

Testimony
Robert Garguilo
Chairman
NJ Interdistrict Public School Choice Association

Thank you for allowing me the opportunity to address you today.

I am Robert Garguilo, Chairman of NJIPSA and Interim Superintendent in West Cape May Elementary.

I have been associated with the Choice program for 19 years and was one of the original Choice Superintendents during the pilot phase of the program. I am here today to present to you why the Interdistrict Choice program needs to be fully funded and the CAP lifted.

A brief synopsis of how we got where we are today. In 2000, the NJ Legislature approved a five year project for school choice. It allowed on per county and thus there were originally 13 Choice Districts.

At that time CEIFA was frozen and thus there was a flat allocation for each choice student no matter where the program resided.

In 2008, The School Funding Reform Act (SFRA) took the place of CEIFA and a formula for School Choice was established that had two major components that drove the formula - Adequacy and Equalization aid.

This formula was flawed from the onset due to the changes in those two equations based on local tax rates.

In 2011, The Governor and Legislature approved to make the program permanent and expandable; Thus, the program went from 11 to 129 in a three year expansion.

With the rapid increase in districts and a formula that is flawed the DOE chose to CAP the programs enrollment thus denying parents the opportunity to participate. Here are some facts to consider:

1. Currently we service 5,272 students in the Choice Program
2. Without the CAP on enrollment there is a potential to service a total of 10,056.
3. Throughout the state, there are waiting lists in Choice Districts of parents that want to participate.
4. In our agreement with the DOE, Choice districts agreed to not take tuition students at grade levels they offer Choice. With the arbitrary CAP on enrollment, we believe this agreement on tuition should be overturned. A tuition program does not cost the state a penny and a district can offer tuition with a board resolution. By CAPing the Choice districts and not allowing tuition simultaneously, is discriminatory to the district and parents that want to participate and are willing to pay.
5. Over the years, the DOE has continued to fund the same student three times. The resident district continued to get state aid, the Choice district got Choice aide and the Choice district counted the student on their October report for state aid. We have pointed this out multiple times.

The New Jersey Interdistrict Public School Choice Association applied to the Court and was granted Amicus status in the School Segregation lawsuit pending in the Superior Court of New Jersey. The Court Order granting Amicus status provides the association with the right to participate in all future briefings involved in the case. The court also granted the association the right to participate in settlement negotiations with the consent of the parties.

The application of the Choice Program as a desegregation remedy is a natural extension of the program philosophy. At the core of the issue of school segregation in New Jersey is the historical reality of how our school districts arose from neighborhood schools. The narrowly constructed attendance zones around those neighborhoods do not allow students from one community to attend school in another community. The Association believes that any remedy, in order to be effective, must be able to pierce these historical school boundaries. The choice program was designed to do this and has proven to be a workable and viable remedy. The program has a track record of success, has been utilized by the DOE and the courts as a remedy in past litigation, and can be easily modified by the Court to provide more targeted and potent relief.

Successes:

1. Students are given the opportunity to attend a program outside their Zip Code. With specialized Choice programs that offer opportunities that are not available in their resident district.
2. It allowed district the resources to enhance their programs.
3. The overall diversity rate throughout the Choice Districts is 32%. This is an important factor in equity in education.

Request:

1. To fully fund the Choice Program and restore the cuts made this year.
2. To lift the CAP and allow districts to honor the requests of parents
3. To revisit the formula and develop an equitable way to fund the program.
4. To allow Choice districts to have a tuition program.
5. To allow for a pilot expansion program for new Choice districts that would be focus on diversity and equity.