Hempstead Union Free School District
Fourth Quarter and Year-End Report

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Introduction

Substantial progress is being made in the Hempstead Union Free School District (Hempstead, HUFSD, or District), but it will take sustained time and effort to reach “success.” In a recent interview with Newsday, I was asked how long I thought that would take. I replied 5-10 years. Some areas will take more time, some less, but the point that I was trying to make, which I still believe strongly, is that reaching levels that one would define as “success” requires sustained effort and disciplined rigorous focus, particularly on the part of the Hempstead Board of Education (Board) and District leadership. That is not a criticism, but a statement of reality.

I am pleased to report examples of progress in many areas as of October 1, 2018:

- Hempstead’s Grade 3-8 Math and ELA scores are up significantly for the second year in a row, with more students achieving levels 3 and 4 and fewer students achieving at level 1.¹
- The graduation rate for the class of 2018 was a significant improvement over the graduation rate for the class of 2017.
- Teachers and administrators are moving to implement the initial pieces of the International Baccalaureate (IB) Primary and Middle years programs.
- More Advanced Placement (AP) courses are being offered at Hempstead High School (“the High School”).
- Elementary music programs are being rejuvenated. In 2017-18 all elementary schools had general music but only one out of seven offered instrumental music. This year, all seven elementary schools have some instrumental music.
- Response to Intervention (RtI) services are being strengthened.
- Student data is being cleaned up to promote accuracy, transparency, and accountability.
- Hempstead Kindergarten classes have been housed in a former parochial school after their building (Prospect) was struck by lightning and burned.
- Longstanding facilities issues are beginning to be addressed.
- The design for a new school to replace the Rhodes School, which was closed and then abandoned 17 years ago, is being prepared for submission to the New York State Education Department (NYSED or Department).
- The first ever Energy Performance Contract (EPC) is about to be sent to potential contractors with a closing date in December.
- Funds have been encumbered budget line by budget line in the 2018-19 budget, as they should be.
- Tax anticipation notes have already been floated at reasonable rates.
- The forensic audit commissioned by the Board of Education is drawing to a close.
- The recommendations of the District’s three audit firms over the past three years are finally in the process of being implemented.
- The District’s year-end financial reports were completed on time.

¹ Due to the shift from three to two test sessions, 2017-18 assessment results are not directly comparable to those from prior years. Nevertheless, the new baseline is encouraging.
• The Board has restarted, or is about to restart, contract negotiations with bargaining groups to replace long-expired bargaining agreements.
• Outdated technology equipment is being replaced at a rapid rate.
• New security cameras have been installed.
• The District has prepared plans to use half of the funds available to it through the Smart Schools Bond Act; Smart Schools funding allocated to Hempstead had previously been untouched.
• Special Education and ELL departments are faithfully implementing the corrective action plans imposed to by the District and NYSED.
• The number of serious disciplinary incidents which occurred primarily at the High School during the fall of 2017, drastically decreased in the second semester of 2017-18 and continued to remain at a much lower incidence level during the first month of the 2018-19 school year.
• The 2018 valedictorian was accepted at Harvard and the salutatorian was accepted at Yale.

The list above is long, but it is not complete, nor is it intended to be. My intention is to illustrate that progress is being made at this moment across many areas and functions in the Hempstead Union Free School District, progress that was – and still is – sorely needed.

The District deserves full credit for the seriousness and urgency with which it is pursuing improvement efforts across critical areas. The fact that various areas are not at the desired levels (i.e., “success”) yet should not be considered failure. For example:

• One may be able to repair a boiler that has not been adequately maintained in a matter of weeks, but securing funds, preparing engineering plans, getting NYSED approval, getting bids, etc. to replace a boiler takes much longer.
• Introducing a new Advanced Placement (AP) class can be done very quickly but preparing a large percentage of each grade cohort to take and pass that AP class takes much longer.
• Similarly, implementing the International Baccalaureate (IB) Primary Years Program requires a one-to-two-year candidacy period before a school is even accepted as an accredited IB school and then years of refinement in order to achieve its full impact.

As I noted in my original assessment report to you which was released in January, Hempstead’s problem over the past several decades has not been a lack of plans, but a failure in implementation. The current progress is all the more remarkable in light of the events of the past 15 months.

During that time:
• The District has had three different superintendents (two superintendents and an acting superintendent).
• There was an election in May 2017 that would have changed the Board majority as of July 2017, but a sitting Board member was removed in June 2017. That same Board
member was then reinstated by a Commissioner’s decision in November 2017, which then re-aligned the Board majority. This was then followed by an extraordinarily divisive Board election in May 2018.

- Individuals were appointed to three critical positions (superintendent, assistant superintendent for business, and high school principal). Regardless of their qualifications, these individuals were inexperienced in the positions to which they had been appointed. All three are not currently serving in their positions. In one case—the assistant superintendent for business—there is still not a permanent replacement.
- The District encountered severe and apparently unanticipated cash flow problems in mid-winter, on the order of $12-15 million, and was months behind in paying Nassau BOCES.
- A payroll at the end of February was almost not completed on time due to disputes involving staff and Board members.
- Over $2 million in improper charges to a 2016-17 State grant were rejected by the Department due to errors. For example, 2017-18 expenditures were charged to the prior year and expenditures were not included in the grant proposal. This resulted in a charge back to the General Fund and a restatement of the 2016-17 financials.
- Hempstead High School and the Obama and Prospect elementary schools had to be closed due to frozen pipes and/or lack of heat due to an apparent failure to conduct proper preventive maintenance.
- At the October 2017 regular Board meeting, a law firm was approved retroactively for work that had commenced at the beginning of August 2017 without the Board’s approval.
- There were significant problems with accuracy and completeness of student data, which affected reports to the State.
- High school administrators and staff had to spend months following up with roughly 300 students who had been disenrolled in a manner that was not in compliance with State regulations.
- State audits of the District’s Pre-K and food services programs found areas of significant non-compliance.
- The District almost failed to secure Certificates of Occupancy for all schools by the re-opening of school for the 2018-19 school year. Certificates of Occupancy were not obtained until the day before the Labor Day weekend. Had Certificates of Occupancy not been obtained, Hempstead’s schools would not have been able to open on time.
- Lightning struck the building housing the District’s Kindergarten classes in August, causing a significant fire that has resulted in all classes being moved to a former parochial school for the 2018-19 school year. (This was a natural disaster and in no way the fault of the District, but it was significant.)

As with the prior list of areas in which there has been significant progress, this list is not complete, nor is it intended to be. What it is intended to show is that at the Board of Education level and in key offices, there was significant change and considerable turmoil. This instability would have been a huge burden for any district. It is certainly one for a district with the
challenges that Hempstead faces. From my perspective, the progress that has been and is being made is all the more significant given the level of chaos that reigned at times.

During the course of the past year, I have developed a greater appreciation for the word “normal.” I mean “normal” in the sense that one has a reasonable expectation that things that should be done are highly likely to be done unless something unusual happens. That extends to expecting that issues will be taken care of in a reasonably predictable, proper, and competent manner that allows a focus on improvement and attending to true emergencies such as the fire at the Kindergarten facility. Far too many functions of the District have not been “normal” and, therefore, have required attention beyond what one would expect. Extra levels of time, energy, attention, and resources are needed to ensure that these issues are properly and completely addressed.

I have performed many functions over the past 12 months, attending to whatever needed to be done to help move the District forward as you directed me to do when you appointed me as Distinguished Educator. My work has varied significantly, due to changes in the Board and district leadership, and the challenges facing the District from one day to the next. Throughout the year, I have kept my attention focused on the needs of students and what actions would be to their benefit in the long term. I have tried to spend relatively little time concerned with the past or who or what was to blame for existing problems and instead remained focused on what needed to be done to solve problems. I made every effort to partner with anyone and everyone who was willing to work towards the same goals, something that was often difficult given the highly contentious environment and individuals who seemed more intent on having me choose sides in adult conflicts than problem solve and work for the benefit of students.

Your encouragement during the course of the year to keep my eyes on student achievement and the instructional environment in which they were learning was most helpful. I have been able to bring resources and ideas to the District and have frequently functioned as a bridge (often with help from key individuals at NYSED) between Hempstead, Nassau BOCES, NYSED departments, and other stakeholders. While I believe that my efforts have made a difference, what ultimately matters is whether the students are and will continue to be better off.

As I did in other reports, this report will be divided into ten areas of concern:

1. Governance
2. Budget and Fiscal Operations
3. School Safety and Security
4. Facilities Management
5. High School Instruction
6. PreK-8 Instruction
7. Special Education
8. English Language Learners
9. Nutrition and Food Services
10. Information Technology Services
Unless necessary for context, I will not repeat content from earlier reports, but rather will focus on the fourth quarter and year-end.

GOVERNANCE
The stability of the Board of Education as of July 2018 and the leadership of the Acting Superintendent have allowed the focus to shift from the battles between adults that were spawned in the contentious environment of the previous six months (and presumably much longer, as those battles that predated my appointment) to issues of substance, including instruction, school facilities (including the emergency caused by the fire at Prospect), and contract negotiations. The Board and District leadership are still working on how to get their arms around the myriad challenges facing the District, but the goal of “students first” seems stronger than ever. Below, I note a number of significant actions and activities in this regard.

As promised, the Board has begun to meet with each of the three audit firms, functioning as an audit committee of the whole. The meeting with the Internal Controls auditor on September 17, 2018 was over two hours long and covered every area highlighted by the auditor in depth. As I had noted in my initial assessment, recommendations resulting from audits by the three firms over the past three years had been virtually unaddressed. This summer the Board asked the Internal Controls auditor for a detailed report on which of the previous recommendations have now been addressed, partially addressed, or are still to be addressed. This was discussed, and the District leadership was asked to respond with a plan of action to address all outstanding issues.

While the External Auditor noted significant issues with the 2016-17 financials that had to be corrected retroactively (i.e., the Persistently Struggling Schools Grant problems), the 2017-18 financial report was completed on time, accurately, and months ahead of the 2016-17 report. The Board will meet again shortly with the External Auditor in a special session as an audit committee of the whole.

The 2019-20 budget development calendar was adopted by the Board and they will shortly be providing their input on priorities for 2019-20. Because the 2018-19 budget was formatted in a generally accepted and accurate fashion and 2018-19 budget lines have been appropriately encumbered, the Board and the community will have an opportunity to have a transparent, grounded, and constructive discussion about budget priorities.

The Board and District leadership have focused considerable attention on upgrading the District’s facilities with both long- and short-term goals in mind. Seventeen years after the Rhodes Elementary School was closed, a measure to replace it was finally placed before the voters and approved in May. Given the level of animosity and controversy at the time of the vote, the overwhelming approval of the bond issue by the community was particularly reassuring. The Board and District leadership have been pushing with as much urgency as possible to get the new building designed and the old building torn down, which is anticipated to occur in early winter.
The Board and District leadership have also pushed forward in several other areas:

- Energy Performance Contract (EPC): The District has never had an EPC. A request for proposals was sent out to potential bidders in October 2018. There are potentially over $20 million in projects. The final figure could be considerably higher given the lack of prior work and the size and age of the District’s facilities.
- Long-term plans to address overcrowding: The Board and District leadership have begun to push for plans to address the overcrowding at all levels.
- Cleanliness and basic building maintenance: At times it has seemed like micromanaging, but it has been encouraging to see Board members paying attention to the environments students and staff members inhabit daily and promoting attentiveness to school facilities.

In recent weeks, members of the Board and the District leadership have engaged in serious discussions regarding contract negotiations. I have listed negotiations with the District’s bargaining groups as one of the primary challenges facing the Board for a couple of quarters. Prior to these recent discussions, there had been no serious Board and District leadership discussion of this area. Discussion does not necessarily solve this longstanding issue, but it is an important start.

In previous reports, I noted the challenges facing the Board as I saw them. Some of the issues I noted previously have been noted above as being in the process of being addressed. As my initial term of appointment closes, I would like to highlight certain specific and ongoing challenges:

- The first is tied directly to your original decision to invoke the DE law: Despite the chaos and controversy of the past year, considerable progress has been made in many areas, particularly in recent months. The challenge for the current Board and District leadership is how to put that progress on a firm and lasting footing so students in Hempstead are not at risk of having their schools regress at some point in the future. Given the structure of public education in New York State, it is rather unfair to lay this challenge at the feet of the current Board and District leadership, but it is one that they are thinking about, particularly with recent controversies so vivid.
- The second is tied to part of the first: The Acting Superintendent is currently assuming the responsibilities of both the superintendent and her prior position as Associate Superintendent for Elementary Curriculum and Instruction. In addition, the District does not have a permanent Assistant Superintendent for Business and, until recently, did not have an experienced and qualified head of facilities. All districts and all boards of education need an effective and cohesive leadership team; a district working to overcome the challenges that Hempstead has historically faced needs such a team even more.
- The third is tied to both of the previous concerns: For the benefit of its students and to gain greater community support, the Board and District leadership need to be extraordinarily clear about their highest priorities and lay out a clear path forward regarding what will happen and when so that the community may benchmark the District’s progress and give input and support. In this regard, I believe that your new
request for a re-assessment of priorities and a revised plan of action to address them within 45 days of my reappointment for a second year is both appropriate and helpful.

- The fourth is to shift attention to instructional improvement: The District has made a major long-term commitment to the implementation of the IB Primary and Middle Years programs. This is exciting as well as promising. However, implementing these programs needs constant attention, support, and monitoring on the part of the Board as well as the District leadership. This attention must be visible month after month. It should be driven by data and by actual steps rather than promises or plans for the future. This is about implementation. Hempstead’s Board and District leadership need to show the community and the staff that “students first” applies first and foremost to instruction. With this area above all, the emphasis must be on implementation of plans. Plans without action change nothing for students.

**BUDGET AND FISCAL OPERATIONS**

Some of the most troubling issues facing the District are regarding budget and fiscal operations. My initial assessment was very negative, and I reiterated the severity of the District’s problems in this area in both my second and third quarter reports.

Considerable progress was made during the fourth quarter. Some of the progress has been noted above, but parts are worth reiterating:

- A properly formatted 2018-19 budget was created in a little over a month. At the same time, the 2017-18 budget was reformatted in a more appropriate fashion. The 2018-19 budget is not as sophisticated or as detailed as the budgets of many other districts, but it is a huge step forward.

- The recommendations of the three audit firms over the past three years that had previously been completely ignored are now in the process of being implemented. Examples of implemented recommendations include:
  - The duties of the accountant and the treasurer have been segregated
  - Adherence to a closing unassigned fund balance of no more than 4%; the current fund balance is 3.38%
  - Implementation of a grants accountant position
  - In May 2018, the District completed its response to the Internal Audit Report dated April 2016 with a complete follow-up in October 2018.
  - Preparation and implementation of both accounting and purchasing guidelines

- Budget lines were encumbered at the beginning of July. This is normal business practice, but it had not been done previously.

- Issues regarding the 2016-17 Persistently Struggling Schools Grant (PSSG) were resolved with NYSED’s assistance. Expenditures that should not have been included in the 2016-17 final expenditure report were charged back to the 2016-17 General Fund, resulting in the 2016-17 financials being restated.

- The members of the Board constituted themselves as an audit committee of the whole as of July 1, 2018 and have begun to meet with all three audit firms a minimum of twice
per year. The initial meeting with the Internal Controls auditor on September 17, 2018 lasted over two hours.

- The Board and District leadership adopted a 2019-20 budget development calendar that will allow the Board, community, and staff time to discuss budget priorities and options. Since the 2018-19 budget is properly formatted and accurate and since budget lines have been encumbered since July, the 2019-20 budget will be based on a much more solid foundation.
- The District floated Tax Anticipation Notes (TANs) at a reasonable rate based on the changes made thus far and the plan is to continue to move forward. The rate was 2.22%, which is higher than most other Nassau County districts, but well below the initial estimates provided by Financial advisors of just under to just over 3%. This bodes well for the rates the District may be able to get for the Rhodes bond issue when it comes to market in the future.
- The District’s cash flow has been accurately calculated, minimizing the chance of a recurrence of last winter’s cash flow problem.
- The District has hired a new treasurer and an outside firm to do the accounting. This means that there is now a proper separation of duties.

Problems remain with the timeliness of purchase orders and bill payments. This is currently being addressed with the employment of additional staff, but both are a serious impediment to the “normal” functioning of the District.

SCHOOL SAFETY AND SECURITY
Willie Freeman from the New York State Center for School Safety’s report was submitted to the members of the Board and the Acting Superintendent. In it, he made strong recommendations for short-, middle- and long-term steps. Mr. Freeman’s final report was delivered to the District in August, but all of the final recommendations had been communicated to the District in earlier interim reports by Mr. Freeman.

The Security Department is in the process of drawing up implementation plans. Some progress has been made in the Security Department, but I would underscore the fact that I have repeatedly noted the lack of concrete plans in earlier reports to you, starting with my first quarter report.

FACILITIES MANAGEMENT
After many years of under-attention and underinvestment, the Board and District leadership have moved rapidly to start rejuvenating the District’s buildings and grounds. As you may recall, longstanding problems with Hempstead facilities were noted in the NYSED 2004 report. Many of these problems still existed when I arrived in October 2017. The amount of work to be done is somewhat daunting, but aggressive steps have been taken by both District staff and outside contractors to address minor maintenance issues; maintenance contracts are being signed; the
Rhodes School tear-down and replacement is well underway; and an EPC is being created to fund many capital projects, which will both upgrade facilities and result in energy savings at little-or-no cost to the Hempstead taxpayer.

In recent weeks, the District was finally able to hire a highly experienced and competent facilities director. Working with the retired assistant superintendent for business who currently works as a part-time consultant to the District, the new facilities director is beginning to put the District’s facilities operations on a more “normal” footing. It will take time, however. The report of the New York State School Facilities Managers Association, which was conducted last winter and sent to the District in January but has largely languished since, will be put to full use as a roadmap for the District going forward.

The fact that Board members and the Acting Superintendent are now expressing frustration at the pace of work is a positive. Although their expectations regarding upgrading facilities and also dealing with overcrowding cannot be addressed immediately, their focus on these pressing issues is welcome.

Projects funded through the Community Schools grant were not filed with NYSED within the appropriate timelines, which would have led to approval by spring or summer 2017. The projects were ultimately approved by NYSED in January 2018 and were largely completed by the start of the 2018-19 school year. Projects of particular note include the science labs at the Middle and High Schools and the track at the High School. The old track was in such bad condition that no track meets had taken place in Hempstead for many years. Parents, staff, and community members had expressed their embarrassment about the track at Homecoming events in fall of 2017.

Smart Schools Investment Plans will be submitted to NYSED in early November after the Board of Education has reviewed and approved them. Plans for using the second half of the District’s Smart Schools funds will be developed by mid-March for review by the Hempstead community and the Board of Education and then submitted to NYSED.

HIGH SCHOOL INSTRUCTION
The 2017-18 school year ended peacefully and with a renewed focus on instructional improvement. The final graduation numbers are still being verified but the preliminary numbers show a significant gain over the prior year’s rate, which was 51%. The High School is tracking the subsequent cohorts very closely to provide early warning when students begin to fall off the track to graduation.

Examples of progress include:
- The High School filed its reports on progress towards demonstrable improvement goals as required by its receivership status. I am pleased that the High School leadership, the Board, and the Acting Superintendent see room for improvement and do not view the results on the indicators as adequate.
• It is the District’s intent to have all schools in the district, particularly the high school, as soon as possible achieve and maintain Good Standing status. It seems to the community that schools in the District have been on lists of low-performing schools for as long as those lists have existed.
• Additional AP classes were initiated this fall after an aggressive campaign to recruit additional students last spring. In 2017-18 there were eight different AP courses with a total enrollment of 335 students. There are currently 13 AP courses with an enrollment of 455 students.
• After the District determined (as the result of a complaint that had been filed) that approximately 300 students had been removed from the district’s rolls, the High School administration and other staff spent months following up on each student. All required steps were followed rigorously in each and every case.
• Problems with enrollment data were uncovered during the fourth quarter. With the assistance of key NYSED and Nassau BOCES staff, the immediate problems were addressed, but the District must continue to unravel the underlying issues and resolve them permanently. One significant step in the process is an audit of the District’s use of the PowerSchool software. There is a meeting of NYSED representatives, District leadership, and Nassau BOCES scheduled for November 8 to discuss follow-up steps and agree on a plan of action with specific roles for Hempstead and BOCES staff.

PRE-K TO GRADE 8 INSTRUCTION
Achievement on the State English Language Arts and mathematics assessments improved significantly for the second year in a row, with the percentage of students achieving a level 3 or 4 increasing significantly and the percentage of students achieving at a level 1 decreasing significantly.²

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² Due to the shift from three to two test sessions, 2017-18 assessment results are not directly comparable to those from prior years. Nevertheless, the new baseline is encouraging.
The fire at the Prospect School due to a lightning strike was a painful blow. However, the Board, District leadership, Prospect School administration and staff, Nassau BOCES, and NYSED pulled together, found a location, negotiated for its use with the Archdiocese, and prepared the school for use so students were able to begin classes only five days after the regular starting date. This was an extraordinary accomplishment and indicator of the high-functioning partnerships that continue to make Hempstead’s progress possible.

The primary focus for the coming year is step-by-step implementation of the IB Primary and Middle Years programs. This will bring a level of rigor, coherence, and continuity to all grades PreK-8 across the whole District, which will be of enormous benefit to students over time and address the inconsistency problem noted by staff when I did my initial assessment.

**SPECIAL EDUCATION**

The District continues to implement the Special Education Corrective Action Plan imposed by the State. It is important to note that the District is far behind what the most advanced districts are doing in terms of inclusion, but significant progress is being made. For example, all non-compliance issues related to suspensions have been resolved and 9 of 14 outstanding
complaints have been resolved. In addition, there are five additional inclusion classes in 2018-19.

One area that will see significant improvement in 2018-19 as compared with the current and prior years is Response to Intervention services. Staffing was added in the 2018-19 budget. The shortfall in this area in previous years put extra pressure on both regular classroom teachers and special education.

ENGLISH LANGUAGE LEARNERS
The District continues to implement the English Language Learner (ELL) Corrective Action Plan imposed by the State. Significant progress is being made, but given the challenges faced by ELL students in the District, this is an area of very significant need. Several examples:
  o The Seal of Bi-Literacy for High School students was implemented
  o A Newcomers after-school program was created
  o Additional dual language classes were implemented for 2018-19, along with a year-long professional program in dual language

As noted by superintendents across the State, the recruitment of bilingual staff away from Hempstead has become a significant problem due to the shortage in the number of appropriately trained staff. Hempstead lost several bilingual teachers just before the start of the new school year. This may continue to be a problem for the foreseeable future.

NUTRITION AND FOOD SERVICES
A NYSED audit of Hempstead’s food services program this spring revealed a number of serious issues of non-compliance that had not been a problem in a review three years earlier. Why the District had drifted into non-compliance in the intervening years is unclear, and no one else in the District had been aware of the problems. Both the Food Service administrator who was in charge of the program for the past several years and the Assistant Superintendent for Business who oversaw this department from August 2017 until February 2018 have been terminated for reasons unrelated to these issues. There is a new Food Services director who is experienced and qualified to run the program. At the direction of the Acting Superintendent, the director moved immediately to address all of the issues raised in the NYSED report.

INFORMATION TECHNOLOGY SERVICES
The District continues to rapidly upgrade equipment. Once the District’s Smart Schools Improvement Plan is approved, the upgrading should be significantly accelerated.

While the District’s security cameras have not been discussed at length in public for obvious reasons, the upgrading of cameras on an accelerated basis was a significant step forward.
Nassau BOCES worked constructively with the District and NYSED to address certain enrollment and achievement software problems, but the District needs to resolve these permanently.

**Conclusion**

There were times this year when I despaired whether the District could, in fact, turn itself around. It was clear from the beginning of my appointment that there was the capacity to realize change and that, despite the District’s history, there was a surprising, and very encouraging, level of optimism that the District could improve. Disputes between adults and the resulting diversion of time, energy, resources, and attention away from improving the District for the benefit of students presented a major obstacle. Many of the effects of those previous obstacles are still present.

In the third quarter report I noted the progress that was being made. I am pleased that the progress has continued in the fourth quarter. The long-term challenge is to ensure that the pace of progress is sustained and that the changes are permanent and lasting.