

# NEW JERSEY

(Law passed in 1996; last amended in 2011;  
19th weakest of the nation's 42 charter laws)



87 charters serving 23,399 students.

29 charter schools closed as of December 2011.

## NOTEWORTHY

Founders of the Princeton International Charter School, approved by the Commissioner in 2010 have had to file suit in three school districts which have worked to prevent the school from opening by diverting money, refusing to give zoning approval for their chosen school building, and misrepresentation of the school and its intent. This is not an uncommon story in the Garden State. Many charters are approved but never open because of district opposition and the state, as authorizer, does not step in to advocate for its schools as strong authorizers do.

## INDEPENDENT OR MULTIPLE AUTHORIZERS - NO

|          |  |
|----------|--|
| APPROVAL | State Commissioner of Education  |
| APPEAL   | Yes. Applications denied may be appealed to the State Board of Education within 30 days of the date of the receipt of the denial. Charters also have recourse to the courts. |

## OPERATIONAL AUTONOMY

|                 |   |
|-----------------|---|
| STATE           | No. Waiver requests considered on a case-by-case basis. The Department and the State Board of Education have imposed additional regulations over time that are not in law, including geographical restrictions, boundaries and residency requirements for applicants. Virtual schools are permitted but discouraged. Management contracts with ESPs are not restricted, but there are additional requirements when submitting applications. Charters are LEAs only for federal funds. |
| LOCAL           | Limited. Waiver requests considered on a case-by-case basis. While charters do not have to account to the district, decisions regarding special education students are made by the LEA, not the charter school. Districts are prohibiting charter schools from opening by imposing or changing zoning laws, etc.  |
| TEACHER FREEDOM | Yes for new starts; teachers may negotiate as a separate unit with the charter school governing body, or work independently. No for conversions; teachers remain covered by district collective bargaining agreement. Charter schools must participate in state's retirement system.  |

## NUMBER OF SCHOOLS ALLOWED

|     |   |
|-----|---|
| CAP | No legal limit on number of schools that may be approved. |
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# NEW JERSEY

(Continued)



## EQUITY

|                  |   |
|------------------|---|
| STUDENT FUNDING  | <p>Funds pass through the district. Law requires schools to be funded at 90 percent of per pupil district aid base. However, based on thorough research, it is often less than 80 percent because charter students don't receive adjustment aid given to districts under the School Funding Reform Act. District can charge up to ten percent for administrative fees.</p> <p>"The school district of residence shall pay directly to the charter school for each student enrolled in the charter school who resides in the district an amount equal to the lower of either 90% of the program budget per pupil for the specific grade level in the district or 90% of the maximum T&amp;E amount. The per pupil amount paid to the charter school shall not exceed the program budget per pupil for the specific grade level in the district in which the charter school is located. The district of residence shall also pay directly to the charter school any categorical aid attributed to the student, provided the student is receiving appropriate categorical services, and any federal funds attributed to the student. ..." [N.J. Stat. § 18A:36A-12(b)]</p> |
| FACILITIES FUNDS | No Additional Funds.  |

[LINK TO THE NEW JERSEY CHARTER SCHOOL LAW](#)