

SENATE, No. 3697

STATE OF NEW JERSEY
219th LEGISLATURE

INTRODUCED APRIL 26, 2021

Sponsored by:
Senator VIN GOPAL
District 11 (Monmouth)

SYNOPSIS

Establishes New Jersey Commission on School Funding in DOE.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT establishing the New Jersey Commission on School
2 Funding and supplementing chapter 7F of Title 18A of the New
3 Jersey Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State
6 of New Jersey:

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8 1. a. The New Jersey Commission on School Funding is
9 established in the Department of Education. The purpose of the
10 commission shall be to examine the allocation of State aid to school
11 districts and to develop recommendations to address deficiencies
12 that the commission identifies, with the objective of ensuring that
13 the State and school districts provide sufficient funding to provide a
14 thorough and efficient education to all students.

15 b. The commission shall consist of 15 members as follows:

16 (1) the Commissioner of Education, who shall serve ex officio,
17 or a designee;

18 (2) the chief executive officer of the New Jersey Schools
19 Development Authority, who shall serve ex officio, or a designee;

20 (3) five members appointed by the Governor, including one
21 member each appointed upon the recommendation of the American
22 Federation of Teachers – New Jersey, the New Jersey Association
23 of School Administrators, the New Jersey Association of School
24 Business Officials, and the New Jersey Education Association, and
25 one member of the public who has knowledge and experience in
26 public school finance or State budgeting and finance;

27 (4) three members appointed by the President of the Senate,
28 including one member each appointed upon the recommendation of
29 the New Jersey Council of County Vocational Schools and the New
30 Jersey School Boards Association, and one member of the public
31 who has knowledge and experience in public school finance or State
32 budgeting and finance;

33 (5) three members appointed by the Speaker of the General
34 Assembly, including one member each appointed upon the
35 recommendation of the Education Law Center and the New Jersey
36 Principals and Supervisors Association, and one member of the
37 public who has knowledge and experience in public school finance
38 or State budgeting and finance; and

39 (6) one member of the public appointed by the Minority Leader
40 of the Senate, and one member of the public appointed by the
41 Minority Leader of the General Assembly, each having knowledge
42 and experience in public school finance or State budgeting and
43 finance.

44 c. Appointments to the commission shall be made within 30
45 days of the effective date of this act. Each appointed member shall
46 serve for a term of three years, except that of the initial
47 appointments: one member appointed by the Governor, one member
48 appointed by the President of the Senate, and one member

1 appointed by the Speaker of the General Assembly shall serve for a
2 term of one year; two members appointed by the Governor, one
3 member appointed by the President of the Senate, and one member
4 appointed by the Speaker of the General Assembly shall serve for a
5 term of two years; two members appointed by the Governor, one
6 member appointed by the President of the Senate, and one member
7 appointed by the Speaker of the General Assembly shall serve for a
8 term of three years; and the members appointed by the Minority
9 Leader of the Senate and the Minority Leader of the General
10 Assembly shall serve for a term of three years.

11 Vacancies in the membership of the commission shall be filled in
12 the same manner as the original appointments were made for the
13 unexpired term. Members of the commission shall serve without
14 compensation, but shall be reimbursed for the necessary expenses
15 incurred in the performance of their duties within the limits of the
16 funds made available to the commission for its purposes.

17 d. The commission shall organize within 30 days after the
18 appointment of its members. The commissioner shall serve as the
19 chairperson, and the commission shall select a secretary who need
20 not be a member of the commission. The commission shall meet at
21 the call of its chairperson at the times and places it may deem
22 appropriate and necessary to fulfill its duties. A majority of the
23 members shall constitute a quorum for the purpose of conducting
24 business.

25 e. The department shall provide such staff and related support
26 services as the commission requires to carry out its work. The
27 commission shall also be entitled to call to its assistance and avail
28 itself of the services of the employees of any State, county, or
29 municipal department, board, bureau, commission, or agency as it
30 may require and as may be available to it for its purposes.

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32 2. a. It shall be the duty of the commission to study:

33 (1) the provisions of the "School Funding Reform Act of 2008,"
34 P.L.2007, c.260 (C.18A:7F-43 et al.), including, but not limited to:
35 the determination of school districts' adequacy budgets and local
36 shares, including weights applied to students in different grade
37 levels, enrolled in a county vocational school district, or classified
38 as at-risk or bilingual; the parameters used to calculate school
39 districts' security categorical aid and transportation aid; and the
40 factors that determine the allocation of special education categorical
41 aid, including the use of the census-based funding methodology;

42 (2) provisions of the annual appropriations acts that allocate
43 State aid to school districts in a manner inconsistent with the
44 provisions of the "School Funding Reform Act of 2008," P.L.2007,
45 c.260 (C.18A:7F-43 et al.);

46 (3) State policies that may impact a community's ability to raise
47 a general fund tax levy sufficient to support the provision of
48 educational services including, but not limited to, the tax levy

1 growth limitation established pursuant to section 3 of P.L.2007,
2 c.62 (C.18A:7F-38) and the “Long Term Tax Exemption Law,”
3 P.L.1991, c.431 (C.40A:20-1 et seq.); and

4 (4) school finance policies in other states.

5 b. The commission shall annually conduct a minimum of three
6 public hearings, at least one in each of the northern, central, and
7 southern regions of the State, to solicit testimony from stakeholder
8 organizations and members of the public.

9 c. The commission shall annually issue a report to the
10 Governor, and to the Legislature pursuant to section 2 of P.L.1991,
11 c.164 (C.52:14-19.1). The report shall include, but need not be
12 limited to, a summary of the work performed by the commission
13 during the prior year; a detailed discussion of the commission’s
14 policy recommendations; and a listing of any relevant pending
15 legislation that the commission believes should be enacted by the
16 Legislature. Each report shall be made available in a prominent
17 location on the department’s website.

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19 3. This act shall take effect immediately.
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22 STATEMENT

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24 This bill establishes the New Jersey Commission on School
25 Funding within the Department of Education. The commission will
26 consist of 15 members, including: the Commissioner of Education
27 and the chief executive officer of the Schools Development
28 Authority, serving ex officio, or their designees; five members
29 appointed by the Governor, including four upon the
30 recommendations of various organizations and one public member;
31 three members appointed by the President of the Senate, including
32 two upon the recommendations of various organizations and one
33 public member; three members appointed by the Speaker of the
34 General Assembly, including two upon the recommendations of
35 various organizations and one public member; and two public
36 members with one appointed by the Minority Leader of the Senate
37 and one by the Minority Leader of the General Assembly. The
38 public members are to have knowledge and experience in public
39 school finance or State budgeting and finance.

40 The commission would be tasked with examining the allocation
41 of State aid to school districts and developing recommendations to
42 address any identified deficiencies. Specifically, the commission
43 would study the provisions included in the current school funding
44 law, as well as provisions in the annual appropriations acts that
45 modify the manner in which State school aid is allocated; State laws
46 that impact a community’s ability to raise a general fund tax levy
47 sufficient to provide for a thorough and efficient education; and
48 school finance policies in other states. The commission would

- 1 conduct a minimum of three public hearings each year, as well as
- 2 annually submit a report to the Governor and Legislature that
- 3 summarizes the commission's work over the prior year and any
- 4 policy recommendations developed by the commission.