

New Jersey

Background

New Jersey pre-K programs

New Jersey previously offered three separate streams of state funding for preschool: the Abbott Preschool Program, the Non-Abbott Early Childhood Program, and the Early Launch to Learning Initiative. In 2008, the New Jersey legislature enacted the School Funding Reform Act (SFRA), a statewide funding formula that allocates funding to districts previously covered by the aforementioned programs.

SFRA funds full-day preschool for all three- and four-year-olds in school districts with more than 40 percent of students living at or below 185 percent of the federal poverty level. Although the SFRA legislation also authorizes preschool funding to serve children in other districts who qualify for free or reduced-price lunch, the act has never been fully funded, and the state does not provide sufficient funding in practice to cover all eligible children.¹

The New Jersey Department of Education's Division of Early Childhood Education (DECE) administers the state's pre-K programs. Only districts are eligible to receive SFRA funding, but they can subcontract with community-based and private providers and are encouraged to do so. Charter schools are also eligible to receive SFRA funding to offer pre-K.

Charter schools in New Jersey

New Jersey permits start-up and conversion charter schools. Only the state commission of education is permitted to authorize charter schools in the state.²

Process for Accessing Pre-K Funds

Charter schools interested in offering pre-K submit a five-year program plan application to the New Jersey Division of Early Childhood Education.³ The agency only awards charter schools pre-K slots if it determines there is unmet need for additional slots in the region. Funding passes through the district before going to the charter school.

Charter schools that serve pre-K must meet state preschool program requirements, which include facilities and teacher qualification requirements.⁴ The state also reviews budgets for all pre-K providers, including both community-based programs and charter schools. Charter schools that receive pre-K funding must pay pre-K teachers on the same teacher pay scale used by the host district.



TOTAL SCORE

31/50

New Jersey's climate for charter schools to offer pre-K is **somewhat hospitable**

- + There are no state statutory or regulatory barriers to charter schools accessing state funding for pre-K.
- + Compared to K-12 funding levels, pre-K program funding is sufficient to attract charters.
- + The size of the pre-K program does not limit charter access to funding.
- The funding, application, or approval process creates a barrier to charter access.
- Automatic enrollment from charter pre-K to kindergarten is prohibited in legislation or practice for some charter schools.



Barriers

Are there any statutory or regulatory barriers to charter schools accessing state funding for pre-K?

+ **No.** Although neither the state pre-K legislation nor charter school legislation directly addresses whether charter schools are allowed to offer pre-K, the charter law states that “the school district of residence shall pay directly to the charter school...if applicable, 100% of preschool education aid.” Seven charter schools in New Jersey offer pre-K.⁵

Is the funding level of the state pre-K program a barrier to charter access?

+ **No.** The funding level is not a barrier to charters offering pre-K in New Jersey. Charter schools that offer full-day pre-K receive between 85 and 88 percent of the per-pupil funding amount that charters receive to serve full-day K–12 students.

Is the size of the state pre-K program a barrier to charter access?

+ **No.** The size of the program is not a barrier to charters accessing state pre-K funds. The program serves about 20 percent of three-year-olds in the state and more than a quarter of four-year-olds in the state.

Is the application, approval, and/or funding process a barrier to charter access?

– **Yes.** The approval process is a barrier to charter access. The New Jersey Department of Early Childhood Education only awards slots to new providers, including charter schools, if they determine there is unmet need in the district, regardless of the quality or potential unique features a new provider may be able to offer.

Is automatic enrollment from pre-K to kindergarten prohibited in legislation or practice?

– **Yes,** in some cases. Charter schools that offer pre-K can directly enroll their pre-K students into their kindergarten programs if pre-K is included in their charters. Charter schools that do not have pre-K in their charter contracts cannot automatically enroll their pre-K students.

Are there any other barriers to charter access?

– **Yes.** The state imposes many more requirements on programs, staffing, and budget for pre-K charters than for

K–12 charters, which may infringe on charter school autonomy in these key areas. For example, charters are required to pay pre-K teachers on the same salary schedule that the host district uses, and the state must review charter schools’ budgets for pre-K.

Recommendations

To address these barriers to charter access, the state should:

- Revise the state pre-K and charter laws to explicitly allow charter schools to offer pre-K or release guidance that does so.
- Release guidance or modify state statute to explicitly allow children who attend a pre-K program operated by a charter school to automatically enroll in the school’s kindergarten, as long as students are enrolled in pre-K via lottery and the kindergarten program is not oversubscribed.
- Allow DECE to consider pre-K applications from charter schools that have a very strong track record of K–12 performance or would contribute a unique offering not currently available in the community (such as a Montessori program), even if there is not unmet need in the district, provided those applications meet a high bar for proposed program quality.
- Allow charter schools that meet all other program standards to pay pre-K teachers according to the same compensation scale or policies used for the charter’s K–12 teachers, rather than the district salary schedule.



| | New Jersey pre-K programs | Charter schools in New Jersey |
|-------------------------|---|--|
| Year created | Launched in 1998 and 2004 ⁶ | Charter law enacted in 1995 ⁷ |
| Children in state | 223,395 three- and four-year-olds in New Jersey ⁸ | 1,735,962 school-age children in New Jersey ⁹ |
| Children served | 51,726 children served 20 percent of three-year-olds 28 percent of four-year-olds ¹⁰ | 37,743 students served 2.2 percent of school-age population Eighty-seven charter schools ¹¹ |
| Charters offering pre-K | Seven charter schools in New Jersey offer pre-K. ¹² | Sixty-three charter schools in New Jersey offer elementary school programs. ¹³ |
| Funding | Districts receive between \$12,720 and \$13,224 to offer pre-K. ¹⁴ | Charter schools receive \$15,043 per pupil to serve K–12 students. ¹⁵ |

Endnotes

1 “Formula for Success: Adding High Quality PreK to State School Funding Formulas,” Pew Center on the States, May 2010, <http://www.edlawcenter.org/assets/files/pdfs/publications/AddingPre-KToFundingFormulas.pdf>.

2 National Alliance for Public Charter Schools (NAPCS), “Measuring Up: New Jersey,” <http://www.publiccharters.org/get-the-facts/law-database/states/NJ/>.

3 Interview with Division of Early Childhood Education representative, March 5, 2015.

4 “N.J.A.C. 6A:13A, Elements of High Quality Preschool Programs,” New Jersey State, <http://www.state.nj.us/education/code/current/title6a/chap13a.pdf>.

5 Interview with Division of Early Childhood Education representative, March 5, 2015.

6 W. Steven Barnett et al., “The State of Preschool 2013: State Preschool Yearbook” (New Brunswick, NJ: National Institute for Early Education Research, 2013), <http://nieer.org/sites/nieer/files/yearbook2013.pdf>.

7 NAPCS, “Measuring Up: New Jersey.”

8 State population data calculated using ACS 2012 five-year estimates; U.S. Census Bureau, “American Community Survey,” www.census.gov/acs.

9 Ibid., all children in households, three to seventeen years old.

10 W. Steven Barnett et al., “The State of Preschool 2013.”

11 NAPCS, “Measuring Up: New Jersey.”

12 Interview with Division of Early Childhood Education representative, March 5, 2015.

13 “Charter Schools Directory,” State of New Jersey Department of Education, 2010, <http://education.state.nj.us/directory/charter.php>.

14 Interview with Division of Early Childhood Education representative, March 5, 2015.

15 Larry Maloney et al., “Charter School Funding: Inequality Expands,” New Jersey section (Fayetteville, AR: University of Arkansas Department of Education Reform, School Choice Demonstration Project, April 2014), <http://www.uaedreform.org/wp-content/uploads/2014/charter-funding-inequality-expands-dc.pdf>.