

# ELC EDUCATION LAW CENTER

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May 5, 2014

Mr. Mark Neary, Clerk  
Supreme Court of New Jersey  
Hughes Justice Complex  
25 Market Street  
Trenton, NJ 08625-0970

Re: Abbott v. Burke (Docket No. 42,170)  
Motion in Aid of Litigants' Rights

Dear Mr. Neary:

This letter is to advise that, for the reasons set forth below, Plaintiffs request the pending Motion in Aid of Litigants' Rights in the above captioned matter be withdrawn.

On April 7, 2014, the Attorney General notified the Court that the State Defendants, in response to Plaintiffs' Motion, would issue new state aid notices to each school district pursuant to the School Funding Reform Act (SFRA) in late April.

On May 1<sup>st</sup>, the State Defendants provided each district with new SFRA formula aid notices for the 2014-15 school year. Plaintiffs have had the opportunity to review the information and calculations contained in these notices.

Plaintiffs' review indicates that the May 1 notices do provide each school district with the maximum aid amounts payable and adequacy budgets for 2014-15, pursuant to the provisions of the SFRA. N.J.S.A. 18A:7F-5a. In making those calculations, the notices utilize the three-year formula adjustments as accepted, with objections, by the Legislature in Senate Concurrent Resolution No. 134 (February 13, 2013). This includes the initial at-risk, bilingual and combination pupil weights provided for in the SFRA as enacted, and not the reduced weights objected-to by the Legislature in SCR 134.

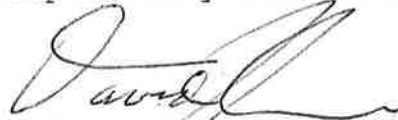
The May 1<sup>st</sup> notices, therefore, do provide the requisite information to permit aid determinations in the State Budget consistent with the SFRA.

We trust the State Defendants will issue state aid notices for the 2015-16 school year - the final year in the current three-year SFRA implementation cycle - using the same SFRA-compliant formula parameters, adjustments and calculations as those contained in the 2014-15 notices issued on May 1.

Accordingly, and in light of the State Defendants' actions as described above, Plaintiffs respectfully request the pending Motion be withdrawn.

Thank you for your attention to this matter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David G. Sciarra". The signature is fluid and cursive, with a prominent initial "D".

David G. Sciarra, Esq.  
Attorney for Plaintiffs

cc: Michelle Lyn Miller, Assistant Attorney General