



## **A-3852/S-2243- Charter School Referendum**

**Sponsors:** Assemblymen Diegnan, Barnes, and Wisniewski. Senators Turner and Buono.

### **Background:**

The New Jersey Charter School Program Act of 1995 was intended to promote the establishment of a charter schools throughout New Jersey. The proposed legislation would create a new barrier to entry for new charter applicants and impede the innovations in education intended by the 1995 Act, especially in the suburban districts.

### **Summary:**

The proposed legislation is inconsistent with the Legislature's intent of the New Jersey Charter School Act to promote the creation of charter schools.

This legislation is harmful to the charter school movement for the following reasons:

- Creates an unfunded mandate. Referendums require the expenditure of funds at the county and local level.
- Politicizes an already complicated and time consuming approval process. Charter school applicants would, in essence become a candidate in a local school board election and be forced to operate and fund a campaign, utilizing scarce resources intended for children.
- No other state in the U.S. requires a voter referendum to authorize a charter school.

### **Recommendations:**

The New Jersey Charter Schools Association (NJCSA) recommends enhancing the current Charter School Act by increasing accountability and holding schools responsible for high performance; providing for equitable public funding; and supporting greater autonomy to allow schools to flourish.

NJCSA recommends the following:

- Amend the New Jersey Charter School Act of 1995 to provide for multiple authorizers, authorizer accountability, and performance based charter contracts.
- Strengthen the Act by providing schools with equitable operational funding so that students in the same district receive the same level of funding.
- Utilize a fair funding formula that would accurately represent all of the funds allocated in the local school district and allow access to those funds for charter schools.
- Provide for facilities funding for charter school buildings.
- Allow charter schools to occupy public school buildings at no added cost to tax payers.