

December 1, 2004

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Dear Counsel:

BOARD OF EDUCATION OF THE BOROUGH OF ENGLEWOOD CLIFFS, BERGEN COUNTY V. BOARD OF EDUCATION OF THE CITY OF ENGLEWOOD, BERGEN COUNTY V. BOARD OF EDUCATION OF THE BOROUGH OF TENAFLY, BERGEN COUNTY, STATE BOARD DOCKET #81-96

As you know, in its decision of April 2, 2003, in the above-titled matter, the State Board of Education determined to remove the prohibition it had placed on New Jersey's public school districts that precluded them from admitting high school age students from Englewood and Englewood Cliffs on a tuition basis or otherwise. However, in view of its responsibility to ensure that the racial imbalance at Dwight Morrow was addressed, the State Board retained jurisdiction and conditioned its determination on the continued progress of the Academies@Englewood in ameliorating the racial imbalance at Dwight Morrow High School. To ensure that such progress continued and to avoid the possibility of regression, the State Board directed the Commissioner to report formally to the State Board semi-annually every May and September as to the progress being made toward achieving racial balance in the composite student body at Dwight Morrow High School and to advise it as to which school districts were accepting high school age students from Englewood and Englewood Cliffs on a tuition basis or otherwise. By decision of May 5, 2004, the State Board modified its decision of April 2, 2003, so as to require the Commissioner to submit his semi-annual reports at the July and November State Board meetings rather than in May and September.

In a memorandum dated November 8, 2004, the Commissioner requested that submission of his report due in November 2004 be postponed until January 2005. Before considering the request, the State Board gave the parties the opportunity to express any concerns they have about granting it.

Please be advised that the State Board considered the request at its meeting on December 1, 2004, and determined to grant it.

Sincerely,

Dr. Arnold G. Hyndman, President
State Board of Education

Debra Casha, Chairperson
Legal Committee of the State Board