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FOR IMMEDIATE RELEASE

SPECIAL MASTER FINDS THAT STATE AID CUTS UNDERMINE "T&E"

Newark, March 22, 2011

The Education Law Center (ELC) issued the following statement regarding the [ruling](#) today by Judge Peter E. Doyne, the Special Master appointed by the NJ Supreme Court to conduct a remand hearing on the State's underfunding of the school aid formula in 2010-11:

Judge Doyne's detailed findings and conclusions provide a sobering analysis of the result of state aid cuts on New Jersey's public schools. In finding that the School Funding Reform Act (SFRA) formula is underfunded by \$1.6 billion, or 19%, in the current year, the Special Master highlighted evidence of the inability of districts to provide the programs necessary for students to meet State academic standards, particularly at-risk students across the state.

As Judge Doyne concluded:

"The Supreme Court directed the remand hearing address whether current levels of funding for FY11, through the SFRA formula, can permit our school districts to provide a thorough and efficient education to the children of our State. Given the proofs adduced as heretofore related, the answer to this limited inquiry can only be 'no.'"

Judge Doyne noted that the SFRA formula, deemed constitutional by the Supreme Court in 2009, was designed by the State Legislature to provide predictable and equitable funding for all NJ public school children, and particularly at-risk students, limited English proficient students, and students with disabilities.

Judge Doyne's extensive fact finding on the SFRA "adequacy" level -- or the spending amount the State has determined is necessary for each district to provide the NJ core curriculum -- includes evidence that 205 school districts, or 36%, now fall below adequacy as a result of aid cuts in FY11, and that almost three-quarters of the State's at-risk students live in those districts.

Judge Doyne also goes on to conclude " ... that despite the best effort of the superintendents, the CCCS [Core Curriculum Content Standards] are not being met at existing funding levels. The loss of teachers, support staff and programs is causing less advanced students to fall farther behind and they are becoming demonstrably less proficient."

The Special Master's ruling, with its conclusions based on fact-finding, has been submitted to the Supreme Court. The Court has set April 21 for the conclusion of briefing by the State and by ELC in response to Judge Doyne's report. The Court will then decide what further proceedings are necessary, including oral argument. If the Justices agree with the Special Master's conclusion that the State has not met its burden of proof in this case, it will be up to them to decide on an appropriate remedy.

ELC, as counsel for the Plaintiff schoolchildren, will now make the case that Judge Doyne's detailed findings should be sustained and that the SFRA formula must be properly implemented. The Special Master's report is an important step towards providing all NJ public school children with the education they need, deserve and are constitutionally entitled to receive.

Related Stories:

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[**Court Directs Hearing on Impact of State Cuts on NJ Students**](#)

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