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AN ACT concerning charter schools and amending and supplementing P.L.1995, c.426.

Provides for the designation of public institutions of higher education to review charter school applications and modifies aspects of charter school program including approval, monitoring, and evaluation of charter schools.

PRIME Sponsor _____ / _____

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Same as _____ 10/11 Same as _____ 12/13

Suggested allocation:

AN ACT concerning charter schools and amending and supplementing P.L.1995, c.426.

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

1. Section 2 of P.L. 1995, c.426 (C.18A:36A-2) is amended to read as follows:

2. The Legislature finds and declares that the establishment of charter schools as part of this State's program of public education can assist in promoting comprehensive educational reform by providing a mechanism for the implementation of a variety of educational approaches which may not be available in the traditional public school classroom. Specifically, charter schools offer the potential to improve pupil learning; increase for students and parents the educational choices available when selecting the learning environment which they feel may be the most appropriate; encourage the use of different and innovative learning methods; establish a new form of accountability for schools; require the measurement of learning outcomes; make the school the unit for educational improvement; and establish new professional opportunities for teachers.

The Legislature **[further]** also finds that charter schools should improve student learning by creating high-quality public schools with high standards for student performance while closing the achievement gaps between high-performing and low-performing groups or subgroups of students. Therefore, the establishment of a charter school program is in the best interests of the students of this State and it is therefore the public policy of the State to encourage and facilitate the development of charter schools.

The Legislature further finds that based on experience since the original enactment of the "Charter School Program Act of 1995, "P.L.1995, c.426 (C.18A:36A:-1 et seq.), it is necessary to establish additional standards and safeguards to ensure that the charter school program is operated in an effective and accountable manner, provides educational programs that address the special needs of particular students or subgroups of students, and contributes to the overall improvement of public education for all students in the districts served by charter schools.

(cf: P.L.1995, c.426, s.2)

2. Section 3 of P.L.1995, c.426 (C.18A:36A-3) is amended to read as follows:

3. a. The Commissioner of Education shall establish a charter school program which shall provide for the approval and granting of charters to charter schools pursuant to the provisions of this act. A charter school shall be a public school operated under a charter granted by the commissioner, which is operated independently of a

EXPLANATION – Matter enclosed in bold-faced brackets **[thus] in the above bill is not enacted and is intended to be omitted in the law.**

Matter underlined thus is new matter.

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local board of education and is managed by a board of trustees. The board of trustees, upon receiving a charter from the commissioner, shall be deemed to be public agents authorized by the State Board of Education to supervise and control the charter school.

b. The program shall authorize the establishment of not more than 135 charter schools during the 48 months following the effective date of this act. A minimum of three charter schools shall be allocated to each county.

c. The commissioner shall actively encourage the establishment of charter schools in **[urban]** :

(1) high-need school districts with the participation of institutions of higher education;

(2) multiple school districts for the purpose of serving a socio-economically diverse student enrollment;

(3) one or more school districts for the purpose of implementing model programs to serve students with disabilities in inclusive or least restrictive classroom settings;

(4) one or more school districts for the purpose of serving students at risk of dropping out of school, or who have already dropped out of school; and

(5) one or more school districts for the purpose of providing research-proven or promising instructional programs for limited English proficient students and English language learners.

(cf: P.L.1995, c.426, s.3)

3. Section 4 of P.L.1995, c.426 (C.18A:36A-4) is amended to read as follows:

4. a. A charter school may be established by teaching staff members, parents with children attending the schools of the district, or a combination of teaching staff members and parents. A charter school may also be established by an institution of higher education or a private entity located within the State in conjunction with teaching staff members and parents of children attending the schools of the district. If the charter school is established by a private entity, representatives of the private entity shall not constitute a majority of the trustees of the school, and the charter shall specify the extent to which the private entity shall be involved in the operation of the school. The name of the charter school shall not include the name or identification of the private entity, and the private entity shall not realize a net profit from its operation of a charter school.

b. A currently existing public school is eligible to become a charter school if the following criteria are met:

(1) At least 51% of the teaching staff in the school shall have signed a petition in support of the school becoming a charter school; and

(2) At least 51% of the parents or guardians of pupils attending that public school shall have signed a petition in support of the school becoming a charter school.

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c. An application to establish a charter school shall be submitted to the commissioner [and the local board of education or State district superintendent, in the case of a school district under full State intervention,] no later than January 1 in the [school] year preceding the school year in which the charter school will be established. Notice of the filing of the application shall be sent immediately by the commissioner to the local board of education or State district superintendent, in the case of a school district under full State intervention, the members of the State Legislature, school superintendents, and mayors and governing bodies of all legislative districts, school districts, or municipalities in which there are students who will be eligible for enrollment in the charter school. [The board of education or State district superintendent shall review the application and forward a recommendation to the commissioner within 60 days of receipt of the application.] The commissioner shall assign the application to a charter school reviewer pursuant to subsection g. of this section. The reviewer shall forward a recommendation to the commissioner on the approval or disapproval of the application by such date as determined by the commissioner. The commissioner shall [have final authority to grant] make a determination to approve or reject a charter application. The commissioner shall notify a charter school applicant of the initial approval or rejection of the charter school application no later than August 1 after the submission of the charter school application.

Upon receiving initial approval from the commissioner, an application for the establishment of a charter school shall not be granted final approval unless the designation of a school district as the charter school district of residence or inclusion of the district in the charter school region of residence has been approved by the voters of the district at the annual school election in the case of a charter school to be established in a Type II district, or the board of school estimate in the case of a charter school to be established in a Type I district or a Type II district with a board of school estimate. In the event that a subset of school districts included in the region of residence of a proposed charter school does not approve of the inclusion, the charter school applicant may submit a revised application that does not include the school districts in which the inclusion was not approved.

The commissioner shall provide for the final granting of a charter no later than the following February 1 in the case of a school district with a November annual school election and no later July 15 in the case of a school district with an April annual school election.

d. The local board of education or a charter school applicant may appeal the decision of the commissioner to the Appellate Division of the Superior Court.

e. A charter school established during the 48 months following the effective date of this act, other than a currently existing public

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school which becomes a charter school pursuant to the provisions of subsection b. of section 4 of this act, shall not have an enrollment in excess of 500 students or greater than 25% of the student body of the school district in which the charter school is established, whichever is less.

【Any two charter schools within the same public school district that are not operating the same grade levels may petition the commissioner to amend their charters and consolidate into one school. The commissioner may approve an amendment to consolidate, provided that the basis for consolidation is to accommodate the transfer of students who would otherwise be subject to the random selection process pursuant to section 8 of P.L.1995, c.426 (C.18A:36A-8)】

A charter school may petition the commissioner to amend its charter to expand the number of grade levels that it operates or to enlarge the charter school region of residence. Notice of the filing of the petition to amend the charter shall be sent immediately by the commissioner to the board of education of the charter school district of residence or to the board of education of each district included in the charter school region of residence or to be added to the charter school region of residence. The commissioner shall make a determination to approve or reject a petition for the expansion of a charter school or the enlargement of a charter school region of residence.

Upon receiving the initial approval from the commissioner, a petition to expand the number of grade levels of a charter school shall not be granted final approval unless the expansion has been approved by the voters of the district at the annual school election in the case of a charter school in a Type II district, or the board of school estimate in the case of a charter school in a Type I district or a Type II school district with a board of school estimate. In the case of a charter school with a region of residence, the expansion shall be deemed approved if each district included in the charter school region of residence approves the expansion.

Upon receiving initial approval from the commissioner, a petition to enlarge a charter school region of residence shall not be granted final approval unless the enlargement has been approved by the voters of the district at the annual school election in the case of a charter school in a Type II district, or the board of school estimate in the case of a charter school in a Type I district or a Type II school district with a board of school estimate, that would be added to the charter school region of residence.

f. Upon receipt of a notice of the commissioner’s initial approval of a charter school application or a petition to expand the number of grade levels that the charter school operates or to enlarge the charter school region of residence, a local board of education of a Type II district shall submit to the voters at the next annual school election a question regarding the approval of its designation as the charter school district of residence, its inclusion in the charter

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school region of residence, or the expansion of the number of grade levels that the charter school operates, as applicable.

g. The commissioner shall transmit through a random selection process applications to establish a charter school to a charter school reviewer for an independent review, evaluation, and recommendation in accordance with a schedule to be determined by the commissioner.

h. As used in this section, “region of residence” means the contiguous school districts in which a charter school operates pursuant to its charter or proposes to operate in the application submitted to the commissioner.

(cf: P.L 2011, c.140, s.2)

4. Section 5 of P.L.1995, c.426 (C.18A:36A-5) is amended to read as follows:

5. **[The application for a charter school shall include the following information:]**

- a. The **[identification of the charter applicant;**
- b. The name of the proposed charter school;
- c. The proposed governance structure of the charter school including a list of the proposed members of the board of trustees of the charter school or a description of the qualifications and method for the appointment or election of members of the board of trustees;
- d. The educational goals of the charter school, the curriculum to be offered, and the methods of assessing whether students are meeting educational goals. Charter school students shall be required to meet the same testing and academic performance standards as established by law and regulation for public school students. Charter school students shall also meet any additional assessment indicators which are included within the charter approved by the commissioner;
- e. The admission policy and criteria for evaluating the admission of students which shall comply with the requirements of section 8 of this act;
- f. The age or grade range of students to be enrolled;
- g. The school calendar and school day schedule;
- h. A description of the charter school staff responsibilities and the proposed qualifications of teaching staff;
- i. A description of the procedures to be implemented to ensure significant parental involvement in the operation of the school;
- j. A description of, and address for, the physical facility in which the charter school will be located;
- k. Information on the manner in which community groups will be involved in the charter school planning process;
- l. The financial plan for the charter school and the provisions which will be made for auditing the school pursuant to the provisions of N.J.S.18A:23-1;
- m. A description of and justification for any waivers of regulations which the charter school will request; and

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n. Such other information as the commissioner may require]
commissioner, no later than September 1 of each year, shall
distribute an application guidance document that includes the
following:

(1) the commissioner’s strategic vision for chartering, including
a clear statement of any preference that the commissioner may grant
to applications for the establishment of charter schools in:

(a) high-need school districts with the participation of
institutions of higher education;

(b) multiple school districts for the purpose of serving a socio-
economically diverse student enrollment;

(c) one or more school districts for the purpose of implementing
model programs to serve students with disabilities in inclusive or
least restrictive classroom settings;

(d) one or more school districts for the purpose of serving
students at risk of dropping out of school, or who have already
dropped out of school; and

(e) one or more school districts for the purpose of providing
research-proven or promising instructional programs for limited
English proficient students and English language learners;

(2) the performance framework that the commissioner has
developed for charter school oversight and evaluation;

(3) the criteria that will guide the commissioner’s decision to
approve or deny a charter application and the reviewer’s decision to
recommend to the commissioner the approval or disapproval of a
charter application; and

(4) clear, detailed questions and guidelines on the format and
content essential for an applicant to demonstrate the capacities
necessary to establish and operate a successful charter school.

o. The charter school application shall require an applicant to
provide information on all of the following essential elements of the
proposed charter school:

(1) the mission and vision of the proposed charter school
including the identification of the targeted student population and
the community the charter school plans to serve;

(2) the location or geographic area of the proposed charter
school;

(3) the grade levels to be served each year for the full term of
the charter;

(4) the minimum, planned, and maximum enrollment per grade
level per year for the term of the charter;

(5) evidence of the need for, and community support of, the
proposed charter school;

(6) background information on the proposed founding board of
trustee members and, if identified, the proposed school leadership
and management team;

(7) the charter school’s proposed school calendar and sample
daily schedules;

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(8) a description of the educational program aligned with the core curriculum content standards;

(9) a description of the proposed charter school's instructional design, including the type of learning environment, class size and structure, curriculum overview, and teaching methods;

(10) the plan for using internal and external assessments to measure and report student progress in accordance with the performance framework developed by the commissioner pursuant to section 19 of P.L. , c. (C.) (pending before the Legislature as this bill);

(11) the plan for identifying and successfully serving students with disabilities, students who are English language learners, students who are lagging academically, and gifted students. The plan shall include information on compliance with applicable laws and regulations;

(12) a description of co-curricular or extracurricular programs and how they will be funded and delivered;

(13) a plan and timelines for student recruitment and enrollment, including lottery procedures;

(14) student discipline policies including those for special education students;

(15) an organization chart that clearly outlines the school's organizational structure, including lines of authority and reporting among the board of trustees, staff, any charter school parent organization, and any external organization that will play a role in managing the charter school;

(16) a clear description of the roles and responsibilities of the board of trustees, the charter school's leadership and management team, and any other entity identified in the organization chart;

(17) a staffing chart for the charter school's first year of operation and a staffing plan for each year of the term of the charter;

(18) plans for recruiting and developing school leadership and staff;

(19) the proposed school leadership and teacher employment policies, including plans for performance evaluation;

(20) the proposed bylaws for the governance of the charter school;

(21) an explanation of any partnerships or contractual relationships central to the charter school's operation or mission;

(22) the plans for providing transportation, food services, and all other significant operational or ancillary services;

(23) opportunities and expectations for parent involvement;

(24) detailed school start-up plan identifying tasks, timelines, and responsible individuals;

(25) the financial plan and policies for the charter school, including financial controls and for auditing the school pursuant to the provisions of N.J.S.18A:23-1;

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(26) a description of the insurance coverage to be obtained by the charter school;

(27) a start-up and five-year budget with clearly-stated assumptions;

(28) a start-up and five-year cash flow projection with clearly-stated assumptions;

(29) evidence of anticipated fundraising contributions and disclosure of gifts or grants, if claimed in the application;

(30) a facilities plan, including backup or contingency plans if appropriate; and

(31) any other information required by the commissioner.
(cf: P.L.1995, c.426, s.5)

5. Section 7 of P.L.1995, c.426 (C.18A:36A-7) is amended to read as follows:

7. A charter school shall be open to all students on a space available basis and shall not discriminate in its admission policies or practices on the basis of intellectual or athletic ability, measures of achievement or aptitude, status as a handicapped person, proficiency in the English language, or any other basis that would be illegal if used by a school district; however, a charter school may limit admission to a particular grade level or to areas of concentration of the school, such as mathematics, science, or the arts, or to meet the needs of the student populations identified under subsection c. of section 3 of P.L.1995, c.426 (C.18A:36A-3). A charter school may establish reasonable criteria to evaluate prospective students which shall be outlined in the school's charter.
(cf: P.L.1995, c.426, s.7)

6. Section 8 of P.L.1995, c.426 (C.18A:36A-8) is amended to read as follows:

8. a. Preference for enrollment in a charter school shall be given to students who reside in the [school district in which the charter school is located. If there are more applications to enroll in the charter school than there are spaces available, the charter school shall select students to attend using a random selection process] charter school district of residence as approved by the commissioner. A charter school shall select students to attend using a random selection process. In the event that the parent or guardian of a student who is selected for admission to the charter school determines not to enroll the student in the charter school, then the charter school shall fill that enrollment space with a student from the waiting list maintained pursuant to subsection g. of this section. A charter school shall not charge tuition to students [who reside in the district].

b. A charter school shall allow any student who was enrolled in the school in the immediately preceding school year to enroll in the charter school in the appropriate grade unless the appropriate grade is not offered at the charter school.

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c. A charter school may give enrollment priority to a sibling of a student enrolled in the charter school.

d. If available space permits, a charter school may enroll non-resident students. The terms and condition of the enrollment shall be outlined in the school's charter and approved by the commissioner.

e. The admission policy of the charter school shall [, to the maximum extent practicable, seek] achieve the enrollment of [a cross section of the community's school age population including racial and] the student demographics of the charter school district of residence including race, ethnicity, eligibility for the federal free lunch program, eligibility for the federal reduced price lunch program, limited English proficient students, special education services students in respective special education classifications, and other appropriate academic factors.

f. A charter school shall file with the reviewer, the commissioner and the charter school district of residence a report on the student enrollment demographics of the charter school no later than October 15 of each year. The report shall be in a form prescribed by the commissioner and shall be posted on the websites of the Department of Education, the charter school, and the charter school district of residence.

g. A charter school shall maintain a waiting list for admission to the school and shall annually submit the number and demographics of students on the waiting list to the commissioner. The Department of Education and the charter school shall post the number on their websites and shall update the number as appropriate.

h. The commissioner shall take appropriate action, including modification of the random selection process for admission established in accordance with subsection a. of this section, upon a determination that the charter school has not achieved the enrollment of the student demographics of the charter school district of residence as required pursuant to subsection e. of this section.

(cf: P.L.1995, c.426, s.8)

7. Section 9 of P.L.1995, c.426 (C.18A:36A-9) is amended to read as follows:

9. a. A student may withdraw from a charter school at any time. A student may be expelled from a charter school based on criteria determined by the board of trustees, which are consistent with the provisions of N.J.S.18A:37-2, and approved by the commissioner as part of the school's charter. Any expulsion shall be made upon the recommendation of the charter school principal, in consultation with the student's teachers.

b. A charter school shall make appropriate arrangements to ensure that a student has an appropriate alternative school placement prior to leaving the charter school.

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c. A charter school shall annually file a report with the reviewer, the commissioner, and the school district or school districts served by the charter school on the students leaving the charter school during the preceding school year by withdrawal, expulsion, other disciplinary action, or any other circumstance. The report shall include the last date of the student’s charter school attendance, the reason for the student leaving the charter school, and the student’s educational placement after leaving the charter school.

(cf: P.L.1995, c.426, s.9)

8. Section 10 of P.L.1995, c.426 (C.18A:36A-10) is amended to read as follows:

10. a. A charter school may be located in part of an existing public school building, in space provided on a public work site, in a public building, or any other suitable location. In the case of a nonpublic school that converts to a charter school pursuant to the provisions of section 1 of P.L.2011, c.140 (C.18A:36A-4.1), the charter school may be located in the same school building in which the nonpublic school was located. The facility shall be exempt from public school facility regulations except those pertaining to the health or safety of the pupils. A charter school shall not construct a facility with public funds other than federal funds.

b. Except as otherwise provided pursuant to section 14 of P.L.2007, c.137 (C.18A:7G-45), a charter school shall have the right of first refusal to purchase or lease at or below fair market value a closed public school facility or property or unused portions of a public school facility or property of the charter school district of residence if the district decides to sell or lease the public school facility or property, and upon a finding by the district that the proposed use is appropriate, equitable, and furthers the improvement of education programs for all affected students.

(cf: P.L.2011, c.140, s.3)

9. Section 12 of P.L.1995, c.426 (C.18A:36A-12) is amended to read as follows:

12. a. (Deleted by amendment, P.L.2007, c.260).

b. **[The]** (1) Except as otherwise provided pursuant to paragraph (2) of this subsection, 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 90% of the sum of the budget year equalization aid per pupil and the prebudget year general fund tax levy per pupil inflated by the CPI rate most recent to the calculation. In addition, the school district of residence shall pay directly to the charter school the security categorical aid attributable to the student and a percentage of the district's special education categorical aid equal to the percentage of the district's special education students enrolled in the charter school and, if applicable, 100% of preschool education aid.

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The district of residence shall also pay directly to the charter school any federal funds attributable to the student.

(2) In the event that the general fund tax levy for a proposed budget of the school district of residence is rejected by the voters or the board of school estimate, as applicable, and the municipal governing body or bodies of the municipalities included within the district or the board of school estimate, as applicable, reduces the amount of the general fund tax levy, the per pupil general fund tax levy amount calculated pursuant to paragraph (1) of this subsection shall be reduced in proportion to the reduction made by the municipal governing body or bodies or board of school estimate to the general fund tax levy.

c. (Deleted by amendment, P.L.2007, c.260).

d. Notwithstanding the provisions of subsection b. of this section, in the case of a student who was not included in the district's projected resident enrollment for the school year, the State shall pay 100% of the amount required pursuant to subsection b. of this section for the first year of the student's enrollment in the charter school.

e. The State shall make payments required pursuant to subsection d. of this section directly to the charter school.
(cf: P.L.2007, c.260, s.58)

10. Section 13 of P.L.1995, c. 426 (C.18A:36A-13) is amended to read as follows:

13. The students who reside in the **【school district in which the charter school is located】** charter school district of residence shall be provided transportation to the charter school on the same terms and conditions as transportation is provided to students attending the schools of the district. Non-resident students shall receive transportation services pursuant to regulations established by the State board.

At the discretion of the board of trustees of a charter school, the charter school may provide courtesy busing services at its own expense to students enrolled in the charter school.
(cf: P.L.1995 ,c.426, s.13)

11. Section 14 of P.L.1995, c.426 (C.18A:36A-14) is amended to read as follows:

14. a. The board of trustees of a charter school shall have the authority to decide matters related to the operations of the school including budgeting, curriculum, and operating procedures, subject to the school's charter. The board shall provide for appropriate insurance against any loss or damage to its property or any liability resulting from the use of its property or from the acts or omissions of its officers and employees.

b. In the case of a currently existing public school which becomes a charter school pursuant to the provisions of subsection b. of section 4 of this act, all school employees of the charter school

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shall be deemed to be members of the bargaining unit defined in the applicable agreement and shall be represented by the same majority representative organization as the employees covered by that agreement. In the case of other charter schools, the board of trustees of a charter school shall have the authority to employ, discharge and contract with necessary teachers and nonlicensed employees subject to the school's charter. The board of trustees may choose whether or not to offer the terms of any collective bargaining agreement already established by the school district for its employees, but the board shall adopt any health and safety provisions of the agreement. The charter school and its employees shall be subject to the provisions of the "New Jersey Employer-Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.). A charter school shall not set a teacher salary lower than the minimum teacher salary specified pursuant to section 7 of P.L.1985, c.321 (C.18A:29-5.6) nor higher than the highest step in the salary guide in the collective bargaining agreement which is in effect in the district in which the charter school is located.

c. All classroom teachers and professional support staff shall hold appropriate New Jersey certification. [The commissioner shall make appropriate adjustments in the alternate route program in order to expedite the certification of persons who are qualified by education and experience.] The requirements for the certification of classroom teachers and professional support staff employed by charter schools shall be identical to the requirements for the certification of classroom teachers and professional support staff employed by school districts.

d. A public school employee, tenured or non-tenured, may request a leave of absence of up to three years from the local board of education or State district superintendent in order to work in a charter school. Approval for a leave of absence shall not be unreasonably withheld. Employees on a leave of absence as provided herein shall remain in, and continue to make contributions to, their retirement plan during the time of the leave and shall be enrolled in the health benefits plan of the district in which the charter school is located. The charter school shall make any required employer's contribution to the district's health benefits plan.

e. Public school employees on a leave shall not accrue tenure in the public school system but shall retain tenure, if so applicable, and shall continue to accrue seniority, if so applicable, in the public school system if they return to their non-charter school when the leave ends. An employee of a charter school shall not accrue tenure pursuant to N.J.S.18A:17-2, N.J.S.18A:17-3, or N.J.S.18A:28-5, but shall acquire streamline tenure pursuant to guidelines promulgated by the commissioner, and the charter shall specify the security and protection to be afforded to the employee in accordance with the guidelines.

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f. Any public school employee who leaves or is dismissed from employment at a charter school within three years shall have the right to return to the employee's former position in the public school district which granted the leave of absence, provided the employee is otherwise eligible for employment in the public school. (cf: P.L.1995, c.426, s.14)

12. Section 16 of P.L.1995, c.426 (C.18A:36A-16) is amended to read as follows:

16. a. The **[commissioner]** reviewer shall annually assess whether each charter school is meeting the goals of its charter**[, and]** and its performance framework. The annual assessment shall be in writing and shall be posted on the department's website no later than October 15. The assessment shall include, but not be limited to, information on the number of students who enrolled in and withdrew from the charter school during the year and the student demographics of the charter school.

The reviewer shall conduct a comprehensive review pursuant to the provisions of section 17 of P.L.1995, c.426 (C.18A:36A-17) prior to **[granting]** a renewal of the charter. The findings of the review shall be submitted in writing to the charter school no later than six months prior to the commissioner's decision on the renewal of the charter.

The executive county superintendent of schools of the county in which the charter school is located shall have on-going access to the records and facilities of the charter school to ensure that the charter school is in compliance with its charter and that State board regulations concerning assessment, testing, civil rights, and student health and safety are being met, as well as regulations concerning student discipline, special education, and bilingual education in the event that the charter school is not exempt pursuant to the provisions of subsection a. of section 11 of P.L.1995, c.426 (C.18A:36A-11).

b. In order to facilitate the **[commissioner's review]** reviewer's assessment, each charter school shall submit an annual report to the local board of education, the executive county superintendent of schools, the reviewer, and the commissioner in the form prescribed by the commissioner. The report shall be received annually by the local board, the executive county superintendent, and the commissioner no later than August 1.

The report shall also be made available to the parent or guardian of a student enrolled in the charter school.

The annual report shall include information on the number of students who left the charter school during the preceding school year by withdrawal, expulsion, other disciplinary action, or any other circumstance, the educational placement of students after leaving the charter school, and such other information as the commissioner deems necessary.

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c. By April 1, 2001, and within one year following the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) and every five years thereafter, the commissioner shall hold public hearings in the north, central, and southern regions of the State to receive input from members of the educational community and the public on the charter school program.

d. (1) The commissioner shall commission an independent study of the charter school program. The study shall be conducted by an individual or entity identified with expertise in the field of education and the selection shall be approved by the Joint Committee on the Public Schools. The individual or entity shall design a comprehensive study of the charter school program.

(2) No later than one year following the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) and every five years thereafter, the commissioner shall commission an independent study of the charter school program that meets the requirement of paragraph (1) of this subsection.

e. The commissioner shall submit to the Governor, the Legislature, and the State Board of Education by October 1, 2001 and by October 1 of the second full year following the effective date of P.L. , c. (C.) (pending before the Legislature as this bill) and by October 1 of every fifth year thereafter, an evaluation of the charter school program based upon the public input required pursuant to subsection c. of this section and the independent study required pursuant to subsection d. of this section. The evaluation shall include, but not be limited to, consideration of the following elements:

(1) the impact of the charter school program on resident districts' students, staff, parents, educational programs, and finances;

(2) the impact of the charter school program and the increased number of schools on the economics of educational services on a Statewide basis;

(3) the fairness and the impact of the reduction of available resources on the ability of resident districts to provide all students with a thorough and efficient education as measured by the core curriculum content standards, and to promote competitive educational offerings;

(4) the impact of the shift of pupils from nonpublic schools to charter schools, and the impact of the shift of pupils from public schools;

(5) the comparative demographics of student enrollments in school districts of residence and the charter schools located within those districts. The comparison shall include, but not be limited to, race, gender, socioeconomic status, enrollment of special education students, enrollment of students of limited English proficiency, and student progress toward meeting the core curriculum content standards as measured by student results on Statewide assessment tests;

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(6) the degree of involvement of private entities in the operation and financial support of charter schools, and their participation as members of charter school boards of trustees;

(7) verification of the compliance of charter schools with applicable laws and regulations;

(8) student progress toward meeting the goals of the charter schools;

(9) parent, community and student satisfaction with charter schools;

(10) the extent to which waiting lists exist for admission to charter schools and the length of those lists;

(11) the extent of any attrition among student and faculty members in charter schools; and

(12) the results of the independent study required pursuant to subsection d. of this section.

The evaluation shall include a recommendation on the advisability of the continuation, modification, expansion, or termination of the program. If the evaluation does not recommend termination, then it shall include recommendations for changes in the structure of the program which the commissioner deems advisable. The commissioner may not implement any recommended expansion, modification, or termination of the program until the Legislature acts on that recommendation.

(cf: P.L.2000, c.142, s.3)

13. Section 17 of P.L.1995, c.426 (C.18A:36A-17) is amended to read as follows:

17. a. A charter granted by the commissioner pursuant to the provisions of this act shall be granted for a four-year period **[and]** . The charter term shall commence on the charter school's first day of operation. A charter may be renewed for a five-year period, except that the commissioner may vary the term of a renewed charter based on the performance, demonstrated capacities, and particular circumstances of the charter school. The commissioner may renew a charter with specific conditions for necessary improvements to the charter school. The reviewer shall annually assess and the commissioner may revoke a school's charter if the school:

(1) has not fulfilled any condition imposed by the commissioner in connection with the granting of the charter [or if the school has violated any provision of its charter];

(2) fails to achieve the core curriculum content standards or fails to meet or make sufficient progress toward the performance standards set forth in the school's charter;

(3) engages in a practice and pattern of discrimination in violation of federal or State law or violates any federal or State law from which the charter school is not exempted;

(4) violates any provision of its charter, including provisions concerning fiscal responsibility; or

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(5) fails to make reasonable and appropriate efforts to achieve a student enrollment comparable to the demographic makeup of the charter school district of residence as required pursuant to section 8 of P.L.1995, c.426 (C.18A:36A-8).

b. No later than September 1, a reviewer shall forward a charter renewal application guidance document to a charter school whose charter will expire during the following year. The reviewer shall also issue a performance report to the charter school that includes a preliminary recommendation on the approval or disapproval of the school's charter. The performance report shall summarize the charter school's performance record based on the data required under P.L.1995, c.426 (C.18A:36A-1 et seq.), and shall provide notice of any weaknesses or concerns noted by the reviewer that may jeopardize the renewal of the school's charter if not rectified in a timely manner. The charter school shall have 60 days to respond to the performance report and submit to the reviewer any corrections or clarifications.

b. The renewal application guidance document shall, at a minimum, provide an opportunity for the charter school to:

(1) present additional evidence, beyond the data contained in the performance report, to support its case for charter renewal;

(2) describe improvements undertaken or planned for the charter school; and

(3) detail the school's plans for the next charter term.

The renewal application guidance document shall include the criteria that will guide the reviewer's final recommendation on charter renewal, which shall be based on the performance framework set forth in the charter and consistent with the provisions of P.L.1995, c.426 (C.18A:36A-1 et seq.).

c. No later than December 1, the board of trustees of a charter school seeking renewal shall submit a renewal application to the reviewer and the commissioner in accordance with the renewal application guidance document. Based on the recommendation of the reviewer, the commissioner shall make a determination on the renewal of the charter no later than February 1 after the filing of the renewal application.

d. In making a final decision to recommend the renewal of a charter, a reviewer shall:

(1) base its decision on evidence of the school's performance over the term of the charter in accordance with the performance framework set forth in the charter;

(2) ensure that the data used in making renewal decisions are available to the charter school and the public; and

(3) issue a public report summarizing the evidence basis for its decision.

e. In the event that a determination is made to revoke or not to renew a charter, the commissioner shall:

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(1) provide the charter school with timely notification of the prospect of the revocation or nonrenewal of its charter and of the reasons for the possible closure of the charter school;

(2) allow the charter school a reasonable amount of time in which to prepare a response;

(3) provide the charter school with an opportunity to submit documents and give testimony challenging the rationale for the decision to revoke or not renew the charter and in support of the renewal of the charter, at a proceeding held for that purpose;

(4) at the proceedings allow the charter school access to representation by counsel and to call witnesses on its behalf;

(5) permit the recording of the proceedings; and

(6) after a reasonable period for deliberation, make a final determination and convey that determination in writing to the charter school.

If the commissioner revokes or does not renew a charter, the commissioner shall clearly state at a public meeting of the State Board of Education, the reasons for the revocation or nonrenewal.

f. The commissioner may place the charter school on probationary status to allow the implementation of a remedial plan after which, if the plan is unsuccessful, the charter may be summarily revoked. The commissioner shall develop procedures and guidelines for the revocation and renewal of a school's charter which shall be in accordance with the provisions of this section.

g. The commissioner shall develop a charter school closure protocol to be used in the event of the closure of a charter school. The protocol shall provide for the timely notification of parents, the orderly transition of students and student records to the new schools of attendance, and the proper disposition of school funds, property, and assets in accordance with the requirements of P.L.1995, c.426 (C.18A:36A-1 et seq.). In the event of the closure of a charter school for any reason, the reviewer shall oversee the charter school closure and work with the charter school to ensure a smooth and orderly closure and transition for students and parents in accordance with the protocol established pursuant to this section.

h. Upon the revocation of its charter, the charter school shall provide the following information to the commissioner and to the parents or guardians of the charter school's students:

(1) the effective date of the closure;

(2) the name and contact information of the person to whom reasonable inquiries may be made regarding the closure; and

(3) the district of residence for the student.

j. Upon the revocation of its charter, the charter school shall also provide the parents or guardians with information on how to transfer the student to the student's school district of residence. The charter school shall forward all student records to a student's school district of residence.

k. A charter school shall cause an independent final audit of the school's accounts and financial transactions to be made by a public

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school accountant within six months following the closure of the school. The audit shall include, but not be limited to:

(1) an accounting of all financial assets, including accounts receivable, and an inventory of property, equipment, and other items of material value;

(2) an accounting of the liabilities, including accounts payable; and

(3) an assessment of the disposition of any restricted funds received by or due to the charter school.

1. A charter school shall dispose of any net assets remaining after all liabilities of the charter school have been paid or otherwise addressed including, but not limited to, the following:

(1) the return of any grant funds and restricted categorical funds to their source in accordance with the terms of the grant or State and federal law, as appropriate, which may include submission of final expenditure reports for entitlement grants and the filing of any required final expenditure reports and final performance reports;

(2) the return of any donated materials and property in accordance with any conditions established when the donation of the materials or property was accepted; and

(3) the distribution of assets to satisfy outstanding payroll obligations for employees of the charter school, then to creditors of the charter school, and then to the State Treasurer to the credit of the General Fund. If the assets of the charter school are insufficient to pay all parties to whom the school owes compensation, the prioritization of the distribution of assets may be determined by a court of competent jurisdiction.

(cf: P.L.1995, c.426, s.17)

14. (New section) As used in P.L.1995, c.426 (C.18A:36A-1 et seq.), “charter school reviewer” means a public institution of higher education charged with making recommendations to the Commissioner of Education on the granting, renewal, and revocation of charters for charter schools established pursuant to the provisions of that act. A charter school reviewer is also responsible for the ongoing review of the operations of the charter schools it has recommended to the commissioner for approval.

15. (New section) a. The Commissioner of Education shall establish a process for the designation of up to three four-year public institutions of higher education as charter school reviewers. The commissioner shall issue a request for qualifications to the governing board of each four-year public institution of higher education that includes a description of the qualifications of a charter school reviewer. The governing board of each four-year public institution of higher education shall be eligible to submit an application to the commissioner, in response to the request for qualifications, for designation as a charter school reviewer.

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b. The application shall require each applicant institution to demonstrate:

(1) its capacity to review the academic and fiscal operations of a charter school, including the organizational infrastructure necessary to act as a charter school reviewer;

(2) a knowledge and understanding of the legal and regulatory issues associated with charter schools;

(3) a review and evaluation process to be used to make recommendations to the commissioner regarding the granting of charters;

(4) a public hearing process to allow the community in which a charter school will be located to comment on a charter school application in order to inform the charter school reviewer's evaluation of the application;

(5) a process for providing on-going review of the operations of a charter school to ensure that a charter school is complying with the provisions of its charter and all applicable State laws and regulations; and

(6) a plan for administering the reviewing responsibilities established pursuant to law.

c. Upon approval by the commissioner, a four-year public institution of higher education may act as a charter school reviewer. The commissioner shall execute a contract with each approved charter school reviewer. The contract shall include, but not be limited to, a provision that directs the reviewer to demonstrate its compliance with the requirements of paragraphs (1) through (6) of subsection b. of this section. The contract shall be for a term of four years with options to extend the contract. The contract shall include a provision allowing the termination of the contract pursuant to subsection d. of section 16 of P.L. , c. (C.) (pending before the Legislature as this bill).

16. (New section) a. A charter school reviewer shall:

(1) conduct a comprehensive review and evaluation of the charter school applications assigned to the reviewer by the commissioner, and make recommendations to the commissioner on the approval of these applications;

(2) conduct ongoing oversight of the operations of the charter schools approved by the commissioner upon the recommendation of the reviewer; and

(3) make recommendations to the commissioner on the renewal or revocation of charters of the charter schools approved by the commissioner upon the recommendation of the reviewer.

b. (1) The commissioner shall provide to each reviewer a one-time payment of \$250,000 to fund its initial costs of operations.

(2) For the costs associated with the oversight of charter schools, the commissioner shall remit to each charter school reviewer a per pupil fee in such amount as determined by the commissioner. The fee shall not exceed 2% of the base per pupil

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amount established pursuant to section 7 of P.L.2007, c.260 (C.18A:7F-49), and each charter school reviewer shall receive the same per pupil amount multiplied by the number of students enrolled in the charter school under the oversight of the reviewer. The commissioner may also determine to establish a sliding-scale per pupil funding system with the per pupil amount decreasing after the reviewer has achieved a certain threshold, such as the number of years as a reviewer or the number of charter schools that have been authorized by the commissioner upon the recommendation of the reviewer. The commissioner shall annually review the effectiveness of the per pupil funding formula established pursuant to this paragraph and shall adjust the formula if he deems it necessary to strengthen the oversight of charter schools.

A reviewer’s oversight fee shall not include any costs incurred in delivering services that a charter school may purchase at its discretion from the reviewer. The reviewer shall use the oversight fee exclusively for the purpose of fulfilling its responsibilities pursuant to P.L.1995, c.426 (C.18A:36A-1 et seq.).

c. A charter school reviewer shall submit an annual report to the Governor, the commissioner, and to the Legislature pursuant to P.L.1991, c.162 (C.52), no later than August 1. The report shall include information on the number of charter school applications reviewed during the year, the number of applications recommended to the commissioner for approval and the number recommended for disapproval, the number of charter school applications reviewed by the reviewer that were approved by the commissioner, the number of charters recommended for renewal or revocation, the total number of charter schools that are under the oversight of the reviewer, and such other information as required by the commissioner.

d. The governing board of a four-year public institution of higher education approved by the State board as a reviewer pursuant to section 15 of P.L. , c. (C.) (pending before the Legislature as this bill), may terminate the designation of the institution as a charter school reviewer upon providing one year’s written notice to the commissioner.

In the event that a governing board terminates the designation of the institution as a charter school reviewer pursuant to this subsection, the oversight of its charter schools shall transfer to another charter school reviewer as determined by the commissioner.

e`. A charter school reviewer shall not be liable for legal or equitable relief to any party for any action or inaction taken in good faith in the discharge of the duties of a charter school reviewer.

17. (New section) a. In reviewing and evaluating a charter school application, the reviewer shall thoroughly evaluate the written application, shall conduct an in-person interview with the persons submitting the application, and shall provide an opportunity

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in a public forum for local residents to learn about and provide input on the application.

b. In determining whether to recommend to the commissioner the approval of a charter school application, the reviewer shall:

(1) recommend for approval only those applications in which the applicants demonstrate competence in each of the criteria established pursuant to subsection b. of section 5 of P.L.1995, c.426 (C.18A:36A-5) and demonstrate a reasonable capability of effectively serving students enrolled in the charter school and contributing to the overall quality of public education in the charter school district of residence;

(2) base its decision on documented evidence collected through the application review process; and

(3) follow charter application approval policies and practices that are transparent, based on merit, and avoid any conflict of interest or appearance of a conflict.

c. A reviewer’s recommendation to the commissioner for approval of an application may include, if appropriate, reasonable conditions that the applicant shall meet prior to the granting of the charter. A reviewer may recommend and the commissioner may establish reasonable pre-opening requirements or conditions to monitor the start-up progress of a newly-approved charter school in order to ensure that the school is prepared to open and that it meets all applicable building, health, safety, insurance, and other legal requirements.

d. A reviewer’s recommendation to the commissioner for disapproval of an application shall clearly state the reasons for its disapproval. In the event that the application is denied by the commissioner, nothing shall preclude the applicant from re-submitting the application by the following January 1.

e. A reviewer shall provide a copy of the report of its recommendation to the charter school applicant at the same time as it is submitted to the commissioner. The report shall include the reviewer’s findings, the reasons for its recommendation, and assurances as to compliance with all application elements established pursuant to section 5 of P.L.1995, c.426 (C.18A:36A-5).

18. (New section) a. A reviewer shall continually monitor the performance and legal compliance of the charter schools it oversees, including collecting and analyzing data to support ongoing evaluation according to the charter. A reviewer shall have the authority to conduct or require oversight activities that enable the reviewer to fulfill its responsibilities under P.L.1995, c.426 (C.18A:36A-1 et seq.), including conducting appropriate inquiries and investigations.

b. A reviewer shall annually publish and provide, as part of its annual report to the commissioner, the Governor, and the Legislature the annual assessment for each charter school it oversees.

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c. In the event that a charter school's performance or legal compliance appears unsatisfactory, the reviewer shall promptly notify the charter school of the perceived problem and provide reasonable opportunity for the school to remedy the problem, unless the problem warrants immediate revocation of the school's charter. The revocation shall be subject to the provisions of section 17 of P.L.1995, c.426 (C.18A:36A-1 et seq.).

d. A reviewer shall have the authority to take appropriate corrective actions or exercise sanctions, other than the revocation of the school's charter, in response to deficiencies in the performance or legal compliance of the charter school. The actions or sanctions may include requiring a school to develop and execute a corrective action plan within a specified timeframe.

19. (New section) a. The charter issued to a charter school shall be based on a performance framework developed by the commissioner that clearly sets forth the academic, operational, and performance indicators, measures, and metrics that will guide the reviewer's evaluation of the charter school. The performance framework shall at a minimum include:

- (1) student academic proficiency through achievement of the core curriculum content standards;
- (2) student academic growth;
- (3) achievement gaps in both proficiency and growth between student subgroups;
- (4) student attendance rates;
- (5) recurrent enrollment from year to year;
- (6) in the case of high school students, readiness for postsecondary education;
- (7) financial performance and sustainability;
- (8) board of trustee performance and stewardship, including compliance with all applicable laws and regulations; and
- (9) the enrollment of a student population with a demographic makeup comparable to the schools of the charter school district of residence.

b. Annual performance targets shall be agreed to by the charter and the reviewer, and shall be designed to help the charter school meet applicable federal, State, and reviewer expectations.

c. The performance framework shall allow for the inclusion of additional rigorous, valid, and reliable indicators proposed by the charter school to augment external evaluations of its performance, provided that the reviewer approves the quality and rigor of the proposed indicators and that the indicators are consistent with the provisions of P.L.1995, c.426 (C.18A:36A-1 et seq.).

d. For each charter school it oversees, the reviewer shall be responsible for collecting, analyzing, and reporting all data from State assessments in accordance with the performance framework.

e. Multiple charter schools operating under a single charter or overseen by a single board of trustees shall be required to report

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their performance as separate, individual schools, and each school shall be independently held accountable for its performance.

20. (New section) In order to enroll in a charter school, the student must first be registered in the school district in which the student resides. For any student who applies for enrollment in a charter school, the board of education of the school district in which the charter school applicant resides shall process the registration of the student for the subsequent school year upon submission of the registration forms. The board of education shall process the registration in a timely manner, including the assessment of residency and the subsequent transfer to the charter school, and shall identify the specific categorical aid for which the student qualifies.

21. (New section) a. A charter school shall annually submit its budget for the upcoming school year to the commissioner for review. The budget shall be submitted in such format, and by such date, as determined by the commissioner and shall include information on revenues received from private or philanthropic sources, expenses supported by those revenues, and any in-kind contributions received by the charter school. The commissioner shall post the charter school's budget on the department's website.

b. The provisions of section 7 of P.L.1996, c.138 (C.18A:7F-7) shall be applicable to a charter school.

22. (New section) A board of education and a charter school may enter into a written agreement to conduct collaborative education programs or implement shared services if the arrangement will serve to improve any of the following for all students in the charter school and the district of residence:

- a. teacher quality;
- b. professional development opportunities for teachers and principals;
- c. school leadership;
- d. programs and services for students with limited English proficiency and students with disabilities;
- e. drop-out rates and achievement gaps among students; and
- f. data collection and program evaluation.

23. (New section) A charter school shall be subject to review and evaluation under the New Jersey Quality Single Accountability Continuum in the five key components of effectiveness established pursuant to section 10 of P.L.1975, c.212 (C.18A:7A-10). The commissioner shall determine a charter school's capacity and effectiveness using quality performance indicators comprised of standards for each of the five key components. Based on a charter school's compliance with the quality performance indicators, the commissioner shall assess the charter school's capacity and

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effectiveness and place the charter school on a performance continuum that will determine the type and level of oversight and technical assistance and support the charter school receives.

24. This act shall take effect immediately.

STATEMENT

Under the “Charter School Program Act of 1995,” P.L.1995, c.426 (C.18A:36A-1 et seq.), the Commissioner of Education is granted the authority to approve applications for the establishment of charter schools and to regulate and oversee their operations. This bill will allow the commissioner to approve up to three four-year public institutions of higher education as charter school reviewers. Once approved, the institution will be authorized to make recommendations to the commissioner on the granting of charters to charter school applicants based on the applications forwarded to the reviewer by the commissioner. A charter school reviewer will be responsible for the ongoing review of the operations of the charter schools it has recommended to the commissioner for approval, and will provide information to the commissioner in regard to decisions to revoke or renew a charter.

The commissioner is to establish a process for the designation of an institution of higher education as a charter school reviewer. The commissioner is directed to issue a request for qualifications to the governing board of each institution that includes a description of the qualifications to be possessed by an institution in order to serve as a reviewer. The governing board of each institution will be eligible to submit an application to the commissioner in response to the request for qualifications.

The commissioner will execute an authorizing contract with each approved institution. The contract will be for a term of four years with options to extend the contract.

The bill also does the following:

- provides that the commissioner will encourage the establishment of charter schools to serve specific student groups including students at risk of dropping out of school, limited English proficient students, and students with disabilities;
- revises the timeframe under which an application to establish a charter school must be submitted and either approved or disapproved by the commissioner;
- provides that an application for the establishment of a charter school, after receiving initial approval from the commissioner, may not receive final approval unless the designation of the district as the charter school district of residence or inclusion in the region of residence has been approved by the voters of the district or the board of school estimate, as appropriate. The bill also requires voter or board of school estimate approval of any

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petition to amend a charter to expand the number of grade levels that a charter school operates or to enlarge its region of residence;

- directs the commissioner to annually issue a charter application guidance document that provides information on his strategic vision for chartering, any preference that he may grant to applications that serve certain student groups, the performance framework he has developed for charter school oversight and evaluation, the criteria that will guide the decision to approve or deny a charter, and detailed guidelines on the format and content essential for an applicant to demonstrate the capacity to operate a charter school;
- expands the information that must be included in an application to establish a charter school;
- provides that the charter issued to a charter school will be based on a performance framework developed by the commissioner that clearly sets forth the academic, operational, and performance indicators and measures that will guide the reviewer's evaluation of the charter school. The bill outlines the minimum elements of a performance framework;
- 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;
- 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;
- in the case of a school district with an April school election, 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;
- 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;
- 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;
- provides that no later than September 1, a charter school reviewer will forward a charter renewal application guidance document to a charter school whose charter will expire during

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the following year. The reviewer will also issue a performance report to the charter school that includes a preliminary recommendation on the approval or disapproval of the school's charter. The renewal application guidance document will include the criteria that will guide the reviewer's final recommendation on charter renewal, which will be based on the performance framework set forth in the charter;

- provides that no later than December 1, the board of trustees of a charter school seeking renewal of its charter will submit a renewal application to the reviewer and the commissioner. The bill outlines the criteria that will be used by a reviewer in making a final decision to recommend charter renewal;
- provides that in the event the commissioner determines to revoke or not to renew a charter, the charter school will have an opportunity to submit documents and give testimony challenging the rationale for the decision, at a proceeding held for that purpose;
- directs the commissioner to establish a charter school closure protocol;
- establishes the actions that must be taken by a charter school upon the revocation of its charter;
- 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;
 - engages in a practice and pattern of discrimination in violation of federal or State law or violates any federal or State law from which the charter school is not exempted;
 - violates any provision of its charter, including provisions concerning fiscal responsibility; or
 - fails to make reasonable and appropriate efforts to achieve a student enrollment comparable to the demographic makeup of the charter school district of residence.
- requires the commissioner to post a charter school's approved budget on the department's website; and
- requires charter schools to be subject to review and evaluation under the New Jersey Quality Single Accountability Continuum (NJ QSAC).

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Provides for the designation of public institutions of higher education to review charter school applications and modifies aspects of charter school program including approval, monitoring, and evaluation of charter schools.