



NJDOE News

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For Release: February 10, 2003

Advisory

Education Commissioner Librera recommends to the Legislature that Salem City be designated as a special needs Abbott school district

In a decision released today, Education Commissioner William L. Librera recommends to the state Legislature that the Salem City School District be accorded special needs status and that it should be designated as an Abbott district under the Comprehensive Educational Improvement and Financing Act of 1996, the state's school funding law known as CEIFA.

The Commissioner's decision was in the so-called Bacon case in which an Administrative Law Judge ruled that five southern New Jersey school districts should receive special needs designations. The five districts were Buena Regional, Commercial Township, Fairfield, Salem City and Woodbine.

The decision states, "Salem, to a degree not evidenced by any other petitioner in this matter, displays not only extreme poverty, but also the multiplicity of pervasive, durable social ills that rendered the Abbott districts incapable, for so many years, of providing constitutional levels of education to their students absent extraordinary remedy."

"The Commissioner cannot ignore that Salem City failed monitoring in 1990, and that it has, since 1995, remained in Level II status, with all of the assistance and intervention that classification entails," the decision continues. "Thus, although the district has been the subject of intensive Department scrutiny for the entire period since CEIFA's enactment and has received a considerable influx of funds, it has *still* been unable to provide T&E."

The Commissioner, in the decision, concludes that existing statutory remedies will not be sufficient to enable Salem City School District to meet its constitutional mandate to provide its students a thorough and efficient system of public education (T&E) and that CEIFA should be amended to include Salem City in its definition of "Abbott district" to entitle the district to the remedial benefits flowing from Abbott status.

The ALJ's decision can be found at:

http://lawlibrary.rutgers.edu/oal/html/initial/edu02637-00_1.html

The Commissioner's decision can be found at:

<http://www.nj.gov/njded/legal/commissioner/2003/feb/50-03.pdf>