



**A-4496 Aca (1R) of 2022-2023 Session**

**Revises various provisions of law governing construction of school facilities projects and operations of New Jersey Schools Development Authority**

**Assembly Education Committee Feb 9, 2023**

NJPSA supports the goals of the bill that proposes various changes to the laws governing the construction of school facilities projects and the operations of the New Jersey Schools Development Authority (SDA). We also support many of the amendments to the bill that this body made on December 8th, 2022, and we thank Speaker Coughlin for his thoughtful deliberation on those amendments.

However, we do continue to have a concern about this bill as currently drafted. The amended bill provides a State funding mechanism for school facilities projects undertaken by charter schools and renaissance school projects located in SDA districts. As you know, under current law, charter schools are prohibited from constructing a facility with public funds other than federal funds. Renaissance school projects are required to build a school facility at the sole expense of the nonprofit entity that created the school. This was deliberate and intentional at the time the New Jersey State Legislature approved New Jersey's charter school law in 1995 and the law creating Renaissance schools years later. I want to underscore that NJPSA unequivocally wants every public school student in New Jersey in a safe and healthy school building, and that includes our charter school and renaissance school projects. That said, funding is finite, and this reality means that funding for non-traditional schools in SDA districts by way of this specific funding mechanism remains a primary concern for the many school districts that have waited decades for funding assistance.

Including non-traditional schools located within SDA districts will further exacerbate the already existing needs that these schools have. The needs are tremendous. We have school buildings in our state that are a hundred years old. Those needs must be prioritized and fully addressed before the construction program is expanded to include an entirely new set of schools. We must ask, how will the state fulfill its fiscal responsibility to the traditional school districts?

Furthermore, by definition, charter schools must perform adequately and consistently for students if their charter is to be renewed. What happens if the charter is not renewed after these investments have been made? Amendments could be considered that create appropriate criteria including a mandatory renewal track record for state funding to be permissibly invested.

These are important questions that must be answered before this bill moves forward as it is currently drafted. Thank you for your attention and consideration.