

## Discussion Points

1. The "Teacher Effectiveness and Accountability for the Children of New Jersey (TEACHNJ) Act," (P.L.2012, c.26), modified the manner in which certain public school teaching staff members are evaluated, and the methodology by which due process proceedings are initiated and administered for teaching staff members who have obtained tenure. Among other things, the law requires that, under certain circumstances, a district superintendent must file tenure charges of inefficiency against a teacher, principal, assistant principal, or vice-principal to the board of education. For example, a superintendent must file such tenure charges against an individual who receives an annual summative evaluation rating of "ineffective" or "partially effective" in one year, and a rating of "ineffective" in the second year. If an employee is rated "partially effective" in two consecutive annual summative evaluations, or is rated "ineffective" in one year and "partially effective" in the following year, then the superintendent must file tenure charges of inefficiency against the employee, except that the superintendent may defer the filing of the charges upon a written finding of exceptional circumstances. Assuming neither the board of education nor the Commissioner of Education determines that the evaluation procedures were not followed, then the commissioner would refer the case to an arbitrator. The State is responsible for compensating the arbitrators, who are paid \$1,250 per day, not to exceed \$7,500 per case. FY 2016 will be the first year in which personnel may be subject to tenure charges based on ineffective or partially effective ratings as described above. The recommended FY 2016 budget does not include an increased Direct State Services appropriation to account for the potential increase in cases to be heard by arbitrators.

- **Question:** Please provide an estimate of the number of tenure cases that the department anticipates being initiated during the 2015-2016 school year. How does the proposed budget provide adequate resources for the possible increase in the number of tenure cases?

**A:** The Department estimates a substantial increase in the number of tenure cases filed under TEACHNJ for the 2015-2016 school year. The number of tenure cases will likely rise into the hundreds; which is up from 61 cases brought during the 2013-2014 school year and 75 brought during the 2014-2015 school year. To meet that increased demand, the Department is pursuing legislative changes to address an insufficient number of arbitrators and to modify the qualifications of the arbitrators.

2. A language provision included in the proposed FY 2016 budget requires that the per pupil payment that a resident school district must make to a charter school would equal the greater of the per pupil amount calculated using data from the 2013-2014 school year or the per pupil amount calculated using data applicable to the 2015-2016 school year. A separate language provision requires that the State provide charter school aid to a charter school, if necessary, to ensure that the charter school's total revenue is no less than the total revenue

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received in FY 2008 (or, in some cases, that the per pupil revenue is no less than the amount received in FY 2008).

- **Question:** Please explain the policy rationale for opting to use old data whenever it yields a higher per pupil amount that a resident school district will transfer to a charter school.

**A:** The proposed FY2016 budget provides school districts with funding equal to that received in FY2015, consequently, the school funding formula was not run to determine these state aid figures. As the calculation for charter school payments is highly dependent on parameters from the school funding formula, this provision allows the Department to project charter school payments based upon data from FY2014, which is the last time the formula was run to determine state aid, while still allowing for consideration of the FY2016 data.

- **Question:** Given that the proposed language provision increases the amount of funding that some school districts would be required to transfer to a charter school, would eliminating this provision lead to a situation in which the State would have to provide a charter school with additional funding to ensure that the charter school's total funding (or per pupil funding, as applicable) is no less than the amount of funding that the charter school received in FY 2008? If so, please indicate the additional State appropriation to the charter school aid line item that would be necessary to support the additional funding.

**A:** The additional state support in such a circumstance is estimated to be about \$400,000. Since the figures included in the FY2016 proposed budget are based on projections, the exact amount of state support is not known until the October enrollment collection provides actual enrollment data. As such, this is only an estimated figure based on current enrollment projections.

- **Question:** Please describe how the proposed language provision substantively differs from the proposed State Board of Education regulation from 1998, which would have increased the per pupil payment to charter schools in some school districts, that was deemed an unfunded mandate in the complaint filed by the Highland Park Board of Education and the Borough of Highland Park.

**A:** The regulation challenged by Highland Park in 1998 was intended to transition charter school funding from the QEA to CEIFA due to a fundamental change in the methodology for calculating school funding. The proposed language uses the charter school funding methodology set forth in the SFRA as in previous years, but in order to manage the implications of not running the

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funding formula, the language permits the Department to use data from FY 2014, the last year the formula was run, as well as current data.

3. The proposed FY 2016 budget includes a \$2 million appropriation to establish an opportunity scholarship demonstration program. The associated language provision states that the funding would be used to provide scholarships to students, not to exceed \$10,000, who attend a "chronically failing school" and reside in a household in which income does not exceed 1.85 times the federal poverty threshold. The Commissioner of Education is to establish criteria for the receipt of a scholarship, and select one or more public or nonpublic schools to provide instruction to scholarship recipients.

- **Question:** Please provide the anticipated timeframe for completing the required activities and awarding scholarships that would be consistent with the expected timeframe for the enactment of the FY 2016 appropriations act while allowing eligible students to gain admission to a school selected by the commissioner to participate in the program.

**A:** By the start of the fiscal year, the NJDOE will have:

- Identified the chronically failing schools that would be subject to the pilot program;
- Identified a number of eligible scholarship-receiving schools;
- Established program processes, policies and necessary guidelines;
- Determined how to manage the student scholarship application process, including reviewing and verifying household income data and conducting the lottery; and
- Developed a communications plan to inform potentially eligible students and their families of the program.

The following implementation activities will be conducted during the next fiscal year:

- Publicize the program and post necessary information regarding eligibility and processes on the DOE website;
- Verify student eligibility; and
- Identify students to be given a scholarship.

- **Question:** Please describe the department's plan for evaluating the demonstration program. Assuming the department allows nonpublic schools to participate in the program, what outcomes measures would it use to evaluate the program, in the absence of State assessment data? Would a \$2 million appropriation provide enough scholarships to yield enough data to perform reliable analysis?

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**A: Response:** In the first year of the pilot, the NJDOE will have one goal: to develop the program, policies and processes that will ensure that they meet the needs of those using the scholarships. The NJDOE will evaluate our success in meeting this goal using the following performance indicators:

- ***Parent/student participation (# of applicants),***
- ***Parent satisfaction survey;***
- ***Retention rates (number of students who remain in the program);***  
**and**
- ***Attendance rates.***

4. The proposed FY 2016 budget appropriates \$1.276 million for integration assistance aid. The accompanying language states that the funds are to assist the Englewood City School District in implementing integration assistance programs. Similar appropriations have been made in the past; most recently, the FY 2009 appropriations act included an appropriation of \$5 million for integration assistance aid (\$4 million was allocated to the Englewood City School District, and \$500,000 was allocated to both the Montclair and Teaneck School Districts).

- **Question:** Please describe the circumstances in the Englewood City School District that warrant the provision of this aid, after it was not included in the last five appropriations acts. What programs and services will the district implement that were not implemented in the past? To the extent that the funding will be general fund revenue, what actions will the department take to ensure that the funds are expended on integration programs, and how does the department plan to evaluate these programs?

**A:** The proposed budget includes funding for Englewood City School District in the form of integration assistance aid to address issues underlying a current litigation.

5. The Department of Education annually publishes the *Taxpayers' Guide to Education Spending (TGES)*, which summarizes educational expenditures in total, as well as disaggregated into several categories, including support services. According to a description included in the TGES, support services are, "...services supplemental to the teaching process that are designed to assess and improve students' well-being," and include attendance, social work, health and guidance services, educational media/school library services, and child study team services. Analysis of audited expenditure data for the 2011-2012 and 2012-2013 school years (and included in the TGES released in 2014), indicated that while all school districts reported support services expenditures, only approximately one-third of all charter schools reported such expenditures.

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- **Question:** Are the audited expenditure data presented in the TGES reported accurately? If so, please discuss why approximately two-thirds of charter schools do not provide any student support services.

**A:** The audited expenditure data reported in the TGES is based on data submitted by auditors hired by the charter schools. According to budget data and our interactions with charter schools, the Department is confident that all charter schools provide support services for their students. The Department is currently looking into charter school accounting practices and any potential guidance that may be needed in order to ensure support services will be accurately reported in the audit summary data collection in the future.

6. The FY 2015 appropriations act included \$2.5 million to fund the "education reform implementation grant program." Half of the appropriation was to be used to provide grants to support professional development opportunities, while the other half would fund grants to assist school districts for preparing to implement the assessments developed by the Partnership for Assessment of Readiness for College and Careers (PARCC assessments). The department created a grant program, called the "Bridging the Device Gap" grant, in which school districts that were identified as having an insufficient number of devices to administer the PARCC assessments could apply for a grant. Successful applicants were to purchase devices prior to the administration of the PARCC assessments.

- **Question:** Please provide a list of grants awarded under this "Bridging the Device Gap" program.

**A:** Please see Attachment 1.

7. The FY 2015 appropriations act included a \$3 million appropriation, as well as corresponding budget language, for the development of a county vocational school district partnership program. Under the program, county vocational school districts would be awarded grants to enter into partnerships with other entities, such as high schools and county colleges, to establish career and technical education programs in those entities' facilities. P.L.2014, c.73 established a similar four-year program.

- **Question:** Please provide a list of county vocational school districts that were awarded a grant, the amount of the award, and the entities with which the vocational school districts have entered into a partnership.

**A:** Please see Attachment 2.

# Attachment

1

**NGO #15-TG01-A01**

**BRIDGING THE DEVICE GAP**

<b>Co/LEA Code</b>	<b>DISTRICT</b>	<b>AWARDED \$</b>
13-3570	NEWARK	\$249,168
15-4020	PAULSBORO	\$8,000
17-2410	KEARNY	\$115,000
17-6310	NORTH BERGEN	\$75,612
23-1170	EAST BRUNSWICK TWP.	\$8,999
23-2150	HIGHLAND PARK	\$22,000
29-2360	JACKSON TWP.	\$14,944
31-4010	PATERSON	\$249,529
39-4160	PLAINFIELD	\$22,000
80-6240	FREEDOM ACAD. CS	\$1,500
	<b>TOTAL</b>	<b>\$766,752</b>

# Attachment

2



# County Vocational School Partnership Grant Update

**April 6, 2015**

District	Award	Program	Comprehensive High school partner	Facility Used to Operate Program	Post-Secondary Partner	Business, Industry Partners
Bergen Co Voc	\$600,000	Mechantronics	Garfield Bergenfield	Bergen County Community College	-Bergen Community College -New Jersey Institute for Technology	-Stryker Orthopedics -Triangle Manufacturing -Sandvik Coromant -Commerce & Industry Association of New Jersey -Bergen WIB -New Jersey Manufacturing Extension Program, Inc -ManufactureNJ Talent Network
Morris Co Voc	\$353,807	Engineering Design and Advanced Manufacturing	-	County College of Morris	-County College of Morris -New Jersey Institute of Technology	
Mercer Co Voc	\$300,000	STEM – Engineering	-	Mercer County Community College	Mercer County Community College	KNF Neuberger Palfinger Nordson EFD Guam, Inc Lawrence Mold and Tool
Salem Co Voc	\$343,902	Law Enforcement, Firefighter, EMT	Woodstown-Pilesgrove	Salem County Emergency Management Complex	Salem County Community College	Salem County Dept. of Emergency Services
Hunterdon Co Voc	\$590,096	Computer Science Engineering PLTW	Delaware Valley High School	Delaware Valley High School	Raritan Valley Community College Kean Rutgers Rowan University	Hunterdon Healthcare System
Hudson Co Voc	\$368,484	Food Preparation	Harrison High School	Harrison High School	Hudson County Community College	Pomptonian Food Service
<b>Total</b>	<b>\$2,556,289</b>					

DOE anticipates that the remaining funds will be awarded upon completion of the application and review process in the near future. These above recipients have been awarded grants which began on April 1, 2015 with the goal to serve students in the identified program beginning in September 2015.