

Richard E. Shapiro, Esq.
Richard E. Shapiro, LLC
5 Mapleton Road
(609) 919-1888

Special Counsel For Intervenors-Movants
Boards of Education of City of Bridgeton,
Burlington City, City of East Orange,
City of Perth Amboy,
Town of Phillipsburg and
City of Trenton

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. GLORIA C. SCOTT

Dr. Gloria C. Scott, of full age, hereby certifies as follows:

1. I am the Interim Superintendent of the East Orange School District. ("District"), an Abbott district under this Court's Abbott rulings. I make this Certification in support of the Motion of the Movants-Intervenors to intervene in this action in support of the Education Law Center's motion in aid of litigants' rights and to provide the Court with information on the specific impact of the severe reduction in State aid on the East Orange School District's programs, services and positions in the 2010-2011 school year.

2. I have overall responsibility for implementing the programs and reforms in the District to enable all students to achieve the New Jersey Core Curriculum Content Standards ("NJCCCS"). The District has a total enrollment of 9,578 students. The student population is 96% Black and 4% Hispanic. 71% of the students qualify for free or reduced lunch.

3. If the formulaic State aid funding categories in the School Funding Reform Act ("SFRA") had been fully funded in FY2011 in accordance with the SFRA's provisions, the District would have received State formula aid in the amount of \$182,490,927. Because of the reductions in formulaic aid in the FY2011 budget, the District will receive State aid in the amount of \$169,391,625, or a reduction of \$13,099,302 below the formulaic amounts required by the SFRA and deemed necessary under the SFRA to provide our disadvantaged students with a Thorough and Efficient Education. As a result of this reduction in SFRA aid, the District had to eliminate two-hundred-ninety-six (296) positions.

4. Among the positions eliminated are one-hundred-fifty-seven (157) teachers, thirteen (13) technology coordinators, thirteen (13) teachers on special assignment, eighteen (18) building based substitutes, fifteen (15) secretarial staff, six (6) community outreach coordinators, five (5) maintenance, and a

reduction of twenty-two (22) special education staff positions from 12 months to 10 months. In addition to staff reductions, there were substantial decreases in programmatic expenditures, including, but not limited to, funding for student Saturday and after school programs, student transportation, and extracurricular activities.

5. The reduction of 157 teachers will result in increased class sizes in all grade levels. This drastic reduction will prevent the District from meeting Department of Education regulations on proposed class sizes and reduce the number of teachers assigned as tutors in the elementary schools. Additionally, this will lessen the District's ability to diversify instruction for students that are most in need, and it will make it significantly more difficult for schools and the District to make annual yearly progress as required under the No Child Left Behind Act. Throughout the past years, East Orange was able to provide a reduced class size for language arts and tutoring by teachers for the students in the elementary schools that are most in need. The District will no longer be able to provide this essential academic assistance because of the reduced funding.

6. The elimination of Technology Coordinators throughout the District will severely limit the opportunities for our

students to be adequately trained in the use of technology, an essential component of a 21st century education, since most of our students do not have access to computer technology at home. Technology Coordinators were responsible for staff development within each building and for providing classroom teachers with the knowledge and support needed to ensure that students were equipped to meet the technology standards established by the State. The elimination of these positions will curtail professional development tailored to the needs of the particular school. Additionally, Technology Coordinators were trained to repair, upgrade, and keep all equipment in good condition so that such equipment was continuously available for our students. Because these positions have been eliminated, all equipment in need of repair will have to be sent out of the school, increasing the amount of time that equipment is unavailable to our students.

7. Elementary schools within the District with less than 400 students (and no assistant principal) were assigned a Teacher on Special Assignment (TOSA). The responsibilities of the TOSA related to non-administrative duties that assisted staff and students with meeting the Core Curriculum Content Standards and Code of Conduct regulations established by the

State and District. These 13 teaching positions were eliminated throughout the District.

8. Every school within the District was assigned one building based substitute. This allowed continuity of instruction for teacher absences as well as a staff person that was aware of school expectations and culture. As a result of the funding reductions, the District eliminated the position of Building Based Substitutes and will now have to rely on itinerant substitutes who are unfamiliar with the particular needs of the school and students.

9. Some of the most drastic cutbacks in the District caused by the inadequate funding of SFRA are in the area of Health and Safety. The budget reflects a reduction of Security guards (8) and School Resource Officers (SRO) (4). As a result, elementary schools with less than 400 students will no longer have a security guard assigned to the school. Additionally, SROs will have to patrol from outside of the school instead of in the buildings, reducing the amount of contact that have with students and limiting their ability to provide needed guidance and to promote positive relationships between staff and students. In a district where gang violence is ever increasing, reducing our security and SROs will adversely impact the safety and security of students and staff.

10. The reduction in custodial staff will also jeopardize the District's mission of ensuring the health and safety of our district's students. Decreasing our maintenance staff impacts the preservation of our buildings, most of which are well over 75 years old and in need of constant upkeep.

11. The District also had to reduce twelve-month special education staff to ten-month employees. This reduction in staff negatively impacts the District's ability to fulfill the requirements in the Special Education Code, NJAC Title 6A, Chapter 14, for completing Child Study Team timelines for classifying students and conducting annual IEPs.

12. Because of funding reductions, the budget for field trips was cut by 50%, which will have a significant negative impact on our students. Field trips provide the opportunity for disadvantaged students in urban areas to obtain enriching experiences in museums and other venues outside of their school or community. The families of our students frequently do not have the financial resources or time to provide these opportunities for their children so school field trips provide the only way for our disadvantaged students to gain access to these educational experiences.

13. To help offset the transportation costs within the District, the starting time for middle school students had to be

moved to an earlier time. This is in spite of considerable research that supports the importance of a late start time for middle school students.

14. Many of the low performing schools within the District were able to shed the title of low performing through offering Saturday or Afterschool programs (extension of the school day). The additional instructional time allowed students to receive small group instruction specifically focused on subject areas of difficulty for students and in need of improvement. The progress East Orange has been able to make academically will be severely impacted with a 50% reduction in the budget for after school programs.

15. The substantial reduction in funding for professional travel will severely limit needed professional development opportunities for teachers and administrators. This will make it difficult for the District to provide our teachers with the necessary professional development to ensure our students receive effective, research-based and current instructional methodologies, developments and techniques.

16. Without the required formulaic aid under the SFRA to ensure sufficient funding to meet the requirements of the Thorough and Efficient Education Clause, the District will not have adequate funding for essential programs, staff and

positions to enable our students to meet New Jersey's academic standards.

17. Without the required formulaic aid under the SFRA, the District will lack funding to provide the supplemental programs our students need and that SFRA was designed to enable us to deliver to address those needs.

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

Dated: July 30, 2010

Dr. Gloria C. Scott