



# Executive Orders

**State of New Jersey**  
**Executive Order #6**  
**Governor James E. McGreevey**

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This executive order rescinds [EO #113 Whitman](#)

WHEREAS, the State of New Jersey has a compelling interest to comply with the Supreme Court's decisions in Abbott v. Burke to ensure the constitutional guarantee of a "thorough and efficient" education to students in the Abbott districts; and

WHEREAS, the Abbott decisions direct implementation of comprehensive and far-reaching programs and reforms; and

WHEREAS, after many years of litigation necessitating Supreme Court intervention in issues of educational policy and delivery thereof, the State has determined that collaborative policy-making among stakeholders and interested parties is essential to effective Abbott implementation; and

WHEREAS, the provision of meaningful educational programs in our urban communities requires policy and operational articulation and coordination among various agencies; and

WHEREAS, the State of New Jersey has a compelling interest to provide effective and timely implementation of educational programs and reform in our urban districts in order to improve the quality of education and opportunity for children in those districts; and

WHEREAS, the State of New Jersey has a compelling interest to provide effective leadership and coordination among departments and agencies of the State and to collaborate with districts and schools to effectuate implementation of these programs and reforms; and

WHEREAS, the Supreme Court in Abbott VI (2000) has called for an end to "the adversarial relationship between the parties" and a "cooperative effort focused on the provision of high quality preschool" and other educational programs for the students in the Abbott districts; and

WHEREAS, the State of New Jersey has already begun a collaborative process of implementation of the Supreme Court's mandates and desires to continue and expand that course of action; and

WHEREAS, for more than two decades, Education Law Center has adequately represented the interests of the Court-certified class of all public school students in the Abbott districts;

NOW, THEREFORE, I, James E. McGreevey, Governor of the State of New Jersey, by virtue of the authority vested in me by the Constitution and by the Statutes of this State, do hereby Order and Direct:

1. Executive Order No. 113 (Whitman) is hereby rescinded and is superseded by this Executive Order.
2. There is hereby established The Abbott Implementation and Compliance Coordinating Council.
3. The Council shall consist of seven (7) members as follows:

(a) The Commissioner of Education;

- (c) The Assistant Commissioner of Education for Abbott Programs;
- (e) The Commissioner of Human Services;
- (g) The Executive Director of the Economic Development Authority;
- (i) The Executive Director of the Commission on Higher Education;
- (k) The Attorney General or Director of the Division of Law in the Department of Law and Public Safety; and
- (m) The Executive Director of the Education Law Center.

The Governor's Special Counsel for Education shall serve as ex-officio non-voting member and chair of the Council.

4. The Council shall meet on a monthly basis beginning February, 2002. Each member is authorized to have in attendance at such meetings additional staff as may be necessary to inform the Council's discussions and actions.
5. The purposes of the Council shall be as follows:
  - (a) To develop and recommend needed improvements, revisions, and modifications in State statutes, regulations, policies and procedures;
  - (b) To assure full, effective and timely implementation of the Abbott programs and reforms on a sustained basis;
  - (c) To assess ongoing implementation, and develop and recommend and implement adjustments and modifications as needed;
  - (d) To assure effective State leadership and coordination among State departments and agencies, and integration of Abbott within new federal mandates;
  - (e) To develop and recommend State and district accountability measures to track progress in program implementation and student achievement; and
  - (f) To review current and future disputes and issues among the parties and to assure State compliance with Court mandates.
6. The areas and principal issues to be addressed by the Council are as follows:
  - (a) Early Childhood Education;
  - (c) Abbott early literacy;
  - (d) Standards-based reform and whole school reform;
  - (e) K-12 supplemental programs (i.e. social, health services)
  - (f) School construction and rehabilitation;
  - (g) Reform and phase-out of state operation of districts; and

(h) Review of Abbott designation, including charter schools.

7. The Council shall establish issue priorities and will convene and supervise work groups and committees of stakeholders to address reform and improvement of Abbott implementation, as necessary.
8. The Council shall authorize ongoing evaluation of Abbott implementation and compliance and shall issue annual reports to the Governor, the Legislature, the Supreme Court and the public.
9. The Council shall also seek Court approval of adjustments and modifications of Court mandates as needed.
10. The Council is authorized to utilize the services of State departments and agencies as needed, as well as consultants and experts as deemed necessary to discharge its responsibilities under this Order.
11. This Order shall take effect immediately.

GIVEN, under my hand and seal this 19th  
day of February in the Year of Our Lord,  
Two Thousand and Two, and the  
Independence of the United States,  
the Two Hundred and Twenty-Sixth.

/s/ James E. McGreevey  
Governor

[seal]

Attest:

/s/ Paul A. Levinsohn  
Chief Counsel to the Governor

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