



July 8, 2020

Via Electronic Mail Only

The Honorable Gurbir S. Grewal
Attorney General of New Jersey

Re: CARES Act Equitable Services: Michigan, et al. v. DeVos

Dear General Grewal:

I am following up on my letter dated June 3, 2020, seeking your intervention to direct the New Jersey Department of Education (NJDOE) to reject United States Secretary of Education Betsy DeVos' illegal interpretation of the calculation of equitable services allocations for private schools under the Coronavirus Aid, Relief, and Economic Security (CARES) Act.

I enclose a Complaint for Declaratory and Injunctive Relief filed July 7 in the United States District Court for the Northern District of California by the States of Michigan, California, Maine, Wisconsin, and New Mexico, and the District of Columbia, seeking to invalidate a July 1 interim final rule codifying Secretary DeVos' illegal interpretation of the CARES Act.

We write to urge New Jersey to join with your sister states and the District in this pending lawsuit challenging the Secretary's blatantly erroneous rule. As our prior letter makes clear, the Secretary's interim rule not only violates the express language of the CARES Act, but also serves her personal agenda of diverting desperately needed funds from our public schools.

Please promptly advise if New Jersey will join this litigation on behalf of the state's public school children.

Sincerely,

A handwritten signature in black ink, appearing to read "David Sciarra", written in a cursive style.

David G. Sciarra, Esq.
Executive Director

Encls.

Cc:

Honorable Phil Murphy, Governor of New Jersey
Interim Commissioner of Education Kevin Dehmer
Matthew Platkin, Governor's Chief Counsel
George Helmy, Governor's Chief of Staff
Laura Console, Governor's Education Policy Advisor
Deborah Cornavaca, Deputy Chief of Staff of Outreach