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**TESTIMONY OF EDUCATION LAW CENTER ON  
GOVERNOR MURPHY'S FY22 STATE BUDGET  
SENATE BUDGET AND APPROPRIATIONS COMMITTEE**

**March 16, 2021**

Education Law Center (ELC) thanks Chairman Sarlo and members of the Senate Budget and Appropriations Committee for the opportunity to submit testimony on Governor Murphy's proposed FY22 State Budget. I am Sharon Kregel, ELC Policy and Outreach Director.

We urge the Legislature to support the Governor's proposal to increase school funding by over \$600 million, including K-12 formula aid, preschool expansion, and extraordinary special education aid. This infusion of state aid will put the State back on track to full SFRA funding in FY25 after no increase in FY21. But let's be clear, this must be considered an installment towards a year-over-year phase-in of the state's longstanding shortfall to bring all students to the constitutional level of adequate funding under the SFRA.

It's also important that the Legislature recognize that state aid increases in formula funding are to be distinguished from the federal emergency COVID-19 relief funds allocated by Congress to New Jersey school districts. Those funds, while significant, are one-shot and non-recurring, provided to address the overwhelming need for additional funding required to safely reopen schools in the pandemic and provide the resources needed to address the learning delays of students resulting from months of remote instruction or, for far too many students, limited or no instruction at all. Once these federal funds are spent, they're gone. Districts must guard against the potential of a fiscal cliff in two years by wisely using their federal funds for short-term or one-time needs, such as building improvements. And these funds in no way absolve the Administration and the Legislature from the obligation to move quickly to full formula funding by 2025.

Because of the impact of the pandemic, we urge the Legislature to delay cuts to adjustment aid under Senate Bill 2 in the coming year. All districts are faced with health and safety concerns in their buildings, the need to remediate learning delays and provide compensatory special education services, and a host of other resource-heavy requirements. In this environment there is simply no justification for state aid cuts under S2.

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And finally, as in FY21, the Governor's budget address did not speak to the now imminent need for additional funding so the Schools Development Authority can continue to renovate, remediate and rebuild school facilities in the SDA districts. As you know, we are now before the NJ Supreme Court seeking an order to compel the provision of this funding. This is a matter that should not wait for the Court to act.

The condition of school buildings has never been as important as it is today. Districts with classroom overcrowding, lack of ventilation, HVAC concerns, aging infrastructure and other conditions cannot wait any longer for the State to fulfill its constitutional obligation to students. We urge you to prioritize legislation providing this additional funding during budget negotiations with the Administration.