?

17 THE WITNESS: No opposition.

18 MR. DRISCOLL: They have had a very good  
19 program in New York City.

20 MR. MEYNER: Would it be possible to get  
21 this summary of what you think the Newark schools  
22 are doing?

23 THE WITNESS: We could certainly supply you  
24 with the summary of that.

25 MR. DRISCOLL: For instance, comparative

1 statistics on the number of teachers per pupil  
2 maybe at the primary, secondary and higher level,  
3 how those compare with other sections of the  
4 state, how they might compare with some of our  
5 private schools. Some of the statistical  
6 material you have with reference to how your  
7 students compare with the national average or  
8 the state average or urban areas. I don't  
9 know what statistics are available. ~~are doing~~  
10 in ~~the~~ The State Department of Education has all  
11 of that, I think. ~~of high school graduates who~~  
12 ~~are~~ MR. MEYNER: It would be helpful to see ~~the~~  
13 Newark with relation to other cities in the ~~of~~  
14 state and the country because I have always had  
15 a feeling when you talk to professional people,  
16 they are very anxious to promote their own  
17 pursuit, and I know in state government whenever  
18 an agency comes in they are poverty stricken,  
19 they are not doing a job; but yet when they go  
20 and meet with national associations, they throw  
21 out their chests and pat themselves on the back.  
22 ~~level~~ I would like to have a truer picture than  
23 your plea for money at this moment. Not that I  
24 am not sympathetic, but let's get a sense of  
25 proportion. ~~read and do arithmetic. Until they~~



1 are THE WITNESS: I think that what we have  
2 tried to do -- you see, in too many instances  
3 I think people have been kicking under the rug  
4 the true problems as they exist in the city.  
5 For too long people have been saying we have  
6 been doing a great job in this city when we  
7 aren't doing the job we should be doing. I  
8 think it is time we called a halt to all the  
9 statements about how great a job we are doing  
10 in the city, and I think all we need to do is  
11 look at some of our high school graduates who  
12 are the results of social promotion, individuals  
13 who haven't been able to achieve but because of  
14 age have been pushed through high school and  
15 come out without the necessary background. I  
16 Yet someone will say we are doing a great job.  
17 I think somewhere along the line someone  
18 has to say, "Stop. This is it. We are not  
19 doing a good job," professional educator or  
20 layman, and say these are the facts. Until  
21 such time as these reading levels and arithmetic  
22 levels come up, there isn't anyone who can say  
23 in the City of Newark, professional or otherwise,  
24 we are doing a good job because these children  
25 just can't read and do arithmetic. Until they

1 are able to accomplish that on a broad base and  
2 we have more than six out of one hundred above  
3 the national norm, I don't think we can say we  
4 are doing a good job. Therefore, the needs  
5 are here, but what has been happening in so  
6 many areas, professional educators and others  
7 have been saying what a great job they are  
8 doing; whereas, actually they know the job isn't  
9 as great.

10 What I want to do is put the facts on the  
11 table without any coverup because I think this  
12 is the time to do it. I think this city is in  
13 serious difficulty in more areas than one,  
14 areas in which I am not qualified perhaps to  
15 testify about, but I do feel the tensions. I  
16 feel many of the other things in the city, and  
17 I think education is one of them, and I think  
18 we are going to have to call a sharp halt to  
19 all of the camouflage that has gone on for the  
20 past ten, fifteen and twenty years.

21 Q. MR. MEYER: Why do you think the riots  
22 occurred?

23 A. THE WITNESS: As I indicated before, I am  
24 not an expert on riots and I am not one who is  
25 in a position to make such a statement. All I



1 can do is comment and state what I have observed.  
2 But as to what caused the riots, that would be  
3 a conclusion which I would think would have to  
4 be based when all the facts are in and all I  
5 would be in a position to give you would be  
6 facts in the educational field.

7 CHAIRMAN LILLEY: Is there anything else?

8 MR. DRISCOLL: Do you think the Newark  
9 school system has suffered from political  
10 interference?

11 THE WITNESS: Let me say this in response  
12 to that question: that I feel wherever there  
13 are influences, political or otherwise, which  
14 tend to influence decisions that might be other  
15 than in the best interest of the children, the  
16 system is damaged.

17 MR. MEYNER: Off the record.

18 (Discussion off the record)

19 CHAIRMAN LILLEY: Any further questions?

20 MR. LEUCHTER: I am sorry I missed the  
21 first part of your visit today so I may ask you  
22 about something you covered. That is if there  
23 is any adult education program in the Newark  
24 Public School System, any evening classes for  
25 people beyond high school age.

1 THE WITNESS: We have a fully accredited  
2 evening high school. We also have quite an  
3 extensive education program now that is being  
4 conducted in conjunction with various federal  
5 agencies. This is sort of at the basic level  
6 for those individuals who have less than a sixth  
7 grade education.

8 We also have the Newark School of Industrial  
9 Fine Arts which is a post-high school institution  
10 and, of course, this is a tuition institution,  
11 but it is the only one of its type conducted in  
12 the country where individuals get specialized  
13 training in the field of the arts.

14 MR. LEUCHTER: How many students are all  
15 together involved in the adult classes this year?

16 THE WITNESS: I have no figures that I can  
17 give you. I can present that at a later date.

18 MR. LEUCHTER: The reason I asked was I  
19 wanted to follow up with the next question as to  
20 whether or not the number is limited by available  
21 finances and whether if you had any more money  
22 you could expand the high school or any adult  
23 evening program. Could you do more if you had  
24 more money?

25 THE WITNESS: We could do more, I suppose,



1 if we had more money, but this is an area I  
2 would want to explore before I make a definite  
3 statement because I don't know the number of  
4 evening students or what their demands are.

5 like MR. LEUCHTER: Do you have any opinion as  
6 to whether it is valuable?

7 THE WITNESS: Well, certainly the evening  
8 high school is very valuable because there we  
9 have not only a secondary section; we also have  
10 an elementary section, and we find there are  
11 individuals who are attending our evening schools  
12 or completing their elementary education and  
13 going on the secondary school, including high  
14 school. Each year we have a class of approxi-  
15 mately 70, 80 or more that are graduating in  
16 the evening.

17 MR. LEUCHTER: There is no waiting list  
18 that you know of, or is there?

19 THE WITNESS: This I have no figures on.  
20 I couldn't say. I could submit information at  
21 a later date.

22 MR. LEUCHTER: I would appreciate it. I  
23 would like to know whether or not you are  
24 hampered, whether you do have a waiting list,  
25 whether there could be more people from the

1 center city community who might want to go to  
2 evening classes if there was room for them.

3 CHAIRMAN LILLEY: Mr. Ashby, if you can  
4 recall the circumstances just briefly I would  
5 like to get clear on something that has puzzled  
6 me based on the newspaper accounts at the time  
7 that the present superintendent of schools was  
8 selected. I was puzzled by the seemingly  
9 nationwide search and the aid of consultants.  
10 Could you briefly sketch how he was selected  
11 and if it was a truly competitive arrangement,  
12 if that is the right word to use?

13 THE WITNESS: With respect to the appoint-  
14 ment of a superintendent it was determined that  
15 the board would look nationally for someone to  
16 fill the position, and in that connection a  
17 committee was formed of outstanding educators  
18 from Harvard, the University of Pennsylvania and  
19 certain other schools. They were asked to screen  
20 various candidates who might apply to the board  
21 of education for the position. That screening  
22 process took place and this screening committee  
23 submitted to us the list, I believe, of four  
24 names, two from without the system and two within  
25 the system. The Board of Education determined



1 on the basis of the information it had available  
2 to select the present superintendent.

3 Off the record.

4 (Discussion off the record)

5 CHAIRMAN LILLEY: Is it at all unusual for  
6 a distinguished group of educators sitting as a  
7 committee to select half the people from within  
8 a school system and candidates for a top job  
9 nationwide?

10 THE WITNESS: I am sorry. You have to  
11 repeat your question.

12 CHAIRMAN LILLEY: The way the thing came  
13 up, after a nationwide canvas there were four  
14 candidates suggested by the educators, the  
15 outside educators. Two of them were from within  
16 the school system and two without. Is that what  
17 you would expect of a nationwide canvas of  
18 candidates? Let me put it this way: Is the  
19 Newark school system that good that it would  
20 produce two candidates for the top administrative  
21 post out of four selected from the whole nation?

22 THE WITNESS: That is the question that  
23 would have to be posed to the committee rather  
24 than myself. I would assume that based on  
25 their evaluation that this was their decision.

1 CHAIRMAN LILLEY: What is the salary of  
2 the superintendent of schools?

3 THE WITNESS: Thirty thousand dollars.

4 CHAIRMAN LILLEY: Does this compare favora-  
5 bly with salaries in other industries of  
6 similar size?

7 THE WITNESS: I think the salary is lower  
8 than that which is paid in other cities of  
9 comparable size.

10 CHAIRMAN LILLEY: I would like to shift to  
11 another area. You mentioned the matter of the  
12 involvement of the parents, perhaps the people  
13 of the city in the administration of education.  
14 Do you have any opinions with respect to Newark,  
15 whether an elected school board would be superior  
16 to an appointed school board in this regard?

17 THE WITNESS: I would be in favor of an  
18 appointed school board. However, I would make  
19 this further stipulation: that I think the  
20 members of the school board should be selected  
21 very carefully and there should be one criterion  
22 for selection, and that is those individuals who  
23 are committed to public education and those  
24 individuals who are going to make a decision  
25 based on what is best for the educational welfare



1 of the children. If that is used as a criterion  
2 in the selection of board members, then I am for  
3 an appointed board. I don't think in a city  
4 such as Newark you would be able to get a board  
5 meeting that criterion if you were to have an  
6 elected board.

7 In a city such as Newark a board member  
8 would probably have to spend anywhere from  
9 \$15,000 to \$25,000 to be elected, and to spend  
10 that type of money for a non-salaried position  
11 would only mean one thing: he is looking to  
12 becoming a city councilman or he is looking to  
13 become mayor or for some other deals.

14 Also there would be the matter of the funds  
15 that would have to be supplied by individuals  
16 who are getting something from the Board of  
17 Education. Therefore, I don't think it would  
18 contribute anything to have an elected board in  
19 a city such as Newark.

20 CHAIRMAN LILLEY: One last question on my  
21 part. Do you have any ideas what business in  
22 Newark can do to help the Board of Education,  
23 aside from paying more taxes, which would be  
24 one way? What other ways could they help?

25 THE WITNESS: I think business has been

1 helpful particularly in our Education Center  
2 for Youth, in our dropout program, and I know  
3 the superintendent has been meeting on regular  
4 occasions with the business community in terms  
5 of such help as they may be able to offer.

6 One of the immediate matters in which  
7 business could help us would be the matter of  
8 school construction. There is a matter of  
9 multiple use of buildings. Perhaps if some  
10 segment of the business community would be  
11 interested in constructing buildings, a part of  
12 which could be used for school purposes and a  
13 part of which could be used for commercial  
14 purposes, and in some way the Board of Education  
15 through statutory authority would have the right  
16 to lease those premises, I think that would be  
17 helpful. the appointment process? for example,  
18 Perhaps the business community in conjunction  
19 with the state officials responsible for these  
20 areas ought to be exploring this particular  
21 avenue. Of course, we have also talked about  
22 the State Building Authority which, of course,  
23 would need the support of the business community  
24 in terms of any such programs. Board of Education  
25 should I think that the business community has



1 been helpful in supplying us with images in our  
2 schools. By that I mean individuals who have  
3 been successful in industry in coming to our  
4 classrooms and teaching and exposing themselves  
5 to our students as an example of what can be  
6 achieved through education. I think these are  
7 some of the offhand matters I think of initially.

8 CHAIRMAN LILLEY: Any other questions?

9 MR. LOFTON: Mr. Ashby, just to pursue  
10 Mr. Lilley's question with respect to the more  
11 favorable process of appointment rather than  
12 the electoral process in terms of the members  
13 of the Board of Education, do you think that  
14 there is any way to improve the quality of the  
15 persons appointed to the school board by any  
16 kind of recommendations in terms of changes in  
17 terms of the appointment process? For example,  
18 do you think that it would be feasible, say, to  
19 have -- not the same kind -- I don't mean edu-  
20 cators from all over the country as was done in  
21 looking for the superintendent of schools, but  
22 do you think there ought to be a screening  
23 committee of some sort to which persons recom-  
24 mended to be appointed to the Board of Education  
25 should have the sanction of that committee, say,

1 like the American Bar Association does with  
2 respect to passing on the qualifications of  
3 federal judges and the like? Do you think  
4 that would be a feasible way to handle it?

5 THE WITNESS: I think that is a matter for  
6 the appointing authority. For example,  
7 governors in the State of New Jersey in most  
8 instances use the State Bar Association as an  
9 instrument to screen prospective judicial  
10 appointments. As you indicate, on the national  
11 level the American Bar Association. I think  
12 this is a matter for the appointing authority.  
13 If a mayor in a particular city felt that  
14 he wanted to obtain candidates this way, he  
15 could establish a committee which would screen  
16 candidates and present them to him. I think  
17 something of this nature was done in New York  
18 under the last mayor's administration when they  
19 were trying to get a blue ribbon board of  
20 education during Mayor Wagner's administration.  
21 He had a committee recommend to him individuals  
22 for appointment to the Board of Education. That  
23 could be done, but I think it is a matter for  
24 the appointing authority. any veteran's prefer-

25 MR. LOFTON: Did I understand you to say



1 that positions beginning with principal down  
2 were civil service? Not civil service, but you  
3 had to take an examination for these positions?

4 THE WITNESS: That's correct.

5 MR. LOFTON: With respect to vice principal  
6 they have to take these examinations?

7 THE WITNESS: That's correct.

8 MR. LOFTON: Say if four people passed this  
9 examination, is it that any one of these four  
10 persons can be taken? How does that work?

11 THE WITNESS: They are taken off the list  
12 numerically. As a vacancy occurs, number one,  
13 number two, down the list. There is no  
14 selection within the range of those that passed.

15 MR. LOFTON: The only consideration in  
16 terms of whether or not this person or that  
17 person gets selected for a principalship or vice  
18 principalship is based on the scores they made  
19 on these tests, is that it?

20 THE WITNESS: Once that the list has been  
21 established, they are listed numerically. They  
22 are ranked according to their score. As vacancies  
23 occur individuals are appointed from the list.

24 MR. MEYNER: Is there any veteran's prefer-  
25 ence?

1 THE WITNESS: No.

2 MR. MEYNER: This is an examination con-  
3 ducted by whom?  
4 THE WITNESS: There is a testing service.  
5 The written portion will be given by the  
6 Princeton Testing Service and the oral portion  
7 would be by a board of examiners appointed by  
8 the superintendent of schools.

9 CHAIRMAN LILLEY: Are there any other  
10 questions, gentlemen? Thank you very much,  
11 Mr. Ashby. We appreciate your testimony.

12 MR. JAFFE: There are two items that I  
13 would like to introduce in the record that came  
14 in the mail. I should have done it quite some  
15 time ago. One is a letter from General Cantwell  
16 setting forth the amount of ammunition expended  
17 pursuant to the Commission's request. The other  
18 is a letter which Mr. Ylvisaker sent me. It is  
19 from Dr. Paul F. O'Rourke, who is the medical  
20 director in California, and it regards Mr.  
21 McDonald's credentials. Mr. Ylvisaker said he  
22 wanted to introduce that in the record.

23 (EXHIBITS NOS. C-109-AND C-110 WERE RECEIVED IN  
24 EVIDENCE.)  
25