

**Brick Township Public School District**



**The Paradox of the Current State of  
School Funding in New Jersey**

*Report*

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# **The Paradox of the Current State of School Funding in New Jersey**

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## **Summary**

This in-depth report intends to illustrate the paradox that exists in New Jersey's school funding formula by detailing the funding process and the current inequities. It will provide a historical perspective of our State's public school funding, while showing how some districts that are below "Adequacy" and face major reductions in State revenue sources due to "Senate Bill 2" ("S2") have no mechanism for relief. Each year S2 is active, these districts are driven further away from Adequacy with many now millions "below adequacy". Furthermore, the report concludes by providing an equitable solution - a plausible existing mechanism for relief in the form of "Adequacy Aid" for those districts under Adequacy, negatively affected by S2, and bound by the statutory 2% tax cap.

## **Purpose**

The purpose is to explain public school funding and the budgeting process, in particular, to detail the paradox that exists with the State of New Jersey's school funding formula (School Funding Reform Act "SFRA" 2008). SFRA was revised with Senate Bill 2 (S2) in 2018 (which eliminated "Adjustment Aid"). Some school districts are faced with major reductions in revenue sources (State Aid) and no mechanism for relief. More specifically, this report will further discuss "Adequacy Aid" as a form of State Aid that could provide a mechanism of relief for some districts. The purpose of Adequacy Aid is to provide subsidy to fill the gap for those school districts that are "under adequacy" and cannot exceed the 2% tax levy cap to meet "Adequacy" or raise revenue to their "Local Fair Share".

## **Introduction**

“The hallways of Trenton are filled again with the normal hustle and bustle... when legislators determine what our state’s funding priorities should be. Inevitably, there are winners and losers. This is especially true when it comes to education”, stated an op-ed article in the Press. School funding and its impact on school districts’ budgets have its tentacles in everything fiscal. In our great country, we are all responsible for funding public education. In New Jersey, we have one of the best public education systems in the nation, and we primarily fund our public schools through local property taxes. Whether or not we have school-aged children, our property taxes contribute to local schools.

Public education is a right and not a privilege. Horace Mann said, “Education then, beyond all other devices of human origin, is the great equalizer of the conditions of men, the balance-wheel of the social machinery”. This is the concept behind public education - to produce productive and responsible citizens in our society. This has been at the foundation of our beginnings as a nation. John Dewey said that education cements the link to democracy. So, an educated citizenship is of the utmost importance. Dewey also said, “Education is not preparation for life; education is life itself”. An uneducated person is at a disadvantage in our present society. Adequate and equitable public school funding is necessary for providing quality education to ALL students.

## History

The history of public education goes back to our Constitution, even though no mention of education is in any of the amendments and therefore comes under the umbrella of the 10th Amendment). Education became a function of the State rather than the Federal government to a large extent. The Founding Fathers believed strongly that preserving democracy would require an educated populace. Because of its importance to our Democracy and society, Horace Mann advocated for State-run public schools in the early 1800's. Public schools would be universally available to all, free of charge, and funded by the State. Public investment would benefit the whole nation by creating literate citizens.

Public education has been supported financially through the states and local governments since the 1800s. Under the Johnson administration in the 1960's, federal government funding of public schools grew through title grants. NJ implemented the foundation for its funding in the Public School Education Act of 1975; but legal challenges ([1981 Abbott v. Burke case](#)) argued that heavy dependence on local property taxes to fund schools gave an advantage to wealthier districts. In 2007, with the recession, public school funding took a hit. NJ experienced a decline in property tax revenue. Coupled with high unemployment, public school districts began to experience major shortfalls in government funding.

In 2007 "A Formula For Success" became New Jersey's School Funding Reform Act (SFRA) in 2008 and it was designed to drive more funding to districts with lower tax capacity. Spending targets utilizing less resources were set based on old and outdated education standards for student learning. Many features of SFRA drove aid towards districts that were already spending well above "adequacy" targets. 2008 was the only year that SFRA was fully funded. Subsequently, SFRA was revised in 2009 and funding of SFRA started to decline. This forced districts to lower budget revenue projections and cut expenditures. Programs began to disappear, extracurricular spending reduced, and staff layoffs ensued.

In 2018, "Senate Bill 2" ("S2") was passed and this law sought to "rebalance" the state's funding formula established in SFRA 2008. Under S2 "Adjustment Aid" was basically eliminated. It's important to note that the new bill only aimed to deal with the inequities caused by the formula; *it did not tackle the formula itself*. The impetus for this law was to fully fund and "rebalance" the State's formula established under SFRA. Its purpose was to ensure "adequate" funding by emphasizing a district's "adequacy" budget and directing appropriate funding accordingly. On the contrary, it negatively affected some districts that were substantially under adequacy to start.

The school funding formula focuses on an "Adequacy Budget" as its baseline. In theory, the adequacy budget is the funding level necessary so as to provide a "thorough and efficient" ("T & E") education to EVERY student. With S2, some districts were faced with major reductions in State aid and no mechanism for relief in order to meet "adequacy". No "Adequacy Aid" (a form of state aid to provide relief and subsidy to fill the gap for those school districts that are "under adequacy" and cannot exceed the 2% tax levy cap) was provided. Every year S2 is active, these districts are driven further away from Adequacy.

## Understanding Public School Funding

### Public School Funding Revenue Sources

School funding revenue comes from a few sources - federal government aid/grants (although many New Jersey districts receive minimal aid from the federal government), State aid, and local sources primarily through a raised property tax levy based on real estate valuations. The majority of New Jersey state public schools realize their funding for their annual school budgets through local property tax levy based on real estate valuation.

#### *Federal Aid*

Federal aid is in the form of grants includes Title I, Title II/IIA, Title III, and Title IV. These grants are subdivided into additional categories of discretionary, non-discretionary, and entitlement grants. Title I (Part A) of the Elementary and Secondary Education Act (ESEA) provides assistance in the form of federal grants to local educational agencies (LEAs) with high percentages of students of lower socioeconomic status (“socioeconomically disadvantaged” as designated by “free and reduced lunch”). Title II provides federal funds for qualifying school districts for teacher and administrator training preparation. Title III provides federal aid for “English Language Learners” (immigrant status, ELL students). Lastly, Title IV is a federal grant program for 21<sup>st</sup> century schools in need of support and its subsequent Title IV Part A to help support student achievement and learning.

### State Aid

Some New Jersey public school districts receive a substantial amount of State aid. State aid is comprised of equalization aid, categorical aid, and specific grants.

### “Adequate” Budget

What is an “Adequate” Budget? Mandated by the NJ Constitution for every school district, the State calculates the necessary funding level to provide a “thorough and efficient” (“T & E”) education to EVERY student. This is what is referred to as the “Adequacy Budget”.

How is the Adequacy Budget calculated? The calculation of an adequacy budget begins with establishing a baseline of a “cost-per-pupil” basis for one elementary student (1.00). This baseline is the “Base Per Pupil Amount” (“BPA”). In calculating the “BPA”, the State looks at a variety of factors, such as teachers’ salaries, costs of supplies, the rate of inflation, etc. The BPA is then adjusted upwards and weighted more with a factor for middle school (i.e., 1.04), high school (1.16), vo-tech students (1.26) and the percentage of special education students (although only 15.9% of population even though State average is almost 20%). An additional weight is added for each child considered “At Risk” such as economically disadvantaged, “Limited English Proficiency” (“LEP”) or “ELL” (which has increased substantially in many districts). The composite number is multiplied by a “Geographic Cost Adjustment” (“GCA”) that factors in a local cost of living. Other factors such as special education “extraordinary aid”, transportation, and security costs, are covered through “Categorical Aid”, which is separate from the Adequacy Budget. Many of these weighted numbers and percentages are adjusted every few years (2023).

## **Local Fair Share**

Once an “Adequate Budget” is set, next is to figure out how to pay for it – or how much the local community is responsible for – this is called the “Local Fair Share” (also has been called the “Local Cost Share”) (see Figure 1). This is the measure of a community’s wealth ability to fund its schools through property taxes. Thus, it is the portion of money that the local taxing authority can raise and earmark for the school district’s budget. There are two variables that the state considers in deriving a Local Fair Share: property values and the income level of its residents. *It should be noted that the Local Fair Share is not a mandated local funding level by the State (only recommended).* However, the State *does* determine local wealth factors along with rate multipliers for property values/incomes calculation.

## **Equalization Aid**

“Equalization Aid” to a district is calculated as necessary funding to provide a thorough and efficient education adequacy budget. The difference between what the local taxing authority can raise (Local Fair Share) and the adequacy budget, if one exists, is covered by the State through equalization aid. So, once the Local Fair Share is calculated and it is lower than the Adequacy Budget, the State provides the difference in its equalization aid. Thus, equalization aid is the difference between a public school district’s adequacy budget and its Local Fair Share. Another way to back into it is that the Local Fair Share is the difference between a district’s adequacy budget and equalization aid provided. *If a district is over adequacy, they will not qualify for equalization aid as they are deemed to be able to afford a thorough and efficient education based on the local community’s ability to fund education.* Equalization Aid is a “wealth-based” non-categorical aid.

*[A form of equalization aid provided to certain districts due to their low socioeconomic status was called Abbott district funding. Abbott district is a designation to a small number of poor districts statewide. It comes from the Abbott v. Burke court case approximately thirty years ago to force the State to make up for these districts’ low tax levy capacity. The court found that the State’s school funding formula at the time was unconstitutional to poorer urban districts in New Jersey. In order to be designated an Abbott district, a school district must be characterized by both poverty and low student achievement. The New Jersey State Department of Education ensures that students receive a thorough and efficient education and in order to help districts accomplish this, the State must provide relief in the form of equalization aid. The Abbott district system and designation was replaced by the New Jersey Development Authority in 2007 to address similar concerns.]*



### **Categorical Aid**

SFRA 2008 created different aid categories separate and distinct from the State's Adequacy Budget. This State aid is called categorical aid. Categorical aid is separated into specific categories or issues such as special education, security, transportation, school choice, and adjustment aid. Categorical aid "categories" change annually to some degree.

### **Adequacy Aid**

*Districts that spend less than their Local Fair Share and are still considered "under Adequacy" qualify for "Adequacy Aid". Adequacy Aid is a form of State Categorical Aid that helps bridge the gap for those districts that cannot meet their Adequacy Budget and raise their Local Fair Share without exceeding the 2 percent property tax cap. Adequacy Aid has been revised (N.J.S.A. 18A:7F-58) in 2018 for districts with a school tax levy greater than statewide average; or municipality's equalized tax rate greater than the State average. Under S2, dollar amounts were "frozen" at current levels for those districts.*

### **Adjustment Aid**

*This aid is often referred to as "hold harmless" aid. The original intent was to ensure that no district would lose funding due to the new formula calculations reinvented in SFRA 2008. It continued to exist in the law representing the negative difference, if one existed, between a district's State Aid for this year and the aid received in SFRA 2008. However, Adjustment Aid was basically eliminated under S2 starting 2018.*

### **Special Education Aid**

Special Education is unique in the State budget in that falls under both the Adequacy Budget calculation and Categorical Aid. In addressing special education, the school funding formula sought to discouraged over-classification by districts. Consequently, Special Education Aid is not dependent on the number of special education students a district has. Rather, it is assumed that 15.9% (even though State average is almost 20%) of every district's student population is classified as special education or needing speech therapy.

### **Special Education "Extraordinary Aid"**

Years ago, the Comprehensive Educational Improvement and Financing Act (CEIFA) (N.J.S.A. 18A:7F-19b), apportioned extra funding for high special education costs. CEIFA was repealed in SFRA 2008. Special Education "Extraordinary Aid" is for the bulk of additional and unforeseen costs (not including transportation) related to special education programs/placements. True equity funding. "Classified" students that have excessive special education costs associated with their services, districts can receive this form of Categorical Aid ("ExAid") to compensate. Currently, excessive costs are defined as anything over \$40,000; unless in a private placement, in which case the threshold is \$55,000. The State will reimburse 90% of the excessive costs if they are provided in district. If the special education services are provided out of district, the reimbursement rate is 75%. The district is responsible for all costs under the threshold (including transportation).

*Transportation Aid, Security Aid, & School Choice Aid, are a few more Categorical Aid areas.*

## Local Property Taxes

As stated, in New Jersey, where we have one of the best public education systems in the nation, we fund public schools primarily through local property taxes. Whether or not we have school-aged children in our household, our property taxes contribute to local schools. This is the difference in revenues needed not accounted for in government aid.

In New Jersey, the average total property tax in 2021-2022 is \$9,284 of which \$4,990 (54%) goes towards schools. In Ocean County, the average property tax bill is \$7,055, and the public education portion is about \$3,800 or about 54% (Table 1). As a resident of New Jersey, understanding the plight of citizens paying high property taxes is a common concern lately, but the public education apportionment of these taxes is statutory. The State’s funding formula provides the means for the calculation of this public education amount. *By law, school districts are not taxing authorities and do not have the ability to adjust a town’s tax rates or to change the property values.* Thus, school districts are at the mercy of real estate valuations and the funding formula’s algorithm, and this, consequently, leads to an inequity in funding for public school districts.

Inequities in education are caused by the fact that schools are mostly funded with state and local tax dollars. More than 92% of funding comes from non-federal sources, according to the Education Department (*Public Education Funding in the U.S. Needs an Overhaul*).

*Table 1: Ocean County Average School Tax Apportionment*

	2021 Avg. Assessment	2021 Avg. Property Taxes	2021 Avg. School Taxes	School Taxes %
State	\$335,623	\$9,284	\$4,990	54%
Ocean County	\$530,813	\$7,055	\$3,800	54%
Brick Schools	\$299,185	\$6,958	\$3,354	48%

*Based on Average Residential Assessed Value*

*\*Source: [NJ Department of Community Affairs](#)/Division of Local Government Services, 2021*

## **The Paradox**

The State sets “baseline” numbers in the Adequacy Budget and the Local Fair Share. Numbers that are created by complicating and confusing formulas. The paradox is simply that the State sets this Adequacy Budget without providing relief nor affording a mechanism for ALL districts to reach it. Even though the State does not mandate Local Fair Share as a funding level, they do determine the local wealth factors along with rate multipliers for property values and incomes in it. *All while still requiring the statutory 2% property tax cap (instituted in 2010 when the inflation rate was 1.5%).*

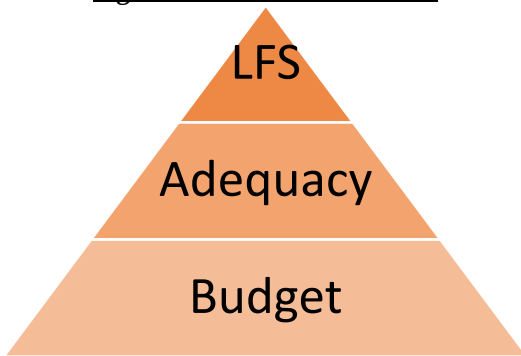
## **Conclusion**

Some districts in the state are way below adequacy and have been negatively affected by S2. Until S2 passage, these districts were able to utilize Adjustment Aid as a means to subsidize their budgets. Since the inception of the statutory 2% tax levy cap, the lone mechanism for relief is Adequacy Aid - but this categorical aid is unavailable to these districts at this time and there is no application process afforded currently. Since its revision (N.J.S.A. 18A:7F-58) and under S2, Adequacy Aid dollar amounts were “frozen” at current levels of \$83.4M for just 7 districts ([see NJDOE State Aid 2022-2023](#)).

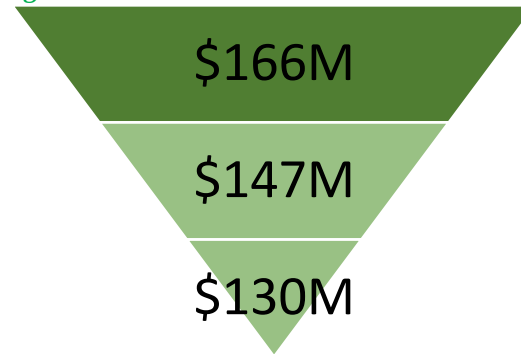
*[Side note: researching State Aid numbers for districts is convoluted due to the fact that the State reports do not identify allocations in the correct category (maybe by design). For example, Brick Schools does not qualify for Equalization Aid although state reports show a dollar amount in that category, as the State requires districts to place allocations received such as Stabilization Aid and Adjustment Aid (which is no longer) under that category!]*

Brick Schools is way under adequacy by \$9.4 million in 2022-2023 and projected to increase to \$17M below adequacy in 2023-2024 (Figure 2 and Table 3), with a Cost-Per-Pupil of \$15,500, and has had State Aid reduced substantially (-49% under S2). S2 claimed that aid would be cut commensurate with enrollment decreases, but that is not true for Brick, with an enrollment having only decreased 10%. Brick’s current budget can only generate \$2.4M due to the State mandated 2% tax levy cap. Thus, as we further fall below adequacy, it would take Brick over 7 years to catch up to other districts. Meanwhile, class sizes will continue to increase with Brick averaging around 30 in elementary classes with some as high as 34. [It’s worth noting that even though Brick as a district is not considered “high poverty”, 4 schools are. State Administrative Code (N.J.A.C. 6A:13-3.1) mandates high poverty “districts” elementary class sizes not to exceed 23 (21 K-3 and 23 4-5)] In addition, staff will be reduced and programs will be cut to balance a budget (which is the law). These are lost opportunities for students. Brick Schools is efficient, yet effective; with one of the lowest cost-per-pupil and Administrative costs in the state. Brick students are held to the same standards and deserve the same opportunities as other students in the State. Brick Schools is forced to do more with less with the same expectations.

*Figure 2: Local Fair Share*



*Figure 1: Brick Schools Local Fair Share*

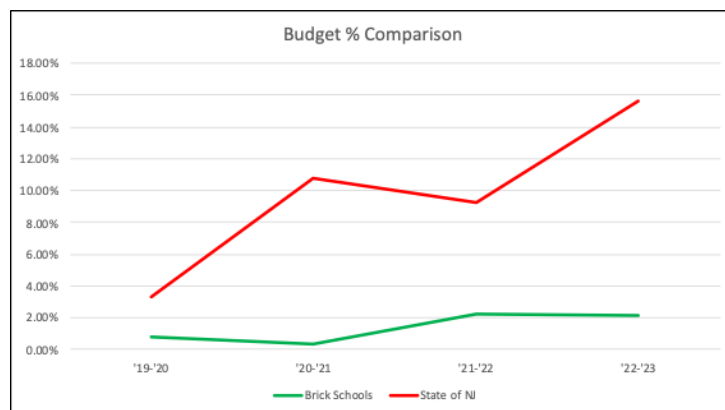


It is worth noting that over the last 5 years, the State of New Jersey’s fiscal budget went from \$36B to a present \$53B, a 40+% increase! The NJDOE’s fiscal budget has increased 32.3%. Taxpayer monies have increased the State coffers to allow to increase State Aid for School Districts. Brick Schools budget has only gone up 6.9% (abiding by the mandatory 2% Tax Levy Cap) and our State Aid afforded to Brick has DECREASED -49% (over \$23M) over the same time (Table 2). With inflation, cost-of-living increases, and other costs increasing substantially, we are in the “perfect storm” fiscally. State aid to the effected S2 districts has been reduced at an exorbitant rate that far outpaces what these districts can replenish annually and put back. These are dire times financially and Brick Schools is bleeding budgetarily. Where is the money going? Not to Brick!

*Table 2: Budget Comparison*

BUDGET COMPARISON											
	'18-'19	'19-'20	%	'20-'21	%	'21-'22	%	'22-'23	%	5-Yr	%
<b>Brick Schools</b>	\$153.2M	\$154.5M	0.82%	\$155.8M	0.35%	\$159.8M	2%	\$163M	2%	\$8.7M	6.9%
<b>State Aid</b>	\$35.6M	\$32.3M	-12%	\$28.1M	-13%	\$22.9M	-18.5%	\$18.1M	-21%	-\$17.4M	-49%
<b>State of NJ</b>	\$36B	\$37.2B	3.3%	\$41.2B	11%	\$45B	9.22%	\$52B	15.6%	\$16B	40%

*Figure 3: Budget % Comparison*



*Table 3: Brick Schools Adequacy Budget*

BTPS	'18-'19	'19-'20	'20-'21	'21-'22	'22-'23	'23-'24 <i>projected</i>
LFS	\$130M	\$142M	\$148M	\$146M	\$141M	\$165M
Adequacy	\$137M	\$142M	\$144M	\$140M	\$132M	\$147M
Budget	\$133M	\$136M	\$138M	\$136M	\$122.8M	\$130M
<b>Below</b>	<b>-\$4M</b>	<b>-\$6M</b>	<b>-\$6M</b>	<b>-\$4M</b>	<b>-\$9.4M</b>	<b>-\$17M</b>

*Table 4: Ocean County Districts (negatively affected by S2 & under adequacy)*

<i>Projected</i>	Brick	Toms River	Jackson	Lacey	FRHSD*
LFS	\$166M	\$251M	\$114M	\$61M	\$185M
Adequacy	\$147M	\$271M	\$134M	\$68M	\$200M
Budget	\$130M	\$208M	\$125M	\$66M	\$175M
<b>Below</b>	<b>-\$17M</b>	<b>-\$63M</b>	<b>-\$9M</b>	<b>-\$2M</b>	<b>-\$25M</b>

*\*Freehold Regional High School District located in Monmouth County*

The State Funding Formula is not equitable and is flawed. The loss in State Aid under S2 to certain districts has been further compounded budgetarily by extreme inflation that has increased major budget categories such as healthcare, transportation, energy, etc. These fixed cost increases have far exceeded the 2% tax levy cap. This is the “perfect storm” and we need the State’s help. The State can change this.

A *short-term* solution is for the State to utilize some of the unspent billions in federal dollars received, in reserve, and re-allocate to those districts negatively affected by S2 and below adequacy. More importantly, the State should re-look at Adequacy Aid and how it is dispersed presently as immediate relief, re-purposing that money based on change in school aid funding over the last five years (revision of N.J.S.A. 18A:7F-58). In addition, the State could also mandate a tax levy cap adjustment for those districts under adequacy.

A *long-term* solution is the State MUST re-evaluate the school funding formula so as to provide a thorough and efficient education for ALL students by striving to bring ALL public school districts to adequacy – the State’s base threshold established for a constitutional “T&E” education for students. Additionally long-term, a larger Federal role could help so that there is no disinvestment in public education (Allegretto, Garcia, & Weiss). For example, more Title III monies afforded to districts who have seen a substantial increase in ELL students (“immigrant status”). Brick’s ELL student population has quadrupled in the last 3 years (from 90 in 2020 to 450 presently).

Some districts, such as Brick, are simply running out of time. We need to save these districts from falling off the financial cliff. The time is now for us to advocate for our efficient and effective school districts left behind from S2. We cannot allow the NJDOE’s education malpractice and Trenton’s insouciance to continue.

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