

New Jersey Department of Education
Guidance for Districts Seeking Approval of a Board Resolution
Limiting Student Participation in the Interdistrict School Choice Program

Interdistrict Public School Choice Program Act Of 2010 (18a:36b)

- Allows any eligible student to apply to participate in the Choice program
- A sending district may adopt a resolution to limit the number of its students participating in the choice program to an approved percentage of students. The resolution may limit participation to a maximum of 10% per grade per year and/or 15% of the total student body, subject to commissioner approval upon a determination that:
 - ✓ the resolution is in the best interest of the district's students, and
 - ✓ unlimited participation in the choice program would adversely affect the district's programs, services, operations, or fiscal conditions; and
 - ✓ unlimited participation in the Choice program would adversely affect or limit the diversity of the remainder of the student population in the district who do not participate in the choice program

In Order For A Limiting Resolution To Be Approved, A Board Must Provide Supportive Documentation That Addresses The Three Criteria In The Statute

- Documentation may include, but is not limited to:
 - ✓ Evidence of the Choice program's impact on district's student enrollment
 - ✓ Evidence of the Choice program's impact on district's student achievement
 - ✓ Evidence of the Choice program's impact on the diversity of the student population in the district
 - ✓ Evidence of the Choice program's impact on the number or quality of programs, course offerings or classes it is able to offer
 - ✓ Evidence of the Choice program's impact on the number or quality of the services it is able to provide
 - ✓ Evidence of the Choice program's impact on district operations
 - ✓ Evidence of the Choice program's impact on the fiscal conditions of the district

Summary

The statute requires that all criteria be met as a condition for the commissioner to approve the district's limiting resolution. Indicate if all criteria have been met:

1. Limiting resolution is in the best interest of the district's students
2. Unlimited participation in the Choice program is adversely affecting or will adversely affect the district's programs, services, operations, or fiscal conditions
3. Unlimited participation in the Choice program is adversely affecting or limiting or will adversely affect or limit the diversity of the remainder of the student population in the district who do not participate in the choice program

Steps & Timeline For Districts That Want To Limit Student Participation In Choice Program

- Adopt board resolution.
- Send board resolution along with justification and/or documentation that addresses all criteria above to the attention of the [Interdistrict School Choice Program Office](#) **by July 15 of the year in which the district wishes to restrict student applications to choice districts.**
- Allow at least 4 weeks for NJDOE review and response.
- If approved by the Commissioner, the district must post their resolution on their website by **September 1** and publicize the timeline for students interested in applying to a choice program. (If more students want to apply to a choice district than are allowed to leave due to the limiting resolution, a lottery will need to be held within one week of the due date for the Notices of Intent to Participate forms, as determined by the Commissioner.)
 - ✓ the district must notify all students who submit their Notice of Intent to Participate of the approved limit on choice program participation and the date of its lottery.