

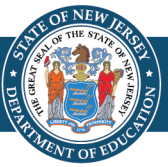
# New Jersey Department of Education



## **N.J.A.C. 6A:12, Interdistrict Public School Choice**

Division of Field Support and Services

January 17, 2024



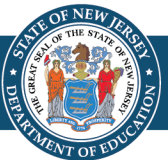


# Interdistrict Public School Choice Program Mission



The Interdistrict Public School Choice Program (choice) was created to increase educational opportunities for students and their families by providing students with public school options outside of their district of residence and giving parents the power to select a school district or program that best serves their child's individual needs.

The choice program enables approved choice districts to enroll kindergarten through grade 12 students who do not reside within their districts without cost to their parents.



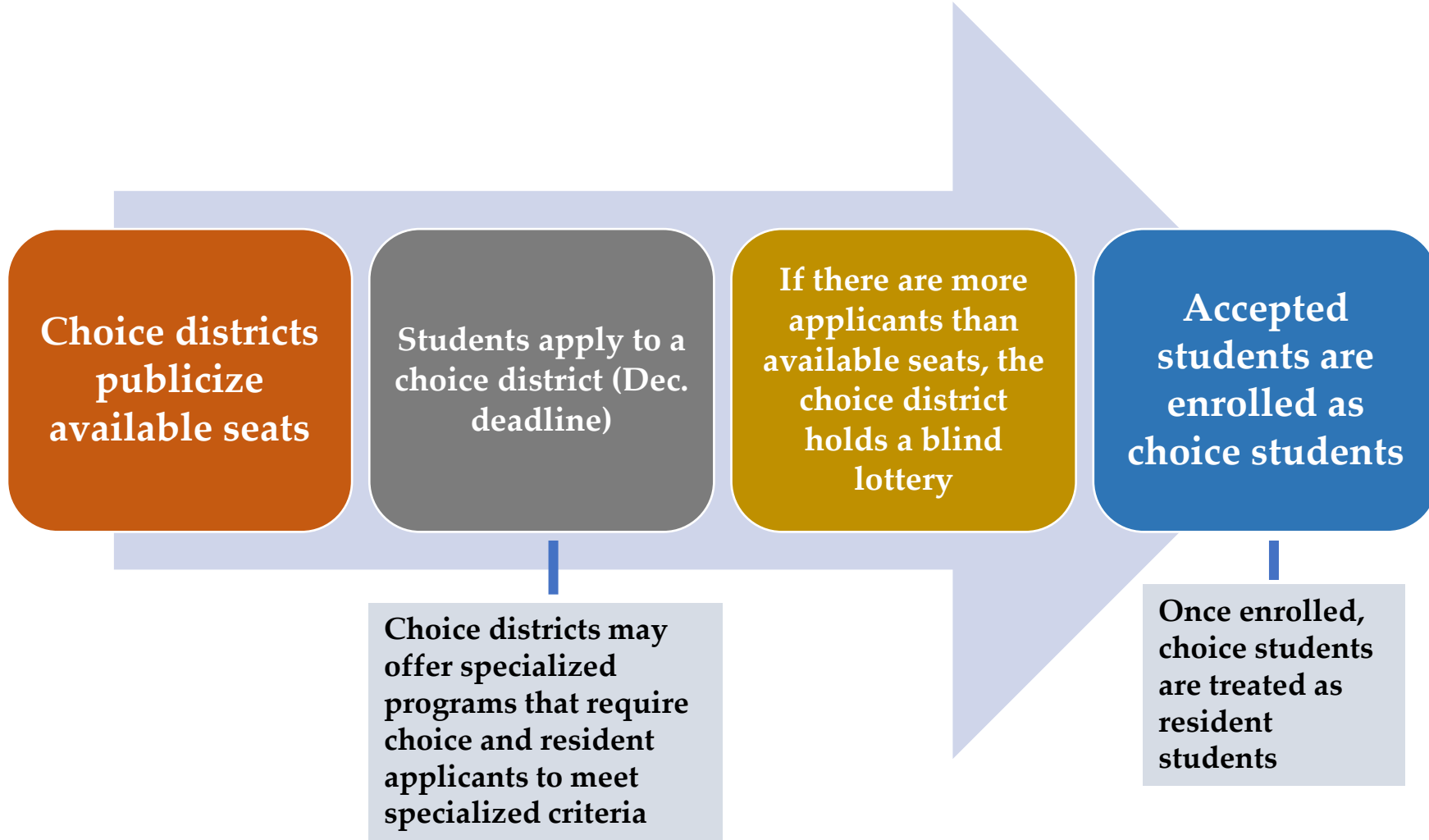


# Program Overview



- School districts apply to the Department to become a choice district and once approved, publicize their available seats.
- Choice districts can limit their choice programs to a particular grade range or to specialized programs such as STEM, ROTC, or the arts, with reasonable selection criteria, such as the student's interest in the program.
- A choice district cannot discriminate in its admissions policies.
- Students apply to a choice district and, if accepted, are enrolled in that choice district. Once enrolled, choice students are treated as resident students until the final grade in the district.
- If there are more applicants than available seats, choice districts hold a blind lottery.

# Student Application & Enrollment Process (12 months)

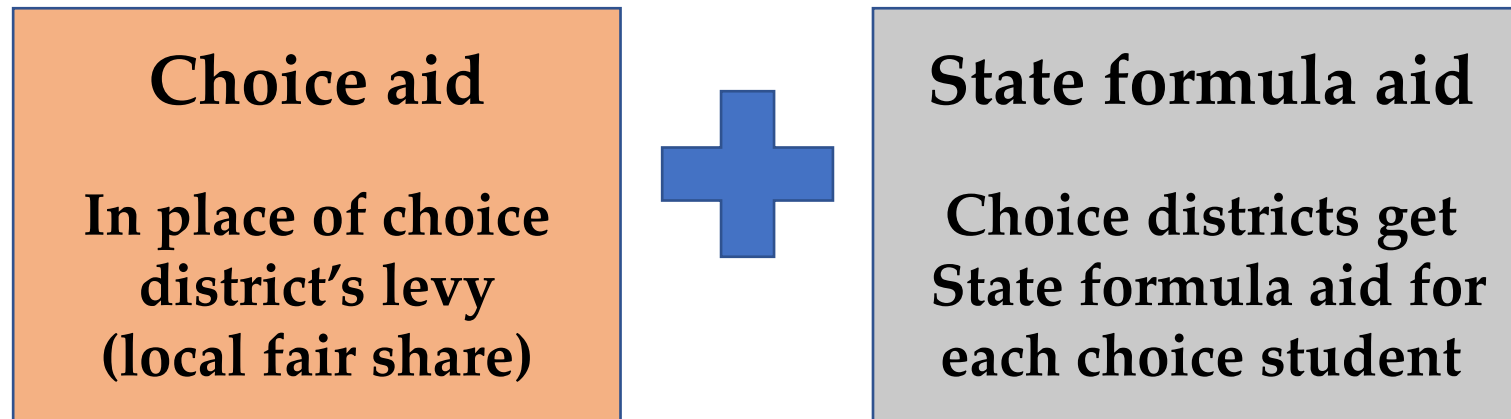




# Program Funding - SFRA



- The State pays choice aid for each choice student who enrolls. Choice aid is provided so the choice district does not have to raise the school tax levy for the additional students. (The resident district keeps the levy for students who choice out.)
- The student is also counted in the calculation of State formula aid for the choice district (not the sending district).
  - ✓ Except: Transportation aid stays with the sending district, which continues to provide transportation.





## Background

- The choice program was originally established by the State Board of Education in October 1999 as a five-year pilot. The Interdistrict Public School Choice Program Act followed in 2000 and expired in 2005; rules adopted in 2000.
- Rules readopted in 2004 and 2009.
- The Interdistrict Public School Choice Program Act was amended in 2010 to expand the program to additional school districts; rules amended in 2012 to align with the revised statute.
- The rules were readopted without amendments effective April 2017.



## Overview

This chapter sets forth the applicable definitions, rules, and responsibilities of school districts that participate in the Interdistrict Public School Choice program, including the student application and selection process, as well as the rules and responsibilities of the resident districts whose students leave to participate as choice students in a choice district.





# Proposed Amendments and New Rules Overview (1 of 5)



- Streamline and consolidate language for clarity and alignment with the statute and for consistency with other chapters in the administrative code.
- Align code with revisions to P.L. 2023, c. 61, which requires payment of tuition for nonresident students.



## Proposed Amendments and New Rules Overview (2 of 5)



- Clarify and codify the processes required of choice districts to ensure consistent operation of the program.
  - ✓ **N.J.A.C. 6A:12-3.1(a)2** Provide detailed steps in the choice districts' application review and lottery selection procedures for applicants with enrollment preference (i.e., siblings of currently enrolled choice students, choice students who complete the terminal grade in a district with a send/receive relationship, and resident students who moved out of the choice district during the school year and wish to remain to finish the school year as choice students).

# Proposed Amendments and New Rules Overview (3 of 5)



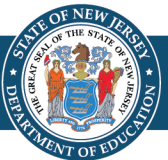
- Provide detailed steps in the student application timeline to include the following at **N.J.A.C. 6A:12-3.2**:
  - ✓ the dates for the student application deadline and the lottery
  - ✓ the date by which the choice district shall send a notice of acceptance, rejection, or placement on the waitlist to the parent or guardian of every student who submitted a choice application
  - ✓ the date by which applicants who are accepted to enroll in the choice district shall send notice of their intent to enroll to the choice district
  - ✓ the date by which the choice district shall provide to each sending district written notification of each notice of intent to enroll received from a choice student who is a resident of the sending district
  - ✓ the date by which the choice district shall provide to the Department electronic notification of the number of students who send notice of their intent to enroll



## Proposed Amendments and New Rules Overview (4 of 5)



- Enumerate the requirements for Department review and approval of a sending district seeking to limit their students' participation in a choice program to ensure consistency with the underlying statute, N.J.S.A. 18A:36B-21 a.(1), and pursuant to an Appellate Division decision at **N.J.A.C. 6A:12-3.4(a) through (c)**.
  - ✓ Allow the district board of education of a sending district to seek a limitation on the number of students participating in a choice program to a maximum of 10 percent of the number of students per grade level per year and 15 percent of the total number of students enrolled in the sending district. The limit is to be based on the Application for State School Aid of the year prior to the first student participating in a choice program, upon approval of the Commissioner.





## ➤ N.J.A.C. 6A:12-3.4(a) through (c) continued

- ✓ Require the sending district board of education to submit specific documentation to the Commissioner for approval.
- ✓ Establish the conditions that must exist for Commissioner approval of a sending district's limit on choice participation.



# Proposed Regulatory Adoption Timeline



SUNSET DATE: April 2024

- First Discussion State Board of Education January 2024
- Second Discussion State Board of Education February 2024
- Proposal Level State Board of Education March 2024
- Proposal Summary and Code  
Published in New Jersey Register (NJR) April 2024
- Adoption State Board of Education August 2024
- Adoption Materials Published in NJR September 2024





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