



---

March 19, 2020

The Honorable Phil Murphy, Governor  
Office of the Governor  
P.O. Box 001  
Trenton, New Jersey 08625

Re: Coronavirus Education Task Force

Dear Governor Murphy:

Education Law Center (ELC) advocates for the legal rights of New Jersey's public school children to a high quality education under state and federal laws, particularly our state's at-risk students, students with disabilities, and students of color. We submit this letter with the support of other New Jersey groups serving as advocates for students' rights: Advocates for Children of New Jersey, American Civil Liberties Union of New Jersey, Disability Rights New Jersey, Education and Health Law Clinic at Rutgers Law School, Innisfree Foundation, New Jersey Special Education Practitioners, SPAN Parent Advocacy Network, and Volunteer Lawyers for Justice.

First, we express our sincere appreciation for the efforts being made by your Administration to protect the health and safety of New Jersey students and their families, as well as their educators and the surrounding community. We understand how critical it is to stop the spread of the coronavirus, COVID-19.

Second, we write to offer our suggestion for steps that can be taken to protect the educational rights of all New Jersey students during this difficult time and beyond. We are aware that, through Executive Order 102, you have established a Coronavirus Task Force to guide the State in its response to the current crisis, and we strongly believe that a separate task force or working group is needed to intensely focus on efforts to deliver effective and equitable education to our students in the coming weeks and months.

The extraordinary closing of New Jersey's public schools is unprecedented. No matter how well school districts respond, we can anticipate that a significant number of students will fall behind

educationally while their schools are closed. This group may include, but certainly is not limited to, preschoolers, students in the early elementary grades, students with disabilities, English language learners, students who are homeless or in foster care, and at-risk students throughout the age spectrum.

For example, preschoolers who are denied the social interaction and learning that is such a critical part of their program will not be adequately prepared to enter kindergarten in the fall. As another example, many students with significant disabilities will regress to a great extent without speech-language, behavioral, and/or other services that are essential to their educational programs.

Because of the critical importance of continuous, year-to-year educational progress for students, we are calling on the State to immediately establish a Coronavirus Education Task Force with the mission of ensuring our students emerge from this national and statewide emergency as educationally intact as possible.

We recommend that the role of this new Task Force be two-fold: addressing short-term efforts to provide education while schools are closed, and preparing for what will be needed when our schools reopen.

The first function of the Task Force will be to carefully monitor the services that are being provided by school districts during school closure - reviewing district plans, requiring regular reports on implementation, addressing concerns, providing guidance to address inequities and gaps that may occur, and sharing effective practices among districts. For instance, if the Task Force learned that only 40% of a district's low-income students were successfully picking up meals at school, while another district was successfully delivering 95% of those meals using school bus drivers, it could share that information and recommend that meal delivery be adopted by all districts.

With regard to the longer term, the Task Force will begin to examine the steps necessary to transition students successfully back into school when the crisis is over and to recommend how to assess and determine the need for compensatory services for those students who have fallen behind. The overall goal of the Task Force should be to determine how to keep and make our students whole, in order to minimize long-term harm and prevent a whole generation of New Jersey students from carrying the scars of this crisis throughout their lives.

We recommend that the Task Force report to your Office, be chaired by the Commissioner of Education (or his designee), and include representatives of the Attorney General's office, the Department of Children and Families, and the Department of Health. Most important, however, the Task Force must include educational experts and educators from representative school districts throughout the state, as well as parents and students and advocates for parents and students. In fact, we cannot overstate the importance of bringing the parents of students affected by school closure, and those who advocate for them, into the decisionmaking process.

Each of the undersigned organizations stands ready to assist. We thank you for your consideration of this urgent request and are available to answer any questions or address any concerns. Please do not hesitate to reach out to me at 973-624-1815, ext. 16, or at [dsciarra@edlawcenter.org](mailto:dsciarra@edlawcenter.org). We look forward to your response.

Sincerely,



David G. Sciarra, Esq.  
Executive Director

Supporting organizations:

Advocates for Children of New Jersey  
American Civil Liberties Union of New Jersey  
Disability Rights New Jersey  
Education and Health Law Clinic at Rutgers Law School  
Innisfree Foundation  
New Jersey Special Education Practitioners  
SPAN Parent Advocacy Network  
Volunteer Lawyers for Justice

Via Electronic Mail (plus Overnight Mail to Governor)

Cc: Commissioner Lamont Repollet  
Assistant Commissioner Peggy McDonald, Student Services  
Matt Platkin, Governor's Counsel  
George Helmy, Governor's Chief of Staff  
Laura Console, Governor's Education Policy Advisor  
Deborah Cornavaca, Deputy Chief of Staff of Outreach