

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY COMMITTEE SUBSTITUTE FOR ASSEMBLY, No. 3356

STATE OF NEW JERSEY

DATED: MAY 23, 2011

The Assembly Education Committee favorably reports an Assembly Committee Substitute for Assembly Bill No. 3356.

This committee substitute implements certain measures to improve the oversight and accountability of charter schools. The substitute does the following:

(1) provides that students will be selected for enrollment in a charter school through a lottery. The name of each student who is enrolled in the charter school's district of residence will be placed in the lottery. If the parents or guardians of a student who is selected through the lottery decide not to enroll the student, then the charter school will fill that enrollment space with a student from the waiting list. Under current law, a random selection process is only used if there are more applicants than there are openings in the charter school. The routine use of lotteries will help to ensure that a charter school's enrollment reflects the demographics of its district of residence;

(2) requires a charter school to file with the Commissioner of Education and its district of residence a report on the student enrollment demographics of the charter school by October 15 of each year. The report is to be posted on the websites of the Department of Education, the charter school, and the charter school district of residence;

(3) requires a charter school to maintain a waiting list for admission to the school and to annually submit the number and demographics of students on the waiting list to the commissioner. The department and the charter school will post the number and student demographics on their websites and update the number as appropriate;

(4) requires the adjustment of the per pupil tax levy amount that a district of residence must send to a charter school if the district's budget is defeated by the voters or disapproved by the board of school estimate and the district's tax levy is reduced. The per pupil adjustment will reflect the reduced tax levy;

(5) requires that a charter school's annual report required under current law include information on the students who have left the charter school during the preceding school year through withdrawal, expulsion, other disciplinary action, or any other circumstance;

(6) requires that the commissioner's annual assessment of a charter school required under current law be in writing and posted on the department's website no later than October 15;

(7) requires that the findings of the commissioner's comprehensive review of a charter school required under current law prior to granting a renewal of the charter be provided in writing to the charter school no later than six months prior to the commissioner's decision on the renewal of the charter;

(8) establishes the following additional grounds for which the commissioner may revoke a school's charter:

- the charter school fails to achieve the core curriculum content standards or fails to meet any performance standard set forth in the school's charter;

- the charter school engages in a practice and pattern of discrimination in violation of federal or State law or violates any federal or State law; or

- the charter school violates any provision of its charter concerning fiscal responsibility;

(9) requires the commissioner to post a charter school's approved budget on the department's website;

(10) permits a board of education and a charter school to enter into a written agreement to conduct collaborative education programs or implement shared services if the arrangement will lead to improvement for all students in areas such as teacher quality and student achievement;

(11) requires that a charter school, upon the revocation of its charter, provide the commissioner and the parents or guardians of its students with information on how to transfer the student to the student's school district of residence, and to forward all student records to that district;

(12) provides that a charter school must cause an independent final audit to be conducted of the school's accounts and financial transactions within six months following the closure of the school; and,

(13) requires charter schools to be subject to review and evaluation under the New Jersey Quality Single Accountability Continuum (NJ QSAC).