

[First Reprint]

ASSEMBLY, No. 5936

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED JULY 24, 2025

Sponsored by:

Assemblywoman LUANNE M. PETERPAUL

District 11 (Monmouth)

Assemblywoman VERLINA REYNOLDS-JACKSON

District 15 (Hunterdon and Mercer)

Assemblyman STERLEY S. STANLEY

District 18 (Middlesex)

Senator VIN GOPAL

District 11 (Monmouth)

Senator LINDA R. GREENSTEIN

District 14 (Mercer and Middlesex)

Co-Sponsored by:

**Assemblymen Verrelli, Rodriguez, Danielsen, Assemblywoman Donlon,
Senators Turner, McKnight and Diegnan**

SYNOPSIS

Establishes various requirements for charter schools, charter school board of trustees members, charter management organizations, and education management organizations.

CURRENT VERSION OF TEXT

As reported by the Assembly Appropriations Committee on January 8, 2026, with amendments.

(Sponsorship Updated As Of: 1/12/2026)

1 AN ACT concerning charter schools, amending various parts of the
2 statutory law, and supplementing P.L.1995, c.426
3 ¹[(C.18A:36A-1 et seq.) and chapter 12 of Title 18A of the New
4 Jersey Statutes]¹.

5
6 **BE IT ENACTED** by the Senate and General Assembly of the State
7 of New Jersey:

8
9 1. (New section) As used in ¹[P.L. , c. (C.) (pending
10 before the Legislature as this bill)] P.L.1995, c.426 (C.18A:36A-1 et
11 seq.)¹:

12 “Charter management organization” means a nonprofit
13 organization that is exempt from federal taxation pursuant to section
14 501(c)(3) of the federal Internal Revenue Code, 26 U.S.C. s.501(c)(3),
15 which operates or manages one or more charter schools linked by
16 centralized support and operations.

17 ¹“Charter school” means a school established pursuant to
18 P.L.1995, c.426 (C.18A:36A-1 et seq.). A charter school does not
19 include a renaissance school project approved pursuant to the
20 provisions of the “Urban Hope Act,” P.L.2011, c.176 (C.18A:36C-1 et
21 seq.)¹.

22 “Compensation study” means a review by ¹[a] the¹ board of
23 trustees of a charter school, or a third-party organization contracted by
24 the board of trustees to conduct the review, of the proposed total
25 remuneration for the top three salaried employees of the charter school
26 compared to compensation for similar positions in school districts in
27 the State and any other information the Commissioner of Education
28 deems necessary.

29 ¹“Education management organization” means a for-profit
30 organization that operates or manages one or more charter schools
31 linked by centralized support and operations.¹

32
33 2. Section 4 of P.L.1995, c.426 (C.18A:36A-4) is amended to
34 read as follows:

35 4. a. A charter school may be established by teaching staff
36 members, parents with children attending the schools of the district,
37 or a combination of teaching staff members and parents. A charter
38 school may also be established by an institution of higher education
39 or a private entity located within the State in conjunction with
40 teaching staff members and parents of children attending the
41 schools of the district. If the charter school is established by a
42 private entity, representatives of the private entity shall not
43 constitute a majority of the trustees of the school, and the charter
44 shall specify the extent to which the private entity shall be involved
45 in the operation of the school. The name of the charter school shall

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹Assembly AAP committee amendments adopted January 8, 2026.

1 not include the name or identification of the private entity, and the
2 private entity shall not realize a net profit from its operation of a
3 charter school.

4 b. A currently existing public school is eligible to become a
5 charter school if the following criteria are met:

6 (1) At least ~~【51%】~~ 51 percent of the teaching staff in the school
7 shall have signed a petition in support of the school becoming a
8 charter school; and

9 (2) At least ~~【51%】~~ 51 percent of the parents or guardians of
10 pupils attending that public school shall have signed a petition in
11 support of the school becoming a charter school.

12 c. An application to establish a charter school shall be
13 submitted to the commissioner and the local board of education or
14 State district superintendent, in the case of a school district under
15 full State intervention, in the school year preceding the school year
16 in which the charter school will be established. Notice of the filing
17 of the application shall be sent immediately by the commissioner to:
18 the members of the State Legislature~~【,】~~; school superintendents~~【,】~~;
19 and mayors and governing bodies of all legislative districts, school
20 districts, or municipalities in which there are students who will be
21 eligible for enrollment in the charter school. The commissioner
22 shall post the notice of the filing, along with instructions and a link
23 for the public to submit comments concerning the application, on
24 the department's Internet website where the notice shall remain
25 until the commissioner makes a final decision on the application.
26 Any other agency or governing body that receives notice of the
27 filing pursuant to this subsection may post the notice on the
28 agency's or governing body's Internet website.

29 The commissioner shall cause notice of the filing to be published
30 in the county or counties where the charter school is to be located
31 on three occasions. The notices shall be published in accordance
32 with R.S.35:1-2.2 or any other requirements for issuing or
33 publishing a public notice.

34 Each notice provided to the public, a school district, and a
35 municipality pursuant to this section shall include instructions for
36 the public to submit comments on the application to the
37 commissioner within 30 days of the date of the first notice.

38 The board of education or State district superintendent shall
39 review the application and forward a recommendation to the
40 commissioner within 60 days of receipt of the application. The
41 commissioner shall have final authority to grant or reject a charter
42 application.

43 d. The local board of education or a charter school applicant
44 may appeal the decision of the commissioner to the Appellate
45 Division of the Superior Court.

46 e. A charter school established during the 48 months following
47 the effective date of ~~【this act】~~ P.L.1995, c.426 (C.18A:36A-1 et
48 seq.), other than a currently existing public school which becomes a

1 charter school pursuant to the provisions of subsection b. of
2 **【section 4 of this act】** this section, shall not have an enrollment in
3 excess of 500 students or greater than **【25%】** 25 percent of the
4 student body of the school district in which the charter school is
5 established, whichever is less.

6 Any two charter schools within the same public school district
7 **【that are not operating the same grade levels】** or within contiguous
8 public school districts that demonstrate a need to consolidate may
9 petition the commissioner to amend their charters and consolidate
10 into one school**【**. The commissioner may approve an amendment to
11 consolidate, provided that the basis for consolidation is to
12 accommodate the transfer of students who would otherwise be
13 subject to the random selection process pursuant to section 8 of
14 P.L.1995, c.426 (C.18A:36A-8)**】** pursuant to a process that shall be
15 determined by the commissioner.

16 (cf: P.L.2011, c.140, s.2)

17

18 3. Section 5 of P.L.1995, c.426 (C.18A:36A-5) is amended to
19 read as follows:

20 5. The commissioner shall develop an application for the
21 establishment of a charter school. The application **【for a charter**
22 **school】** shall include the following information:

23 a. The identification of the charter applicant;

24 b. The name of the proposed charter school;

25 c. The proposed governance structure of the charter school
26 including a list of the proposed members of the board of trustees of the
27 charter school or a description of the qualifications and method for the
28 appointment or election of members of the board of trustees;

29 d. The educational goals of the charter school, the curriculum to
30 be offered, and the methods of assessing whether students are meeting
31 educational goals. Charter school students shall be required to meet the
32 same testing and academic performance standards as established by
33 law and regulation for public school students. Charter school students
34 shall also meet any additional assessment indicators which are
35 included within the charter approved by the commissioner;

36 e. The admission policy and criteria for evaluating the admission
37 of students which shall comply with the requirements of section 8 of
38 **【this act】** P.L.1995, c.426 (C.18A:36A-8);

39 f. The age or grade range of students to be enrolled;

40 g. The school calendar and school day schedule;

41 h. A description of the charter school staff responsibilities and the
42 proposed qualifications of teaching staff;

43 i. A description of the procedures to be implemented to ensure
44 significant parental involvement in the operation of the school;

45 j. A description of, and address for, the physical facility in this
46 State in which the charter school will be located;

1 k. Information on the manner in which community groups will be
2 involved in the charter school planning process;

3 l. The financial plan for the charter school, including the
4 anticipated administrative costs of the charter school, and the
5 provisions which will be made for auditing the school pursuant to the
6 provisions of N.J.S.18A:23-1. As used in this subsection,
7 “administrative costs” means administrative costs as defined by State
8 Board of Education regulations adopted under chapter 23A of Title 6A
9 of the New Jersey Administrative Code;

10 m. A description of and justification for any waivers of regulations
11 which the charter school will request; **[and]**

12 n. **[Such]** Any other information as the commissioner may
13 require; and

14 o. A demonstration of need and an explanation of how the need is
15 not currently being met by existing public schools¹ or charter schools
16 in the school district¹. Unaudited waitlist data shall not qualify as a
17 demonstration of need.

18 (cf: P.L.1995, c.426, s.5)

19
20 4. Section 10 of P.L.1995, c.426 (C.18A:36A-10) is amended to
21 read as follows:

22 10. a. A charter school **[may]** shall be physically located, and
23 provide all instruction, in part of an existing public school building, in
24 space provided on a public work site, in a public building, or any other
25 suitable location in the school district in the State in which the charter
26 school has been authorized to operate. In the case of a nonpublic
27 school that converts to a charter school pursuant to the provisions of
28 section 1 of P.L.2011, c.140 (C.18A:36A-4.1), the charter school may
29 be located in the same school building in which the nonpublic school
30 was located in the State. The facility shall be exempt from public
31 school facility regulations except those pertaining to the health or
32 safety of the pupils. A charter school shall not construct a facility with
33 public funds other than federal funds.

34 b. The Commissioner of Education shall deny a charter school
35 application that proposes to operate a charter school, or provide
36 instruction, in a physical location outside of the State.

37 c. The commissioner shall deny a charter school application
38 submitted after the effective date of P.L. , c. (C.) (pending
39 before the Legislature as this bill) that proposes to operate or provide
40 instruction primarily online.

41 d. This section shall not be construed to limit the ability or
42 discretion of a teaching staff member to utilize technological tools as
43 an ¹**[aide]** aid¹ to in-person instruction. Technological tools shall
44 include, but not be limited to: online learning applications; educational
45 software; third party websites; Internet-based educational resources;
46 online data and assessment platforms; and any other software program

1 or application used to assist with curricular or education specific
2 needs.

3 e. This section shall not be construed to limit the ability of a
4 charter school to utilize virtual or remote instruction as permitted
5 pursuant to Title 18A of the New Jersey Statutes or State Board of
6 Education regulations.

7 f. The Department of Education, in consultation with school
8 districts throughout the State, shall maintain and publish on its Internet
9 website a searchable list of all public school facilities that have been
10 closed, are unused, unoccupied, or advertised for sale or for lease.

11 (cf: P.L.2011, c.140, s.3)

12

13 5. Section 14 of P.L.1995, c.426 (C.18A:36A-14) is amended to
14 read as follows:

15 14. a. The board of trustees of a charter school shall have the
16 authority to decide matters related to the operations of the school
17 including budgeting, curriculum, and operating procedures, subject to
18 the school's charter. The board shall not contract with a for-profit
19 entity to operate or manage the charter school. The board may
20 contract with a charter management organization for these services.

21 ¹Notwithstanding the provisions of this subsection to the contrary, an
22 education management organization that holds a contract to operate or
23 manage a charter school in the State on the effective date of P.L. , c.
24 (C.) (pending before the Legislature as this bill) shall not be
25 subject to the prohibition on contracting with a for-profit entity
26 pursuant to this subsection.¹

27 The board shall provide for appropriate insurance against any loss
28 or damage to its property or any liability resulting from the use of its
29 property or from the acts or omissions of its officers and employees.

30 b. In the case of a currently existing public school which becomes
31 a charter school pursuant to the provisions of subsection b. of section 4
32 of **[this act]** P.L.1995, c.426 (C.18A:36A-4), all school employees of
33 the charter school shall be deemed to be members of the bargaining
34 unit defined in the applicable agreement and shall be represented by
35 the same majority representative organization as the employees
36 covered by that agreement. In the case of other charter schools, the
37 board of trustees of a charter school shall have the authority to employ,
38 discharge, and contract with necessary teachers and nonlicensed
39 employees subject to the school's charter. The board of trustees may
40 choose whether or not to offer the terms of any collective bargaining
41 agreement already established by the school district for its employees,
42 but the board shall adopt any health and safety provisions of the
43 agreement. The charter school and its employees shall be subject to
44 the provisions of the "New Jersey Employer-Employee Relations Act,"
45 P.L.1941, c.100 (C.34:13A-1 et seq.) and the "Conscientious
46 Employee Protection Act," P.L.1986, c.105 (C.34:19-1 et seq.). A
47 charter school shall not set a teacher salary lower than the minimum
48 teacher salary specified pursuant to section 7 of P.L.1985, c.321

1 (C.18A:29-5.6) nor higher than the highest step in the salary guide in
2 the collective bargaining agreement which is in effect in the district in
3 which the charter school is located.

4 c. All classroom teachers and professional support staff shall hold
5 appropriate New Jersey certification. The commissioner shall make
6 appropriate adjustments in the alternate route program in order to
7 expedite the certification of persons who are qualified by education
8 and experience.

9 d. A public school employee, tenured or non-tenured, may request
10 a leave of absence of up to three years from the local board of
11 education or State district superintendent in order to work in a charter
12 school. Approval for a leave of absence shall not be unreasonably
13 withheld. Employees on a leave of absence as provided herein shall
14 remain in, and continue to make contributions to, their retirement plan
15 during the time of the leave and shall be enrolled in the health benefits
16 plan of the district in which the charter school is located. The charter
17 school shall make any required employer's contribution to the district's
18 health benefits plan.

19 e. Public school employees on a leave shall not accrue tenure in
20 the public school system but shall retain tenure, if so applicable, and
21 shall continue to accrue seniority, if so applicable, in the public school
22 system if they return to their non-charter school when the leave ends.
23 An employee of a charter school shall not accrue tenure pursuant to
24 N.J.S.18A:17-2, N.J.S.18A:17-3, or N.J.S.18A:28-5, but shall acquire
25 streamline tenure pursuant to guidelines promulgated by the
26 commissioner, and the charter shall specify the security and protection
27 to be afforded to the employee in accordance with the guidelines.

28 f. Any public school employee who leaves or is dismissed from
29 employment at a charter school within three years shall have the right
30 to return to the employee's former position in the public school district
31 which granted the leave of absence, provided the employee is
32 otherwise eligible for employment in the public school.

33 (cf: P.L.1995, c.426, s.14)

34

35 6. Section 16 of P.L.1995, c.426 (C.18A:36A-16) is amended to
36 read as follows:

37 16. a. The commissioner shall annually assess whether each charter
38 school is meeting the goals of its charter[, and] . The commissioner
39 shall also conduct a comprehensive review prior to granting a renewal
40 of the school's charter. Notice of a charter school's renewal
41 application shall be provided in accordance with the provisions of
42 subsection c. of section 4 of P.L.1995, c.426 (C.18A:36A-4).

43 The executive county superintendent of schools of the county in
44 which the charter school is located shall have on-going access to the
45 records and facilities of the charter school to ensure that the charter
46 school is in compliance with its charter and that State board
47 regulations concerning assessment, testing, civil rights, and student
48 health and safety are being met.

1 b. In order to facilitate the commissioner's review, each charter
2 school shall submit an annual report to the local board of education,
3 the executive county superintendent of schools, and the commissioner
4 in the form prescribed by the commissioner. The report shall be
5 received annually by the local board, the executive county
6 superintendent, and the commissioner no later than August 1.

7 The report shall also be made available on the charter school's
8 Internet website and to the parent or guardian of a student enrolled in
9 the charter school, and shall be presented to the public at a regularly
10 scheduled board of trustees meeting.

11 c. By April 1, 2001, the commissioner shall hold public hearings
12 in the north, central, and southern regions of the State to receive input
13 from members of the educational community and the public on the
14 charter school program.

15 d. The commissioner shall commission an independent study of
16 the charter school program. The study shall be conducted by an
17 individual or entity identified with expertise in the field of education
18 and the selection shall be approved by the Joint Committee on the
19 Public Schools. The individual or entity shall design a comprehensive
20 study of the charter school program.

21 e. The commissioner shall submit to the Governor, the
22 Legislature, and the State Board of Education by October 1, 2001 an
23 evaluation of the charter school program based upon the public input
24 required pursuant to subsection c. of this section and the independent
25 study required pursuant to subsection d. of this section. The
26 evaluation shall include, but not be limited to, consideration of the
27 following elements:

28 (1) the impact of the charter school program on resident districts'
29 students, staff, parents, educational programs, and finances;

30 (2) the impact of the charter school program and the increased
31 number of schools on the economics of educational services on a
32 Statewide basis;

33 (3) the fairness and the impact of the reduction of available
34 resources on the ability of resident districts to promote competitive
35 educational offerings;

36 (4) the impact of the shift of pupils from nonpublic schools to
37 charter schools;

38 (5) the comparative demographics of student enrollments in school
39 districts of residence and the charter schools located within those
40 districts. The comparison shall include, but not be limited to, race,
41 gender, socioeconomic status, enrollment of special education
42 students, enrollment of students of limited English proficiency, and
43 student progress toward meeting the core curriculum content standards
44 as measured by student results on Statewide assessment tests;

45 (6) the degree of involvement of private entities in the operation
46 and financial support of charter schools, and their participation as
47 members of charter school boards of trustees;

- 1 (7) verification of the compliance of charter schools with
2 applicable laws and regulations;
- 3 (8) student progress toward meeting the goals of the charter
4 schools;
- 5 (9) parent, community and student satisfaction with charter
6 schools;
- 7 (10) the extent to which waiting lists exist for admission to charter
8 schools and the length of those lists;
- 9 (11) the extent of any attrition among student and faculty
10 members in charter schools; and
- 11 (12) the results of the independent study required pursuant to
12 subsection d. of this section.

13 The evaluation shall include a recommendation on the advisability
14 of the continuation, modification, expansion, or termination of the
15 program. If the evaluation does not recommend termination, then it
16 shall include recommendations for changes in the structure of the
17 program which the commissioner deems advisable. The commissioner
18 may not implement any recommended expansion, modification, or
19 termination of the program until the Legislature acts on that
20 recommendation.

21 f. Every five years the commissioner shall publicly report on the
22 state of charter schools in New Jersey based on measures contained in
23 the Performance Framework developed by the ¹【State Board of
24 Education】 commissioner¹ pursuant to regulations adopted under
25 chapter 11 of Title 6A of the New Jersey Administrative Code to
26 evaluate the academic, financial, and organizational performance of
27 charter schools.

28 (cf: P.L.2000, c.142, s.3)

29

30 7. Section 17 of P.L.1995, c.426 (C.18A:36A-17) is amended to
31 read as follows:

32 17. a. A charter granted by the commissioner pursuant to the
33 provisions of 【this act】 P.L.1995, c.426 (C.18A:36A-1 et seq.) shall be
34 granted for a four-year period and may be renewed for a ¹【five-year】¹
35 period ¹of five or 10 years at the discretion of the commissioner. A
36 charter school, which has been deemed high-performing based on
37 measures contained in the Performance Framework developed by the
38 commissioner pursuant to regulations adopted under chapter 11 of
39 Title 6A of the New Jersey Administrative Code to evaluate the
40 academic, financial, and organizational performance of charter
41 schools, may be renewed for a period of 10 years, provided that the
42 charter school has not been placed on probationary status within the
43 previous five years. The commissioner may revert a charter school
44 approved for a 10-year renewal period to a five-year renewal period if
45 the charter school is placed on probationary status during the first five
46 years of the 10-year renewal period¹. The commissioner may review
47 the charter of a school that has been granted a renewal at any time

1 during the renewal period. ¹**【The commissioner shall provide the**
2 charter school with reasonable notice of the commissioner’s intent to
3 review the school’s charter.】¹

4 b. The commissioner may place a charter school on probationary
5 status to allow the implementation of a remedial plan ¹after which, if
6 the plan is unsuccessful, the charter may be summarily revoked. The
7 commissioner may place a charter school on probationary status for
8 any reason determined by the commissioner based on the individual
9 circumstances of a charter school or¹ if, on two occasions ¹during a
10 single school year¹, the ¹charter¹ school:

11 (1) has not fulfilled any condition imposed by the commissioner in
12 connection with granting the charter;

13 (2) violates any provision of its charter;

14 (3) violates any of the financial operations requirements
15 established for the charter schools by the State board;

16 (4) fails to make reasonable and appropriate efforts to serve a cross
17 section of the community’s school age population;

18 (5) engages in a practice and pattern of discrimination in violation
19 of federal or State law; or

20 (6) violates any federal or State law.

21 ¹**【Upon notification by the commissioner that the charter school**
22 has been placed on probationary status, the board of trustees shall
23 provide to the commissioner, in writing, a complete list of the names
24 and addresses of all students and staff currently enrolled and working
25 in the school so the commissioner may send the appropriate notice to
26 the parents or guardians and staff pursuant to the provisions of section
27 4 of P.L.2000, c.142 (C.18A:36A-17.1).】 A charter school shall notify
28 each employee and the parent or guardian of each enrolled student as
29 to the charter school’s probationary status upon notification by the
30 commissioner that the charter school has been placed on probationary
31 status.¹

32 c. The commissioner **【may】** ¹**【shall】** may¹ revoke a school’s
33 charter if the school **【has not fulfilled any condition imposed by the**
34 commissioner in connection with the granting of the charter or if the
35 school has violated any provision of its charter. The commissioner
36 may place the charter school on probationary status to allow the
37 implementation of a remedial plan after which, if the plan is
38 unsuccessful, the charter may be summarily revoked】 ¹has not
39 fulfilled any condition imposed by the commissioner in connection
40 with the granting of the charter, if the school¹ is determined by the
41 commissioner¹**【, after notice and opportunity for a hearing in**
42 accordance with N.J.S.18A:6-9 and the procedures set forth in State
43 Board of Education regulations.】¹ to have committed or engaged in
44 any of the criteria listed in paragraphs (1) through (6) of subsection b.
45 of this section while on probationary status ¹, or for any reason
46

1 determined by the commissioner based on the individual
2 circumstances of a charter school, except that in the case of violations
3 that are administrative or technical in nature, the commissioner shall
4 afford the school an opportunity to correct the deficiencies prior to
5 initiating revocation proceedings¹.

6 d. The commissioner shall develop procedures and guidelines for
7 the revocation and renewal of a school's charter.

8 (cf: P.L.1995, c.426, s.17)

9

10 8. (New section) a. Prior to approving a charter school
11 application and granting a charter, the Commissioner of Education
12 shall review:

13 (1) the application material submitted by the proposed charter
14 school pursuant to section 5 of P.L.1995, c.426 (C.18A:36A-5);

15 (2) the proposed charter school's anticipated financial impact on
16 the school district in which the charter school is to be located¹],
17 including the impact to the bond ratings of the school district¹; and

18 (3) any other information the commissioner deems necessary.

19 b. The commissioner shall give equal consideration to the
20 information reviewed pursuant to the provisions of subsection a. of
21 this section when determining whether to grant or deny an application
22 for a charter school established after the effective date of P.L. , c.
23 (C.) (pending before the Legislature as this bill).
24 bill).

25

26 9. (New section) The Commissioner of Education shall
27 consider the most recent compensation study submitted by the
28 charter school and the charter school's administrative costs over the
29 past three years when reviewing an application to renew a charter
30 school and as part of the annual review conducted by the
31 commissioner pursuant to section 16 of P.L.1995, c.426
32 (C.18A:36A-16).

33

34 10. (New section) a. The Department of Education shall
35 maintain, in a manner that is consistent with applicable federal law, a
36 webpage on its Internet website for charter school transparency. The
37 purpose of the webpage shall be to provide increased public access to
38 the operations and activities of charter schools in the State.

39 b. The following information shall be posted on the webpage:

40 (1) a current list of each charter management organization ¹or
41 education management organization¹ that operates or manages a
42 charter school ¹as reported by a charter school in its annual report
43 submitted to the Commissioner of Education pursuant to section 16 of
44 P.L.1995, c.426 (C.18A:36A-16). The webpage shall include a
45 disclaimer stating that the list of charter management organizations
46 and education management organizations included pursuant to this
47 paragraph is not meant to be an endorsement or recommendation by

- 1 the department of a charter management organization or education
 2 management organization¹;
- 3 (2) each executed contract between a charter school and charter
 4 management organization ¹or education management organization¹;
- 5 (3) each charter school's plain language budget summary
 6 submitted pursuant to section 12 of P.L. , c. (C.) (pending
 7 before the Legislature as this bill);
- 8 (4) ¹**[(6)]** each Form 990 received by the department pursuant to
 9 section 21 of P.L. , c. (C.) (pending before the Legislature as
 10 this bill);
- 11 (5) ¹**[(5)]** each annual report submitted by a charter school
 12 pursuant to section 16 of P.L.1995, c.426 (C.18A:36A-16);
- 13 ¹**[(6)]** ¹**[(5)]** each renewal application submitted by a charter school;
- 14 ¹**[(7)]** ¹**[(6)]** a list of charter schools on probationary status and any
 15 remedial plan put in place to assist a charter school on probationary
 16 status;
- 17 ¹**[(8)]** ¹**[(7)]** each application by a charter school to establish a
 18 charter school, amend a school's charter, renew a school's charter, and
 19 consolidate two or more charter schools; and
- 20 ¹**[(9)]** ¹**[(8)]** each public notice concerning charter school
 21 applications issued pursuant to the provisions of ¹**[(P.L. , c. (C.)**
 22 **(pending before the Legislature as this bill)]** subsection c. of section 4
 23 of P.L.1995, c.426 (C.18A:36A-4)¹, along with instructions and a link
 24 for the public to submit comments concerning the application to the
 25 commissioner.
- 26 c. The webpage shall be updated on a regular basis.
 27
- 28 11. (New section) a. A charter school shall maintain an Internet
 29 website. The purpose of the website shall be to provide increased
 30 public access to the operations and activities of the charter school.
- 31 b. The following information shall be posted on the homepage of
 32 the charter school's website:
- 33 (1) the budget adopted by the charter school for the school year
 34 pursuant to section 12 of P.L. , c. (C.) (pending before the
 35 Legislature as this bill);
- 36 (2) all meeting notices required pursuant to the provisions of the
 37 "Senator Byron M. Baer Open Public Meetings Act," P.L.1975, c.231
 38 (C.10:4-6 et seq.) in accordance with section ¹**[(16)]** ¹**[(15)]** of
 39 P.L. , c. (C.) (pending before the Legislature as this bill);
- 40 (3) each annual report submitted by a charter school pursuant to
 41 section 16 of P.L.1995, c.426 (C.18A:36A-16);
- 42 (4) a list of the members of the board of trustees;
- 43 (5) a list, and location, of the facilities operated by the charter
 44 school; and
- 45 (6) any other information required by State or federal law.
- 46 c. The website shall be updated on a regular basis.

1 12. (New section) a. The budget adopted by a charter school for
2 the school year shall be provided for public inspection on the
3 homepage of the charter school's Internet website and made available
4 in print in a "user-friendly" format using plain language. The
5 Commissioner of Education shall ¹, within the limit of funds
6 appropriated or otherwise made available for this purpose,¹
7 promulgate a "user-friendly," plain language budget summary form for
8 the use of charter schools for this purpose. The commissioner shall
9 also promulgate a procedure and timeline for the submission by each
10 charter school of the required budget summary form to the Department
11 of Education.

12 b. The plain language budget summary shall provide the public
13 with information in summary form about the budget of the charter
14 school and shall include, in addition to an abbreviated version of the
15 formal budget adopted by the charter school, any statistical
16 information as the commissioner determines to be useful for the
17 public's understanding of the charter school's fiscal matters and
18 condition, and shall also include, but not be limited to, the following
19 information for both the budget year and prebudget year:

- 20 (1) all line items of appropriation aggregated by item type;
21 (2) revenues by major category, including private donation;
22 (3) the amount of available surplus;
23 (4) a description of unusual revenues or appropriations, with a
24 description of the circumstances of the revenues or appropriations;
25 (5) a list of shared service agreements in which the charter school
26 is participating;
27 (6) the salary of the lead person and the school business
28 administrator employed by the charter school; and
29 (7) if either the lead person or school business administrator is a
30 contracted service provider, each executed contract between the lead
31 person or school business administrator and charter school.

32 c. The plain language budget summary shall be submitted to the
33 department in a form as determined by the commissioner, and, upon its
34 receipt of the summary, the department shall make the summary
35 available to the public through an Internet website maintained by the
36 department in an easily accessible location. The information on the
37 website shall be presented as data that can be downloaded by the
38 public for comparative purposes using commonly-used software.

39 d. Upon the preparation of its budget, each board of trustees shall
40 fix a date, place, and time for the holding of a public hearing upon the
41 budget and the amounts of money necessary for the use of the charter
42 school for the ensuing school year and the various items and purposes
43 for which the funds will be used. The hearing shall be held at a time
44 and place accessible to the public. The board of trustees shall cause
45 notice of the public hearing and the statement annexed to the budget to
46 be:

- 47 (1) published in the county or counties where the charter school is
48 to be located on three occasions; and

1 (2) sent to the board of education of each school district of
2 residence of the students enrolled in the charter school not less than
3 four days prior to the date fixed for the public hearing ¹. The notice
4 sent to a board of education pursuant to this paragraph may be
5 transmitted by the board of trustees via electronic mail¹.

6
7 13. (New section) An individual appointed to a board of
8 trustees of a charter school following the effective date of
9 P.L. , c. (C.) (pending before the Legislature as this bill),
10 other than a student representative appointed pursuant to section 2
11 of P.L.2021, c.446 (C.18A:36A-11.2), shall possess legal, fiscal,
12 educational, community, or board leadership or governance
13 experience.

14
15 14. (New Section) ¹a. A minimum of 33 percent of the members
16 of the board of trustees of a charter school shall maintain their
17 principal residence or primary place of employment in the district or
18 region in which the charter school is located, provided that at least one
19 member of the board of trustees shall maintain their principal
20 residence in the district or region in which the charter school is
21 located.

22 b.¹ A member of the board of trustees of a charter school shall
23 maintain the member's principal residence in the ¹**【charter school's**
24 **district of residence】** State¹.

25 ¹c.¹ A person who holds membership on ¹**【a】** the¹ board of
26 trustees of a charter school on the effective date of P.L. , c. (C.)
27 (pending before the Legislature as this bill), but does not maintain
28 principal residence ¹**【in the charter school's district of residence】** or a
29 primary place of employment in accordance with the provisions of
30 subsections a. and b. of this section¹ on that effective date, shall not be
31 subject to the residency requirements of this section while the person
32 continues to hold membership on the board without a break in service
33 of greater than seven days.

34
35 ¹**【15.** (New section) a. Appointment as a member of a
36 board of trustees of a charter school following the effective date of
37 P.L. , c. (C.) (pending before the Legislature as this bill)
38 shall be subject to the approval of the Commissioner of Education.

39 b. A member of a charter school board of trustees appointed
40 following the effective date of P.L. , c. (C.) (pending
41 before the Legislature as this bill) may serve in an acting capacity
42 while awaiting approval pursuant to subsection a. of this section. ¹**】**¹

43
44 ¹**【16.】** 15.¹ (New section) a. ¹**【As required by】** In accordance
45 with¹ the provisions of the "Senator Byron M. Baer Open Public
46 Meetings Act," P.L.1975, c.231 (C.10:4-6 et seq.), the board of
47 trustees of a charter school shall post a copy of all meeting notices,

1 including a calendar of all meeting dates, and the minutes of each
2 meeting on the charter school's website.

3 b. The board shall hold all meetings in a physical building in the
4 school district in which the charter school is located except that a
5 meeting may be held by means of communications or other electronic
6 equipment during a period declared pursuant to the laws of this State
7 as a state of emergency, public health emergency, or state of local
8 disaster emergency.

9
10 ¹~~17.~~ 16.¹ (New section) a. As used in this section:

11 "Non-disclosure agreement" means an agreement between the
12 board of trustees of a charter school and an employee of the charter
13 school arising out of an existing or anticipated employment
14 relationship, or an agreement between the board and an employee
15 with respect to severance pay, under which the employee or
16 expected employee agrees not to disclose information that may be
17 exchanged or acquired during the course of employment at the
18 charter school. A non-disclosure agreement may include a
19 confidentiality clause or any other language limiting the ability of
20 an employee to discuss their employment with the charter school.

21 "Restrictive covenant" means an agreement between the board of
22 trustees of a charter school and an employee of the charter school
23 arising out of an existing or anticipated employment relationship, or
24 an agreement between the board and an employee with respect to
25 severance pay, under which the employee or expected employee
26 agrees not to engage in certain specified activities competitive with
27 the charter school after the employment relationship has ended.

28 b. The board of trustees of a charter school, or any employee
29 acting on behalf of the board, shall not require or request that an
30 employee enter into a non-disclosure agreement or restrictive
31 covenant as a condition of employment or with respect to severance
32 pay as provided in an employment contract.

33 c. Nothing in this section shall be construed to prohibit a board
34 of trustees from entering into a non-disparagement agreement with
35 an employee.

36
37 ¹~~18.~~ 17.¹ (New section) a. A board of trustees of a
38 charter school shall submit a compensation study to the
39 commissioner:

40 (1) in any school year during which a charter school enters into,
41 renews, or substantially modifies a contract with the lead person of
42 the charter school, as part of the charter school's annual report
43 required pursuant to subsection b. of section 16 of P.L.1995, c.426
44 (C.18A:36A-16); and

45 (2) at any other time the commissioner deems necessary.

46 b. A board of trustees of a charter school may utilize a
47 compensation study completed in any of the immediately preceding
48 three school years to comply with the provisions of this section.

1 **19.18.**¹ (New section) A board of trustees of a charter
2 school shall not renegotiate, extend, amend, or otherwise alter the
3 terms of a contract with a lead person or school business
4 administrator, unless notice is provided to the public at least 30
5 days prior to the scheduled action by the board. The board shall
6 also hold a public hearing and shall not take any action on the
7 matter until the hearing has been held. The board shall provide the
8 public with at least 10 days' notice of the public hearing.

9
10 **19.19.**¹ (New section) A board of trustees of a charter school
11 shall not renegotiate, extend, amend, or otherwise alter the terms of a
12 contract with a charter management organization ¹or education
13 management organization¹ unless notice is provided to the
14 ¹Department of Education and the¹ public at least 30 days prior to the
15 scheduled action by the board. The board shall also hold a public
16 hearing and shall not take any action on the matter until the hearing
17 has been held. The board shall provide the ¹department and the¹
18 public with at least 10 days' notice of the public hearing.

19
20 **19.20.**¹ (New section) a. A charter management organization
21 ¹or education management organization¹ that receives payment for
22 operating or managing a charter school, the source of which is State or
23 local funds, shall¹:

24 (1) comply with the provisions of P.L.1963, c.73 (C.47:1A-1 et
25 seq.), commonly known as the open public records act, in its operation
26 or management of the charter school; and

27 (2) annually file with the Department of Education the most recent
28 public inspection copy of its Internal Revenue Service Form 990 and
29 all schedules and supporting documentation required to be submitted
30 to the Internal Revenue Service in conjunction with Form 990, and
31 post the Form 990 at an easily accessible location on its Internet
32 website. The Form 990, as well as the schedules and supporting
33 documentation required to be submitted to the Internal Revenue
34 Service in conjunction with the form, shall only be made available for
35 public inspection by the Department of Education in accordance with
36 applicable federal law.

37 b. A charter management organization found to be in violation of
38 this section by the commissioner shall have 90 days from the date of
39 the determination to come into compliance with the provisions of this
40 section. If, after 90 days, the charter management organization
41 continues to be in violation, the charter management organization shall
42 be ineligible to provide any services to a charter school in the State.]
43 comply with the ownership disclosure provisions of section 1 of
44 P.L.1977, c.33 (C.52:25-24.2).¹

45
46 **19.22.** (New section) Any executive of a charter
47 management organization including, but not limited to, the chief

1 executive officer, chief operating officer, chief financial officer,
2 executive director, president, and general counsel, that receives
3 payment for operation or management services from a charter
4 school, the source of which is State or local funds, shall be required
5 to comply with the provisions of sections 5 and 6 of P.L.1991,
6 c.393 (C.18A:12-25 and C.18A:12-26).¹

7
8 ¹[23. (New section) a. As used in this section:

9 “Administrator” means any officer or employee of a school
10 district, charter school, or renaissance school project who: (1) holds
11 a position that requires a certificate authorizing the holder to serve
12 as a school administrator, principal, or school business
13 administrator; (2) holds a position that requires a certificate
14 authorizing the holder to serve as supervisor who is responsible for
15 making recommendations regarding hiring or purchasing or
16 acquiring any property or services of a school district, charter
17 school, or renaissance school project; or (3) holds a position that
18 does not require the person to hold any type of certificate, but is
19 responsible for making recommendations regarding hiring or
20 purchasing or acquiring any property or services by a school
21 district, charter school, or renaissance school project.
22 “Administrator” includes a chief school administrator and a lead
23 person of a charter school, but does not include a member of a
24 board of education or board of trustees of a charter school or
25 renaissance school project.

26 “Immediate family member” means the person’s spouse, partner
27 in a civil union as defined in section 92 of P.L.2006, c.103 (C.37:1-
28 33), domestic partner as defined in section 3 of P.L.2003, c.246
29 (C.26:8A-3), or dependent child, residing in the same household.

30 b. Notwithstanding any other law, rule, or regulation to the
31 contrary, as a condition of receiving State aid, a nepotism policy
32 adopted by the board of education of a school district or the board
33 of trustees of a charter school or renaissance school project shall
34 include, in addition to any other requirements adopted by the State
35 Board of Education, provisions prohibiting:

36 (1) any immediate family member of an administrator, board of
37 education member, or board of trustees member of a charter school
38 or renaissance school project from being employed in a leadership
39 or governance position in the school district, charter school and any
40 school facility operated by the charter school, or renaissance school
41 project, during the tenure of the administrator, board of education
42 member, or board of trustees member; and

43 (2) any immediate family member of the officers and members
44 of the management team, board, or other governing body of a
45 charter management organization from being employed in a
46 leadership or governance position in any charter school that
47 contracts with the charter management organization for operation or
48 management services.¹

1 ¹~~24.~~ 21.¹ Section 13 of P.L.1991, c.393 (C.18A:12-33) is
2 amended to read as follows:

3 13. a. Each newly elected or appointed board member shall
4 complete during the first year of the member's first term a training
5 program to be prepared and offered by the New Jersey School Boards
6 Association, in consultation with the New Jersey Association of
7 School Administrators, the New Jersey Principals and Supervisors
8 Association, and the Department of Education, regarding the skills and
9 knowledge necessary to serve as a local school board member. The
10 training program shall include information regarding the school district
11 monitoring system established pursuant to P.L.2005, c.235, the New
12 Jersey Quality Single Accountability Continuum, and the five key
13 components of school district effectiveness on which school districts
14 are evaluated under the monitoring system: instruction and program;
15 personnel; fiscal management; operations; and governance.

16 The board member shall complete a training program on school
17 district governance in each of the subsequent two years of the board
18 member's first term.

19 b. Within one year after each re-election or re-appointment to the
20 board of education, the board member shall complete an advanced
21 training program to be prepared and offered by the New Jersey School
22 Boards Association. This advanced training program shall include
23 information on relevant changes to New Jersey school law and other
24 information deemed appropriate to enable the board member to serve
25 more effectively.

26 c. The New Jersey School Boards Association shall examine
27 options for providing training programs to school board members
28 through alternative methods such as on-line or other distance learning
29 media or through regional-based training.

30 d. Within one year after being newly elected or appointed or
31 being re-elected or re-appointed to the board of education, a board
32 member shall complete a training program on harassment,
33 intimidation, and bullying in schools, including a school district's
34 responsibilities under P.L.2002, c.83 (C.18A:37-13 et seq.). A board
35 member shall be required to complete the program only once.

36 e. Training on harassment, intimidation, and bullying in schools
37 shall be provided by the New Jersey School Boards Association, in
38 consultation with recognized experts in school bullying from a cross
39 section of academia, child advocacy organizations, nonprofit
40 organizations, professional associations, and government agencies.

41 f. The training provided by the New Jersey School Boards
42 Association to a member of ¹~~[a]~~ the¹ board of trustees of a charter
43 school pursuant to this section shall:

44 (1) be prepared in consultation with ¹representatives and
45 stakeholders from the New Jersey charter school community, which
46 may include, but not be limited to, ¹the New Jersey Public Charter
47 Schools Association ¹, or its successor¹;

1 (2) include information on best practices for charter school
2 governance and oversight, school leader evaluations, and charter
3 school compensation for leadership; and

4 (3) include guidelines for conducting a compensation study
5 prepared pursuant to section ~~18~~ 17 of P.L. , c. (C.)
6 (pending before the Legislature as this bill); and

7 (4) be approved by the Department of Education and New Jersey
8 Public Charter Schools Association.

9 (cf: P.L.2010, c.122, s.6)

10
11 ~~25.~~ 22. Sections 4, 5, 7, 14, ~~15, 17,~~ and ~~23~~ 16 shall
12 take effect immediately; sections ~~10,~~ 11, ~~12, 16,~~ 15, 20, and
13 21, 22, and 24 shall take effect six months from the date of
14 enactment; sections 10 and 12 shall take effect one year from the date
15 of enactment; and sections 1, 2, 3, 6, 8, 9, 13, ~~18,~~ and 17 through
16 19, ~~and 20~~ shall first take effect ~~when the Commissioner of~~
17 ~~Education next reviews~~ with applications ~~to establish or renew~~
18 for new and renewing charter schools, but no later than three years
19 from the date of enactment submitted in the 2027-2028 school year;
20 except that the Commissioner of Education may take any anticipatory
21 administrative action, in advance of the effective dates, as may be
22 necessary to implement the provisions of this act.