

August 14, 2008

John A. Dimuzio
Acting Superintendent
Edison Township Public Schools
312 Pierson Avenue
Edison, NJ 08837

Dear Mr. DiMuzio:

We write to you as representatives of the Jewish community of New Jersey. Recently we learned that the Edison Public School District has scheduled a special election for Tuesday, September 30, 2008. We urge you to reconsider the date of this election.

As you are well aware, September 30th is also the Jewish holiday of Rosh Hashanah. Rosh Hashanah is the Jewish New Year, a Jewish high holiday, and among the most solemn days of the Jewish calendar. Observance of this holiday entails considerable time spent in prayer in synagogue. Jewish customs, practices and beliefs require that Jews refrain from all secular activities on Rosh Hashanah, including voting.

The issue which Edison residents are being asked to vote upon - a \$57.8 million school construction bond – is as important to Jewish residents as all of the other members of Edison. By asking Jewish residents to cast absentee ballots you are effectively establishing a separate and more cumbersome voting procedure for a whole group of Edison residents based only on their religion.

Quite frankly, we were surprised that you chose this particular date to hold the special election. It is our understanding that the New Jersey Department of Education's guidelines presented the district with more than one date to schedule the election. In addition, the NJ legislature contemplated this very situation when it passed Section 19:60-1, which gives the Commissioner of Education the authority to change "school budget and election calendar date if that date coincides with a period of religious observance."

When faced with competing interests between election dates and religious holidays, municipalities have changed voting dates. When the Town of Newport Rhode Island scheduled a municipal election on Rosh Hashanah, the federal District Court held that that the election constituted an unconstitutionally onerous burden on Jewish citizens and voters. Voting was postponed two days. Michaelson ex rel. Lewis v Booth (1977, DC RI) 437 F Supp 439. Most recently, the city of West Hartford announced just last week that a local election scheduled for September 30 would be changed due to the conflict with Rosh Hashanah.

We look forward to discussing this matter with you and will contact you next week. In the meantime, if you have any questions, please do not hesitate to call Etzion Neuer at (973) 669-9700.

Sincerely,

Etzion Neuer
Anti-Defamation League
New Jersey Regional Director

Josh Pruzansky
Agudath Israel of New Jersey
Director

Jacob Toporek
N.J. State Association of Jewish Federations
Executive Director

Allyson M. Gall
American Jewish Committee
New Jersey Area Director

Howard Beigelman
Orthodox Union
Deputy Director of Public Policy

Cc: Lucille E. Davy, Commissioner, State of New Jersey Department of Education