

4. Not be completed at the time of submission of an application for QZAB Program funding;

5. Consist of rehabilitation work, including equipment related to the rehabilitation of the school facility that houses a qualified zone academy; and

6. Be located in a school facility eligible for a private business contribution by a private entity.

(b) A school district or the Department on behalf of a school district, may apply for one or more school facilities projects in one or more school facilities, provided that each school and each project meet all of the requirements to qualify for the QZAB Program under this chapter.

Amended by R.2003 d.52, effective February 3, 2003.
See: 34 N.J.R. 3417(a), 35 N.J.R. 611(a).

In (b), deleted “, in the case of the initial phase of the QZAB program,” following “A district or”.

Amended by R.2007 d.308, effective October 1, 2007.
See: 39 N.J.R. 2177(a), 39 N.J.R. 4115(a).

In (a)2, inserted “school”, and deleted “even if the project was originally approved as a waiver project under section 4b of EFCFA (N.J.S.A. 18A:7G-46) or a retroactive project under section 9c of EFCFA (N.J.S.A. 18A:7G-9c) prior to the approval of the district’s long-range facilities plan”; and in (b), inserted “school” preceding “district” twice, and substituted “Department” for “Division”.

6A:25-2.3 Private collaboration requirement

(a) The school district shall establish, via written commitment, a collaboration between the school and one or more private entities under which the private entity evidences in writing that it will make a contribution having a present value (as of the date of issuance of the issue) of not less than 10 percent of the proceeds of the bond issue.

(b) Contributions by the private entity shall be described and may include the following general types of contributions:

1. Equipment for use in the qualified zone academy (including technology and vocational equipment);
2. Technical assistance in developing curriculum or in training teachers in order to promote appropriate market driven technology in the classroom;
3. Services of employees as volunteer mentors;
4. Internships, field trips, or other educational opportunities outside the qualified zone academy for students;
5. Any other property or service specified by the district; or
6. Cash received if such monies are used to purchase any property or services described in i through v above.

(c) Services of employees of the qualified zone academy do not constitute qualified contributions.

Amended by R.2003 d.52, effective February 3, 2003.
See: 34 N.J.R. 3417(a), 35 N.J.R. 611(a).

In (b)2, added the second sentence.

Amended by R.2007 d.308, effective October 1, 2007.
See: 39 N.J.R. 2177(a), 39 N.J.R. 4115(a).

In (a), inserted “school” preceding “district”; and rewrote (b).

6A:25-2.4 Comprehensive educational plan requirements

(a) The qualified zone academy or school district on behalf of the qualified zone academy shall design a comprehensive educational plan in cooperation with business to enhance the academic curriculum, increase graduation and employment rates, and better prepare students for the rigors of college and an increasingly complex workforce.

(b) The private entity may be a business that cooperates in the design of the comprehensive educational plan.

(c) Students enrolled in the qualified zone academy shall be subject to the same standards and assessments as other students in the school district.

(d) The school district shall approve the comprehensive educational plan prior to the submission of an application to the Department for QZAB funding.

Amended by R.2007 d.308, effective October 1, 2007.
See: 39 N.J.R. 2177(a), 39 N.J.R. 4115(a).

In (a), (c) and (d), inserted “school” preceding “district”; and in (d), substituted “Department” for “Division”.

SUBCHAPTER 3. APPLICATION FOR QZAB FUNDING

6A:25-3.1 Application requirements

(a) Any school district seeking to initiate a school facilities project funded by a QZAB shall, on a form provided by the Commissioner, apply to the Department for approval of the school facilities project for QZAB funding.

(b) The application must demonstrate that the school facilities project meets the requirements for participation in the QZAB Program, as set forth in N.J.A.C. 6A:25-2.1 through 2.4, as well as the Federal requirements set forth in 26 U.S.C. § 1397E and regulations thereunder (see 26 CFR 1.1397E-1).

(c) The application must include the following information:

1. Evidence that the school facilities project is for a school facility meeting the school location or student body composition requirements of N.J.A.C. 6A:25-2.1;
2. Evidence that the school facilities project has been approved by the Department for rehabilitation, pursuant to N.J.A.C. 6A:25-2.2;
3. A copy of the comprehensive educational plan approved by the school district, pursuant to N.J.A.C. 6A:25-2.4;

4. Certification by the issuer that it has the written commitment of the private entity to satisfy the private contribution requirement pursuant to N.J.A.C. 6A:25-2.3. This requirement may also be satisfied by the issuer's certification that it has the written commitment of the private entity to make qualified contributions for one or more qualified zone academy school district applicants sufficient to meet the private contribution requirement for each such school district applicant; and

5. Certification by the issuer that it has the written approval by the school district of the QZAB bond issuance.

(d) A school district applying for QZAB funding may submit to the Department an application for one or more school facilities projects for which it is seeking such funding, provided that the application satisfies the requirements of this subsection for each school facilities project.

Amended by R.2003 d.52, effective February 3, 2003.
See: 34 N.J.R. 3417(a), 35 N.J.R. 611(a).

In (a), in second sentence substituted "As in" for "For".
Amended by R.2007 d.308, effective October 1, 2007.

See: 39 N.J.R. 2177(a), 39 N.J.R. 4115(a).

Inserted "school" preceding "district" and substituted "Department" for "Division" throughout; in (a), deleted the last sentence; and in (c)5, deleted ", which for the initial phase of the QZAB Program may be a certification by the issuer that the application for QZAB funding has been signed by a party authorized by the district board of education".

6A:25-3.2 Application review and approval

(a) The Department shall notify school districts of the deadline for accepting applications, which shall be October 15, 2007, and in subsequent years the deadline shall be July 1.

(b) The Department will review each application to determine if it is accurate and complete. If the application is determined to be incomplete, the Department shall inform the school district in writing, listing all deficiencies and missing required information. If the application is determined to be complete, the Department will review the application within 30 days of receipt.

(c) Approval will be granted to all applications that meet the QZAB Program requirements as described or referenced in this chapter.

(d) If a school district's application is approved, the Department will notify the school district that a qualified zone academy or academies in the school district is/are eligible for QZAB funding. The Department will also provide by copy to the NJEDA notice of school district eligibility for QZAB funding. State share funded through QZAB financing will be available in the same way that State share funded through other financing is available for school facilities projects approved pursuant to EFCFA, that is, available pursuant to N.J.S.A. 18A:7G-5, 9, 10, or 15 as applicable.

(e) If an application does not meet the QZAB Program requirements, the Department shall notify the school district in writing, informing it of the reason for the denial.

Amended by R.2003 d.52, effective February 3, 2003.

See: 34 N.J.R. 3417(a), 35 N.J.R. 611(a).

In (d), deleted "In the event QZAB funding is for the State share of school facilities project, as is the case for the initial phase of the QZAB Program," in the third sentence.

Amended by R.2007 d.308, effective October 1, 2007.

See: 39 N.J.R. 2177(a), 39 N.J.R. 4115(a).

Rewrote (a); in (b), (d) and (e), inserted "school" preceding "district" and "district's"; and substituted "Department" for "Division" throughout; and in (b), deleted ", except in the case of the initial phase of the QZAB Program, in which all applications will receive expedited review prior to the issuance of the QZABs" at the end.

6A:25-3.3 Appeals of Department and Commissioner determinations

Appeals of Department and Commissioner determinations with respect to the QZAB Program shall be made in accordance with N.J.A.C. 6A:26-17.1.

Amended by R.2007 d.308, effective October 1, 2007.

See: 39 N.J.R. 2177(a), 39 N.J.R. 4115(a).

Section was "Appeals of Division and Commissioner determinations".
Substituted "Department" for "Division".

SUBCHAPTER 4. CHARTER SCHOOL ELIGIBILITY FOR QZAB FUNDING

6A:25-4.1 Charter school requirements

(a) To qualify for designation as a qualified zone academy and receive QZAB funding, a charter school shall:

1. Have an approved charter; and
2. Meet the requirement stated in N.J.A.C. 6A:25-2.1(a)2.

6A:25-4.2 QZAB project requirement

(a) To be eligible for QZAB funding, a charter school capital project shall:

1. Consist of rehabilitation work, including equipment related to the rehabilitation of the charter school facility that houses a qualified zone academy; and
2. Not be completed at the time of submission of an application for QZAB Program funding.

6A:25-4.3 Private collaboration requirement

(a) The charter school shall establish, via written commitment, a collaboration between the charter school and one or more private entities under which the private entity evidences in writing that it will make a contribution having a present value (as of the date of issuance of the issue) of not less than 10 percent of the proceeds of the bond issue.

(b) Contributions by the private entity shall be described and may include items referenced in N.J.A.C. 6A:25-2.3(b)1.