



Education Law Center

Standing Up for Public School Children

CALL FOR ACCOUNTABILITY TO ABBOTT SCHOOL CHILDREN

To: The Honorable Governor Jon Corzine, Assembly Speaker Joseph Roberts, Senate President Richard Codey

From: Abbott Leadership Institute, Association for Children of New Jersey, Black Ministers' Council of New Jersey, Education Law Center, New Jersey Black Issues Convention, NJ-NAACP, Paterson Education Fund, Statewide Education Organizing Committee, and Statewide Parent Advocacy Network

Date: June 14, 2006

Eight years ago, the Supreme Court defined the remedies essential to providing a thorough and efficient education to our State's most disadvantaged students, including rigorous standards-based education supported by parity funding; high quality preschool and full day kindergarten; supplemental programs to wipe out student disadvantage; and school reform to improve teaching and learning.

Recognizing the "essential and affirmative role" of the Commissioner and Department of Education (DOE) in ensuring that Abbott school children receive a thorough and efficient education, the Court specifically charged the State to take "affirmative and aggressive" action to make certain that education funds in Abbott districts are used "effectively and efficiently" and students achieve State academic standards. With the exception of efforts made in the areas of preschool and early elementary grade literacy instruction, there is now consensus that State education officials and DOE have failed to carry out these constitutional responsibilities. Attorney General Zulima Farber conceded before the Supreme Court on May 2nd that prior administrations have defaulted on certain of their obligations to the Abbott school children.

Governor Jon Corzine has the opportunity to give Abbott school children the benefit of the historic remedies ordered eight years ago. To ensure that the Abbott remedies are fully implemented and not merely given lip service, Governor Corzine must publicly commit to account for his administration's performance under Abbott. We call on the Governor to promptly implement the following "State Abbott Accountability Agenda."

New Abbott Leadership and Management: Although the Attorney General acknowledged the failures of DOE oversight of Abbott implementation before the Supreme Court, the same State officials responsible for these failures remain in



Education Law Center

Standing Up for Public School Children

charge. In addition, millions of dollars in Abbott parity funds are transferred annually to DOE to manage urban education reform, with no coherent, detailed vision and strategy to demonstrate how DOE will use these funds to improve education in Abbott districts. Only with new leadership and a clear, public management plan can the State effectively lead Abbott implementation.

Abbott Evaluation: In 1998, the Supreme Court ordered the Commissioner to conduct a comprehensive evaluation of the Abbott reforms. The Court has now instructed DOE to ensure that programmatic evaluations are completed in sufficient time to allow decision-making for the FY 2008 budget year. If New Jersey is truly committed to improving student achievement in high poverty districts, then an evaluation that employs rigorous methods; provides ongoing, useful information; and identifies what works and under what conditions must be conducted immediately.

Abbott Progress Benchmarks: In 1998, the Supreme Court ordered the State to establish “progress benchmarks” to assess State and local district performance over time. This essential accountability measure is long overdue.

Abbott Community Report Cards: DOE provides no useful, relevant, and timely data or other information on progress in the Abbott districts to various stakeholders at the local and state level, and to those interested in the Abbott reforms nationally. Informing stakeholders about the progress and challenges in improving urban education through implementation of Abbott, and engaging them in continuing efforts to deepen and strengthen that reform, are critical to efforts to ensure that the Abbott school children have access to a high quality education.

Student Level Database: New Jersey still lacks a statewide student-level database. A database linking programmatic, demographic and assessment information on individual students is an essential precondition to providing support to schools, informing the public, and guiding ongoing policy decisions.

Abbott Complaint Investigations: As it does with in special education, DOE must provide a mechanism to receive and address parental complaints of district noncompliance. The State cannot exercise its responsibility to the Abbott school children without a system to ensure Abbott is enforced.

Abbott Regulations: Educational progress in the Abbott districts has been hampered through continuous rule changes and through the adoption of rules without public notice and comment. Compliance with the Supreme Court’s order



Education Law Center

Standing Up for Public School Children

that Abbott regulations after FY 2007 be promulgated in accordance with the Administrative Procedure Act and remain in effect for a minimum of two years will bring much needed stakeholder input and stability to the Abbott reforms.

Abbott Parents as Partners: DOE regulations and practices have never fully implemented the high degree of parent engagement and participation in school improvement that the Court called for in Abbott. Opening the doors at the school, district, and state levels for parent and community leaders as partners, by championing and enforcing parent engagement policies, must be a centerpiece of the State's accountability framework.

Fiscal Audits: As required by the Supreme Court, the State must complete comprehensive fiscal audits of four pilot districts (Newark, Jersey City, Paterson, and Camden) by November 2006 and of all remaining Abbott districts in sufficient time to allow decision-making for the FY 2008 budget year.

Anti-Patronage and Nepotism: There is no excuse for the State's failure to mandate that all Abbott districts adopt strong anti-patronage and nepotism policies as a condition of receiving their state aid.

We ask for your full support of this accountability agenda, including adoption of the laws and regulations, and appropriation of the funds, needed for proper execution of each item of the agenda. Only by doing so, can this State fulfill the promise that the Abbott mandates extend to our most vulnerable and disadvantaged schoolchildren.