



**Sean M. Spiller
NJEA Secretary-Treasurer
NJ State Board of Education
Wednesday, September 7, 2016**

Good afternoon.

My name is Sean Spiller and I am a high school science teacher and the secretary-treasurer of the New Jersey Education Association, representing 200,000 school employees across the state and the more than 1.4 million students they educate. In addition, NJEA represents nearly 1000 public charter school employees, and I am honored to sit on the National Education Association Task Force on Charter Schools.

I am here this morning to provide you with our perspective on New Jersey's charter school law.

We have long been clear in our support of charter schools as public schools. Our policy on charter schools says, in part, that "NJEA supports high quality public charter schools as one component of an innovative, progressive system of public education," and that "public charter schools, along with magnet schools, vocational schools and traditional public schools can all play an important role as laboratories for innovation and provide a broad array of choices for parents."

NJEA supported the original law in 1995 that authorized public charter schools in New Jersey. Of course, a lot has changed with charter schools over the last two decades and we have been there every step of the way making sure that New Jersey public charter schools are successful. We have supported legislation to ensure that public charter schools are subject to the same accountability and safety standards as traditional public schools in order to better protect both students and staff in those schools. We also advocated for legislation to prevent profiteering on public charter schools so that student learning, and not corporate profits, will remain the most important priority.

However, we should take stock of where the law works and where we need improvements. We know that we have to do a better job of making sure that charter schools serve student populations that are representative of the communities in which they operate. We need to be sure we have adequate fiscal and accountability safeguards in place to deal with an era of much larger and more sophisticated charter school operators. There are certainly some successes to celebrate, as well as some lessons learned.

In that spirit, we are pleased to participate in this discussion about public charter schools in New Jersey.

On May 22, 2016, the Delegate Assembly of NJEA voted to advocate for and support a moratorium on the approval of any and all new applications for charter schools, any and all applications for expansion of existing charters, and any and all requests to expand the area of recruitment for an established charter until and unless:

1. The funding formula established under the School Funding Reform Act is fully funded for all public schools.
2. The public school district(s) affected have proposed and passed a balanced budget that did not require or include a reduction in force, for the two years prior to the application, as well as for the current year.
3. Public charter schools are required, through statute and regulation, to adhere to the same standards of accountability and transparency as traditional public schools in all matters, including, but not limited to:
 - Finance and budgeting.
 - Public disclosure of nonpublic funding amounts and length of commitments.
 - Public disclosure of student behavior codes and disciplinary policies.
 - Public reporting of student retention rates.
 - Staff hiring requirements, and public disclosure of staff qualifications and retention rates.
 - The establishment, monitoring, and enforcement of financial conflict of interest laws for charter sectors.

NJEA vows to actively support legislation and/or regulatory language, or drafting of same, that will ensure equitable funding for all public schools in the state, and that all public schools, including public charters, are held to the same standards of transparency and accountability. And, we vow to actively oppose any legislation or regulatory language that would weaken the investigative or regulatory powers of those agencies tasked with ensuring a thorough and efficient education for all New Jersey children.

This moratorium on the approval of new charter schools would not eliminate public charter schools in New Jersey, nor even affect those already operating or approved. It would, however, give us the opportunity to refocus the mission and strengthen our commitment to equity, access and excellent educational outcomes for all students.

In addition to a moratorium, there is a strong need for public input in approving charter schools. In recent years, numerous communities across New Jersey have recoiled at the opening of charter schools in their districts.

Currently, Montclair residents are protesting the application for a dual-language charter school in the community. Their opposition is due to concerns that a charter school would drain finances from Montclair's magnet-school system. Interim School Superintendent Ron Bolandi has stated in recent Board of Education meetings that the proposed charter school would, in its opening year, take \$2,625,000 in state funding from the district, since it would receive state funding equal to 90 percent

of what local public schools receive per student, which comes out to about \$10,500. The Montclair Civil Rights Commission believes that this new charter school would further segregate the student population and negatively impact students in Montclair's public schools, as stated in their August 21st letter to the Montclair Board of Education. The Commission believes it would constitute an unnecessary and frivolous expense for tax paying citizens of Montclair.

NJEA believes that a public education system functions best with local-buy in to new public charter schools. NJEA is concerned about the consequences of a lack of community consent on new and expanded charter schools and urges all parties to agree to a legislative solution. Taxpayers have a right to know what private interests are influencing a public school and decide what is best for their community.

Thank you for the opportunity to testify. We look forward to more conversation and cooperation as these issues receive much-needed attention from our elected leaders.