

SENATE, No. 2228

STATE OF NEW JERSEY

INTRODUCED NOVEMBER 17, 1997

By Senator RICE

1 AN ACT concerning the funding of charter schools and supplementing
2 P.L.1995, c.426 (C.18A:36A-1 et seq.).

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

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7 1. Notwithstanding the provisions of section 12 of P.L.1995, c.426
8 (C.18A:36A-12) or any other law, rule or regulation to the contrary,
9 no State or local funds appropriated to operate public schools and no
10 revenue derived from property taxes shall be used to finance the
11 operation of charter schools.

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13 2. This act shall take effect immediately.

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STATEMENT

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18 Under the provisions of the "Charter School Program Act of 1995,"
19 P.L.1995, c.426 (C.18A:36A-1 et seq.), a charter school is entitled to
20 receive for each student enrolled in the charter school who resides in
21 the district a presumptive amount equal to 90% of the local levy
22 budget per pupil for the specific grade level in the district along with
23 any categorical aid attributable to the student.

24 This bill prohibits any financing of charter schools from State or
25 local funds appropriated to operate public schools or from any revenue
26 derived from property taxes. In light of the most recent Abbott v.
27 Burke decision, decided by the New Jersey Supreme Court on May 14,
28 1997, the funds for charter schools should not be diverted from funds
29 or revenues which are used to support the public schools.

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34 Prohibits financing of charter schools from funds appropriated to
35 operate public schools or from property tax revenue.