

**CHAPTER 26**

**EDUCATIONAL FACILITIES**

**Authority**

N.J.S.A. 18A:7G-5k and 18A:7G-26; P.L. 2000, c. 72 (N.J.S.A. 18A:7G-15) and P.L. 2008, c. 39.

**Source and Effective Date**

R.2007 d.81, effective February 9, 2007.  
See: 38 N.J.R. 4533(a), 39 N.J.R. 899(a).

**Chapter Expiration Date**

Chapter 26, Educational Facilities, expires on February 9, 2012. Subchapter 18, Section 15 Grants for Regular Operating Districts, Including County Vocational School Districts, expires on November 25, 2009.

**Chapter Historical Note**

Chapter 26, Educational Facilities, was adopted as R.2001 d.367, and Subchapter 2, Long-Range Facilities Plans, was recodified from N.J.A.C. 6:23-2, Subchapter 3, Capital Project Review, was recodified from N.J.A.C. 6:23A-2, Subchapter 11, County Vocational School District Facilities Rehabilitation Fund, was recodified from N.J.A.C. 6:23A-4, Subchapter 12, Operation and Maintenance of Facilities, was recodified from N.J.A.C. 6:22-9, Subchapter 13, Applications for Retroactive Funding of Projects, was recodified from N.J.A.C. 6:23A-3, Subchapter 15, State School Facilities Documents was recodified from N.J.A.C. 6:23A-6, and Subchapter 17, Appeals, was recodified from N.J.A.C. 6:23A-7 by R.2001 d.367, effective October 1, 2001. See: 33 N.J.R. 1809(a), 33 N.J.R. 3482(a).

Subchapter 9, Capital Reserve Accounts, was repealed by R.2006 d.361, effective October 2, 2006. See: 38 N.J.R. 2333(a), 38 N.J.R. 4178(b).

Chapter 26, Educational Facilities, was readopted as R.2007 d.81, effective February 9, 2007. As a part of R.2007 d.81, Subchapter 11, County Vocational District Facilities Rehabilitation Fund, was renamed County Vocational School District Facilities Rehabilitation Fund, effective March 19, 2007. See: Source and Effective Date. See, also, section annotations.

Subchapter 18, Section 15 Grants for Regular Operating Districts, Including County Vocational School Districts, was adopted as special new rules by R.2009 d.2, effective November 25, 2008. See: 41 N.J.R. 309(a).

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**SUBCHAPTER 1. GENERAL PROVISIONS**

**6A:26-1.1 Purpose and applicability of rules**

These rules are adopted by the New Jersey State Board of Education to implement Sections 1 to 12, 57 and 58 of the Educational Facilities Construction and Financing Act (EFCFA), P.L. 2000, c.72, and to implement P.L. 2000, c.43, as well as to consolidate, conform and update other rules relating to educational facilities in this State. These rules are adopted in order to ensure that the educational facilities in the State are safe, healthy and educationally adequate to support the delivery of the thorough and efficient education to which all students are entitled, as defined by the Core Curriculum Content Standards. These rules apply to all district boards of education "districts" in the State. To the extent these rules are inconsistent with any other rules in Titles 6 and 6A of the New Jersey Administrative Code, these rules shall take precedence.

Amended by R.2007 d.81, effective March 19, 2007.  
See: 38 N.J.R. 4533(a), 39 N.J.R. 899(a).  
Deleted second sentence.

**6A:26-1.2 Definitions**

As used in this chapter, unless the context clearly indicates otherwise, the following words and terms shall have the following meanings:

"Abbott school district" means an Abbott school district as defined in N.J.S.A. 18A:7F-3.

"Additional costs" means the additional construction costs beyond the area cost allowance for construction or the costs beyond reasonable estimated actual costs for rehabilitation if such costs are the result of factors outside the control of the school district, provided that either type of costs results from design factors that are required to meet the facilities efficiency standards and are approved or authorized pursuant to N.J.S.A. 18A:7G-5(g) or 18A:7G-6(c).

"Additional space" means space in excess of the facilities efficiency standards.