Cary Booker, Assistant Commissioner – Early Childhood  
New Jersey Department of Education  
100 Riverview Plaza  
P.O. Box 500  
Trenton, NJ 08625-0500

Re: Implementation of Preschool Programs by Charter Schools

Dear Assistant Commissioner Booker,

We write in response to a recently published letter sent to you by Mr. David Sciarra at the Education Law Center ("Re: Implementation of Preschool Programs by Charter Schools", 12/3/19). While Mr. Sciarra is a passionate advocate for children, his letter is mistaken on the facts about charter schools and preschool programs.

The question raised by the ELC letter is whether charter schools in so-called Abbott districts are legally entitled to operate preschool programs. The answer is an unqualified yes.

The ELC argues that because district factor group A and B school districts are required under the School Funding Reform Act of 2008 ("Act"), to provide free access to full-day preschool for all three- and four-year old pupils, this means by extension that charter schools are prohibited from offering preschool programs. In fact, the same Act provides just the opposite. The Act amended the Charter School Program Act of 1995, (N.J.S.A. 18A:36A), to expressly provide for the transfer of preschool aid to charter schools, which provide preschool programs. In pertinent part, the Act states that "...the school district of residence shall pay directly to the charter school ...if applicable, 100% of preschool education aid," for each student enrolled in the charter school who resides in the district. See, P.L. 2007, c.260, section 58. In addition, the Charter School Regulations at N.J.A.C. 6A:11-4.7 expressly provide that a charter school may enroll students in preschool if the district has a State-funded preschool program.

Finally, with regard to the ELC's concerns about a "two-tiered system", charter schools offering preschool are annually evaluated and approved by your office and held to strict reporting and accountability requirements to ensure only high-quality programs are in place.

We appreciate your attention to this matter and welcome any opportunity to discuss improving early childhood options for children in New Jersey.
Sincerely,

Camden’s Promise Charter School

Jersey City Golden Door Charter School

John P. Holland Charter School

Learning Community Charter School

Marion P. Thomas Charter School

Philip’s Academy Charter School of Newark

University Heights Charter School

Vineland Public Charter School

New Jersey Charter Schools Association

New Jersey Children’s Foundation

CC:  Dr. Lamont Repollet, Commissioner, Department of Education
     Tonya Coston, Deputy Assistant Commissioner, Division of Early Childhood Education
     Julie Bunt, Director, Office of Charter and Renaissance Schools