

Preschool 'master' could be named

Lack of progress disturbs high court

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Three years after ordering the state to provide public preschools for poor children, New Jersey Supreme Court justices Tuesday wanted to know why no classrooms have been built and thousands of children are still shut out of programs that could help them succeed in school.

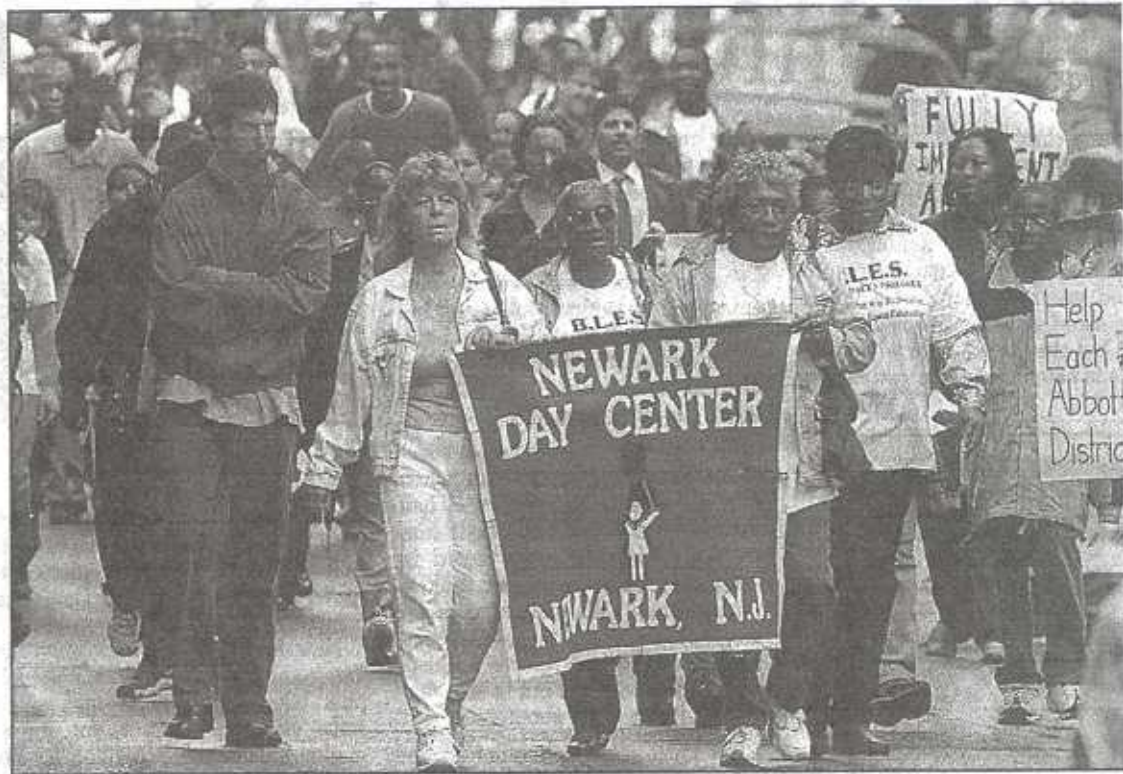
They also considered appointing a "special master" to oversee the development of the preschools, which are a crucial piece of a broader court-ordered plan to fix failing city schools. In 1998, the high court mandated sweeping changes in 30 of the state's poorest districts, which include Garfield, Passaic, and Paterson.

Supreme Court Justice Gary Stein chastised the state for taking so long to get the preschools up and running.

"This court has been suggesting the value of preschool for poor urban children for more than a decade," he said. The Department of Education "either comes up with a process that works or the court does."

In yet another hearing on the decades-old school funding battle, known as Abbott vs. Burke, the high court heard from child advocates and lawyers for three school districts, including Passaic, who say the state has failed to provide guidance, funding, and facilities to create the high-quality preschools it promised three years ago.

State attorneys, however, say they are making progress in completing a monumental task. They also presented the court last weekend with a last-minute plan to provide a better way



Members of preschool education advocacy groups marching Tuesday in Trenton toward the Statehouse. ASSOCIATED PRESS

to determine funding and more guidance on what should be taught in the classroom.

The justices are weighing whether the state's development of the preschools is flawed enough to warrant appointing a special master, who would make sure the Department of Education helps districts build preschools, hire teachers, and use an approved curriculum.

Lawyers for the children and school districts said the independent special master would help solve the many disputes that arise between state and district officials. Those disputes, they contend, have delayed districts from delivering the programs that researchers say help close the learning gap between children in poor towns and those in wealthier districts.

But state Education Commissioner Vito Gagliardi said after the hearing there is no need for oversight.

"The commissioner of education has at his disposal the competent staff to get this done without the use of a master," he said, adding that an overseer would simply create another layer of bureaucracy.

It's uncertain when the court will render a decision.

David Sciarra, director of the Education Law Center, which represents children in the court battle, said the state is still funding preschools based on a preset amount, instead of determining the children's needs and then figuring out how much it costs to

Sciarra also said the state broke its promise to provide preschool for all children who showed up. At least three districts — Passaic, Elizabeth, and Perth Amboy — have waiting lists that together total more than 2,000 children, he said.

An estimated 54,000 3- and 4-year-olds are eligible for the program in the 30 "Abbott" districts. Currently, about 28,500 are enrolled in district-run preschools and community day-care centers that existed before the court order.

"The third year of Abbott preschool is well under way and once again [the children] are not getting what they need," Sciarra told the court.

But Nancy Kaplan, assistant attorney general, argued that the state

is progressing toward its goal of providing preschool for all eligible children.

"The record demonstrates a tremendous amount of progress and work," she told the court. "Everyone is working together, trying to get this move forward."

Kaplan also said districts are using temporary sites, such as tents, to handle the overflow of preschoolers. State officials have also improved districts' five-year correction plans, which include preschool projects. Those projects are just now getting off the ground.

The state's new preschool program submitted to the court last week includes a budgeting process that examines each day-care center's needs and then determines funding on those needs, she added.