

RESOLUTION

WHEREAS, N.J.S.A. 18A:38-3 authorizes a School District to admit students who do not reside within the District with the payment of tuition (a “tuition program”); and

WHEREAS, N.J.S.A. 18A:36B-14, *et seq.* (the “Interdistrict Public School Choice Program Act”) and its implementing regulations, N.J.A.C. 6A:12-1, *et seq.*, (hereinafter collectively referred to as the “School Choice Act”) authorizes a School District to act as a “Choice School” to accept and educate students from different School Districts that are known as “Sending Districts”; and

WHEREAS, the School Choice Act sets a limit upon the number of choice students which a School District may accept from Sending Districts; and

WHEREAS, N.J.S.A. 18A:36B-21(b) of the School Choice Act prohibits a School District from enrolling students on a tuition basis pursuant to N.J.S.A. 18A:38-3 while participating in the Interdistrict Public School Choice Program; and

WHEREAS, N.J.A.C. 6A:12-1.2(c) of the School Choice Act prohibits a School District from maintaining a choice program pursuant to the School Choice Act and a tuition program pursuant to N.J.S.A. 18A:38-3 in the same grade levels that the School District has made available to choice students; and

WHEREAS, the Glassboro Board of Education (the “Board”) has sought to develop a Biomedical Academy offering a tuition-based program for students in grades 9 through 12, which would be structured in a format similar to the Board’s existing and extremely successful Science Technology Engineering and Math (“STEM”) Academy, which is an approved School Choice program for students in grades 9 through 12; and

WHEREAS, the limitation set forth by N.J.S.A. 18A:36B-21(b) and N.J.A.C. 6A:12-1.2(c) of the School Choice Act prevents the Board from offering a tuition-based Biomedical Academy to the same grade levels made available to students at the STEM Academy; and

WHEREAS, both N.J.S.A. 18A:38-3 and the School Choice Act were meant to increase the options and flexibility for parents and students in selecting schools that best meet the needs of each student, thereby improving educational opportunities for New Jersey citizens; and

WHEREAS, both N.J.S.A. 18A:38-3 and the School Choice Act have increased the degree to which the education system is responsive to the needs of parents and students, effected systemic improvements such as enhancing academic achievement and improving efficiency through a voluntary redistribution of students from overcrowded to under-enrolled school districts, and have improved the quality of public school education in New Jersey by creating a healthy competition among school districts; and

WHEREAS, the limitation set forth by N.J.S.A. 18A:36B-21(b) and N.J.A.C. 6A:12-1.2(c) of the School Choice Act has a deleterious impact upon School Districts, the opportunity

and choice of parents and students to obtain an education responsive to their needs, and also undermines the Legislative intent of both N.J.S.A. 18A:38-3 and the School Choice Act.

NOW, THEREFORE, BE IT RESOLVED that the Glassboro Board of Education supports the goal of providing an education system which is responsive to the needs of parents and students, effects systemic improvements such as enhancing academic achievement and improving efficiency through a voluntary redistribution of students from overcrowded to under-enrolled school districts, and improves the quality of public school education in New Jersey by creating a healthy competition among school districts; and be it further

RESOLVED that the Glassboro Board of Education recommends that the New Jersey School Boards Association urges the state Legislature and Governor to ensure that School Districts provide an education system which is responsive to the needs of parents and students, effects systemic improvements such as enhancing academic achievement and improving efficiency through a voluntary redistribution of students from overcrowded to under-enrolled school districts, and improves the quality of public school education in New Jersey by creating a healthy competition among school districts; and be it further

RESOLVED, that to provide an education system which is responsive to the needs of parents and students, effects systemic improvements such as enhancing academic achievement and improving efficiency through a voluntary redistribution of students from overcrowded to under-enrolled school districts, and improves the quality of public school education in New Jersey by creating a healthy competition among school districts, the New Jersey School Boards Association should urge the Legislature to amend the Interdistrict Public School Choice Program Act to remove the prohibition upon a School District from maintaining at the same time both a tuition program pursuant to N.J.S.A. 18A:38-3 and a choice program; and be it further

RESOLVED, that this Resolution be placed on the Agenda for the consideration for the May 14, 2016 Delegate Assembly; and it be further

RESOLVED, that this resolution be delivered to Governor Chris Christie, State Senate President Stephen M. Sweeney, Assembly Speaker Vincent Prieto; and the 3rd Legislative District's representatives in the state Senate and General Assembly; and be it further

RESOLVED, that a copy of this resolution be sent to the New Jersey Commissioner of Education.

Scott Henry
Business Administrator/Board Secretary