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VIA FEDERAL EXPRESS

Mark Neary, Clerk
Supreme Court of New Jersey
Hughes Justice Complex
25 W. Market Street
CN-006
Trenton, New Jersey 08605-0970

Re: Abbott, et al. v. Burke, et al., Docket No. 42,170

Dear Mr. Neary:

This office represents proposed Amici Curiae, New Jersey State Conference of the NAACP, New Jersey Black Issues Convention and Paterson Education Fund, in the above entitled matter. Please find enclosed an original plus nine (9) copies of the following documents:

- (1) Brief of Amici Curiae, New Jersey State Conference of the NAACP, New Jersey Black Issues Convention and Paterson Education Fund, in Support of Motion for Aid of Litigants' Rights;
- (2) Certification of Dr. Michelle Fine in Support of Motion for Aid of Litigants' Rights; and
- (3) Certification of Service.

Please do not hesitate to contact me at (973) 642-8463 or by email at avidan.cover@shu.edu if you have any questions or concerns.

Sincerely yours,


Avidan Y. Cover

Enclosures

cc: Nancy Kaplen, AAG (w/encs.) (via First Class Mail)
David Sciarra (w/encs.) (via First Class Mail)

RAYMOND ARTHUR ABBOTT, et al.,

Plaintiffs,

v.

FRED G. BURKE, et al.,

Defendants.

SUPREME COURT OF NEW JERSEY
DOCKET NO. 42,170

Civil Action

ON MOTION FOR AID OF
LITIGANTS' RIGHTS

BRIEF OF AMICI CURIAE NEW JERSEY STATE CONFERENCE OF THE NAACP,
NEW JERSEY BLACK ISSUES CONVENTION AND PATERSON EDUCATION FUND
IN SUPPORT OF PLAINTIFFS

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PRELIMINARY STATEMENT

The State's \$1.08 billion reduction in school aid for 2010-11 is an issue of considerable importance for poor and minority students. In Abbott XX, this Court upheld the School Funding Reform Act of 2008 ("SFRA"), finding that the "level and manner of SFRA's funding to Abbott districts for at-risk students satisfies the constitutional standard." Importantly, the Court predicated its holding "on the expectation that the State will continue to provide school funding aid . . . at the levels required by SFRA's formula each year." Moreover, the SFRA's level and manner of funding to poor and minority students provided reasonable assurances that these students could continue to make the gains in closing the achievement gap that have been fostered by the reforms compelled by this Court's Abbott decisions.

For the reasons set forth below, amici curiae, New Jersey State Conference of the NAACP, New Jersey Black Issues Convention and Paterson Education Fund, respectfully submit that by failing to fund the SFRA at its carefully designed levels, the State runs afoul of this Court's Abbott XX decision, undermines the SFRA's stated goals of alleviating the obstacles and financial burdens faced by school districts with high concentrations of poor and minority students, and ignores this Court's longstanding protection of the constitutional right to a

thorough and efficient education. Specifically, amici demonstrate in greater detail below that the school aid budget reductions have a disproportionate adverse effect on school districts with greater percentages of poor and Black and Latino students. As a result, the cuts will only exacerbate the racial isolation, poverty and crime, which already permeate the communities of so many poor and minority students. Furthermore, these cuts significantly risk undermining the substantial, but incomplete, strides that New Jersey has made toward closing the achievement gap for poor and minority students, ultimately impeding not simply these students' success and well-being, but the whole state's future.

In sum, the State must provide funding to poor and minority students at the specific levels set forth in the SFRA and mandated by this Court. To do otherwise puts at risk the neediest students' education, and their attainment of financial security and social mobility, that this Court has so vigilantly protected. Accordingly, this Court should grant Plaintiffs' Motion in Aid of Litigants' Rights and issue an order enjoining the State from providing school funding aid for 2010-11 that is less than the levels required by the SFRA formula, and from conducting the three-year review of the formula.

ARGUMENT

I. POOR AND MINORITY STUDENTS IN URBAN SCHOOL DISTRICTS REQUIRE A SUFFICIENTLY FUNDED EDUCATION IN ORDER TO OVERCOME RACIAL ISOLATION, POVERTY AND OTHER OBSTACLES.

A. Significant Societal Challenges Impede The Academic Success of Poor And Minority Students, Which Ultimately Harms The Interests Of The Entire State.

This Court has long recognized that improvement of education is vital to the elimination of poverty and racial isolation that permeate so many of New Jersey's urban centers. See, e.g., Abbott v. Burke, 119 N.J. 287, 392 (1990) ("Abbott II"). Poor and minority students in urban school districts have continually faced significant hurdles, including: (1) racial isolation; (2) poverty and crime; and (3) substandard housing and disproportionately high foreclosure rates. Because these problems continue to persist, particularly in communities with high concentrations of poor and minority students, sufficient funding, as precisely calculated pursuant to the School Funding Reform Act of 2008, N.J.S.A. 18A:7F-43 to -63 ("SFRA"), and mandated by this Court in Abbott v. Burke, 199 N.J. 140, 146, 168 (2009) ("Abbott XX"), is critical to ensuring that these students receive a through and efficient education.

1. Racial Isolation.

Well before the United States Supreme Court decided Brown v. Bd. of Educ. 347 U.S. 483 (1954), New Jersey courts had identified the evils associated with segregation and racial

isolation, in particular, their corrosive effects on children's education. See, e.g., Patterson v. Bd. of Educ., 11 N.J. Misc. 179 (Sup. Ct. 1933), aff'd, 112 N.J.L. 99 (E & A 1934) (holding segregation by race in the class room or gymnasium is unlawful discrimination); Pierce v. Union Dist. Sch., 46 N.J.L. 76 (Sup. Ct. 1884), aff'd, Union Dist. Sch. Trustees v. State, 47 N.J.L. 348 (E. & A. 1885) (holding school's refusal to admit student on account of race illegal based upon statutory prohibition against such exclusion). Through the last century, the Court's commitment to striking down segregation in schools has not wavered. See, e.g., In re North Haledon Sch. Dist. v. Passaic County Manchester Reg'l High Sch. Dist., 181 N.J. 161, 179 (2004) ("North Haledon"); Booker v. Bd. of Educ. 45 N.J. 161 (1965).

The State has two primary obligations to its public school children: (1) to provide a "thorough and efficient" education, N.J. Const. art. VIII, § 4, ¶ 1; and (2) to prevent racial isolation in public schools, N.J. Const. art. I, ¶ 5 ("No person shall . . . be segregated . . . in the public schools, because of . . . race, color, ancestry or national origin."). These two responsibilities, racial balance and education, are not "isolated factors", but "different sides of the same coin." Bd. of Educ. of Englewood Cliffs v. Bd. of Educ. of Englewood, 257 N.J. Super. 413, 464 (App. Div. 1992), aff'd, 132 N.J. 327

(1993). See also Jenkins v. Morris Sch. Dist., 58 N.J. 483, 499-506 (1971) (citing Booker, supra, 45 N.J. at 170 (segregation, whether de facto or de jure, denies "educational advantages which are [students'] due") (citation omitted)). As this Court has observed, in requiring that a City's Board of Education address racial imbalances in schools with high percentages of Black students, racially isolated schools "engender . . . feelings and attitudes" that "interfere with successful learning," Booker, supra, 45 N.J. at 175.

One decade into the twenty-first century, New Jersey public schools remain systematically segregated. In fact, by at least one measure, New Jersey is ranked as one of the most segregated states. See North Haledon, supra, 181 N.J. at 179 (citing and quoting Gary Orfield & Chungmei Lee, Brown at 50: King's Dream or Plessy's Nightmare 27-28 (2004) ("New Jersey ranks fifth in the nation in the percentage of Black (sic) students attending ninety to one hundred percent minority schools, and fourth in the nation in respect of Hispanic (sic) students.")). Specifically, in 2010-11, a projected 262,447 students will attend school in districts where 75 to 100% of students are Latino or Black. See Certification of Dr. Michelle Fine, Exhibit B, Table 1, "2009-10 and 2010-11 State Aid By Poverty and Racial/Ethnic Concentration" ("Fine Cert."). In light of the persistent racial isolation in New Jersey schools, continued and

appropriate aid and assistance to school districts with high concentrations of poor and minority students is required to combat the "feelings and attitudes" that "interfere with successful learning". Booker, supra, 45 N.J. at 175.

2. Poverty and crime

This Court has recognized that students in poor urban districts have far greater needs than those in wealthier districts, noting that the difference in educational needs is "monumental, no matter how it is measured." Abbott II, supra, 119 N.J. at 369. For example, urban "needs go beyond educational needs; they include food, clothing and shelter" and "arise from a life led in an environment of violence, poverty, and despair." Ibid.; Abbott v. Burke, 153 N.J. 480, 562-63 (1998) ("Abbott V") (same). The State has recognized that "whole school reform must include appropriate social services" to urban students. Abbott V, supra, 153 N.J. at 562.

Statistics today reflect that many poor school districts continue to be plagued with high rates of violent crime. These social ills only exacerbate the difficult challenges facing poor and minority children. For example, in 2008, there were 28,281 violent crimes throughout the state of New Jersey. The "Major

Urban" cities¹ accounted for 10,452, or 37%, of those crimes. New Jersey State Police, Uniform Crime Reporting Unit, Uniform Crime Report, § 2 at 17; § 6 at 104 - 108 (2008), available at <http://www.state.nj.us/njsp/info/ucr2008/pdf/2008-uniform-crime-report2.pdf>. In addition, 14,217 violent crimes - more than one-half of all violent crimes in New Jersey in 2008 - occurred in the "Urban 15" cities.² Id. at § 6, 108. Although a ten-year comparison between 1999 to 2008 reveals an overall 16% decrease in violent crime throughout the state, the "Major Urban" cities' distribution rate towards violent crime remains essentially the same, declining by merely 3%. Id. at § 6, 105 - 106.

Similarly, in 2008, the "Major Urban" cities accounted for 52% of all murders throughout the state. Id. at § 6, 106. Even though the total number of murders throughout New Jersey declined, several cities saw startling increases, including a 30% increase in Jersey City, a 29% increase in Camden, and a 21% increase in Paterson. Id. at § 2, 17; § 6, 104-108. Moreover, in 2008 the "Major Urban" cities accounted for nearly half of all robberies (44%), while the "Urban 15" cities contributed to 58% of all robberies in the state. Id. at § 6, 104 - 108.

¹ The "Major Urban" cities include Camden, Elizabeth, Jersey City, Newark, Paterson, and Trenton. Uniform Crime Reports, supra, at § 6, 104.

² "The Urban 15" cities include Bayonne, Camden, Clifton, East Orange, Elizabeth, Irvington, Jersey City, Newark, Passaic, Paterson, Toms River, Trenton, Union City, Vineland, and Woodbridge. Id.

These figures demonstrate that while there has been a general reduction in crime throughout the state, several of the largest urban centers in New Jersey are experiencing increases in crime, in particular violent crime. The statistics are especially alarming because criminal behavior disproportionately harms communities in urban centers, putting the students in these school districts "at a higher risk of school failure." Abbott V, supra, 153 N.J. at 562.

Poverty also remains an entrenched social ill that adversely affects the education of New Jersey students, particularly those attending school in urban districts. In 2008, 8.7% of all New Jersey households were below the poverty level; however the major urban cities have significantly higher poverty rates. U.S. Census Bureau, New Jersey QuickFacts (2008), available at <http://quickfacts.census.gov/qfd/states/34000.html>. For example, in 1999, New Jersey's poverty rate was 8.5%, compared to 28.4% in Newark, U.S. Census Bureau, Newark, New Jersey QuickFacts (1999), available at <http://quickfacts.census.gov/qfd/states/34/3451000.html>, 35.5% in Camden, U.S. Census Bureau, Camden, New Jersey QuickFacts (1999), available at <http://quickfacts.census.gov/qfd/states/34/3410000.html>, and 22.2% in Paterson. U.S. Census Bureau, Paterson, New Jersey

QuickFacts (1999), available at
<http://quickfacts.census.gov/qfd/states/34/3457000.html>. See
also Legal Services of New Jersey Poverty Research Institute,
Poverty Benchmarks 2010: Assessing New Jersey's Progress in
Combating Poverty 52 (2010), available at
<http://www.lsnj.org/PDFs/budget/Benchmarks2010.pdf> (describing
poverty rate of Blacks and Latinos as three times the rate for
Whites; noting increases in poverty rates from 2007 to 2008 for
Black and Latino communities).

While the statewide unemployment rate hovers at 10% - the
highest level in 30 years - the unemployment rate for Blacks and
Latinos is significantly higher. See id. at 27-28. For
example, the unemployment rate for Blacks was at 15.9% in the
third quarter of 2009, while the rate reached 12% in that same
quarter for Latinos. Id. at 28-29. Moreover, economists
predict that these unemployment rates will increase during 2010.
Id. at 29.

Statistical data compiled by the U.S. Census Bureau also
shows that the median household income for White New Jersey
residents is significantly higher than the median household
income for Black and Latino New Jersey residents. The data
reveals a strong correlation between wealth, poverty and race in
New Jersey. For example, the median household income in New
Jersey in 2008 was \$75,361 for White residents, \$47,357 for

Black residents and \$48,302 for Latino residents. U.S. Census Bureau, American Community Survey ("ACS"), B19013A. Median Household Income in the past 12 months (In Inflation-Adjusted Dollars) (White Householder) (2008); B19013B. Median Household Income in the past 12 months (In Inflation-Adjusted Dollars) (Black or African American Householder) (2008); B19013I. Median Household Income in the past 12 months (In Inflation-Adjusted Dollars) (Hispanic or Latino Householder) (2008).³ The percentage of White, Black and Latino persons living below the poverty line in 2008 was 6.1%, 17.2% and 16.4%, respectively. U.S. Census Bureau ACS, New Jersey Selected Population Profile in the United States: White (2008);⁴ New Jersey Selected Population Profile in the United States: Black or African American (2008);⁵ New Jersey

³ Due to the extremely long website addresses of the U.S. Census Bureau American Community Survey Tables, Amici have set forth website addresses for these sources in the instant footnote, and following footnotes 4 to 10, available at
http://factfinder.census.gov/servlet/DTable?_bm=y&-context=dt&-ds_name=ACS_2008_3YR_G00_-CONTEXT=dt&-mt_name=ACS_2008_3YR_G2000_B19013A&-mt_name=ACS_2008_3YR_G2000_B19013B&-mt_name=ACS_2008_3YR_G2000_B19013I&-tree_id=3308&-redoLog=false&-geo_id=04000US34&-search_results=01000US&-format=&-lang=en

⁴ available at
http://factfinder.census.gov/servlet/IPTable?_bm=y&-context=ip&-reg=ACS_2008_3YR_G00_S0201:002;ACS_2008_3YR_G00_S0201PR:002;ACS_2008_3YR_G00_S0201T:002;ACS_2008_3YR_G00_S0201TPR:002&-qr_name=ACS_2008_3YR_G00_S0201&-qr_name=ACS_2008_3YR_G00_S0201PR&-qr_name=ACS_2008_3YR_G00_S0201T&-

⁵ available at,
http://factfinder.census.gov/servlet/IPTable?_bm=y&-context=ip&-

Selected Population Profile in the United States: Hispanic or Latino (2008).⁶

The data produces an even greater disparity when looking at the median household income based on race in Essex County, New Jersey. In Essex County, the median household income is \$78,816 for White homeowners, \$41,155 for Black residents and \$41,981 for Latino residents. U.S. Census Bureau ACS, B19013A. Median Household Income in the past 12 Months (White Alone Householder) (2008); B19013B. Median Household Income in the past 12 Months (Black or African American Alone Householder) (2008); B19013I. Median Household Income in the past 12 Months (Hispanic or Latino Householder) (2008).⁷ The percentage of White, Black

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⁷ available at

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and Latino persons in Essex County living below the poverty line in 2008 was 7.4%, 20.9% and 20.1%, respectively. Essex County, New Jersey Selected Population Profile: White (2008);⁸ Essex County, New Jersey Selected Population Profile: Black or African American (2008);⁹ Essex County, New Jersey Selected Population Profile: Hispanic or Latino (2008).¹⁰ Based on the foregoing, it

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⁸ available at

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search_results=01000US&-format=&-_lang=en

⁹ available at

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¹⁰ available at

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search_results=01000US&-format=&-_lang=en.

is clear that there remain hundreds of thousands of students who face poverty, with urban and minority students disproportionately suffering such hardship, making the need for continued education funding and provision of social services as critical today, as the Court found in its earlier Abbott decisions. See, Abbott V, supra, 153 N.J. at 562-63; Abbott II, supra, 119 N.J. at 369.

3. Housing.

Students from school districts composed of high concentrations of poor and minority students also confront housing stock inferior to that of students from more affluent school districts. "The Court has recognized that substandard housing is one of many socio-economic conditions that impairs educational achievement." In re Adoption of 2003 Low Income Housing Tax Credit Qualified Allocation Plan, 369 N.J. Super. 2, 36 (App. Div. 2004) ("Low Income Housing") (citing Abbott II, supra, 119 N.J. at 369).

New Jersey, like much of the United States, is in the midst of a mortgage foreclosure crisis. Joe Tyrell, N.J. Judge Rules Lenders Must Prove They Hold Note Before They Can Foreclose on a Property, [newjerseynewsroom.com](http://www.newjerseynewsroom.com), July 8, 2010, available at <http://www.newjerseynewsroom.com/economy/nj-judge-rules-lenders-must-prove-they-hold-note-before-they-can-foreclose-on-a-property> (noting New Jersey ranks tenth among states in

foreclosure filings); see also Center for Responsible Lending, Foreclosures by Race and Ethnicity: The Demographics of a Crisis 3 (2010), available at <http://www.responsiblelending.org/mortgage-lending/research-analysis/foreclosures-by-race-and-ethnicity.pdf> (Nationally, 2.5 million foreclosures have been completed and a "historical high" of 4.63% of all mortgages are in foreclosure process.).

New Jersey's mortgage foreclosure crisis is at its worst in urban areas including Newark, Paterson, and Elizabeth. See Kareem Fahim & Janet Roberts, In New Jersey, Dreams of a Better Life Dashed by Foreclosure Crisis, N.Y. Times, May 17, 2009, available at http://www.nytimes.com/2009/05/17/nyregion/new-jersey/17mortnj.html?_r=1&pagewanted=all. In fact, the foreclosure rate in Essex County exceeds the highest rate of any county in New Jersey, as well as New York City, Long Island or Connecticut suburbs, ibid., and shows no sign of abating. See Center for Responsible Lending, supra, at 3 (noting that independent analysts believe total number of foreclosures could reach 13 million). For example, in May 2009 Newark local authorities estimated 2,500 homes were in some state of the foreclosure process. Ibid. But by June 2010, 3,426 Newark homes were under foreclosure. RealtyTrac, NJ Real Estate Trends, Newark, June 2010, available at <http://www.realtytrac.com/trendcenter/default.aspx?address=Newar>

k%2C%20NJ%20&parsed=1&ct=newark&cn=essex (accessed on July 26, 2010) (subscription required).

In addition, the foreclosure crisis continues to disproportionately harm minority homeowners, who already trail White homeowners in income, wealth and education levels. Center for Responsible Lending, supra, at 3. Nationally, Black and Latino borrowers are more likely to be at an immediate risk of foreclosure (21.6% and 21.4%, respectively) than non-Hispanic, White borrowers (14.8%). Ibid. A New York Times analysis based on New Jersey census tracts found that in neighborhoods of mostly Black residents, more than 9% of homes were in foreclosure between 2005 and 2008, four times the rate of neighborhoods with mostly White residents. Hispanic neighborhood foreclosure rates were more than 6%, three times the rate of mostly White neighborhoods. Fahim & Roberts, supra.

Finally, in addition to disrupting the lives of the residents of the foreclosed properties, the high foreclosure rate threatens to destabilize entire regions, fostering urban blight and crime, ibid., which ultimately lead to the depreciation in value of surrounding properties and neighborhoods. Center for Responsible Lending, supra, at 3. As the New Jersey judiciary's administrative arm observed recently, high foreclosure rates have a "negative financial and social effect on many of New Jersey's communities, with social

dislocation, declining housing values, neighborhood blight, homelessness, and a general decline in neighborhood morale and safety.” Administrative Office of the Courts, New Jersey Foreclosure Mediation (2009) available at https://njcourts.judiciary.state.nj.us/web0/civil/foreclosure/11290_foreclosure_med_info.pdf.

Based upon the foregoing, it is clear that the historical levels of mortgage foreclosures confronting poor and minority students and their families throughout New Jersey, and the collateral effects of these foreclosures, threaten students’ educational success. Low Income Housing, supra, 369 N.J. Super. at 36 (citation omitted). Accordingly, poor and minority students require the continued and appropriate aid upheld by this Court as meeting the constitutional standard.¹¹

B. The State’s Cuts To School Aid Disproportionately Harm School Districts With High Concentrations Of Poor And Minority Students, Improperly Deviate From The School Funding Reform Act And, Therefore, Violate Abbott XX.

The SFRA cements this State’s commitment to overcoming the challenges confronting poor and minority students by providing

¹¹ Municipal overburden is yet another social ill confronting poor and minority students. Poor urban districts, in particular, are unable to generate significant revenue due to “disproportionately low property values” compared to the local properties from which they are assessed, and the high level of need for essential municipal services such as police, fire, social services, and sanitation. Abbott II, supra, 119 N.J. at 325. As this Court observed only one year ago, municipal overburden remains a constant problem. Abbott XX, supra, 199 N.J. at 165-166.

additional per-pupil aid to school districts with the highest concentrations of poor students. In upholding the SFRA, this Court predicated its determination, in part, upon the SFRA formula's carefully weighted calculations, which take into account the increased needs, and commensurate costs, experienced by school districts with high concentrations of at risk students (students qualifying for free or reduced-price lunch). Abbott XX, supra, 199 N.J. at 146, 168.

The SFRA formula reflects the State interest in the success and achievement of poor and minority students by increasing the per-pupil funding based upon certain characteristics that include a broader definition of poverty, limited English proficiency, or receipt of special education services. See N.J.S.A. 18A:7F-44(h), (i), (j); N.J.S.A. 18A:7F-45 (defining "at-risk pupil" and "combination pupil"); N.J.S.A. 18A:7F-51 (calculating adequacy budget based in part upon the at-risk weights); Abbott XX, supra, 199 N.J. at 152; id. at 168-70 (describing development of at-risk weights). Importantly, the Legislature expanded "the definition of at-risk students in this manner [which] significantly increase[s] the resources flowing to districts with high concentrations of these low-income students," in order to address "the unique problems and cost disadvantages faced by districts with high concentrations of at-risk students," N.J.S.A. 18A:7F-44(j).

The SFRA formula calculates per pupil funding based on weights reflecting certain criteria, and the corresponding needs, and therefore, costs, of a school district. See N.J.S.A. 18A:7F-44(h) ("The formula accounts for the individual characteristics of school districts and the realities of their surroundings, including the need for additional resources to address the increased disadvantages created by high concentrations of children at-risk."). Specifically, the SFRA designates the at-risk weight for districts with concentrations of low-income students less than 20% of resident enrollment at 0.47. N.J.S.A. 18A:7F-51(b). The weight increases for districts with concentrations of low-income students between 20 and 60% of resident enrollment. Ibid. Finally, for districts "in which the concentration of at-risk pupils is equal to or greater than 60% of resident enrollment, the at-risk weight shall equal 0.57." Ibid. In addition, the formula increases the weight for a student who is both at risk and classified as "Limited English Proficiency" to 0.125. N.J.S.A. 18A:7F-51(d). The SFRA formula also factors into its calculation the security costs associated with "the at-risk student population and other factors," N.J.S.A. 18A:7F-44(m), and increases the security amount as the concentration of at-risk students rises. N.J.S.A. 18A:7F-56. See also Abbott XX, supra, 199 N.J. at 156

(describing sliding scale approach of allocating at-risk student security aid).

According to the Legislature's own findings, the SFRA is "the product of a careful and deliberative process that first involved determining the educational inputs necessary to provide a high-quality education, including specifically addressing the supplemental needs of at-risk students and those with limited English proficiency (LEP), and a determination of the actual cost of providing those programs." N.J.S.A. 18A:7F-44(i). The formula is therefore designed to provide "adequate funding realistically geared to the core curriculum content standards," ibid.

This Court upheld the SFRA on the basis of its precise and calculated formula, which factors into its per pupil amounts the cost of educating at-risk students and other related factors, and their attendant costs. Specifically, the Court held that the "level and manner of SFRA's funding to Abbott districts for at-risk students satisfies the constitutional standard." Abbott XX, supra, 199 N.J. at 168.

The Court's determination that the formula was reasonable, however, was contingent upon the formula's proven efficacy and complete and full funding. Id. at 169. Critical to the instant motion, the Court's "finding of constitutionality [wa]s premised on the expectation that the State will continue to provide

school funding aid . . . at the levels required by SFRA's formula each year." Id. at 146. The Court did not countenance deviation from the formula, whatever the degree or amount. "This funding formula was designed to operate as a unitary whole and, in order to achieve its beneficial results, it must be allowed to work as it was intended." Id. at 173. The Court's decision was not, therefore, a static one. See id. at 146 ("[A] state funding formula's constitutionality is not an occurrence at a moment in time; it is a continuing obligation."). Therefore, this Court's holding that the SFRA was constitutional was a provisional ruling, contingent upon fidelity to the formula, which includes full funding.

A careful examination of the effect of the State's cuts in aid to school districts with the highest concentrations of poor and minority students demonstrates the extent to which they are disproportionately denied aid. See (Fine Cert. ¶¶2,7.) (analyzing how the 2010-11 reduction in State aid affects the per-pupil spending of New Jersey school districts, grades K-12, with high concentrations of poor and minority students). Research and analysis by Dr. Michelle Fine, based upon 2009-10 and 2010-11 State Aid Profiles provided by the New Jersey Department of Education, shows that the State's reduction in K-12 formula aid causes more substantial cuts to school districts with the highest concentrations of poor and minority students

than to districts with lesser concentrations of these students. (Fine Cert. ¶10.) For example, in school districts where 75 to 100% of students are designated at risk, the 2010-11 budget per pupil is \$1,175 less than it was in 2009-10. (Fine Cert. ¶9(h).) On the other hand, in school districts with less than 25% at risk students, the 2010-11 budget per pupil is \$738 less than it was in 2009-10. (Fine Cert. ¶9(d).) Similarly, school districts with 75 to 100% of Black or Latino students lose an average of \$1,097 per pupil under the 2010-11 budget. (Fine Cert. ¶10(h).) Conversely, districts where less than 25% of students are Black or Latino lose an average of \$737 per pupil due to the 2010-11 budget. (Fine Cert. ¶10(d).) As the data demonstrates, due to the State's cuts in school aid, school districts servicing the highest concentrations of poor and minority students lose substantially more per-pupil funding than school districts with lower percentages of poor and minority students.

Based upon the foregoing, it is without question that the State's budget cuts ignore the precise and weighted calculations of the SFRA formula. The resulting reduced per pupil amounts provided to school districts with significant concentrations of poor and minority students cannot be characterized as "realistically geared to the core curriculum content standards." N.J.S.A. 18A:7F-44(i). Nor can the adulterated "level and manner

of SFRA's funding" be said to meet the constitutional standard. Abbott XX, supra, 199 N.J. at 168. Nor can the reduced aid be viewed as taking into full consideration the adverse effects of racial isolation, poverty, crime, and high foreclosure rates. Accordingly, the State should be enjoined from providing school funding aid for 2010-11 that is less than the levels required by the SFRA formula.

II. THE DISPROPORTIONATE CUTS IN PER PUPIL AID TO SCHOOL DISTRICTS WITH THE HIGHEST CONCENTRATIONS OF POOR AND MINORITY STUDENTS MAY UNDERMINE THE SUCCESS OF ABBOTT REFORMS AND WIDEN NEW JERSEY'S EDUCATION ACHIEVEMENT GAP.

The reforms in education and education funding compelled by this Court's Abbott decisions have led to significant academic improvement among New Jersey's poor and minority students. See Linda Darling-Hammond, The Flat World and Education: How America's Commitment to Equity will Determine our Future 122 (2010) (noting that securing parity funding for Abbott districts resulted in a narrowing of the opportunity and resource gaps between White and Black and Hispanic students). See also Statement of Gordon MacInnes, Student Achievement in the Abbott Districts 2, February 3, 2005 available at www.state.nj.us/education/archive/abbotts/info/statement.htm ("These achievements . . . we owe to the Abbott decisions and to the bi-partisan support of successive governors and legislatures to provide disadvantaged children with an education that gives

them the same chances in life as their affluent peers."). Yet without faithful funding of the SFRA, and adherence to Abbott XX, the upward trajectory in poor minority students' scores is likely to turn downward.

The primary objective of Abbott was to close the achievement gap between poor and wealthy students and between Abbott and non-Abbott students. See MacInnes at 6. Today, closing the achievement gap remains a vital, yet unfulfilled, State interest. The New Jersey Legislature defines "achievement gap" as "the difference in academic performance among student groups within a district defined [] by race, ethnicity, social and economic status and student status." N.J.A.C. 6A:7-1.3. See also N.J.A.C. 6A:7-1.7(b) (narrowing the achievement gap helps eliminate racial, ethnic and socioeconomic discrimination). Studies have consistently revealed that poor and minority children "[f]all behind their wealthier peers in test scores, graduation rates, college enrollment, and other measures of academic success." Kevin Carey, Education Funding and Low-Income Children: A Review of Current Research, Center on Budget and Policy Priorities, November 5, 2002, at 1, available at <http://www.cbpp.org/cms/index.cfm?fa=view&id=1428>. See also McKinsey&Co., The Economic Impact of the Achievement Gap in America's Schools, 40 (April 2009) (Students who qualify for

federally subsidized lunch are approximately two years of learning behind students who do not qualify.).

Almost from the moment Abbott reforms were implemented, the academic scores of historically disadvantaged students improved. In fact, between 1992 and 2007, New Jersey ranked among the top four states in increasing Black students' standardized test scores. Alan Vanneman et al., Achievement Gaps: How Black and White Students in Public Schools Perform in Mathematics and Reading on the National Assessment of Educational Progress, iv, 14, (July 2009). See also Darling-Hammond, supra, at 122 (discussing progress of poor Black and Hispanic students in New Jersey). Another study found that from 1999 to 2004, fourth grade students from Abbott districts improved from 33% proficiency on the State's language arts test to 75% proficient or advanced proficient. MacInnes, supra, at 2.

Notwithstanding the gains in poor and minority students' scores, the achievement gap in New Jersey remains unacceptably high. See ibid. (characterizing Abbott district fourth graders' progress as "still insufficient"). For example, in New Jersey the average non-poor White student is approximately 3.5 years ahead in reading and math than the average poor minority student. McKinsey&Co., supra, at 40. In addition, the difference between Black and White students' eighth grade graduation rates in 2005 was 25 percentage points. Id. at 66.

The persistence of the achievement is most evident in a comparison of standardized test scores of fourth and eighth grade New Jersey public school students from 2009. Data compiled by the Institute of Education Sciences ("IES") from the results of the 2009 National Assessment of Educational Progress, categorized by race and eligibility for free or reduced-price lunch, reveals the following:

- Fourth Grade Mathematics:

- White students scored an average of 24 points (compared to 32 in 1992) higher than Hispanic students and 27 points (compared to 38 in 1992) higher than Black students.¹²
- The average score of students eligible for free or reduced-price school lunch was 26 points (compared to 32 in 1996) lower than that of students who were not eligible for free or reduced-price school lunch.¹³

- Fourth Grade Reading:

- White students scored an average of 24 points (compared to 38 in 1992) higher than Hispanic students and 25 points (compared to 35 in 1992) higher than Black students.¹⁴
- The average score of students eligible for free or reduced-price school lunch was 26 points (compared

¹² Institute of Education Sciences ("IES"), The Nation's Report Card, Mathematics 2009, Snapshot State Report: New Jersey, Grade 4, Public Schools (July 2009), available at <http://nces.ed.gov/nationsreportcard/pdf/stt2009/2010454NJ4.pdf>

¹³ Ibid.

¹⁴ IES, The Nation's Report Card, Reading 2009, Snapshot State Report: New Jersey, Grade 4, Public Schools (July 2009), available at <http://nces.ed.gov/nationsreportcard/pdf/stt2009/2010460NJ4.pdf>

to 30 in 2003) lower than that of students who were not eligible for free or reduced-price school lunch.¹⁵

- Eighth Grade Mathematics:

- White students scored an average of 30 points (compared to 37 in 1990) higher than Hispanic students and 34 points (compared to 38 in 1990) higher than Black students.¹⁶
- The average score of students eligible for free or reduced-price school lunch was 30 points (compared to 34 in 2003) lower than that of students who were not eligible for free or reduced-price school lunch.¹⁷

- Eighth Grade Reading:

- White students scored an average of 25 points (compared to 28 in 2003) higher than Hispanic students and 31 points (compared to 29 in 2003) higher than Black students.¹⁸
- The average score of students eligible for free or reduced school lunch was 27 points (compared to 30 in 2003) lower than that of students who were not eligible for free or reduced-price school lunch.¹⁹

These numbers reveal that while Abbott aid and reforms have helped narrow the achievement gap in New Jersey public schools, the gap remains unacceptably wide.

¹⁵ Ibid.

¹⁶ IES, The Nation's Report Card, Mathematics 2009, Snapshot State Report: New Jersey, Grade 8, Public Schools (July 2009), available at
<http://nces.ed.gov/nationsreportcard/pdf/stt2009/2010454NJ8.pdf>

¹⁷ Ibid.

¹⁸ IES, The Nation's Report Card, Reading 2009, Snapshot State Report: New Jersey, Grade 8, Public Schools (July 2009), available at

<http://nces.ed.gov/nationsreportcard/pdf/stt2009/2010460NJ8.pdf>

¹⁹ Ibid.

As the data indicates, White students scored an average of over 20 points higher in both reading and math than Black or Hispanic students of the same grade level. See IES, supra notes 12 to 19. In addition, the gap between the average scores was higher in eighth grade than in fourth grade, indicating that minority students fall further behind their White peers as they get older. Ibid.

Furthermore, the results show that money and income play a significant role in students' academic achievement. Ibid. See also McKinsey&Co., supra, at 21 (finding that "a large part of the economic cost associated with America's educational achievement gap is borne by poor and minority communities whose members are unable to reach their potential"). Students eligible for free or reduced-price school lunch consistently scored lower on the standardized tests than students who were not eligible for free or reduced-price school lunch. IES, supra.

Based upon the foregoing, there is great concern that the cuts to the funding of the school districts with the highest concentrations of poor and minority students will short-circuit the narrowing of, or even widen, the achievement gap. In turn, stunting poor and minority students' educational progress will only exacerbate these students' isolation and poverty, which ultimately impacts upon the whole "state's future." Abbott II,

supra, 119 N.J. at 392. Moreover, the cuts in school aid are entirely inconsistent with the SFRA, Abbott XX, and this Court's longstanding protection of the constitutional right to a thorough and efficient education, N.J. Const. art. VIII, § 4, ¶ 1. Accordingly, the State must provide funding to low-income and minority students at the specific levels set forth in SFRA and approved by this Court. To do otherwise puts at risk the education, and the attainment of financial security and social mobility, that this Court has so vigilantly protected.

CONCLUSION

For the reasons set forth above, amici curiae, New Jersey State Conference of the NAACP, New Jersey Black Issues Convention and Paterson Education Fund respectfully submit that this Court should grant Plaintiffs' Motion in Aid of Litigants' Rights and issue an order enjoining the State from providing school funding aid for 2010-11 that is less than the levels required by the SFRA formula, and from conducting the three-year review of the formula.

Respectfully submitted,



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Dated: 7/30/2010

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RAYMOND ARTHUR ABBOTT, et al.,

Plaintiffs,

v.

FRED G. BURKE, et al.,

Defendants.

SUPREME COURT OF NEW JERSEY
DOCKET NO. 42,170

Civil Action

CERTIFICATION OF DR. MICHELLE FINE

Dr. Michelle Fine, of full age, hereby certifies as follows:

1. I am Distinguished Professor of Social Psychology and Urban Education at the Graduate Center, City University of New York. For the past 25 years, I have conducted research on public schools with poor, middle income, and wealthy adolescents in and out of school; urban educators; parents; and most recently prisoners in college. I have published 13 books, over 50 chapters, and over 50 articles in peer reviewed journals, and a number of scholarly monographs. My research has been published and presented in the United States, England, Ireland, Australia,

China, Israel, Cyprus, Turkey and New Zealand. My methodological expertise spans both qualitative and quantitative methods. As my curriculum vitae indicates (a copy of which is attached to this certification as Exhibit A), I have won a number of national awards, including the Janet Helms Award from the Cross Cultural Roundtable and the Carolyn Sherif Award from the American Psychological Association. I was a member of the National Academy of Sciences Panel on Youth Engagement. I have testified as an expert in a number of legal cases involving public education, including, most recently, Valenzuela, et al. v. O'Connell, et al., No. CPF 06506050 (Cal. Sup. Ct. 2006).

2. I submit this Certification to provide the Court with data and analysis concerning how the 2010-11 reduction in kindergarten through grade 12 State formula aid affects the per-pupil spending of New Jersey school districts with high concentrations of low-income and minority students. Because these districts have high numbers of what are classified as "at-risk" students, pursuant to the School Funding Reform Act ("SFRA"), N.J.S.A. 18A:7F-44 to -63, and Abbott v. Burke, 199 N.J. 140 (2008) ("Abbott XX"), these districts require greater school funding than that provided to other school districts. See N.J.S.A. 18A:7F-44(j) (observing that formula includes within at-risk definition students eligible for free or reduced-price lunch and that such inclusion "will significantly increase the

resources flowing to districts with high concentrations of these low-income students"); Abbott XX, supra, 199 N.J. at 152 (noting that formula's calculation of per pupil spending based upon considerations including concentration of low-income students necessarily increases cost of education).

3. For my analysis, I relied upon data provided to me by Dr. Danielle Farrie, Director of Research at the Education Law Center. In classifying State aid cuts by poverty and racial/ethnic concentration, Dr. Farrie relied upon State Aid Profiles for 2009-10 and 2010-11 as well as the 2008-09 Fall Survey, all issued by the New Jersey Department of Education.

4. In preparing this Certification, I reviewed the 2009-10 and 2010-11 State Aid Profiles provided by the DOE. These profiles include information on the K-12 State Aid provided to each school district. The files also contain estimates of the number of "at-risk" students in the district, as well as the total resident enrollment (the enrollment figures upon which aid is calculated). The "at-risk" figures from this source are used to classify school districts into four distinct poverty categories (less than 25% poor, 25-49%, 50-74% and 75% or more). Because the State Aid Profiles do not include data on racial/ethnic enrollments, with Dr. Farrie, I relied on the enrollment counts by race/ethnicity from the 2008-09 Fall Survey. This survey provides a count of all students by

race/ethnicity who are enrolled in each school district as of October 15, 2008. To classify districts by racial/ethnic composition, the districts were collapsed into four categories based on the percentage of their enrollment that is either Black or Hispanic (less than 25% Black or Hispanic, 25-49%, 50-74% and 75% or more). Because some districts were not included in the 2008-09 Fall Survey, they are missing in the race/ethnicity analysis.

5. To determine the impact of the proposed state aid cuts on districts in these aforementioned categories, a per pupil state aid amount was calculated for each district by dividing the K-12 State Aid by the resident enrollment for that same year. The average per pupil K-12 State Aid amount for each category was determined by calculating a resident enrollment weighted average of the district per pupil aid amounts. This allows a comparison of one-year changes in per pupil State Aid levels among the various categories of racial/ethnic and poverty concentration.

Analysis of 2010-11 Budget Reductions

6. Based upon the analysis set forth below, my ultimate conclusion is that the school aid budget reductions will have a disproportionate adverse effect on school districts with greater percentages of impoverished and Black and Hispanic students. In fact, under the budget cuts, the higher the concentration of

low-income and/or minority students in a district, the more per-pupil money will be stripped away.

7. Table 1, Exhibit B, "2009-10 and 2010-11 State Aid By Poverty and Racial/Ethnic Concentration" provides a summary of the 2010-11 budget reduction. The summary is based upon a comparison of the 2009-10 and 2010-11 State Aid Profiles. The school districts are classified according to two factors: (1) at-risk students; and (2) Black or Hispanic students. The districts are divided into categories of less than 25% at-risk students; between 25 to 49% at-risk students; between 50 to 74% at-risk students; and from 75 to 100% at-risk students. The districts are also divided into categories of less than 25% Black or Hispanic students; between 25 to 49% Black or Hispanic students; between 50 to 74% Black or Hispanic students; and from 75 to 100% Black or Hispanic students. In order to calculate the per pupil amount each student receives for 2010-11, the amount of State Aid received by districts within each of these categories is divided by the corresponding student enrollment, based upon the respective year's resident enrollment.

8. My key findings from the summary analysis of the budgets reduction to school districts based upon poverty, as indicated in Table 1, Exhibit B, are as follows:

- a. The total 2010-11 budget for all school districts that enroll less than 25% at-risk students (385 school

districts) is \$1.30 billion, which represents a \$544 million reduction from the total 2009-10 budget.

b. Under the 2010-11 budget the per pupil amount in school districts that enroll less than 25% at-risk students is \$1,815, a \$738 decrease from the 2009-10 per pupil spending.

c. The total 2010-11 budget for all school districts that enroll 25 to 49% at-risk (127 school districts) is \$1.12 billion, which represents a \$205 million reduction from the total 2009-10 budget.

d. As a result of the 2010-11 State aid cuts, in school districts that enroll 25 to 49% at-risk, the per pupil amount is \$4,219, a \$776 decrease from 2009-10.

e. The total 2010-11 budget for all school districts that enroll 50 to 74% at-risk students (60 school districts) is \$2.01 billion, which represents a \$168 million reduction from the total 2009-10 budget.

f. The 2010-11 State aid cut to school districts that enroll 50 to 74% at-risk students produces a \$10,410 per pupil amount, a \$876 reduction from the 2009-10 per pupil amount.

g. The total 2010-11 budget for all school districts that enroll 75 to 100% at-risk (22 school districts) is \$2.41 billion, which represents a \$163 million reduction

from the total 2009-10 budget.

h. The 2010-11 budget per pupil in school districts that enroll 75 to 100% at-risk is \$13,621, a \$1,175 reduction from the 2009-10 per pupil amount.

9. My key findings from the summary analysis of the budgets reduction to school districts based upon racial/ethnic classification, as indicated in Table 1, Exhibit B, are as follows:

a. The total 2010-11 budget for all school districts that enroll less than 25% Black or Hispanic students (395 school districts) is \$1.46 billion, which represents a \$539 million reduction from the total 2009-10 budget.

b. Under the 2010-11 budget the per pupil amount in school districts that enroll less than 25% Black or Hispanic students is \$2,055, a \$737 decrease from the 2009-10 per pupil amount.

c. The total 2010-11 budget for all school districts that enroll between 25 and 49% Black or Hispanic students (91 school districts) is \$908 million, which represents a \$166 million reduction from the total 2009-10 budget.

d. As a result of the 2010-11 State aid cuts, in school districts that enroll 25 to 49% Black or Hispanic students, the per pupil amount is \$4,242, a \$749 decrease from 2009-10.

e. The total 2010-11 budget for all school districts that enroll from 50 to 74% Black or Hispanic students (44 school districts) is \$1.12 billion, which represents a \$135 million reduction from the total 2009-10 budget.

f. The 2010-11 State aid cut to school districts that enroll from 50 to 74% Black or Hispanic students produces a \$6,848 per pupil amount, a \$852 reduction from the 2009-10 per pupil amount.

g. The total 2010-11 budget for all school districts that enroll from 75 to 100% Black or Hispanic students (40 school districts) is \$3.35 billion, which represents a \$239 million reduction from the total 2009-10 budget.

h. The 2010-11 State aid cut to school districts that enroll from 75 to 100% Black or Hispanic students produces a \$12,747 per pupil amount, a \$1,097 reduction from the 2009-10 per pupil amount.

Conclusion

10. In summary, I conclude:

a. As a result of the State's reduction in K-12 formula aid, school districts with the highest concentrations of at-risk students experience more substantial cuts to their per-pupil spending than districts with lesser concentrations of these students. Most notably, the per pupil cut in school districts with less


than 25% at-risk students is \$738, whereas the per pupil reduction in school districts with at least 75% at-risk is \$1,175 - a \$437 difference.

b. Similarly, due to the reduction in K-12 formula aid, school districts with the highest concentrations of Black or Hispanic students sustain greater cuts to their per pupil amount than do school districts with smaller concentrations of students of color. For example, due to the reduction in formula aid, the per pupil aid cut in school districts with less than 25% Black or Hispanic students is \$737; in contrast, the per pupil cut in school districts with at least 75% Black or Hispanic students is \$1,097 - a \$360 difference.

c. The State's disproportionate cuts to per pupil spending for school districts with the highest concentrations of low-income and minority students depart significantly from the SFRA formula. In deviating from the SFRA formula, the State's cuts ignore the SFRA's underlying calculations and process that had been upheld in Abbott XX, which involved a determination of the educational resources (and actual cost) necessary to produce a thorough and efficient education, including providing for the supplemental needs of at-risk students and those with limited English proficiency. Accordingly, the

disproportionate cuts in per pupil aid to the school districts with the highest concentrations of minority and low-income students are not only inconsistent with the SFRA, but deprive the students in these districts of the resources determined by the State to be necessary to meet state academic standards, as required for a constitutionally adequate education.

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



Michelle Fine, PhD

DATED:

July 23, 2010

Exhibit A

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Academic Positions

<u>The Graduate Center of the City University of New York</u> Subprogram head, Social/Personality Psychology	2008 -
Distinguished Professor of Psychology	2002
Professor of Psychology, Social-Personality Psychology, Urban Education and Women's Studies	1992 - present
<u>The University of New Zealand, Auckland</u> Institute for Maori Studies Visiting Scholar	2000
<u>University of Pennsylvania</u> The Goldie Anna Charitable Trust Professor of Education Interdisciplinary Studies in Human Development Program	1990-1992
Associate Professor of Psychology in Education Interdisciplinary Studies in Human Development Program	1986-1990
Assistant Professor of Psychology in Education Interdisciplinary Studies in Human Development Program	1981-1986
<u>Consultant, Philadelphia Schools Collaborative</u> Restructuring Comprehensive High Schools	1988-1995

Education

<u>Teachers College, Columbia University</u> Ph.D. in Social Psychology	1980
M. Phil. in Psychology	1979
M.A. in Psychology	1978
<u>Brandeis University</u> B.A. in Psychology	1975

Grants, Contracts and Fellowships

<u>Public Welfare Fund</u> Participatory Documentation of the Criminalization of Urban Youth	2010
<u>Society for the Psychological Study of Social Issues</u> Dalmas Taylor Conference	2009
<u>European Association of Social Psychology/SPSSI</u> Small international conference on “forgotten alternatives to injustice” With Susan Opatow, John Jay College	2009 – 2010
<u>Ford Foundation</u> Ford Seminar on Secondary Education and Structural Racism	2009 - 2011
<u>Surdna Foundation</u> Institute for Participatory Action Research and Design Polling for Justice	2009 – 2011
<u>Schumann Fund for New Jersey</u> Youth research on New Graduation Requirements	2008 – 2009
<u>Ford Foundation</u> Rebuilding communities by educating formerly incarcerated adults Research with adults and children affected by mass incarceration	2008 - 2009
<u>Surdna Foundation</u> PAR Collective Foundation Grant	2008 - 2009
<u>Fulbright Distinguished Visitor</u> Haifa University	2007
<u>JHET Foundation</u> New York, New York Participatory Study with Men and Women Who Have Served Long Prison Sentences: A Look At Parole and Post-Release Outcomes	2005 – 2006
<u>Leslie Glass Foundation</u> Funding for research on teen sexuality	2005 – 2007
<u>Rockefeller Foundation</u> New York, New York Race, Ethnicity, Class and Academic Opportunities Youth Researchers Project on “Closing the Gap”	2001 - 2004
<u>Spencer Foundation</u> Chicago, Illinois	2001-2004

Discipline Based Studies in Education
Graduate Training Grant
Colette Daiute and Michelle Fine, Principal Investigators

<u>Leslie Glass Foundation</u> New York, New York Graduate Student Support Studies in consciousness and action	2001-2005
<u>Open Society Institute</u> New York, New York Support for media strategy and dissemination Of "Changing Minds" monograph	2001
<u>Leslie Glass Foundation</u> New York, New York Production and Dissemination of "Changing Minds" monograph On the Impact of College in Prison	2001
<u>Helena Fund of the Jewish Communal Fund</u> New York, New York Youth Surveillance Project, with Professor Nick Freudenberg	2000-2001
<u>Open Society Institute, Center for Crime, Communities and Culture</u> New York, New York Policy scholarships for research on public education and criminal justice	2000-2001
<u>Spencer Foundation</u> National Mentoring Award	1998-2000
<u>Forty-Five Foundation</u> Bedford Hills Correctional Facility College Bound Evaluation	1997-1998
<u>Joyce Foundation</u> with Pat Wasley, Linda Powell and Sherry King Evaluation of Chicago's Small Schools	1997-2000
<u>Carnegie Corporation of New York</u> with Linda Powell and Lois Weis Communities of Difference: Integrated Spaces for and by Youth	1996-1998
<u>Ms. Foundation</u> co-evaluator of the Early Adolescent Girls Initiative	1996-1998
<u>Spencer Foundation</u> with Lois Weis	1995-1998

Sites of Possibility in Urban America

<u>Diamond Foundation</u> Support for graduate students engaged in public policy analyses	1995
<u>Ford Foundation Initiative</u> Evaluation of 15 New Visions schools in New York City	1995-1996
<u>Bruner Foundation</u> with Ann Weiner and Lydia Bassett Documentation of two Middle Schools	1993-1996
<u>Spencer Foundation</u> with Lois Weis, State University of New York, Buffalo Reconciling Narratives of Hope and Despair	1992-1995
<u>Valentine Foundation</u> with Pat Macpherson Women's Adolescent Autobiographies	1992-1993
<u>Goldie Anna Charitable Trust, Term Chair</u> Graduate School of Education, University of Pennsylvania	1990-1992
<u>Spencer Foundation</u> with Michael Katz and Elaine Simon, University of Pennsylvania Analysis of Historic and Contemporary Politics of Chicago School Reform	1990
<u>Office of Technology Assessment - U. S. Congress</u> Principal Contractor for Commissioned Manuscript Middle and Secondary Schools and Adolescent, Health Outcomes	1989-1990
<u>W.T. Grant Foundation Grant</u> "With and For Parents": An Evaluation of the National Committee of Citizens for Education Parent Empowerment Program Principal Investigator Baltimore, Maryland	1989-1992
<u>PEW Foundation</u> Evaluation of Youth Leadership Project Co-Principal Investigator with Nancie Zane	1988-1989
<u>University of Pennsylvania Faculty Fellowship</u> "Narratives by Urban Adolescents: Dropping Out of High Schools" Principal Investigator Philadelphia, Pennsylvania	1985-1986

<u>Conrad Hilton Foundation Grant</u> "Battered Women's Shelters in Rural Tennessee" Evaluation Director Los Angeles, California	1985-1986
<u>Vietnam Veterans' Memorial Commission, New York City</u> "Evaluation of Employment Training Program for High Risk Vietnam Veterans" Co-Principal Investigator, with Robert Laufer	1985-1986
<u>W.T. Grant Foundation Grant</u> "Voices of High School Dropouts: Adolescent Stress at a Critical Developmental Moment" Principal Investigator New York, New York	1984-1986
<u>Ms. Foundation Grant</u> "Women and Disability Awareness Project" Educational Equity Concepts Project Consultant New York, New York	1983-1984
<u>University of Pennsylvania Faculty Fellowship</u> "Examining the Lives of Women with Disabilities" Principal Investigator Philadelphia, Pennsylvania	1983
<u>Office of Technology Assessment, U.S. Congress</u> "The Cost-Effectiveness of Treatment for Alcoholism"	1982-1983
 <u>Honorary Degree and Awards</u>	
<u>AERA Inaugural Fellow</u>	2009
<u>NIDA Featured Scientist: Adolescent Girls Taskforce</u> National Institute for Drug and Alcohol Washington, D.C.	2008
<u>The 5th Annual Social Justice Award</u> Winter Roundtable on Cross cultural Psychology and Education	2008
<u>2007 Willystine Goodsell Award</u> AERA SIG, Research on Women and Education	2008
<u>Distinguished Service to SPSSI award</u> The Society for the Psychological Study of Social Issues	2007

<u>Morton Deutsch Award</u> First Annual Morton Deutsch Award, Teachers College, Columbia University	April 2005
<u>Bank Street College</u> Honorary Doctoral Degree for Education and Social Justice	May 2002
<u>Gustav Meyer Award for Scholarship Dedicated to Social Justice</u> <u>Construction Sites</u> (co-edited with Lois Weis) Teachers College Press	2001
<u>Carolyn Sherif Award, American Psychological Association</u> Division 35, Division for Psychology of Women	2001
<u>Moyer Lecturer</u> Invited Lecturer for the Moyer Lecture Series Muhlenberg College	2001
<u>Visiting Scholar, University of Auckland, New Zealand</u> Institute for Maori Studies Summer Scholar Fellowship	1999
<u>Spencer National Mentoring Award</u> Spencer Foundation, Chicago Illinois	1998-2000
<u>Lecturer, Harry S. and Elva K. Ganders Distinguished Lecture Series</u> Syracuse University	1998
<u>Visiting Fellow of the British Psychological Society</u> Psychology of Women	1997
<u>American Educational Research Association Lectureship Award</u>	1996
<u>Janet Helms Distinguished Scholar Award Cross Cultural Roundtable</u> Teachers College, Columbia University	1994
<u>American Educational Studies Association Critic's Choice Award</u> <i>Disruptive Voices: The possibilities of feminist research</i>	1993
<u>Laura Rowe Williams Award</u> University of Pennsylvania Association of Women Faculty and Administrators For service to women and minority students	1992
<u>Society for Research on Adolescence</u> Distinguished Book Award - Social policy	1992

Framing Dropouts: Notes on the politics of an urban high school

<u>Association of Women in Psychology</u> Distinguished Publications Award <i>Women with Disabilities: Essays in psychology, culture and politics</i>	1989
<u>American Educational Research Association</u> Women Educators Research Award <i>Sexuality, school and adolescent females: The missing discourse of desire</i>	1989
<u>The Educational Press Award</u> Distinguished Achievement Award for Excellence in Educational Journalism "Why Urban Adolescents Drop Into and Out of High School"	1987
<u>Lindback Award for Excellence in Teaching</u> University of Pennsylvania, Graduate School of Education	1987
<u>Distinguished Teaching Award</u> University of Pennsylvania, Graduate School of Education	1985
<u>Expert Testimony/Consultation</u>	
<u>Reed et al. v. State of California Department of Education</u> Class action lawsuit on behalf of students adversely affected By cumulative teacher layoffs	2010
<u>Graham and Sullivan v. State of Florida</u> Amicus Curiae	2009
<u>Valenzuela et. al. vs. O'Connell and the California State Department of Education</u> High stakes graduation requirements for youth from Williams v. California high schools	2006
<u>Joint Hearing with the Senate Education Committee</u> Regents Learning Standards and High School Graduate Requirements Albany, New York	2003
<u>Williams v. State of California</u> Class Action Suit for Educational Quality and Equity	2001- 2003
<u>National Academy of Science and the National Research Council</u> Member, Panel Study Committee on Academic Engagement and motivation in urban high schools	2001 – 2002
<u>New York State Democratic Task Force on Criminal Justice Reform</u> Testimony on the impact of college in prison	2001

<u>New York State Consortium for Performance Based Assessment Systems</u>	2000
Testimony to New York State Commissioner of Education, Richard Mills Testimony to Blue Ribbon Panel on New York State Standards	
<u>Anthony T. Lee, et. al. and the United States of America</u>	1994
<u>the National Educational Association, Inc v. Macon County Board of Education</u>	
Expert witness on the effects of a racially hostile academic environment on student achievement	
<u>Shannon Richey Faulkner and the United States of America v. James E. Jones, et. al. for The Citadel, The Military College of South Carolina</u>	1993
Expert witness on consequences for women and men of male only single sex education	
<u>Ulcena v. Babylon School District, High School and Babylon School Board</u>	1993
Center for Constitutional Rights Expert witness on race relations in a public high school	
<u>Board of Education of the Borough of Merchantville v. Board of Education of the Township of Pennsauken</u>	1988-1990
Pennsauken, New Jersey Expert witness in a case on the racial impact of severing across-district sending-receiving relationship	
<u>Board of Education of the Borough of Englewood Cliffs v. Board of Education of the City of Englewood v. Board of Education of the Borough of Tenafly</u>	1986-1987
Englewood, New Jersey Expert witness in a case on racial desegregation and high school regionalization in suburban New Jersey	
<u>Adamski v. Boy Scouts of America</u>	1986
New York, New York New York State Division of Human Rights Expert witness in a case of employment sex discrimination	
<u>Feliciano v. New York City Transit Police</u>	1986
New York, New York New York State Division of Human Rights Expert witness in a case on ethnic discrimination in public sector employment and termination	
<u>Newberg v. Board of Public Education</u>	1983

Philadelphia, Pennsylvania
Common Pleas Court
Expert witness for three female students suing for
sex integration of public academic high school

Books

Fabricant, M. and Fine, M. (forthcoming, 2012) Reversing and Reimagining the Public Project of Public Education. Paradigm Publishers.

Fabricant, M. and Fine, M. (forthcoming, 2011) Through the Lens of Charter Schools. New York, Teachers College Press.

Cammarota, J. and Fine, M. (Eds, 2008) Revolutionizing Education: Youth Participatory Action Research in Motion. New York: Routledge Publishers.

Sirin, S. and Fine, M. (2008) Muslim American Youth : Understanding Hyphenated identities through Multiple Methods. New York: New York University Press.

Weis, L. and Fine, M. (2005) Beyond silenced voices (second edition) Albany: SUNY Press.
2006 AESA Critics' Choice Awards (American Educational Studies Association)

Weis, L. and Fine, M. (2004) Working Method: Social justice and social research. New York: Routledge Publishers.

Fine, M., Weis, L., Pruitt, L. and Burns, A. (2004) Off white: essays on race, power and resistance. New York: Routledge Publishers.

Fine, M., Roberts, R., Torre, M. and Bloom, J., Burns, A., Chajet, L., Guishard, M. and Payne, Y. (2004) Echoes of Brown: Youth documenting and performing the legacy of Brown v. Board of Education. New York: Teachers College Press.

Fine, M. and Weis, L. (2003) Silenced Voices, Extraordinary Conversations: Re-imagining urban education. New York: Teachers College Press.

Anand, B., Fine, M., Perkins, T. and Surrey, S. (2002) Keeping the Struggle Alive: Oral Histories of School Desegregation in the North. New York: Teachers College Press.

Weis, L. & Fine, M. (Ed) (2000) Speedbumps: A Student Friendly Guide to Qualitative Research. Teachers College Press.

Weis, L. & Fine, M. (Eds.) (2000) Construction sites: Excavating race, class, gender & sexuality in spaces for and by youth. New York: Teachers College Press.

Fine, M., & Weis, L. (1998) The unknown city: Lives of poor and working class young adults. Boston: Beacon Press.

Guinier, L., Fine, M. and Balin, J. (1996) Becoming Gentlemen: Women, Law School and Institutional Change. Beacon Press.

Fine, M., Powell, L., Weis, L. & Wong, L.M. (Eds.). Off-White: Readings on Society, Culture and Race. New York, Routledge, 1996.

Fine, M. (Ed.) Chartering Urban Reform: Reflections on high schools in the midst of change. New York: Teachers College Press, 1994.

Weis, L. and Fine, M. (Eds.) Beyond silenced voices: Class, race, and gender in American schools. Albany: SUNY Press, 1992.

Fine, M. Disruptive voices: The transgressive possibilities of feminist research. Ann Arbor University of Michigan Press, 1992.

Fine, M. Framing dropouts: Notes on the politics of an urban high school. Albany: SUNY Press, 1991.

Fine, M. and Asch, A. (Eds.) Women with disabilities: Essays in psychology, culture, and politics. Sponsored by American Psychological Association, Divisions 9 and 35. Philadelphia: Temple University Press, 1988.

Saxe, L. and Fine, M. Social experiments: Methods for design and evaluation. Beverly Hills: Sage Publications, 1981.

Edited Journal Volumes

Daiute, C. and Fine, M. (Eds.). (2003) Youth perspectives in violence studies. Journal of Social Issues.

Harris, A. and Fine, M. (Eds.). (2001) Under the covers: Theorizing the politics of counter stories. International Journal of Critical Psychology , 4, 1.

Fine, M. and Roberts, R.A. (Eds.). (1999) A reappraisal of Erika Apfelbaum's work. Special section of Feminism & Psychology, Volume 9.

Asch, A. and Fine, M. (Eds.). (1988) Disability beyond stigma. Special volume of Journal of Social Issues, 1988, 4, 1.

Video Documentary Productions

Fine, M., Echoes of Brown. Hancock Production/Teachers College Press, 2004.

Anand, B., Fine, M., Hancock, M., Jordan, C., Sherman, D. Off track: Classroom privilege for

all. Hancock Productions, 1998.

Book Chapters

Fine, M. (forthcoming) Keyword: Youth Participatory Action Research. In N. Lesko and S. Talburt, Youth Studies: Keywords and Movements New York: Routledge.

Stoudt, B., Fine, M. and Fox, M. (forthcoming) Awakening in a new century. In P. Coleman and M. Deutsch (Editors) Conflict, Interdependence and Justice: The Intellectual Legacy of Morton Deutsch. Springer Publishers.

Torre, M.E., Fine, M., Stoudt, B. and Fox, M. (forthcoming) Social Mirrors in the Round: The History and Contemporary Enactments of Critical Participatory Action Research as Public Science. In Camic, P. American Psychological Association Handbook of Research Methods. Washington, D.C.: APA Publishers.

Fox, M., Mediratta, K., Stoudt, B., Ruglis, J., Fine, M. and Salah, S. (forthcoming) Critical youth engagement: Participatory Action Research and Organizing. In L. Sherrod, J. Torney-Purta and C. Flanagan, Handbook of Research on Civic Engagement in Youth. Hoboken, New Jersey: John Wiley & Sons, Publishers.

Fine, M. (2009) Loss and desire in New Jersey. In J. Ponterrotto, L. Suzuki, et. al. Handbook of Multicultural Counseling. Beverly Hills: Sage Publications.

Fine, M. (2008) Epilogue. In Anyon, J. Social theory and educational research. New York: Routledge Publishers.

McClelland, S. and Fine, M. (2008) Writing *on* cellophane: Studying teen women's sexual desires, Inventing methodological release points In K. Gallagher, The Methodological Dilemma: Critical and Creative Approaches to Qualitative Research, Toronto: University of Toronto Press.

Fine, M., Burns, A., Torre, M.E. and Payne, Y. (2007) How class matters: The geography of educational desire and despair in schools and courts. In Weis, L. (Ed) The Way Class Works: Matters: Readings on school, family and the economy. New York: Routledge, Chapter 16, 225-242.

Fine, M. (2007) Dear Tenure and Promotion Committee: An epilogue of sorts. In J. Cammarota and M. Fine, Revolutionizing Education: Youth Participatory Action Research. New York: Routledge Publishers.

McClelland, S. and Fine, M. (2007) Rescuing a theory of adolescent sexual excess: Young women and wanting. In Anita Harris (Ed) (2007) Next wave cultures: feminism, subcultures, activism. New York: Taylor and Francis, 83 – 104.

Fine, M., Tuck, J.E. and Zeller-Berkman, S. (2007) Do you believe in Geneva? In N. Denzin,

L.T. Smith and Y. Lincoln, Handbook of Critical and Indigenous Knowledges. Beverley Hills: Sage Publications. Also in McCarthy, C., A. Durham, L. Engel, A. Filmer, M. Giardina and M. Malagrea, (2007) Globalizing cultural studies. New York: Routledge, 493 – 525.

Fine, M. and Torre, M.E. (2007) Theorizing audience, products and provocation. In P. Reason and H. Bradbury (Eds.) Handbook of Action Research. London: Sage Publications.

Torre, M. Fine, M., Alexander, N. and Genao, E. (2007) Moving to the rhythm of social justice: Urban young women's experiences of research and action. In B. Leadbeater and N. Way (Eds) Urban Girls, Revisited. New York: NYU Press, 221 – 242.

Fine, M., Torre, M., Burns, A. and Payne, Y. (2007) Youth research/participatory methods for reform. In D. Thiessen and A. Cook-Sather (Eds) International Handbook of Student Experience in Elementary and Secondary Schools. Dordrecht, The Netherlands: Kluwer Academic Publishers, 805 – 828.

Fine, M. (2006) The morning after, and the mourning after that. In Teaching 9/11. New York: Teachers College Press, 233 – 246.

Fine, M. (2006) Resisting the passive revolution: democratic, participatory research by youth. In D. Carlson (ed.) Democratic Leadership: Keeping the Promise.

Fine, M. (2006) Contesting research: Rearticulation and “thick democracy” as political projects of method. In L. Weis, C. McCarthy and G. Dimitriadis, (Eds.), Ideology, Curriculum, and the New Sociology of Education: Revisiting the Work of Michael Apple New York: Routledge Publishers, 146 – 166.

Fine, M. (2006) Feminist designs for difference. In S. Hesse-Biber (Ed). Handbook of Feminist Research. Beverly Hills: Sage publications, 613- 620.

Fine, M. and Torre, M. (2006) Resisting and researching: youth participatory action research. In S. Ginwright, J. Cammarota and P. Noguera (ed) Social justice, youth and their communities. New York: Routledge, 269 – 285.

Torre, M.E. and Fine, M. (2006) Participatory Action Research (PAR) by Youth. In L. Sherrod, C. Flanagan and R. Kassimir (Eds.) Youth Activism: An International Encyclopedia. Westport, Ct.: Greenwood Publishing Group, 456 – 462.

Fine, M., Bloom, J., Brown, A., Chajet, L., Guishard, M. and Torre, M.E. (2004) Dear Zora: A letter to Zora Neale Hurston fifty years after Brown. In Weis, L. and Fine, M. Working Method. New York: Routledge Publishers.

Fine, M., Burns, A. and Torre, M.E. (2003). Postcards from America. In C. Glickman (Ed.) Letters to the next president: What we can do about the real crisis in public

education. New York: Teachers College Press, 211 – 222.

Daiute, C. and Fine, M. (2003) Narrative Teaching of Qualitative Research. In Josselson, R., Lieblich, A. and McAdams, D. (Eds) Up close and personal. Washington, D.C.: American Psychological Association.

Fine, M., Torre, M.E., Boudin, K., Bowen, I., Clark, J., Hylton, D., Martinez, M., “Missy,” Rivera, M., Roberts, R.A., Smart, P. and Upegui, D. (2003). Participatory action research: Within and beyond bars. In Camic, P., Rhodes, J.E., & Yardley, L. (Eds.), Qualitative research in psychology: Expanding perspectives in methodology and design. Washington, DC: American Psychological Association, 173 - 198.

Fine, M. and Smith, K. (2001) Zero Tolerance: Reflections on a failed policy that won't die. In W. Ayers (Ed) School violence and Zero Tolerance. New York: New Press and Teachers College Press, 258-266.

Asch, A., Perkins, T., Fine, M., and Rousso, H. (2001) Disabilities and Women: Deconstructing Myths and Reconstructing Realities. Encyclopedia of Women and Gender: Volumes One and Two, NY: Academic Press, 345 – 354.

Fine, M. and Carney, S. (2001) Women, Gender, and the Law : Toward a Feminist Rethinking of Responsibility. Unger, R. (Ed) Handbook of Psychology and Gender. NY: McMillan Publishers, 388-409.

Marecek, J., Fine, M. and Kidder, L. (2001) Working between two worlds: Qualitative methods and psychology. In D. Tolman and M. Brydon-Miller (Ed) From subjects to subjectivities. New York: New York University Press, 29-44.

Fine, M., Anand, B., Jordan, C. and Sherman, D. (2000) Before the bleach gets us all. In Weis, L. and Fine, M. (Ed) Construction Sites: Excavating Race, Class and Gender Among Urban Youth. New York: Teachers College Press, 161-179.

Fine, M. (2000) A Small Price to Pay for Justice. A Simple Justice: The Challenge of Small Schools. New York and London: Teachers College Press, pp. 168-180.

Fine, M., Stewart, A., & Zucker, A. (2000) White girls and women in the contemporary United States: Supporting or subverting race and gender domination? In C. Squire (Ed.), Cultural Psychology. New York and London: Routledge Publishers.

Fine, M., & Weis, L. (2000). Working without a net. In G. Noblit (Ed.), Post-critical ethnography. Boulder, CO: Westview Press.

Fine, M., Weis, L., Weseen, S., & Wong, M. (2000). For whom? Qualitative research, representations and social responsibilities. In N. Denzin & Y. Lincoln (Eds.), The Handbook of Qualitative Research. Thousand Oaks, CA: Sage, 2000. pp. 107-132.

Fine, M. (2000). Whiting out social injustice. In R. Carter (Ed.), Addressing cultural issues in organizations: Beyond the corporate context. Thousand Oaks, CA: Sage Publications, pp. 35-50.

Fine, M., & Bertram, C. Sexing the globe. (1999) In D. Epstein & J.T. Sears (Eds.), A dangerous knowing: Sexual pedagogies and the 'master narrative'. pp. 153-163.

Fine, M. (1998). Greener Pastures. In W.C. Ayers and J.L. Miller (Eds.). A light in dark times: Maxine Greene and the unfinished conversation (pp.209-218). New York, NY: Teacher's College Press.

Weis, L. & Fine, M. (1998). Narrating the 1980's and 90's: Voices of the working and poor classes. In D. Carlson and M. Apple (Ed.). Critical educational theory in unsettling times. Albany: SUNY.

Asch, A., & Fine, M. (1997). Nurturance, sexuality and women with disabilities: The example of women and literature. In L.J. Davis (Ed.), The disability studies reader (pp. 241-259). New York: Routledge.

Kidder, L. & Fine, M. (1997). Qualitative methods on psychology: A radical tradition. In D.R. Fox & I. Prillettensky (Eds.), Handbook of critical psychology. Thousand Oaks, CA: Sage, 34-50.

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Pastor, J., McCormick, J. and Fine, M with Andolsen, R., N. Friedman, N. Richardson, T. Roach, & M. Tavarez. (1996). Makin' homes: An urban girl thing. In B.J. Leadbeater and N. Way (Eds.). Urban girls: Resisting stereotypes, creating identities (pp.15-34). New York: New York University Press.

Fine, M. and Addeleston, J. (1996) Containing questions of gender and power: The discursive limits of 'sameness' and 'difference'. In S. Wilkinson (Ed.). Feminist social psychologies: International perspectives. London: Sage.

Fine, M. (1996). Foreword. In D. Kelly & J. Gaskell (Ed.), Debating dropouts: Critical policy and research perspectives on school leaving (pp. xi-xviii). New York: Teachers College Press.

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Fine, M. Making controversy: The politics of who's "at risk". In B. Swadener and S. Lubeck (Eds.). Children and families "at promise": The social construction of risk. Albany: SUNY, forthcoming.

Fine, M. Dis-Stance and other stances for feminist researchers. In A. Gitlin (Ed.) Power and Method. New York: Routledge, 1994.

Fine, M., Genovese, T., Ingersoll, S., Macpherson, P. and Roberts, R. Insisting on innocence: Accounts of accountability by abusive men. In M.B. Lykes, A. Banuazizi, R. Liem, & M. Morris (Eds.), Myths about the powerless: Creating social inequalities (pp.128-158). Philadelphia: Temple University Press, 1994.

Fine, M. Chart[er]ing urban school reform. In M. Fine (Ed.) Chartering Urban Reform: Reflections on high schools in the midst of change (pp. 5-30). New York: Teachers College Press, 1994.

Fine, M. Working the hyphens: Reinventing the Self and Other in qualitative research. In N. Denzin and Y. Lincoln. (Eds.) Handbook of qualitative research. Newbury Park, CA: Sage, 1994, 70-82.

Fine, M. and Macpherson, P. Over dinner: Feminism and adolescent female bodies. In S. Biklen and D. Pollard (Eds.) Gender and Education, NSSE Yearbook, 1993. Also in H.L. Radtke and H.J. Stam (Eds.), Power/gender: Social relations in theory and practice. London: Sage, 1994, 219-246.

Fine, M. Democratizing choice: Rethinking and Restructuring Public Education. School Choice, Washington, D.C.: Economic Policy Institute, 1993.

Fine, M. Passions, politics and power: Feminist research possibilities. In M. Fine (Ed.), Disruptive voices: The transgressive possibilities of feminist research. Ann Arbor: University of Michigan Press, Gender Series, 1992.

Fine, M. and Vanderslice, V. Reflections on qualitative activist research: Politics and methods. In E. Posavac (Ed.) Methodological Issues in Applied Social Psychology. NY: Plenum, 1992.

Fine, M. Deconstructing the at risk high school population: Public controversies and subjugated non-controversies. In R. Wollens (Ed.) Children at risk. Albany: SUNY, 1992.

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Asch, A. and Fine, M. Shared dreams: A left perspective on disability rights and reproductive rights. In M. Fried (Ed.) From Abortion to Reproduction Freedom: Transforming a movement. Boston: South End Press, 1990.

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Fine, M. Racial justice, equity & excellence. Syracuse University, Ganders Distinguished Lecture Series, 1998.

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Fine, M. "A look at teaching". National Educational Activists Conference. Milwaukee, Wisconsin, 1992.

Fine, M. "Restructuring in Philadelphia public schools". Invited speaker, American Research Institute's Conference on "At Risk" Youth. Palo Alto, California, 1992.

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Fine, M. Scholars seminar with Paolo Freire. Invited Discussant on Urban Education. Lesley College, Boston, 1991.

Fine, M. and Smith, R. "The politics of urban restructuring". Brown University Distinguished Seminars Series, 1991.

Fine, M. "Rethinking assessment in urban districts". American Federation of Teachers, QUEST Conference. Washington, DC, 1991.

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Blackman, J. and Fine, M. Values, science and policy. Co-chair for panel presented at the American Psychological Association Meetings. Boston, Massachusetts, 1990.

Fine, M. "Adolescents negotiating reproductive decisions." Paper presented at the American Psychiatric Association Meetings. New York, New York, 1990.

Fine, M. "Transforming what seems so natural." Invited session, Inner city education: Problems, prospects and public policy options. Presented at the meetings of the American Sociological Association. Washington, DC, 1990.

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Fine, M. "Whose epidemic? Teen pregnancy and the politics of problem construction." Panelists, New Jersey State Department of Education Conference on Teenage Pregnancy and Family Life Education, 1990.

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Fine, M. and Joffe, C. "Sexual rigidities." Paper presented at the Penn-Mid Atlantic Seminar on Feminist Theory. Philadelphia, Pennsylvania 1990.

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Fine, M. "Bein' wrapped too tight: Low income women dropping out of high school". Seminar on Adolescent Women and Social Development. Harvard University Graduate School of Education. Cambridge, Massachusetts, 1989.

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Fine, M. "When institutional exclusion structures adolescent identities: Analyses from the courtroom." Paper presented at the American Educational Studies Association. Chicago, Illinois, 1989.

Fine, M. "The violence of exclusion: Public high schools and their urban dropouts." Paper presented at the American Psychological Association meetings. New Orleans, Louisiana, 1989.

Fine, M. "Homophobia, handicapism and sexism: The struggles continue for Sharon Kowalski." Discussant to Invited Session. American Psychological Association meetings. New

Orleans, Louisiana, 1989.

Fine, M. Co-Chair with Sandra Tangri. In the lives of women: Institutionalized violence and the politics of research. Panel at the American Psychological Association meetings. New Orleans, Louisiana, 1989.

Fine, M. and Morawski, J. "Feminist re-visions: On Epistemologies" Paper presented at American Psychological Association meetings. New Orleans, Louisiana, 1989.

Fine, M. "Violence toward women and children: The problem - policy gap." Discussant. American Psychological Association meetings. New Orleans, Louisiana, 1989.

Fine, M. "Transforming the 'natural' in public high schools." Presentation at The Quest Conference. American Federation of Teachers. Washington, DC, 1989.

Fine, M. "Critical reflections on feminist practice." Presentation to PATHS Seminar. Philadelphia, Pennsylvania, 1989.

Fine, M. "The marginal hearts: Dropout prevention work in comprehensive high schools." Keynote. Focus on the Future '89: Issues for At Risk Youth. Pennsylvania Department of Education. Champion, Pennsylvania, 1989.

Fine, M. "The politics of sexuality." Keynote, Society for the Scientific Study of Sex. Boston, Massachusetts, 1989.

Fine, M. "Restructuring in Urban Districts." Keynote. American Federation of Teachers Conference on Urban Restructuring. Miami, Florida, 1989.

Fine, M. "Feminism meets psychology." Paper presented at the National Women's Studies Association. Towson, Maryland, 1989.

Fine, M. "Politics of state reform movements." Moderator. American Civil Liberties Union/NAACP Conference on Urban Minority Education. Chicago, Illinois, 1989.

Fine, M. "Strategies for the future: The politics of radial school restructuring." American Civil Liberties Union/NAACP Conference on Urban, Minority Education. Chicago, Illinois, 1989.

Fine, M. "Dropping in and out of high schools: The marbling of race and gender." Paper presented at Harvard University Graduate School of Education Colloquia Series. Cambridge, Massachusetts, 1989.

Fine, M. "Low income families and neighborhoods: The public for public schools?" Paper presented at the Social Science Research Council Meeting on Communities and Neighborhoods. Santa Fe, New Mexico, 1989.

Fine, M. "Exclusion from a moral community: High school dropouts leaving urban schools."

Paper presented at American Psychological Association meeting. Atlanta, Georgia, 1988.

Fine, M. "The family, schooling and urban communities: Who's served by the public sphere?" Holmes Group Roundtable. East Lansing, Michigan, 1988.

Fine, M. "Systemic school change: A comprehensive approach to dropping out" Keynote. Massachusetts State Department of Education Conference on Restructuring. Worcester, Massachusetts, 1988.

Fine, M. "The politics of research and activism in the study of violence against women." Keynote. Canadian Research Institute for the Advancement of Women. Quebec City, Canada, 1988.

Fine, M. "Sex, the body and young, disabled women." Paper presented at the American Educational Research Association Meeting. Special Interest Group on Women. New York, New York, 1988.

Fine, M. "Through the lens of gender: Researchers and practitioners talk to each-other." Paper presented at the American Educational Research Association meeting. Special Interest Group on Women, New York, New York, 1988.

Fine, M. "A socio-political perspective on diversity research." Paper presented at Human Diversity: Toward a Psychology of Difference. University of Maryland, 1988.

Fine, M. "Young women dropouts: A critical analysis of race, class and gender." Keynote at Taking Action: State Strategies for At Risk Girls. National Association of State Boards of Education. Alexandria, Virginia, 1988.

Fine, M. "The ways of violence as they silence women." Paper presented at the University of Pennsylvania Conference on Campus Violence. Philadelphia, Pennsylvania, 1988.

Fine, M. "The political promiscuity of the empowerment of women." Paper presented at the American Anthropological Association meetings. Phoenix, Arizona, 1988.

Fine, M. "Sexuality and teenage pregnancy." Paper presented at the American Anthropological Association meetings. Phoenix, Arizona, 1988.

Fine, M. "Reflections on ethnographic research with children." Discussant at the American Anthropological Association meetings. Phoenix, Arizona, 1988.

Fine, M. "High school dropouts: Public and subjugated controversies." Paper presented at the Rockefeller Symposium on Children At Risk in America. Rockefeller Archive Center. Mt. Kisco, New York, 1988.

Fine, M. and Zane, N. "Another look at female dropouts." Project on Equal Educational

Rights/NOW Legal Defense Fund National Conference on "At Risk" Female Adolescents. Washington, DC, 1988.

Fine, M. and Gordon, S. "Feminist transformations of/despite psychology." Paper presented at Feminist Transformations of the Social Sciences. Hamilton College, 1988.

Fine, M. "The social production of the high school dropout problem." Paper presented at the University of Chicago, Urban Poverty Workshop/Sociology Department Seminar, 1988.

Fine, M. "What constitutes knowledge? Social science in the courtroom." Paper presented at the Constructing America Symposium. New York University Institute for the Humanities, 1988.

Fine, M. Comment on "At Risk Youth". Invited presentation at the Educators Forum. American Council on Education, Harold Hodginson, moderator. Washington, DC, 1987.

Fine, M. "The politics of sex education." Paper presented at the Society for the Scientific Study of Sex. Philadelphia, Pennsylvania, 1987.

Fine, M. "Views on dropping out, and dropping in." Literacy Research Center. New York, New York, New York, 1987

Fine, M. "When gender meets race, class, disability and sexual orientation: Public policy . implications." Unfinished Agenda: Women's Way Conference. Philadelphia, Pennsylvania, 1987.

Fine, M. "Framing the dropout picture, without framing the dropout." Paper presented at the Educational Writers Association Annual Retreat. Wingspread Conference Center, Racine, Wisconsin, October, 1987.

Fine, M. "Sexual meanings among urban teens and their teachers." Paper presented at American Anthropological Association meetings. Chicago, Illinois, 1987.

Fine, M. "Critical reflections on education and adolescence." Discussant at American Anthropological Association meetings. Chicago, Illinois, 1987.

Fine, M. "Politics of reproduction and disability." Discussant at American Anthropological Association meetings. Chicago, Illinois, 1987.

Fine, M. "Who is 'at risk' when most drop out?" Paper presented at Dropped Out or Pushed Out: Our Children in Crisis conference. Project Schools. Newark, New Jersey, 1987.

Fine, M. "De-institutionalizing educational inequality." Invited Paper at the Summer Institute for the Council of Chief State School Officers. Whitefish, Montana, 1987.

Fine, M. "Expert testimony in educational lawsuits: Contradictions in the discourses of the law and social psychology." Paper presented at the American Psychological Association meetings. New York, New York, 1987.

Fine, M. "The politics and paradoxes of interviewing women victims of male violence." Invited address at Family Violence Research Conference. University of New Hampshire, 1987.

Fine, M. and Wade, J. "Critical views and strategies for evaluating domestic violence programs." Invited address at the Family Violence Research Conference for Practitioners and Policymakers. University of New Hampshire, 1987.

Fine, M. Chair, Critical theory in writing teaching and advocating through ethnography. Annual Ethnography Forum. University of Pennsylvania, Philadelphia, Pennsylvania, 1987.

Fine, M. and Asch, A. "Gender, disability and social psychological theory." Paper presented at Women's Studies Seminar. Rhode Island College, 1987.

Fine, M. "Sexual harassment: The paradox of victimization and survivorship." Paper presented at the Society for the Scientific Study of Sex. Philadelphia, Pennsylvania, 1987.

Fine, M. "State of the science: Sex education." Invited presentation at the Society for the Scientific Study of Sex. Philadelphia, Pennsylvania, 1987.

Fine, M. Chair, Critical theory in education: Advocacy, methodology and pedagogy. Panel chaired at American Anthropological Association. Philadelphia, Pennsylvania, 1986.

Fine, M. "The politics of adolescent sexuality: The discourse of public educators." Papers presented at the Association of Humanistic Sociologists. Philadelphia, Pennsylvania, 1986.

Fine, M. "A critique of current conceptions of victims' agency and resistance." Paper presented at the American Psychological Association. Washington, DC, 1986.

Fine, M. Chair, SPSSI in the '50's: A decade of political dissent. Panel presented at the American Psychological Association. Washington, DC, 1986.

Fine, M. "Comments on student as discoverer." Presentation at Prairie Fire: The First Nebraska Symposium on Education. Governor's Conference. Lincoln, Nebraska, 1986

Fine, M. "If I'm successful...: Perspectives on feminist pedagogy." Paper presented at Beyond the Second Sex: Feminist Scholarship Conference. University of Pennsylvania, Philadelphia, Pennsylvania, 1984.

Fine, M. "Community based alternatives to the law: Coping with rape." Paper presented at the Society of Applied Anthropology meetings. Toronto, Canada, 1984.

Fine, M. Critical perspectives on leadership and social change: An interdisciplinary analysis. Chair, Symposium at Meetings of the International Society for Political Psychology, Toronto, Canada, 1984.

Fine, M. "If I'm successful, you're swamped: Apologies from a faculty member to university counselors." Keynote speech. Second Delaware Valley Counseling Conference, University of Pennsylvania. Philadelphia, Pennsylvania, 1984.

Fine, M. and Asch, A. Disability beyond stigma: Social interactions activism and politics. Co-chair, Symposium at the meetings of the American Psychological Association. Anaheim, California, 1983.

Fine, M., Surrey, D., Vanderslice, V. and Barr, D. "Perceptions of injustice: The paradox of options." Paper presented at International Society for Political Psychology. Oxford, England, 1983

Fine, M. "Social issues as curriculum: A pedagogy of politics". Conference on High School/College Curriculum. Co-Sponsored by New School for Social Research and La Guardia College. New York, New York, 1983.

Fine, M. "Disabled women: Marginality, resistance and social constructions." Conference on Women's Scholarship, State University of New York at Stony Brook, 1983.

Fine, M. and Asch, A. "Disabled women in the 1980's" and "Dialectics of the reproductive rights and disability rights movements." Papers presented at Access to Equality: Disabled Women and Education Conference. Invited participant. Baltimore, Maryland, 1982.

Fine, M. and Kidder L. "The justice of rights versus needs." Paper presented at the meeting of the International Society for Political Psychology. Washington, DC, 1982.

Fine, M. Beyond victimization: A feminist analysis. Symposium Chair, at the meeting of the American Psychological Association. "The social construction of women-victims." Paper presented. Washington, DC, 1982.

Fine, M. "Psychology of women: Time for self-examination." Paper presented at the meeting of the American Psychological Association. Washington, DC, 1982.

Fine, M. Scholars' review of the victimization literature. Chair, Symposium at the Summer Session of the Delaware Valley Women's Studies Consortium. Philadelphia, Pennsylvania, 1982.

Fine, M. "Feminist politics and women's relationships". Paper presented at the Temple University Women's Studies - Philadelphia Mayor's Task Force on Women Conference. Philadelphia, Pennsylvania, 1982.

Fine, M. "Child care workers view youth: A further analysis of derogation." Paper presented

at the meeting of the American Educational Researchers Association, New York, New York, 1982.

Fine, M., Rothbart, G. and Sudman, S. "Selection bias and the inclusion rule in multiplicity sampling." American Association of Public Opinion Researchers. Hunt Valley, Maryland, 1982.

Fine, M. Academic women: Bonding and boundaries. Chair. Symposium at the West Chester State College Women's Studies and the Mid-Atlantic National Women's Studies Association, 1982.

Fine, M. and Asch, A. Disabled women: An integrated analysis. Presented as part of the materials available at the Institute on Sexism/Sexuality. Florida International University, 1981.

Fine, M. and Rothbart G. "Sampling of rare populations." Paper presented at the meeting of the Special National Workshops on Research Methodology and Criminal Justice Program Evaluation. Baltimore, Maryland, 1980.

Fine, M. "Options to injustice: The battered woman." In J. Blackman-Doron (Chair) Intimate Violence. Symposium presented at the meeting of the American Psychological Association, New York City, 1979. (Women's Educational Equity Communications Network, 1980: ERIC DOCUMENT, 1980).

Fine, M. and Laufer, R. "Social health and the Vietnam generation." Paper presented at the meeting of the American Sociological Association. Boston, Massachusetts, 1979.

Fine, M., Rothbart, G. and Sudman, S. "On finding a needle in a haystack: Multiplicity sampling procedures." In M. Hauck (Chair) Sampling Strategies for Hard-to-Find Respondents. Symposium presented at the meeting of the American Association for Public Opinion Research. Buck Hills, Pennsylvania, 1979.

Laufer, R., Fine, M. and Surrey, D. "Hidden wounds: The Vietnam generation." Paper presented at the meeting of the American Psychological Association. Toronto, Canada, 1978.

Rothbart, G., Fine, M. and Laufer, R. "Finding and interviewing the Vietnam veteran." Paper presented at the meeting of the American Association for Public Opinion Researchers. Roanoke, Virginia, 1978.

Fine, M. and Saxe, L. "Evaluation research and psychology: Towards synthesis." In L. Saxe (Chair) Improving the Utilizability of Psychological Research Through Evaluation Research Strategies. Symposium presented at the meeting of the American Psychological Association, Toronto, Canada, 1978. (ERIC DOCUMENT, ED 169 414, September, 1979).

Fine, M. and Blackman, J. "The battered woman." Paper presented at the meeting of the Second Annual Needs Assessment in Health and Human Services Conference. Louisville,

Kentucky, 1978.

Fine, M. "The battered woman: Examining the social context." In I. Frieze (Chair) Researching the Problems of Battered Women. Symposium presented at the meeting of the Association of Women in Psychology. Pittsburgh, Pennsylvania, 1987.

Saxe, L. and Fine, M. "The use of control groups in evaluation research." Paper presented at the meeting of the Evaluation Research Society. Washington, DC, 1977.

Egendorf, A., Fine, M., Kadushin, C., Laufer, R., Rothbart, G. and Sloan, L. "Urban males of the Vietnam generation." Paper presented at the meeting of the American Sociological Association. Chicago, Illinois, 1977.

Consultant and Community Positions

What Kids Can Do, Board Member	2004 – present
ADCO Foundation	2004 - present
Open Society Institute, Committee on Education	2000–2001
Action Research Committee, Women and Philanthropy	1998-2000
Oral History Project, Education Renaissance School	1999
Bedford Hills Correctional Facility College Program Board Member Chair of the Finance Committee & Research Committee	1997-present
Ms. Foundation, Adolescent Girls Project Evaluation Consultant	1994-1997
Cross City Campaign for Urban Education, Chicago Executive Board Member	1994-1998
New Visions Schools, The Fund for the City of New York Consultant and Advisory Board Member	1993-1995
High School AIDS Education Project, Academy for Educational Development, New York City, Advisory Board Member	1993-1996
Pew Forum on Educational Reform	1991-1996
Lilly Foundation, Family/School Partnership Initiatives Evaluation Team	1991-1993
National Center for Restructuring Education,	1991-1994

Schools and Teaching Teachers College, Columbia University Advisory Board	
Center for Collaborative Education, New York City Advisory Board Member	1990-1993
Narratives of Adolescent Women Carol Gilligan, Principal Investigator Consultant, Boston Foundation	1989-1990
Plays for Living Project on Adolescence	1989-1990
Valentine Foundation Project on Adolescent Females Consultant	1989-1990
Philadelphia Schools Collaborative Comprehensive High Schools Project Consultant	1988-1992
Community Schools Project Evaluation Panel Bruner Foundation New York, New York	1988-1992
Pennsylvania State Department of Education, Advisory Group Successful Students' Partnership Program - Dropout Prevention	1988-1989
House of Ruth, Battered Women's Shelter Baltimore, Maryland Evaluation Consultant	1988-1989
Women Against Abuse, Vice President Board of Directors	1988-1989
National Clearinghouse for Battered Women Defendants Board of Directors, Chair, Research Committee	1987-1989
Ford Foundation Study group on the male role in adolescent pregnancy and parenting New York, New York	1987
National Committee for Citizens in Education Baltimore, Maryland	1987-1991

Parent Empowerment Project, Evaluation Consultant	
National Coalition of Advocates for Students Boston, Massachusetts Dropout Prevention Project, Consultant	1987
Hispanic Dropout Prevention Collaborative Philadelphia School District Ford Foundation and Hunter College, Evaluation Consultant	1987-1988
Designs for Change Chicago, Illinois Student Placement Standards and Practices Project Consultant	1987-1988
West Philadelphia Collaborative "Bridging the Gap" Consultant	1986-1989
Pennsylvania Coalition on Domestic Violence Philadelphia, PA Board Member	1987-1988
Child Support Project Philadelphia, PA Board Member	1987-1988
A Study of Battered Women: Coping, Mental Health and Empowerment as Social Processes Boston, Massachusetts	1987
PEER Adolescent Pregnancy and Dropout Project Washington, D.C. Advisory Board Member	1987-1989
Educational Equity Concepts, New York City Female Dropout Prevention Project Advisory Board Member	1987
Citizens Committee on Public Education in Philadelphia Advisory Board Member	1986-1987
School District of Philadelphia Desegregation Unit, Consultant Research and Evaluation Unit, Consultant	1985-1987

School District of Philadelphia Equity in an Era of Diversity Staff Development Workshop Coordinator	1985-1987
Children's Defense Fund, Washington, D.C. Teen Pregnancy Project	1985-1987
Hunter College and the Coalition of 100 Black Women Career Explorations '85, Evaluator	1985-1986
Advocates for Children of New York Special Education and Dropping Out of High School Project	1985
Urban Institute, Washington, D.C. Victims' Response to Rape Project	1985
St. Peter's College Public Policy Program, Evaluator	1985
New York City Mayor's Commission on Vietnam Veterans Needs Assessment Advisory Committee Member Evaluation Researcher on Employment Initiative	1984-1985
Cornell University, College of Human Ecology Advisory Council Member	1983-1986
Women and Disability Awareness Project Educational Equity Concepts	1983-1985
Amalgamated Clothing and Textile Workers Union Worker Participation Project	1983
Reproductive Rights Media Network	1983
National Council of Jewish Women Adolescent Girls and Juvenile Justice Project, Evaluator	1982-1983
Committee for Abortion Rights and Against Sterilization Abuse New York State Endowment for the humanities Project: Trade Unions and Reproductive Rights Issues, Evaluator	1981-1983
Argus Learning for Living Center, South Bronx, New York Evaluation Design Consultant	1981-1983
Huntington Associates, Inc., New York, New York Delinquency Prevention Project, Evaluator	1980-1981

International Ladies Garment Workers' Union Occupational Alcoholism Project and Management Information System	1980-1981
District 65, Distributive Workers of America, UAW Early Intervention for Disabled Workers Project, Evaluator	1980-1981
Community Services Society of New York Working Women's Resource Center Project	1979-1980
Youth Employment in New York Project New York City Day Care Project, Sampling Consultant	1976-1977
Economic Development Council High School Self Renewal Project, Evaluator	

Research Positions

Research Associate, International Policy Research Institute New York, New York	1985-1988
Research Director, Industrial Social Welfare Center Columbia University School of Social Work, New York	1979-1981
Research Associate, Vietnam Era Research Project Center for Policy Research New York, New York	1976-1979

Professional Memberships

American Educational Research Association
 American Psychological Association, Fellow - 1989
 Division for Personality and Social Psychology
 Society for the Psychological Study of Social Issues,
 Elected Executive Council Member 1984-1987, Fellow 1989
 Psychology of Women Division, Fellow 1989
 Society for the Psychological Study of Lesbian and Gay Issues
 Association of Women in Psychology

Editorial Consultant

Women's Studies Quarterly	2005-present
Journal of Adolescence Research	2005-present
Feminism and Psychology	2004-present
ASAP, SPSSI online journal	2003-present
Fine & Maracek (Editors), <u>Qualitative Studies Series</u> . NYU Press.	1999-present
Editorial Board, <u>Urban Review</u>	1992-present
Editorial Board, <u>Educational Theory</u>	1991-present
Advisory Board, <u>Philadelphia Writing Project</u>	1989-1990
Editorial Board, <u>Feminism and Psychology</u>	1989-present
Associate Editor, <u>Journal of Disability Policy Studies</u>	1989-present

Exhibit B

Ex. B. 2009-10 and 2010-11 State Aid by Poverty and Racial/Ethnic Concentration

	# Districts	2011 Resident Enrollment	2009-10		2010-11		2010-11 Reduction		
			Total	Average Per Pupil	Total	Average Per Pupil	Total	Average Per Pupil (\$)	Average Per Pupil (%)
Percent At Risk									
Less 25%	385	718,992	\$1,849,329,150	\$2,553	\$1,304,977,948	\$1,815	-\$544,351,202	-\$738	-50%
25-49%	127	265,371	\$1,325,244,578	\$4,996	\$1,119,732,932	\$4,219	-\$205,511,646	-\$776	-22%
50-74%	60	193,221	\$2,179,920,514	\$11,286	\$2,011,512,996	\$10,410	-\$168,407,518	-\$876	-10%
75-100%	22	177,116	\$2,575,848,061	\$14,797	\$2,412,560,115	\$13,621	-\$163,287,946	-\$1,175	-9%
Total	594	1,354,700	\$7,930,342,303	\$5,878	\$6,848,783,991	\$5,056	-\$1,081,558,312	-\$822	-34%
Percent Black or Hispanic									
Less 25%	395	712,444	\$2,002,876,623	\$2,792	\$1,463,818,248	\$2,055	-\$539,058,375	-\$737	-49%
25-49%	91	214,063	\$1,074,450,879	\$4,991	\$908,075,894	\$4,242	-\$166,374,985	-\$749	-26%
50-74%	44	163,527	\$1,254,948,648	\$7,700	\$1,119,819,573	\$6,848	-\$135,129,075	-\$852	-18%
75-100%	40	262,447	\$3,584,617,930	\$13,844	\$3,345,490,147	\$12,747	-\$239,127,783	-\$1,097	-10%
Total	570	1,352,481	\$7,916,894,080	\$5,878	\$6,837,203,862	\$5,055	-\$1,079,690,218	-\$823	-34%
State Total	594	1,354,700	\$7,930,342,303	\$5,878	\$6,848,783,991	\$5,056	-\$1,081,558,312	-\$822	-34%

Source: 2009-10, 2010-11 State Aid Profiles; 2009 Fall Survey

Per Pupil Averages weighted by 2010-11 projected resident enrollment.

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*Attorneys for Amici Curiae, New Jersey State Conference of the NAACP,
New Jersey Black Issues Convention and Paterson Education Fund*

RAYMOND ARTHUR ABBOTT, et al.,

Plaintiffs,

v.

FRED G. BURKE, et al.,

Defendants.

SUPREME COURT OF NEW JERSEY
DOCKET NO. 42,170

Civil Action

CERTIFICATION OF SERVICE

I, Avidan Y. Cover, an attorney at law of the State of New Jersey, hereby certify that on the date set forth below, I caused two (2) copies of the Brief of amici curiae, New Jersey State Conference of the NAACP, New Jersey Black Issues Convention and Paterson Education Fund, in Support of Plaintiffs' Motion in Aid of Litigants' Rights and Certification by Dr. Michelle Fine, to be served via overnight mail on:

Nancy Kaplen, AAG
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Attorneys for Plaintiffs

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



Avidan Y. Cover

DATED: 7/30/2010