

EDUCATION LAW CENTER
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Attorneys for Petitioners

STATE OF NEW JERSEY

IN THE MATTER OF THE FAILURE OF
THE COMMISSIONER OF EDUCATION
TO MAKE A WRITTEN RECORD OF THE
ANNUAL ASSESSMENTS OF STUDENT
COMPOSITION AND SEGREGATIVE
EFFECTS OF CHARTER SCHOOLS
PURSUANT TO N.J.A.C. 6A:11-2.2 AND
N.J.A.C. 6A:11-2.3

**BEFORE THE COMMISSIONER OF
EDUCATION OF NEW JERSEY**

OAL DOCKET NO. EDU
Agency Ref. No.

VERIFIED PETITION

This Verified Petition is filed on behalf of the following Petitioners:

NAACP New Jersey State Conference
4326 Harbor Beach Blvd. #775
Brigantine, NJ 08203
(609) 310-0211
admdirector.njscnaacp@gmail.com

Latino Action Network
2560 U.S. Highway 22, Suite Number 322
Scotch Plains, NJ 07076
(973) 418-7012
esteveznj@gmail.com

SPAN Parent Advocacy Network
35 Halsey St., 4th fl., Newark, NJ 07102
(973) 642-8100; fax (973) 642-8080
diana.autin@spanadvocacy.org

Save Our Schools NJ
60 Jefferson Rd, Princeton, NJ 08450
(201) 693-3808
info@SaveOurSchoolsnj.org

Building One America
P.O. Box 229
Palmyra, NJ 08065
(609) 206-8571
pscully@buildingoneamerica.org

Latino Coalition of New Jersey
PO Box 943
Freehold, NJ 07728
(908) 670-0552
info@lcnj.org

Network for Public Education
225 East 36th Street, Apt 10-O
New York, NY 10016
(516) 993-2141
cburris@networkforpubliceducation.org

The above-named Petitioners hereby request the Commissioner of Education (“Commissioner”) to promptly consider and decide a controversy between Petitioners and Respondent Commissioner, whose address is New Jersey Department of Education (“DOE”), 100 Riverview Plaza, Trenton, New Jersey, 08625-0500, pursuant to the authority delegated to the Commissioner under N.J.S.A. 18A:6-9 to hear and determine controversies under the school laws, based on the following:

PRELIMINARY STATEMENT

1. This Petition addresses the failure of the Commissioner to make a written record of the annual assessments of the student composition of New Jersey charter schools and of the segregative effect of the loss of students on the charter schools’ district of residence, as required by N.J.A.C. 6A:11-2.2(c) and N.J.A.C. 6A:11-2.3(b)(8), regulations adopted by the State Board of Education (“State Board”) to implement the Charter School Program Act (“Act”), N.J.S.A. 18A:36A-1 to 18.

2. Petitioners have a compelling interest in ensuring New Jersey public school

students are educated in diverse learning environments free from discrimination and segregation by race, English language proficiency, and disability; in charter schools that serve comparable student enrollments to their district of residence; and in charter schools that do not create new, or exacerbate existing, patterns of student segregation in their districts of residence.

3. In furtherance of this compelling interest, Petitioners bring this action to secure the Commissioner's compliance with the affirmative obligation established under the State Constitution, the Act and implementing regulations to evaluate and confront student segregation by race, English language proficiency and disability in the charter school program and to take all necessary remedial measures to eliminate the insidious, deleterious and long-lasting effects of such segregation on New Jersey's public school students.

THE PARTIES

4. Petitioner, the NAACP New Jersey State Conference, is the oldest, largest and most widely recognized grassroots-based civil rights organization in our nation. The NAACP's principal objectives are to ensure the political, educational, social and economic equality of individuals of color. The NAACP is a strong advocate for legislation and regulations that improve the quality of life for individuals of African ancestry. In addition, the NAACP thrives to eliminate race prejudice and institutional racism in the State. The NAACP seeks to remove all barriers of racial discrimination through democratic processes.

5. Petitioner Latino Action Network (LAN) is a non-profit corporation within the meaning of 26 U.S.C. § 501(c)(4) that is organized and exists under the laws of the State of New Jersey. LAN develops and advocates for legislation, regulations, and government programs aimed at improving the social welfare of Latinos in the State of New Jersey and beyond. LAN also researches and publishes information regarding the positions of elected officials concerning issues

of significance to the Latino community.

6. Petitioner SPAN Parent Advocacy Network is a non-profit organization committed to children and families with the greatest need due to disability or special health/mental health needs; poverty; discrimination based on race/ethnicity, gender, gender identity, sexual orientation, language, immigrant or homeless status; involvement in the child welfare or juvenile justice systems; geographic location; or other special circumstances. SPAN houses New Jersey's federally-designated Parent Training and Information Center as well as its federally-designated Family-to-Family Health Information Center and runs a wide variety of programs including programs to empower parents to advocate on behalf of their children for effective special education and English language services leading to positive outcomes, to inform parents of their children's educational rights, and to support parents in their efforts to secure adequate services for children with disabilities and those who are English Learners. SPAN has an interest in ensuring that both students with disabilities and English Learners are appropriately served by all public schools, whether traditional or charter, and that no students experience segregation on the basis of disability or language proficiency.

7. Petitioner Save Our Schools NJ is a grassroots, all-volunteer organization of parents and other public education supporters who believe that every child in New Jersey should have access to a high-quality public education. Save Our Schools NJ's goals are to protect and preserve New Jersey's excellent public schools by: keeping the community-at-large and our legislators informed about issues that directly impact our children's education, both locally and at the state level; and establishing a statewide network of individuals willing to advocate in support of public education. Among the organization's guiding principles is the belief that publicly-funded schools must not segregate or discriminate against children on the basis of income, English proficiency,

special needs, race, gender, religion or sexual orientation.

8. Petitioner Building One America is a community organizing and leadership training network that advances its agenda through education, organizing and mobilization of diverse constituencies from congregations, labor unions, municipalities, school districts and civic and civil rights organizations in metropolitan regions – with an emphasis on economically stressed, increasingly diverse and politically competitive older suburbs and small towns. Building One America promotes the goals of social inclusion, racial justice, sustainability, and economic opportunity by addressing regional housing policy, land use, municipal and educational fiscal structures, major infrastructure investments and jobs.

9. Petitioner Latino Coalition of New Jersey, an affiliate of LAN, is based in Monmouth and Ocean Counties, dedicated to protecting the constitutional rights and promoting the fair treatment of Latinos. The Latino Coalition has a powerful history of advocacy on behalf of the counties' Latino school-aged children.

10. Petitioner Network for Public Education is an advocacy group whose mission is to preserve, promote, improve and and strengthen public schools for both current and future generations of students.

11. Respondent Commissioner is responsible under the Act for approving, monitoring, renewing and terminating the operation of charter schools within the state's constitutionally-mandated public education system. N.J.S.A. 18A:36A-3, 4, 16, 17. Under the Act, the Legislature has delegated to the Commissioner sole authority for ongoing supervision of the charter school program to ensure compliance with the New Jersey Constitution, the Act and implementing regulations.

12. Respondent Commissioner is obligated under the New Jersey Constitution to

prevent, confront and, by utilizing all available measures, redress student segregation in New Jersey's public schools, including charter schools, regardless of the cause of such segregation. *In re Grant of Charter School Application of Englewood on Palisades Charter School (Englewood)*, 164 N.J. 316, 324 (2000).

13. Respondent Commissioner is responsible for the supervision of all schools within New Jersey's public education system, including charter schools, that receive state and local funding under the School Funding Reform Act ("SFRA"), N.J.S.A. 18A:7F-43 to 63, and for the enforcement of all regulations governing the state's public schools adopted by the State Board. N.J.S.A. 18A:4-23.

FACTUAL AND LEGAL ALLEGATIONS

14. In its rulings in *Englewood* and *In re Renewal Application of TEAM Academy Charter School (TEAM Academy)*, 247 N.J. 46 (2021), the Supreme Court has imposed upon the Commissioner an affirmative obligation under the New Jersey Constitution to assess the impact and effect of charter schools on the segregation of students by race, English language proficiency and disability and to exercise all necessary authority to prevent and remedy such segregation in the implementation of the charter school program on an ongoing basis.

15. In the Act, the Legislature delegated to the Commissioner the responsibility to ensure charter schools do not discriminate in their policies and practices generally and, specifically, in their admission policies and practices on the basis of race, intellectual or athletic ability, measures of achievement or aptitude, status as a person with a disability, proficiency in the English language, or any other basis proscribed for school districts. N.J.S.A. 18A:36A-7; N.J.S.A. 18A:36A-3. The Legislature further directed the Commissioner to ensure that charter schools enroll a cross-section of the community's school age population, including racial and

academic factors. N.J.S.A. 18A:36A-8.

16. The Act obligates charter schools to comply with the laws that govern other public schools regarding the provision of services to English Learners and students with disabilities. N.J.S.A. 18A:36A-11; N.J.A.C. 6A:11-4.8 (obligating charters to provide all required courses and support services under bilingual education laws and regulations); N.J.A.C. 6A:11-4.9 (obligating charters to provide a free appropriate public education to students with disabilities under the Individuals with Disabilities Education Act).

17. The services that must be provided to English Learners include English language services, English as a Second Language classes, and bilingual education programs, depending on the numbers of those students and the languages they speak. N.J.A.C. 6A:15-1.4.

18. Eligible students with disabilities include those who meet one of 14 categories of eligibility under N.J.A.C. 6A:14-3.5. Those students must receive services and placements based on their unique needs and required by their Individualized Education Programs, with a range of supplemental services in general education and a full continuum of alternative placements to ensure that a free appropriate public education can be provided in the least restrictive environment. N.J.A.C. 6A:14-1.1(b)(4), -4.1(a), -4.3.

19. A crucial factor in the student composition of charter schools is not only the overall enrollment of English Learners and students with disabilities but also the enrollment of these students by the levels of service they are required to receive by law. For English Learners, students are differentiated by the languages they speak and whether they are receiving English language services, English as a Second Language classes, or bilingual education programs. Students with disabilities are differentiated by the type and severity of disability, classification category for special education services, and level of services and type of placement needed, all of which are

required by federal and state law.

20. To comply with the State Constitution and the Act's provisions to prevent discrimination and student segregation in the implementation of the charter school program, the State Board adopted a regulation requiring the Commissioner, on an annual basis, to "assess the student composition of a charter school and the segregative effect that the loss of the students may have on its district of residence." The regulation further provides that the charter school "shall submit data for the assessment" in a "format prescribed by the Commissioner" and by not later than June 1 of each year. N.J.A.C. 6A:11-2.2.

21. Pursuant to N.J.A.C. 6A:11-2.2, the Commissioner requires all approved and operating charter schools to submit data for the annual assessment of their student composition and segregative effect on a prescribed form. The prescribed form currently used by the Commissioner only requires the submission of student enrollment data based on race. The Commissioner does not require submission of any student enrollment data by language proficiency and disability status. Regarding English Learners, the Commissioner does not require submission of overall enrollment data, nor disaggregated by language and by type of services required. On disability, the Commissioner again does not require submission of data on the overall enrollment of students with disabilities, nor on enrollments of those students differentiated by the type and severity of disability, classification for special education services, or level of services or type of placement needed. See Exhibit A, attached hereto.

22. Pursuant to N.J.A.C. 6A:11-2.3(b)(8), the Commissioner, in determining applications by charter schools to renew their charter every five years, must review the annual assessments of student composition of the charter school and the segregative effect of the loss of students on the district of residence as required by N.J.A.C. 6A:11-2.2.

23. By information and belief, it is now, and has been, the practice and policy of the Commissioner to not make a written record of the annual assessments of student composition and segregative effects of charter schools on their districts of residence required by N.J.A.C. 6A:11-2.2.

24. On May 21, 2021, Petitioners' counsel Education Law Center ("ELC") submitted a formal request under the Open Public Records Act ("OPRA") to the DOE to provide "the annual assessments" pursuant to N.J.A.C. 6A:11-2.2, "for the years 2017, 2018, 2019 and 2020 for all charter schools operating in those years on [sic] the Newark, Trenton, Camden and Paterson districts of residence." See Exhibit B attached hereto.

25. On June 16, 2021, the DOE responded to the ELC OPRA by stating that the "Department of Education does not make or maintain records responsive to your request." See Exhibit B.

26. Absent any written record of the annual assessment of the student composition of charter schools and their segregative effect on the district of residence required by N.J.A.C. 6A:11-2.2, the Petitioners are unable to confirm whether the Commissioner actually performs the required assessments and, if performed, unable to have access to the data or other facts and evidence that comprised the basis of the Commissioner's assessments. Petitioners are also unable to ascertain the analyses and conclusions supporting the Commissioner's assessments of the segregative effect of the loss of students on the districts of residence.

27. Absent any written record of the annual assessment of student composition and segregative effects required by N.J.A.C. 6A:11-2.2, Petitioners are deprived of the data, information and analysis necessary to evaluate whether a charter school is having a segregative effect on its district of residence by race, English language proficiency and disability and to

determine whether the Commissioner is complying with the constitutional and statutory obligation to prevent and remedy segregation in the implementation of the charter school program.

28. Absent any written record of the annual assessment of student composition and segregative effects required by N.J.A.C. 6A:11-2.2, Petitioners are deprived of the data, information and analysis necessary to determine if a charter school is engaged in the discrimination of students as proscribed by N.J.S.A. 18A:36A-7, or is failing to enroll a cross-section of the community's school age population, including by race, English language proficiency, disability and academic factors, as mandated by N.J.S.A. 18A:36A-8.

29. The absence of any written record of the annual assessment of student composition and segregative effects required by N.J.A.C. 6A:11-2.2 effectively prevents and renders meaningless the required review of the annual assessments of student composition and the segregative effect on the district of residence by the Commissioner when determining whether to renew a charter school's authorization to continue to operate within New Jersey's public education system every five years under N.J.A.C. 6A:11-2.3(b)(8).

30. The absence of any written record of the annual assessment of student composition and segregative effects required by N.J.A.C. 6A:11-2.2 effectively precludes the opportunity for any review, including judicial review, of the Commissioner's assessment and to determine whether the Commissioner has fulfilled the constitutional and statutory obligation to prevent and, where necessary, remedy student segregation in the charter school program, as mandated by the *Englewood* and *TEAM Academy* decisions.

Count One

(Arbitrary Administrative Agency Action)

31. Petitioners repeat the allegations of paragraphs one through thirty herein.

32. It is well settled that an administrative's agency's failure to follow and implement its own rules constitutes arbitrary, capricious, and unreasonable action.

33. The Commissioner's failure to collect data on English language proficiency and disability status and to make a written record of the annual assessments of student composition of charter schools and their segregative effect on districts of residence, including the facts, analyses and conclusions required by N.J.A.C. 6A:11-2.2, render it impossible for Petitioners and other interested parties to be informed of the Commissioner's action and for a reviewing court to determine whether the action is supported by the record or is arbitrary, capricious, unreasonable or contrary to law.

34. The Commissioner's failure to collect data on English language proficiency and disability status and to make and maintain a written record of the annual assessments of student composition of charter schools and the segregative effect of the loss of students on districts of residence required by N.J.A.C. 6A:11-2.2 violate basic requirements for administrative agency action and is, therefore, arbitrary, capricious, unreasonable and contrary to law.

Count Two

(Charter School Program Act)

35. Petitioners repeat the allegations of paragraphs one through thirty herein.

36. The Commissioner's failure to collect data on English language proficiency and disability status and to make and maintain a written record of the annual assessments of student composition of charter schools and the segregative effect on districts of residence required by N.J.A.C. 6A:11-2.2 violate the prohibition against discrimination and the requirement that charter schools enroll a cross-section of the community's school age population including racial and academic factors in the Charter School Program Act, N.J.S.A. 18A:36A-3, 7 and 8(e).

Count Three

(Charter School Regulations)

37. Petitioners repeat the allegations of paragraphs one through thirty herein.

38. The Commissioner's failure to collect data on English language proficiency and disability status and to make and maintain a written record of the annual assessments of student composition of charter schools and their segregative effect on the district of residence violate N.J.A.C. 6A:11-2.2(c).

39. The Commissioner's failure to collect data on English language proficiency and disability status and to make and maintain a written record of the annual assessments of student composition of charter schools and their segregative effects on the district of residence required by N.J.A.C. 6A:11-2.2 violate N.J.A.C. 6A:11-2.3(b)(8) by rendering it impossible for Commissioner to review the requisite annual assessments on applications by charter schools for renewal every five years.

Count Four

(New Jersey Constitution Article VIII, Section 4, Paragraph 1)

40. Petitioners repeat the allegations of paragraphs one through thirty herein.

41. The Commissioner's failure to collect data on English language proficiency and disability status and to make and maintain a written record of the annual assessments of student composition of charter schools and their segregative effect on the district of residence required by N.J.A.C. 6A:11-2.2 by race, disability and English language proficiency status violate the constitutional guarantee of a thorough and efficient education. N.J. Const. Art.VIII, Section 4, Para. 1.

Count Five

(New Jersey Constitution Article I, Paragraph 5)

42. Petitioners repeat the allegations of paragraphs one through thirty herein.

43. The Commissioner's failure to collect data on English language proficiency and disability status and to make and maintain a written record of the annual assessments of student composition of charter schools and their segregative effect on the district of residence by race required by N.J.A.C. 6A:11-2.2 violate the constitutional prohibition against racial segregation in the public schools. N.J. Const. Art.I, Para. 5.

RELIEF SOUGHT

WHEREFORE, Petitioners demand the following relief:

A. A determination that the Commissioner's failure to collect data on English language proficiency and disability status and to make and maintain a written record of annual assessments of student composition of charter schools and their segregative effects on the district of residence required by N.J.A.C. 6A:11-2.2 constitutes agency action that is arbitrary, capricious, unreasonable and contrary to law; violates the Charter School Program Act, N.J.S.A. 18A:36A-3,7 and 8(e); violates regulations implementing the Act, N.J.A.C. 6A:11-2.2 and N.J.A.C. 6A:11-2.3(b)(8); and violates the New Jersey Constitution Article VIII, Section 4, Paragraph 1 and Article I, Paragraph 5.

B. An order requiring the Commissioner to:

1. Revise the annual format for the collection of data on student composition of charter schools required by N.J.A.C. 6A:11-2.2 to include, at a minimum, English language proficiency and disability status and the following information:

a. English language proficiency data collected both overall and disaggregated by

language and by type of services provided; and

b. Disability data collected both overall and disaggregated by the type and severity of disability, classification category for special education services, and level of services and type of placement needed;

2. Make a written record of the annual assessments of student composition and segregative effects on the district of residence of all charter schools, including the facts, analyses and conclusions supporting those assessments, as required by N.J.A.C. 6A:11-2.2;

3. Upon completion, promptly publish on the DOE website the annual assessments of student composition and segregative effects required by N.J.A.C. 6A:11-2.2 for each charter school; and

4. Make and publish on the DOE website a written record of how the Commissioner incorporated or otherwise utilized the review of the annual assessments of the student composition and segregative effects on the district of residence, including the facts, analyses and conclusions supporting those assessments, in decisions on applications to renew a charter school every five years, as required by N.J.A.C. 6A:11-2.3(b)(8).

5. Such other relief as is equitable and just.

EDUCATION LAW CENTER



By: David G. Sciarra, Esq
Attorneys for Petitioners

Dated: October 22, 2021

Directions:

1. Fill in all requested information in the shaded boxes.
2. If you serve students from more than one district, you must click on the tab at the bottom to fill out a worksheet for each district. To create additional worksheets, right click on a tab and select "Move or Copy" Then check the box "Create Copy".
3. Charter schools must submit this form through Homeroom by June 1, 2020.

2020-2021 School Year Anticipated Enrollment

Name of Charter School:	TEAM Academy Charter School
Name of Sending District:	Union

Grade Level	Total Anticipated Enrollment for 2020-2021	GENDER		RACE/ETHNICITY						
		Male	Female	Asian	Black / African American	Hispanic / Latino	White	American Indian/ Alaska Native	Native Hawaiian / Pacific Islander	Other
Pre-K										
K										
1	S		S		S					
2										
3	S		S		S					
4	S	S	S		S					
5										
6										
7	S	S								S
8										
9	S		S		S					
10										
11										
12										
TOTAL	8	S	6	0	7	0	0	0	0	S

DEFINITIONS:

- Asian - A person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
- Black or African American - A person having origins in any of the black racial groups of Africa.
- Hispanic or Latino - A person of Cuban, Mexican, Puerto Rican, South or Central American, or other Spanish culture or origin, regardless of race.
- White - A person having origins of the original peoples of Europe, the Middle East or North Africa.
- American Indian or Alaska Native - A person having origins in any of the original people of North and South America (including Central America) and who maintains a tribal affiliation or community attachment.
- Native Hawaiian or Other Pacific Islander - A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.
- Other - Includes all other responses not included in the White, Black or African American, Hispanic or Latino, American Indian or Alaska Native, Asian, and Native Hawaiian or Other Pacific Islander race categories described above. Respondents reporting entries such as multiracial, mixed, or interracial in response to the race question are included in this category.

State of New Jersey
 Government Records Request
 Receipt

Requestor Information

David G Sciarra

60 Park Place, Suite 300
 Newark, NJ 07102

dsciarra@edlawcenter.org
 973-902-2138

Request Date: May 4, 2021

Maximum Authorized Cost: \$250.00

Email

Request Number: W172002

Request Status: Denied Closed

Ready Date:

Custodian Contact Information

Chief of Staff
 Records Custodian

100 Riverview Plaza
 P.O. Box 500
 Trenton, NJ 08625-0500
 OPRA.CUSTODIAN@doe.nj.gov
 609-376-9081

By _____

Status of Your Request

Your request for government records (# W172002) from the Chief of Staff has been reviewed and has been Denied Closed. Detailed information as to the availability of the documents you requested appear below and on following pages as necessary.

The cost and any balance due for this request is shown to the right. Any balance due must be paid in full prior to the release / mailing of the documents.

If you have any questions related to the disposition of this request please contact the Custodian of Records for the Chief of Staff. The contact information is in the column to the right. Please reference your request number in any contact or correspondence.

Cost Information

Total Cost:	\$0.00
Deposit:	\$0.00
Total Amount Paid:	\$0.00
Balance Due:	\$0.00

Document Detail

Div	Doc #	Doc Name	Redaction Req	Pages	Legal Size	Electronic Media	Other Cost
COS	001	Annual assessments for the student composition of charter schools in Newark, Trenton, Camden and Paterson and the segregative effect pursuant to N.J.A.C. 6A:11-2.2c for the years 2017, 2018, 2019 and 2020.	N		N	Y	
		Denial: 01.Not Made, Maintained, Filed or Received by Division --- The Department of Education does not make or maintain records responsive to your request. Accordingly, the request is denied.					

June 16, 2021 08:34 PM

State of New Jersey

Page: 2 of 2

Government Records Request

Receipt

6-17-21: The Department of Education does not make or maintain records responsive to your request. Accordingly, the request is denied. Requestor notified by email.

6-4-21: Additional time is needed to respond to this request. Accordingly, the due date is extended to June 18, 2021. Requestor notified by email.

5-21-21: Additional time is needed to respond to this request. Accordingly, the due date is extended to June 4, 2021. Requestor notified by email.

5-13-21: Additional time is needed to respond to this request. Accordingly, the due date is extended to May 21, 2021. Requestor notified by email.

5-4-21: Received.

Your request for government records (# W172002) is as follows:

This request concerns the regulations governing charter schools. N.J.A.C. 6A:11-2.2c provides: "On annual basis, the Commissioner shall assess the student composition of a charter school and the segregative effect that the loss of students may have on the district of residence." Please provide the annual assessments pursuant to this rule for the years 2017, 2018, 2019 and 2020 for all charter schools operating in those years on the Newark, Trenton, Camden and Paterson districts of residence. This request is also made under the common law.

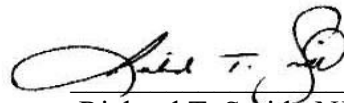
VERIFICATION

I, Richard T. Smith, of full age, hereby certify as follows:

1. I am president of petitioner NAACP New Jersey State Conference in the foregoing matter.
2. I have read the petition and aver that the facts contained therein are true to the best of my knowledge and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: Oct. 21, 2021

A handwritten signature in black ink, appearing to read "Richard T. Smith", written over a horizontal line.

Richard T. Smith, NJSC President

VERIFICATION

I, Christian Estevez, of full age, hereby certify as follows:

1. I am president of petitioner Latino Action Network in the foregoing matter.
2. I have read the petition and aver that the facts contained therein are true to the best of my knowledge and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 10 | 21 | 2021


Christian Estevez

VERIFICATION

I, Diana MTK Autin, of full age, hereby certify as follows:

1. I am executive director of petitioner SPAN in the foregoing matter.
2. I have read the petition and aver that the facts contained therein are true to the best of my knowledge and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Diana MTK Autin

Dated: 9/29/21

Diana MTK Autin

VERIFICATION

I, Julie Borst of full age, hereby certify as follows:

1. I am Executive Director of petitioner Save Our Schools NJ in the foregoing matter.
2. I have read the petition and aver that the facts contained therein are true to the best of my knowledge and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 2 October 2021



Julie Borst

VERIFICATION

I, Paul Scully, of full age, hereby certify as follows:

1. I am executive director of petitioner Building One America in the foregoing matter.
2. I have read the petition and aver that the facts contained therein are true to the best of my knowledge and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: October 1, 2021



Paul Scully

VERIFICATION

I, Frank Argote-Freyre, of full age, hereby certify as follows:

1. I am director of petitioner Latino Coalition of New Jersey in the foregoing matter.
2. I have read the petition and aver that the facts contained therein are true to the best of my knowledge and belief.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated:

Oct-7, 2021


Frank Argote-Freyre

VERIFICATION

I, Carol Burris, of full age, hereby certify as follows:

- 1. I am executive director of petitioner Network for Public Education in the foregoing matter.**
- 2. I have read the petition and aver that the facts contained therein are true to the best of my knowledge and belief.**

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: 10/5/2021

Carol Burris
Carol Burris

CERTIFICATION

I hereby certify that Petitioners have acknowledged the genuineness of their signatures on this Verified Petition which they transmitted to my office via electronic mail. This Verified Petition will be filed with an original signature affixed if requested by the Commissioner or a party.

Dated: October 22, 2021

A handwritten signature in cursive script, appearing to read "David Sciarra".

David G. Sciarra, Esq