

Quality Education for All of New Jersey's Children: The Importance of Supporting the Complementary Relationship Between New Jersey's Public and Nonpublic Schools

a report by

The Governor's Study Commission on New Jersey's Nonpublic Schools

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TABLE OF CONTENTS

EXECUTIVE SUMMARY	1
INTRODUCTION	4
RATIONALE FOR ACTION:	
Economic Rationale	5
Common Sense/Philosophical Rationale	7
Legal Rationale	9
Conclusion	10
EXISTING NONPUBLIC PROGRAMS ISSUES AND RECOMMENDATIONS:	
Current Programs	12
Recommendations	13
Possible Future Programs	14
NON-TRADITIONAL RESOURCES:	
Programs Available	16
Recommendations	17
CONCLUSION	18
APPENDICES:	
Appendix A (Case Law Affecting Private Education)	A-1
Appendix B (State Education Tax Credit and Deduction Programs)	B-1
Appendix C (Nontraditional Resources for Nonpublic School Funding)	C-1

EXECUTIVE SUMMARY

Meeting the Challenge

New Jersey's current challenges are many. The educational issues facing us are watershed matters to which we must respond with wisdom, creativity, and resolve. The circumstances, policies, and choices that have brought us to this point cannot be continued without jeopardizing the future of not only our children, but also of all of our citizens.

The *Study Commission on New Jersey's Nonpublic Schools* was created by Governor Jon S. Corzine pursuant to Executive Order 161 on December 22, 2009, and it is responsible for recommending specific actions state government can take to ensure that educational opportunities for nonpublic school students are preserved and enhanced. Successful outcomes of the Commission's work will ensure that the problems facing New Jersey are neither continued nor compounded by the loss or continued diminution of a vigorous and healthy nonpublic education community. Education is the keystone to the future well being of our state and its people, and nonpublic education comprises 1/8th of the entire educational system of the State of New Jersey from Kindergarten to 12th grade.

The children of New Jersey are the workforce of the immediate future. Intense global competition mandates that the best educational venues possible be accessible to all children of New Jersey. Then and only then will our economy and the businesses which are its engine maintain their global leadership. Education, both public and nonpublic, is a mission-critical foundation to the success of our economy.

The recommendations of the Commission's work seek to ensure a vigorous and viable nonpublic school industry as part of a healthy and productive statewide education system.

Public vs. Nonpublic—The Distinction is Artificial

Consider:

- All children are part of the public, and New Jersey has a responsibility to provide for the quality education of all of its children.
- All property owners pay taxes that support education, whether or not they have students in publicly funded schools.
- No one type of school situation fits all students.

What does all of this mean when considering the application of state support for education?

Shared Responsibility, Shared Benefits

When New Jersey's students succeed, we all benefit. The Commission believes there are many sound and compelling reasons that the state should preserve and enhance support to nonpublic school students. These reasons are presented in this report in three categories: economic, legal, and those that arise from our recognized common sense/philosophical reasoning.

Economic Rationale

- Over 1 out of every 8 of New Jersey's students attends nonpublic schools.
- Nonpublic schools save New Jersey residents over \$2.7 billion annually in operating costs and over \$1.1 billion in annualized capital expenses. Thus nonpublic schools save the New Jersey residents approximately \$4 billion annually.
- As an industry, nonpublic schools employ nearly 20,000 people, generating payroll and other tax income to the state, making it among the largest private industries in the state.

- Nonpublic schools spend hundreds of millions of dollars in goods, salaries, and services, thus generating revenue for NJ businesses and tax income for the state.

Common Sense/Philosophical Rationale

- All schools serve the public good.
- All children are part of the public.
- Not every school is right for every child.
- The long tradition of nonpublic schools excellence must be retained. Without nonpublic schools diversity and opportunity is lost.
- Taxes derived from the public should benefit all the children of the public.
- Nonpublic schools collectively serve a diverse universe of students, culturally and ethnically.
- Concern for the most vulnerable of our society is a valued common goal. Urban children are among the most vulnerable. Nonpublic schools have a proven record of success with urban students.
- Unlike elementary and secondary schools, the American higher education system makes no distinction in its support for either sectarian or nonsectarian colleges and universities and public institutions.

Legal Rationale

- Parental authority over the education of their children is a well-established legal principle.
- The Constitution does not prohibit all forms of state assistance to children (and/or the parents of children) attending nonpublic schools.

Conclusions from the Three Rationales

At this point the economic, philosophic and legal arguments converge and form an imperative to act:

- The economy will fail without a well-educated populous capable of providing for itself and for its governance. The closure of nonpublic schools would burden the taxpayers with billions of dollars of additional costs in operating and capital expenses.
- It makes sense for the state to ensure a vigorous, diverse, and healthy system of schools that ensures opportunity for all, the public good, and support of the people.
- The Courts have approved programs that benefit the education of all children. Furthermore, case law requires that the provision of these benefits should be accomplished in such a manner as to protect the right of parents to choose the education most appropriate for their children. Parents and children should not be limited only to what the state offers in government-run schools in a take-it-or-leave-it approach, which may violate a parent's world views and belief systems.

Existing Programs Need to be Retained and Enhanced

This report contains recommendations for ways to strengthen and enhance opportunities in nonpublic education for New Jersey's children. This Commission recommends that any viable programs or resources that are made available for New Jersey's public school students in future budgets also be made available to New Jersey's nonpublic school students, in order to provide a thorough and efficient education to ALL of New Jersey's children. Specific recommendations include the need to enhance support for current nonpublic school programs such as textbook aid, technology aid and special education services. New programs to enhance student access to nonpublic schools are recommended, including school choice and an alternative delivery of math instruction.

Challenging Times Call for New Models

The inclusion of nonpublic school students in non-traditional resources should also be expanded. The Commission investigated a number of new models for providing services to children across the spectrum. Included in this report are school-based programs, offered by state departments outside of the Department of Education, and community-based programs offered by non-profit organizations currently available to children attending public schools. Appreciating that the state cannot currently bear the full weight of its obligation to children, the Commission has identified resources for grants, programs, equipment, and training available from a variety of sources to benefit nonpublic (and public) schools and their children.

All Children Deserve Every Opportunity to Succeed

It is in the best interest of our state that every student has every opportunity to achieve and succeed. New Jersey's commitment to education is among the best in the country. New Jersey has been innovative, responsive, and forward thinking when it comes to helping our children. This is evidenced by a range of programs developed in departments throughout state government (detailed in the following report), designed for, and currently delivered to, children who attend New Jersey's public schools. These efforts are laudable and should be continued, but they have overlooked 166,000 children*—those who attend our nonpublic schools.

Respectfully submitted,

Members of the Governor's Study Commission on New Jersey's Nonpublic Schools

*Estimate for 2009-2010 school year

INTRODUCTION

The *Study Commission on New Jersey's Nonpublic Schools* was created by Governor Jon S. Corzine pursuant to Executive Order 161 on December 22, 2009, and is responsible for recommending specific actions state government can take to ensure that educational opportunities for nonpublic school students are preserved and enhanced. Successful outcomes of the Commission's work will ensure that the problems facing New Jersey are neither continued nor compounded by the loss or continued diminution of a vigorous and healthy nonpublic education community. Education is the keystone to the future well being of our state and its people, and nonpublic education comprises 1/8th of the entire educational system of the State of New Jersey from Kindergarten to 12th grade.

The educational challenges and perils facing the State of New Jersey are watershed matters to which we must respond with wisdom and resolve. The circumstances, choices, and policies which have brought us to this point cannot persist without imperiling the future of not only our children, but also all of our citizens. No longer able to rely on models of the past, we now need solutions which will evaluate the facts and reality of our circumstances, while actuating the principles of freedom, justice, and responsibility.

Crisis has the benefit of causing policy makers to reassess, reevaluate, and redefine priorities and existing programs. Failure to take immediate, innovative action will only perpetuate the present distress and create undesirable choices. Citizens of our state recognize that now is the time for creative, bold, and effective solutions that must promote freedom, fairness, opportunity, and growth. Immediate action is necessary because the success of our state's children hangs in the balance, as does our state's and nation's place in the global economy.

RATIONALE FOR ACTION

Economic Rationale

The ability of the citizens of New Jersey to provide for themselves and to support the government of New Jersey in fulfilling its mission requires a vigorous and healthy economy. To the extent that the economy of the State of New Jersey is strong and productive, the citizens and the state will be healthy and strong as well.

New Jersey has a diverse economy including sectors of finance, science, technology, medicine, agriculture, tourism, manufacturing, and education. A symbiotic relationship exists between the sectors of our integrated economy, such that when one flourishes, it enhances the abilities of the others to flourish as well. Conversely, when one sector fails, the impact touches all parts of the economy.

Education, both public and nonpublic, is a mission-critical foundation to the success of our economy. The relationship between the public and nonpublic education systems is complementary, because of the distinct strengths and advantages each provides. The recommendations of this Commission are crafted to enhance that complementary relationship. If public and nonpublic schools are pitted against one another, the unique diversity of New Jersey and its economy will suffer accordingly. The children of New Jersey are the workforce of the immediate future. Intense global competition mandates that the best educational venues possible be accessible to all children of New Jersey. Then and only then will our economy and the businesses which are its engine maintain their global leadership.

Nonpublic education in New Jersey plays a vital role in the economy and the educational preparation of its citizens. In the 2008-2009 school year over 11% of our children were educated in the nonpublic schools. (New Jersey Department of Education Nonpublic School Enrollment Report) Home-schooled students are not included in this count.

Nonpublic education in New Jersey is a significant industry of its own. Until now it may not have been perceived as an industry contributing in substantial ways to the economy of the state, but it should be. Facts demonstrate this to be true.

During the 2007-2008 school year, nonpublic educational organizations in the state employed approximately 19,522 individuals. (US Dept. of Education, National Education Statistics (http://nces.ed.gov/surveys/pss/tables/table_2008_15.asp). This figure collectively makes nonpublic schools among the largest non-governmental employers in the state. The purchasing power of these employees within the state generates sales and other tax revenues, as well as generates jobs in many sectors of our economy. Every position lost in nonpublic education is a loss of state revenue: not only a loss of a specific job, but also a loss to those businesses providing goods and services to that particular individual. It is unlikely that when a nonpublic school closes, the personnel, especially teachers, will "slide sideways" into positions in public schools. Most public schools in our economic environment are reducing staff even if enrollment rises. The more likely scenario is that these displaced workers would leave the New Jersey workforce, and with them will go their economic benefit to the state.

Employment is not the only impact nonpublic education has upon the economic well being of the state and its government. Collectively, it is estimated that the nonpublic educational organizations spend hundreds of millions annually in goods and services they purchase for their operations and in salaries. Most of that money is spent within the State of New Jersey and supports New Jersey businesses and their employees. Any closing of a nonpublic

educational facility diminishes the business climate of the state and reduces the state's gross domestic product.

Clearly, the health of our entire educational system, including nonpublic education, is essential to New Jersey's ability to compete successfully in a global market, as well as to contribute to the livelihood of thousands of families. It also has a direct and substantial impact upon those businesses providing goods and services to the education industry.

One of the most significant benefits of a thriving nonpublic education environment is the tax burden *not* imposed upon the New Jersey taxpayer. Each of the over 166,000 (New Jersey Department of Education, Nonpublic Enrollment Report – 2009-2010 estimate) students in nonpublic education is saving New Jersey taxpayers \$16,500, the average annual per child expense to educate a student in the public system. Essentially, nonpublic education saves taxpayers close to a staggering \$2.7 billion per year. If nonpublic education in the state were to disappear, this weight would be added to the profound tax burden already being paid by New Jersey taxpayers.

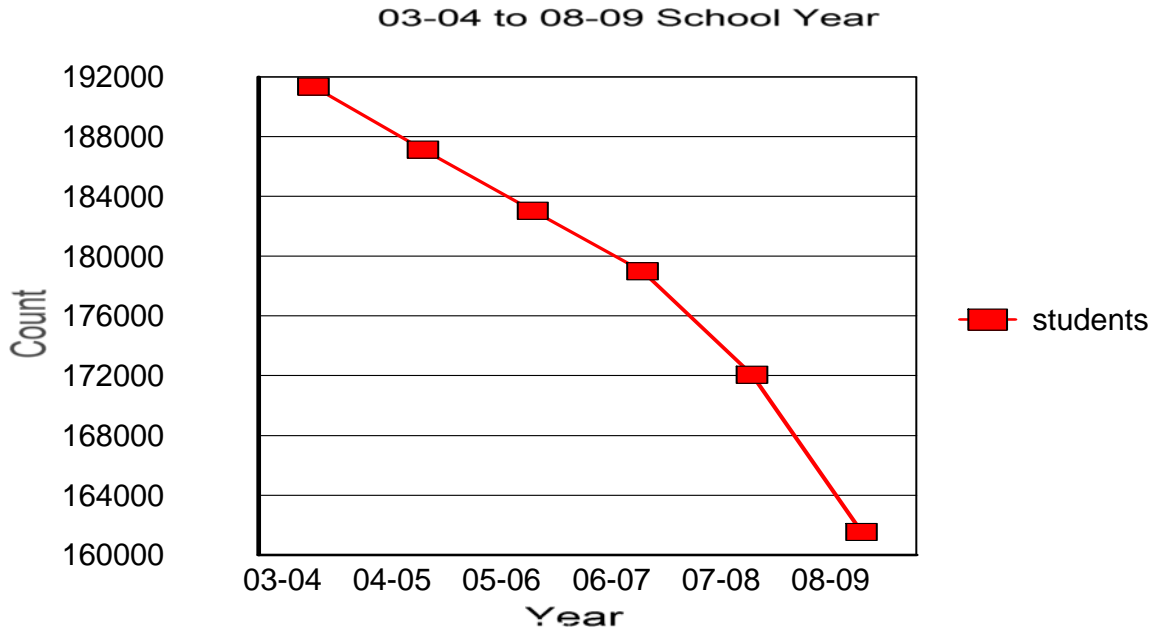
Perhaps even more compelling is that the \$2.7 billion reflects only savings of the annual operating costs of educating a student in the public system. It does not account for the capital costs associated with building educational facilities for students. It is estimated that the capital costs for a new public school facility averages \$80,000 per student over the span of his/her education from Kindergarten to 12th grade. At that rate, building new schools to accommodate 166,000 former nonpublic school students would cost \$13 billion.

Because nonpublic education takes place in buildings and properties that were not built at public expense, New Jersey taxpayers save \$13 billion in capital costs over the Kindergarten to 12th grade years of a child's education. In total, nonpublic education saves taxpayers almost \$4 billion per year (\$2.7 billion annual operating expense, plus \$1.1 billion in annualized capital costs). It is unlikely that, when a nonpublic school closes, the building occupied by that nonpublic school would be sold or leased to a public school to continue educational services. That is true because most nonpublic schools are multi-use facilities, many times shared with a religious institution for other purposes.

In summary, nonpublic schools save New Jersey residents over \$2.7 billion annually in operating costs and over \$1.1 billion in annualized capital expenses, thus nonpublic schools save the New Jersey residents approximately \$4 billion annually.

It might be argued that nonpublic education will never disappear from New Jersey. Unfortunately, we already know that this is untrue: nonpublic education has been on a steady decline for the last two decades. The accompanying chart (Figure 1) shows the decline in the student population in nonpublic schools in recent years (New Jersey Department of Education Nonpublic Enrollment Report). Between 2004-2009 nonpublic enrollment declined 29,810 – and those students entered the public system at a cost of approximately \$430-490 million to the taxpayer this year. Taxpayers cannot sustain the impact of that, proven by the fact that the state budget this year cut from education spending almost that exact amount. That is not a coincidence: it is a consequence.

Nonpublic Enrollment, Ages 5-17



(Figure 1)

Concurrent with the decline in nonpublic enrollment have been ever-rising property taxes to support an already overburdened public education system. Clearly, there is a cause and effect relationship between the decline of student enrollment in nonpublic education and the increases in property taxes in support of public schools. It is to the disadvantage of both public and nonpublic schools to neglect that reality and to permit the decline in nonpublic enrollment to continue.

We know from the history of the steel industry in New Jersey that the loss of jobs in any one sector has a significant impact on other industries. Because of competition within the global marketplace, New Jersey cannot withstand a job drain in any sector of the economy because of the additional burdens that unemployment imposes on government. Higher taxes lead to an exodus from New Jersey of both businesses and individuals.

It is time to preserve and enhance the nonpublic education system as an industry in the state of New Jersey. This system of education is a foundational industry essential to the success of our economy. Failure to bolster nonpublic education with innovative solutions will significantly weaken the perilous state of our economy.

Common Sense/Philosophical Rationale

The consent of the governed is the collective imperative by which law and policy makers make decisions. Such decisions must conform to both federal and state constitutions. These laws and policies must make sense to and have agreement from those governed, or the effectiveness of government is lost.

The Common Sense/Philosophical arguments for ensuring the prosperity of a diverse and effective educational system are those ideas which make sense to the people. In the realm of education, it makes sense for the state to ensure a vigorous, diverse, and healthy system of schools that ensures prosperity and the public good.

To achieve these goals, several self-evident principles define the direction of public policy:

- ***All schools serve the public good.*** A necessary requirement for all schools is the importance of developing good citizens. In that regard, both public and nonpublic schools fulfill this responsibility. The New Jersey compulsory education law, N.J.S.A. 18A:38-25 (see below), recognizes that fact implicitly; otherwise there is no reason for the statute.

“Every parent, guardian or other person having custody and control of a child between six and 16 to ensure that such child regularly attends the public schools of the district or a day school in which there is given instruction equivalent to that provided in the public schools for children of similar grades and attainments or to receive equivalent instruction elsewhere than at school.” N.J.S.A. 18A:38-25

- ***All children are part of the public.*** While schools in New Jersey may be categorized as public and nonpublic, this distinction does not hold when describing New Jersey's children. In fact, all of New Jersey's children are part of our collective “public.” There is no basis in law, nor does it make sense, that some children would be deemed part of the public and others not, just on the basis of what school they attend.
- ***Not every school is right for every child.*** Parents know that “one size does not fit all” children. Given the right of parents to choose the best educational option for their children, our state's diversity mandates an array of schools from which parents can fulfill their responsibility under the compulsory education statute (N.J.S.A. 18A:38-25).
- ***The long tradition of nonpublic schools excellence must be retained.*** Historically, private schools were the first educational institutions in the United States. Only since 1840 have states joined with private schools in fulfilling the responsibility for public education. Without it, diversity and opportunity are lost.
- ***Taxes derived from all the public should benefit all members of the public. Taxes for the purpose of education are levied not to educate a school, but to educate the child.*** The state has and exercises the right to impose taxes on all individuals. However, because both public and nonpublic schools fulfill compulsory education requirements (N.J.S.A. 18A:38-25), no student should be denied the right to attend a school of his/her choice using the public's money – since those students are part of the public.
- ***Nonpublic schools collectively represent a successful model of cultural and ethnic diversity.*** Because most nonpublic schools attract a regional student population, their diversity of students extends beyond that of an individual neighborhood. By emphasizing the appreciation of, and respect for, others, nonpublic schools have the opportunity to present a variety of values desired by parents.
- ***Concern for the most vulnerable of our society is a valued common good.*** Historically, nonpublic schools in distressed urban areas have achieved significantly higher graduation rates and student performance than government-owned schools in those urban areas. According to a recent report by the White House Domestic Policy Council, urban nonpublic schools “significantly improved an urban student's likelihood of graduating... and improved urban students' chances of graduating from college.” (*Preserving a Critical National Asset: September 2008: p.7*) Thus, the availability of, and access to, urban nonpublic schools is critical for these students; however, the demise of these schools has increased as a result of difficult economics. As a matter of justice, urban students should not be denied the educational opportunities available to their wealthier suburban counterparts.

- ***The American higher education system makes no distinction among sectarian, nonsectarian, or public colleges and universities and public institutions in providing monetary support.*** The accessibility to these schools has pivoted on access to funding, thus creating a mix of thriving private and public institutions unparalleled in the world. This lesson from higher education's success should not be lost on elementary and secondary education.

Recognition of the inherent justice, fairness, and the obvious advantages for children, when they have access to a variety of educational options, is critical to the decision making of parents and our state's leaders. Within this context, disadvantaged urban students require special consideration because nonpublic education maintains a long tradition of excellent education in New Jersey with urban students. It is critical to understand that our state will remain strong economically, socially, and politically only with vibrant public and nonpublic schools. This just "makes sense."

Legal Rationale

Public policy regarding education must violate neither the Constitution nor parental rights. In 1875, the proposed Blaine Amendment to the U.S. Constitution failed to pass the Senate and never amended the federal Constitution. This amendment was specifically targeted against Catholic schools and would have prohibited the use of government funds in "sectarian" schools. 37 states adopted "Blaine Amendments" when the federal amendment failed. However, New Jersey is not one of those states. Recently, the Supreme Court in *Mitchell v. Helms*, *Zelman v. Simmons-Harris*, and *Locke v. Davey* (see appendix A) took note that these amendments were a "doctrine borne of bigotry" and deserve to be buried. In current case law, Blaine Amendments are viewed as constitutionally suspect at best.

A review of the legal landscape from the first days of our colonies to the present reveals two legal principles to guide public policy decisions regarding education.

Guiding Legal Principles:

1. Parents have final authority over the education of children.

Private education was essentially the sole means of educating children during the first 200 years of our society.

In 1642 and 1643 respectively, Massachusetts and Virginia passed laws requiring that parents (and masters to whom children were apprenticed) ensure that their children were educated in the principles of religion and capital laws. Those laws left to parents the decision of the means by which that was to be accomplished.

In *Pierce v. Society of Sisters*, 268 U.S. 510 (1925), the U.S. Supreme Court declared unequivocally that "The child is not the mere creature of the state; those who nurture him and direct his destiny have the right, coupled with the high duty, to recognize and prepare him for additional obligations."

Due to the profound and compelling manner in which the education of children serves the public good, states have passed compulsory education laws including New Jersey's N.J.S.A. 18A:38-25. Where states have enacted compulsory education laws, the Supreme Court has held that the statute cannot be applied so as to violate the United States Constitution. See *Wisconsin v. Yoder*, 406 U.S. 208 (1972).

The legal principle of parental rights over the education of their children and the state's authority to compel the education of children, through compulsory education laws made it necessary to define the relationship of these two principles. What began with *Pierce v. Society of Sisters* continues today. The harmonization of these two legal principles has been found in the "child-benefit theory" – leading to the principle that funds are to follow and bring benefit to the child.

Therefore, parental authority over the education of children is a well-established legal principle.

2. The Constitution does not prohibit all forms of state assistance to nonpublic students and parents, in as much as the schools serve *in loco parentis*.

It is a mistaken notion to believe that having the state provide services and benefits to parents and students in non-government-owned, private, nonpublic schools is a new and unconstitutional idea. The United States Supreme Court has had to adjudicate many cases regarding nonpublic students and schools, because the application of public policy and law had created First Amendment issues (specifically Establishment Clause and Free Exercise Clause issues) that needed remedies to protect parental rights.

Recent Supreme Court cases have centered on the "child benefit theory" and permitted the provision of tuition aid for families to use at a school of the parents' choice, affirming the validity of aid based upon the "child benefit theory" arising from parental rights.

For example, *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002) involved a challenge to Cleveland's Pilot Project Scholarship Program. The program was entirely neutral with respect to religion and provided assistance directly to a broad class of citizens, who, in turn, directed government aid to religious schools entirely as a result of their own genuine, private choices. Despite the fact that 46 of the 56 private schools participating in the program were religious schools, the Establishment Clause was not violated because the program was neutral with respect to religion.

Additionally, in *Agostini and Mitchell v. Helms*, 530 U.S. 793 (2000), state and local agencies received federal funds and, in turn, lent educational materials and equipment to public and private schools. The Court held that this type of aid was permissible, stating that when aid is offered to everyone equally, there can be no promotion of religion even if some recipients attend pervasively sectarian schools. In *Agostini*, the Court recognized the legal significance of parental choice in determining the use of government aid to students when it decided such aid was constitutional. (see Appendix A)

While the Commission recognizes that constitutional limitations exist, it strongly believes that its recommendations can be implemented in a manner that does not extend beyond those constitutional limitations.

Rationale for Action: Conclusion

The State of New Jersey recognizes the necessity of an educated citizenry as essential to a successful economy, the ordering of society by the rule of law, and the ability of the government to fund its operations and protect the rights of citizens. Therefore, it has chosen to impose compulsory obligations upon parents to ensure that their children receive an appropriate education, and it levies taxes in support of that goal.

At this point, the economic, philosophic and legal arguments converge and form an imperative to act:

- The economy will fail without a well-educated populous capable of providing for itself and for its governance.
- It makes sense for the state to ensure a vigorous, diverse, and healthy system of schools that ensures opportunity for all, the public good and support of the people.
- The Courts have approved programs that benefit the education of all children. Furthermore, case law requires that the provision of these benefits be accomplished in such a manner as to protect the right of parents to choose the education most appropriate for their children. Parents and children should not be limited only to what the state offers in government-run-schools in a take-it-or-leave-it approach, which may violate parents' world views and belief systems.

The Establishment Clause was never intended to deny opportunity or freedom to raise one's children in the school which parents deem best. The Courts have approved programs that allow parents – not the state – to determine where a child shall be educated with the use of tax dollars.

Surely, the economic environment, the people's sense of what is right, and the weight of case law all point to the need for profound structural changes in the attitude and actions and policies and practices of the state regarding education. The economic environment, the will of the people, and the legal landscape strongly indicate that now is the time when that change must occur.

All parents have a right to the same educational opportunities for their children and to have them educated in a manner which satisfies the need of the society and honors the concept of parental and personal responsibility and freedom. Failure to act risks the economy, the social order, and the ability of the state to govern and protect its citizens as the Constitution requires.

EXISTING NONPUBLIC SCHOOL PROGRAMS: ISSUES AND RECOMMENDATIONS

For over 40 years, the State of New Jersey has recognized the need to provide aid to nonpublic school students and their families in clearly defined programs. The aid is always directed to a child and does not benefit the nonpublic school. Any books or materials loaned to these children through state-funded programs remain the property of the public school district.

Current Programs

The programs currently in place include the following:

1. *Nonpublic School Textbook Aid.* This program supports the purchase and lending of textbooks upon the individual request of the nonpublic school parent according to the provisions of N.J.S.A. 18A:58-37.1 *et seq.* The aid is paid in an amount equal to the state average budgeted textbook expense per public school pupil for the pre-budget year for all students enrolled in grades Kindergarten to 12th grade of a nonpublic school on the last school day prior to October 16 of the pre-budget year.
2. *Nonpublic Auxiliary Services Aid.* Under this program, authorized by N.J.S.A. 18A:46A-1 *et seq.*, nonpublic school children are eligible for compensatory education (remedial instruction in reading, writing, and mathematics), English as a Second Language, and home instruction.
3. *Handicapped Aid.* This program is authorized under N.J.S.A. 18A:46-19.1, and it provides for the identification, examination, and classification of nonpublic school students and supplemental and speech correction services for nonpublic school students.
4. *Nonpublic Nursing Services Aid.* This program is authorized under N.J.S.A. 18A:40-23 and provides funds for basic nursing services for nonpublic school pupils who are enrolled full time in nonpublic schools.
5. *Nonpublic Technology Initiative.* This program was authorized in the State Budget until the 2009-2010 school year when it was eliminated. It permitted technology to be loaned to nonpublic school students in the form of computers, educational software, distance learning equipment, and other technologies that can improve their skills by meeting specific educational needs. It also provided nonpublic school teachers with the skills, resources, and incentives to use educational technologies effectively to improve teaching and learning in the classroom.
6. *Nonpublic Auxiliary/Handicapped Transportation Aid.* This account provides for transporting nonpublic school pupils to public schools or neutral sites for auxiliary/handicapped services that cannot be provided within the sectarian schools. Based on a 1996 United State Supreme Court decision in *Agostini v. Felton*, the programs are now eligible to be offered in the building of the sectarian schools; however, in some schools, there may not be adequate room for these programs to be held. As a result, vans and trailers are utilized, and this aid program is still necessary for the replacement and refurbishing of these units.
7. *Transportation.* This account is provided according to the provisions of N.J.S.A. 18A: 39-1 *et seq.* Nonpublic school transportation is provided for students who meet the following criteria:
 - 1) They live between 2-20 miles from their elementary school or between 2.5 – 20 from their secondary school. There is an extension to 30 miles for

students living in six rural counties. However, this extension currently only exists in annual budget language.

AND

- 2) The district in which they live provides transportation to public school students who live within the same mileage distances.

If the transportation can be provided at a bid of \$884.00 or less per pupil, the current statutory ceiling, then the child is transported. If the bids exceed \$884.00, then the nonpublic school parent is paid that amount in aid-in-lieu payments to transport the child to school.

8. *Special Education in school-wide programs.* Boards of education may only contract with nonsectarian schools for special education services. (N.J.S.A. 18A:45-19, N.J.S.A. 18A:46-14(g), and N.J.S.A. 18A:46-14(h))

Recommended Modifications/Expansions of Current Programs

The Commission supports the following recommendations with respect to current programs affecting nonpublic schools. For ease of understanding the remedy is indicated as follows:

L= Legislative; B=Budget Appropriation; A= Administrative

1. The state should make every effort to maintain CPI increases in the statutory ceiling for nonpublic school transportation. **B**
2. The distance criteria (2-20 miles for elementary students and 2.5-20 miles for secondary students, 30 miles for the six rural counties) should be the sole criteria for qualifying students for transportation in order to create equity between public and nonpublic school children. **L**
3. A statutory change is needed to permit the CTSA (Coordinated Transportation Services Agency) in each county to coordinate all nonpublic school transportation in districts with fewer than 5,000 public and nonpublic school students eligible for transportation. **L**
4. Because of the importance of the nurse as a first responder to a variety of critical incidents, support for nursing services should be increased to address the full range of needs in nonpublic schools. **L & B**
5. The nursing services legislation (N.J.S.A. 18A: 40-23) should be amended to address the changes in minimum services needed since the initial passage of the statute. **L**
6. Because significant disparities exist between the public and nonpublic school sectors for current state-funded services to children, it is important that this funding gap between the two groups be reduced. **L & B**
7. To enable all children to participate in special education programs equally, the Legislature should amend the current law to delete the term "nonsectarian." **L**
8. The Nonpublic School Technology Initiative should be restored, at a minimum, to the previous funding levels. **B**
9. Funding for both Chapters 192/193 programs should be blended in order to cover the potential shortfalls in either program. **A**
10. Under the Nonpublic School Textbook program, funding should be permitted for instructional classroom materials for students. **B**
11. With respect to the delivery of materials (e.g. textbooks) and the delivery of services to nonpublic school students, more efficiency measures need to be taken to insure the

availability of these goods and services at the beginning of the school year.

Additionally, a formal complaint mechanism for problems in these areas must exist. **A**

12. The Department of Education should make every effort to create a system which provides quality data on nonpublic school issues. **A**

New Programs Affecting Nonpublic Schools

1. School Choice

School Choice means better educational opportunity, because it uses the dynamics of consumer opportunity and provider competition to drive service quality....It re-asserts the rights of the parent and the best interest of the child over the convenience of the systems, infuses accountability and quality into the system, and provides educational opportunity where none existed before.

The Center for Educational Reform

Tax deductions, tax credits, and other forms of scholarships currently exist in a variety of states throughout the United States. Some tax deductions and tax credits permit use for either tuition or other education-related expenses that would benefit all families, no matter whether their child is in public or private schools, with expenses permitted for things such as tutoring, and the purchase of home computers.

Currently, a corporate tax credit program has been introduced into the New Jersey Legislature which offers scholarship opportunities to children who meet the criteria of poverty (a family income of 2.5 times the poverty level or below) and are living in a district with a chronically failing school.

Finally, special needs students are often best served in smaller or culturally appropriate settings and several states have school choice programs for those with special needs, disabilities, autism, and similar issues.

Recommendations

- Some form of corporate tax scholarships (such as the current version S-1872/A2810 introduced in New Jersey) should be enacted.
- A program of individual tax credits or deductions, similar to those in other states (see Appendix B), be created to provide benefits for tuition paid by parents for elementary and secondary education.
- A program of corporate or individual tax credits for scholarships be established for special needs children whose parents wish them to attend a nonpublic school.

2. Alternative Delivery of Math Instruction

One discipline of particular importance is mathematics, a basic necessity for a modern economy, especially for the workforce in industries such as engineering, design, computer hardware and software, healthcare and pharmacology, finance, and more, an unquestionably secular and neutral subject. At this point, it is widely acknowledged by educational researchers that the single largest factor in student achievement is the quality of teaching.

One possible method for providing math teachers for nonpublic schools is via third-party providers - companies or non-profits that will contract with local school districts to teach math classes in New Jersey nonpublic schools that opt to participate. Third-party contracted teachers, ultimately accountable to the local school district, will ensure educational excellence in mathematics at a reasonable price and eliminate any concern about the inclusion of religion in the mathematics classroom. This model already exists in New Jersey for other state and federal programs.

Recommendations

- That an alternate method of math instruction, funded with state dollars, be created for nonpublic schools. Nonpublic school participation in such a program should be optional.
- That the program recommended in # 1 utilize third party providers for instruction.

Non-Traditional Resources for Nonpublic School Funding

The Commission investigated a number of new models for providing services to students across the spectrum. Included in this report are school-based programs offered by state departments outside of the Department of Education, and community-based programs offered by non-profit organizations currently available to students attending public schools. Appreciating that the state cannot currently bear the full weight of its obligation to students, the Commission has identified resources for grants, programs, equipment and training available from a variety of sources to benefit nonpublic (and public) schools and their students.

An outline of the programs follows. Details are included in Appendix C.

Programs Offered Through New Jersey State Government Entities

- New Jersey Department of Education
 - Division of Early Childhood Education
 - Office of Holocaust Studies
- New Jersey Commission on Higher Education
 - College Bound Grant Program
 - Dual Enrollment Grants
 - NJ GEAR Up
 - Educational Opportunity Fund
- New Jersey Department of State
 - Office of Programs
 - New Jersey Historical Commission
 - New Jersey State Council on the Arts
 - New Jersey State Museum
- New Jersey Department of Children and Families
 - School-Based Programs
 - Transitional Education Center
 - Project TEACH
 - Technology for Life and Learning Center
- New Jersey Department of Agriculture

Independent and/or Community-based Programs

- New Jersey Governor's School
- Celebrate New Jersey Programs
- NJ Center for Civic and Law-Related Education
- NJ After 3 Program
- Liberty Science Center
- NJ State Chamber of Commerce

The Commission also uncovered a number of resources available to non-profit and faith-based organizations that may also be beneficial to nonpublic schools. Resources for technology including free or low cost hardware, software, web hosting, etc. have been detailed in Appendix C. Also included in Appendix C are a number of sources for grants to fund a variety of projects, equipment, materials, training, etc. potentially available to nonpublic schools.

Recommendations

- First and foremost, the Commission recognizes the state's responsibility to provide a "thorough and efficient" education for all New Jersey students. To that end, the Commission recommends that any constitutionally viable programs or resources that are made available for New Jersey's public school students in future budgets, also be made available to New Jersey's nonpublic school students.
- NJ GEAR Up Program (NJ Department of Higher Education): Though the Commission understands that NJ GEAR Up is funded with funds from the Federal Government, we recommend that the higher education community give serious consideration to outreach and the creation of partnerships with nonpublic schools where eligible students exist (Camden, Trenton, Newark, etc.).
- Recognizing that, in times of limited funding, all creative means must be employed to make the most of resources, the Commission recommends the creation of a central resource clearinghouse on the nonpublic schools page of the Department of Education website, intended to provide current resource information to nonpublic schools administrators and educators. This information may include but not be limited to: grants and funding opportunities available from government, corporations, and foundations; resource and program offerings; and free or low cost technology options; etc.
- Recognizing that grants and resources are often made available within specific timeframes and that many nonpublic school personnel are often unaware of these resources, the Commission recommends that a mechanism be established for the gathering and updating the aforesaid information and resources through the Advisory Committee for Nonpublic Schools, and that this information be channeled to the Department of Education through the Office of Nonpublic School Services for timely posting on their web page. Further, it is recommended that the New Jersey Department of Education Office of Nonpublic Schools send out regular email notification regarding new postings as the page is updated.

CONCLUSION

The importance of New Jersey's nonpublic schools to the citizens of the state is immeasurable. Maintaining the viable choice of a nonpublic education for parents and their children is a responsibility of the State of New Jersey.

New Jersey's most important resources are our children. Their ability to graduate after a Kindergarten to 12th education and become productive citizens in the state increases the standard of living for all New Jersey citizens. Therefore, the ability of a child to learn in an atmosphere which considers his or her learning style and individual needs should not be a dream unobtainable as a consequence of poverty and/or residence. The success of all New Jersey children should be the rationale for all decisions made by the public policy makers in our state regarding the mission-critical matter of education.

APPENDIX

Appendix A

CORE OF CASE LAW AFFECTING PRIVATE EDUCATION, PRESENTED IN CHRONOLOGICAL ORDER:

- *Pierce v. Society of Sisters*, 268 U.S. 510 (1925) – this case still stands as precedent for the fundamental right of parents to control the upbringing and education of their children.
- *Cochran v. Louisiana State Board of Education*, 281 U.S. 370 (1930) – Upheld a Louisiana statute that allowed expenditure of public funds for all students equally, including parochial school students.
- *Everson v. Board of Education*, 330 U.S. 1 (1947) – upheld a New Jersey statute that provided for transportation to all students, including parochial school students since the statute treated all students neutrally.
- *Board of Education v. Allen*, 392 U.S. 236 (1968), – upheld a New York law that required public schools to lend textbooks, without charge, to all students, including those attending private schools. The Supreme Court reasoned that the financial benefit was provided to parents and students, not to the schools, and since religious books were excluded, the books were used only for secular education, even when used at parochial schools.
- *Walz v. Tax Commission of the City of New York*, 397 U.S. 664 (1970) – upheld a law exempting from tax real property owned by and used for religious organization purposes. The Supreme Court held that the purpose of the law was not to promote religion. It did not create an excessive entanglement between government and religion, and actually provided for less involvement between entities than would be required if taxes were collected from religious organizations. Furthermore, there was no state sponsorship of religion, since the state was not giving churches money, but rather saying that the churches did not have to support the state. Finally, the law relieved religions from the threat of hostile taxation, which also promoted the separation between church and state.
- *Lemon v. Kurtzman, et al*, 403 U.S. 602 (1971) – upheld a statute that reimbursed private schools, including religious schools, for the cost of teacher salaries, textbooks, and instructional materials. Applied a 3 part test to determine if government-funded benefits could be provided to nonpublic school students in the nonpublic school. The viability of this decision is currently unsettled.
- *West Morris Regional Board of Education, et al., v. Arthur J Sill, et al.*, 58 N.J. 464; 279 A.2d 609, (1971) – The statute required that a school district providing transportation to public schools also provide transportation to nonpublic schools within twenty miles of the student's residence, subject to a maximum dollar allowance. The statute was a revision of the one challenged and upheld in *Everson*. The court upheld the statute, saying that it was identical to the statute in *Everson* in all relevant respects. The court wrote, "It remains a measure to aid the student rather than the school he attends; its purpose and primary effect are not to advance religion."

- *Clayton v. Kervick*, 59 N.J. 583; 285 A.2d 11; (1971) – The statute provided funds to finance the construction of dormitories and educational facilities at public and private institutions of higher education. The Educational Facilities Authority loaned money to institutions or constructed facilities on lands conveyed to it by the institutions and allowed use of those facilities through a leaseback, at the expiration of which the land would be returned to the institution. Funds were not to be used to construct buildings for sectarian instruction or places of religious worship.

The court found that the Educational Facilities Authority was a financing service that provided funds to all institutions of higher education at the same rate. The court held that there was no excessive entanglement, since minimal supervision would be required to ensure that Authority funds would not be used for buildings for sectarian instruction or religious worship. The court also held that the primary effect of the statute was not to advance religion, and the statute was upheld.

- *Wisconsin v. Yoder*, 406 U.S. 208 (1972) – This case involved a challenge to a compulsory attendance law that required all children under age sixteen to attend public or private school. The Court held that sending the children to school after eighth grade would violate the plaintiffs' sincerely held religious beliefs. The Supreme Court held that the state cannot deny its citizens the right to free exercise of the religion without a sufficient overriding interest. The Court noted that it was irrelevant that the plaintiffs were convicted for their actions in failing to send their children to school, rather than for their belief that sending their children to school would violate their religious beliefs, because the First Amendment protects both beliefs and actions. The Court then held that in application, the law unduly burdened the right of free exercise, despite the fact that it did not discriminate on its fact and the fact that it was motivated by secular concerns. The state interest in educating children was not compelling enough to enforce the law against the plaintiffs.
- *Committee for Public Education & Religious Liberty v. Nyquist*, 413 U.S. 756 (1973) The challenged statute in this case provided for three types of aid: 1) direct aid for maintenance in nonpublic schools; 2) tuition reimbursements to low-income parents of children attending nonpublic schools; and 3) tax relief for parents of children attending nonpublic schools who did not qualify for tuition reimbursements. The Supreme Court held that the maintenance aid was unconstitutional because it had the effect of promoting religion by maintaining religious facilities. The Court held the tuition reimbursements and tax relief unconstitutional because they also had the effect of promoting religion.

Although the aid was given to parents and not schools, the program made no attempt to guarantee a separation between secular and religious education functions or to ensure that state aid would only support secular functions. The Court held that the function of the law was "unmistakably to provide desired financial support for nonpublic, sectarian institutions." Noting that the genesis of the law was the "increasingly grave fiscal problems" facing private schools, the court emphasized the fact that the program strictly prohibited the participation of public schools and parents of public school students.

Some subsequent cases have distinguished *Nyquist* based on its facts, pointing out that other programs are designed to aid all children, regardless of religion. Additionally, the Supreme Court's holding in *Agostini* (see pg. 24), demonstrates that all direct aid is not invalid.

- *Meek v. Pittenger*, 421 U.S. 349 (1975) – The challenged statute in this case provided three types of aid to nonpublic students 1) textbooks; 2) instructional materials and equipment; and 3) auxiliary services. Other sections of the same statute provided the same aid for public school students. The Supreme Court held that the provision of textbooks was valid for the same reasons as its decision in *Allen* (see pg. 21). The Court held that a direct loan of instructional materials and equipment was invalid. Because the recipient schools were of a predominantly religious character, it was impossible to separate the secular and sectarian uses of the materials and equipment.

The Court noted that when aid is given to an institution in which religion is so pervasive that a substantial portion of its funds are subsumed in a religions mission, the aid has the primary effect of advancing religion. The Court also held that the provision of auxiliary services was invalid, because the government would be required to perform substantial monitoring to ensure that the services were used only in a secular manner, meaning that the statute would create excessive administrative entanglement. This case has been overruled in part by *Mitchell v. Helms* (see pg. 24).

- *Mueller v. Allen*, 463 U.S. 388 (1983) – the decision upheld the constitutionality of an income tax deduction for tuition, textbooks and transportation benefitting parents of those students in public, private and religious schools. The Supreme Court reasoned that the law had a secular purpose. It did not advance religious aims, since the aid was available to all parents. The Court noted that the aid going to religious schools was only as a result of many decisions by parents with no state approval for any religion or religion at all. Finally, there was no excessive entanglement between government and religion.
- *Aguilar v. Felton*, 473 U.S. 402 (1985) – Under Title I of the Elementary and Secondary Education Act of 1965, which provided financial assistance to local education institutions to meet the needs of educationally deprived children from low-income families, the city of New York used federal funds to pay the salaries of public employees who taught in parochial schools. The Supreme Court held that the aid was invalid since the aid was provided in a pervasively sectarian environment and ongoing inspection by the city would be required to ensure the absence of a religious message by the public school teachers. The amount of supervision required to perform these monitoring tasks meant that the law created excessive entanglement between government and religion. This case has been overruled by *Agostini* (see pg. 24). The reasons the court cited for its finding of excessive entanglement are no longer valid.
- *Witters v. Washington Department of Services for the Blind*, 474 U.S. 481 (1986) – In this case, public funds from a state vocational rehabilitation assistance program were used by a blind person studying at a Christian college and seeking to become a pastor, missionary, or youth director. The Supreme Court held that the program was valid. The aid went to religious schools only as a result of the genuinely independent and private choices of the aid recipients. Furthermore, the aid was provided to all students and did not encourage religious education.
- *Zobrest v. Catalina Foothills Sch. District*, 509 U.S. 1 (1993) – Allowed for the placement of a publically funded sign language interpreter in a Catholic high school to assist a visually impaired student. With this case, the child-benefit principle of “public money needs to follow the student” was clearly expressed. It applied this principle to education below the college level. This case lent strength to the child-benefit doctrine that public funds may be used for all students of the public.

- *Agostini v. Felton*, 521 U.S. 203 (1997) – After *Aguilar* (see pg. 23), the lower court issued a permanent injunction barring the presence of Title I teachers in religious schools. In this case, parties bound by the injunction sought relief from it. The Supreme Court held that it cannot be assumed that a public employee will try to inculcate religion when on-site at a religious school. Government aid that directly aids the educational function of a school is not invalid if the money gets to the school as a result of the private choice of students and parents. Furthermore, the aid was provided all students, regardless of school.
- *Mitchell v. Helms*, 530 U.S. 793 (2000) – In this case, state and local agencies received federal funds and in turn lent educational materials and equipment to public and private schools. Following the rationale of *Agostini* (see above), the Court's plurality decision held that this type of aid was permissible. The "pervasively sectarian" concept discussed in *Aguilar*, where similar aid was invalidated, is no longer used. The Court stated that when aid is offered to everyone, equally, there can be no promotion of religion even if some recipients are pervasively sectarian.
- *Zelman v. Simmons-Harris*, 536 U.S. 639 (2002) – This case involved a challenge to Cleveland's Pilot Project Scholarship Program, which provided tuition aid to be used at a public or private school of parents' choosing and tutorial aid for students who remained enrolled in public schools. The Supreme Court held that the program was constitutional. The program was entirely neutral with respect to religion and provided assistance directly to a broad class of citizens, who, in turn, directed government aid to religious schools entirely as a result of their own genuine, private choices. Despite the fact that 46 of the 56 private schools participating the program were religious schools, the Establishment Clause was not violated because the program allowed parents and students to use vouchers at either religious or nonreligious schools, with no financial incentive promoting either type of school.
- *Locke v. Davey*, 540 U.S. 712 (2004) – In this case, the Promise Scholarship Program established by the state prohibited use in pursuing degree in devotional theology. The Supreme Court held that the prohibition did not violate the Free Exercise Clause. This case stands for the principle that although a scholarship to pursue devotional theology could be permitted under the Establishment Clause, it is not required under the Free Exercise Clause.

Appendix B

STATE EDUCATIONAL TAX CREDIT AND DEDUCTION PROGRAMS

State Tax Credit Scholarship Programs

Florida

Tax Credit Scholarship Program- 2001
(Florida Statute 220.187)

Program Specifications:

- Dollar-for-dollar business tax credit for contributions to non-profit scholarship organizations, originally capped at \$50 million annually.
- A minimum of 75 percent of the scholarships are designated for tuition with the remaining 25 percent used for textbooks or transportation.

Student Eligibility:

- Family income at or below 185 percent of the federal poverty level (or free and reduced price lunch eligibility).
- Be enrolled in public school the year before or be entering kindergarten or first grade.
- If a student's family income increases, the student may stay in the program until their family income reaches 200 percent of the federal poverty level.

Program Facts:

- In 2005-2006 15,123 students were enrolled in the program and the average annual scholarship for students participating was \$4,206.
- In 2009, 26,987 scholarships were awarded with an average scholarship of \$3,563.
- Over 1000 participating private schools, 81 percent of which are religious schools
- Recently increased to \$118 from \$88 million.
- As of June 2009, the program was expanded to include insurance companies. They may now donate up to 75 percent of their insurance premium tax liability and receive a dollar-for-dollar tax credit.

Georgia

Scholarship Tax Credit Program, 2008
Georgia Code, 20-2A and 48-7-29.13

Program Specifications:

- Corporations and individuals receive tax credits for making donations that help low-income or disabled children to attend private schools.
- Individuals may claim a tax credit of up to \$1,000, couples filing jointly up to \$2,500 and corporations can receive a dollar-for-dollar tax credit of up to 75 percent of the taxes they owe.
- As in other states, the program creates two non-profit designations: the Student Scholarship Organization and the Education Improvement Organization. The second group would provide funds for school programs.
- Program capped at \$50 million annually.

Student Eligibility:

- All public school students including those entering pre-k and kindergarten.

Program Facts:

- Thus far the program implemented in 2009-2010 has awarded 1900 scholarships at an average of \$6,867 to over 400 participating private schools.

Indiana

Corporate & Individual Scholarship Tax Credit, 2009

Indiana Code 6-3.I-30.5 and 20-51-3

Program Specifications:

- A 50 percent tax credit on funds donated by both individuals and corporations to approved scholarship granting organizations.
- Program capped at \$2.5 million.

Student Eligibility:

- A family income at or below 200 percent of the federal poverty level or be eligible for free and reduced price lunch.
- Must be between the ages of five and twenty-two and have attended a public school the previous year or entering kindergarten.

Iowa

Individual School Tuition Organization Tax Credit, 2006

Section 422.11M of the Iowa Code

Program Specifications:

- An individual or corporate tax credit of 65 percent of donation made to scholarship organizations.
- Program currently capped at 7.5 million.
- Before 2009 the program did not include a corporate tax credit. The current law caps corporate donations at 25 percent of the total \$7.5 million available in tax credits.

Student Eligibility

- All students whose total family income is 300 percent below the federal poverty line (family of 4 - approx. 60,000) attending pre-K through 12th grade at any private or public institution.

Program Facts:

- This program was originally capped at 2.5 million in 2006, but was increased to 7.5 million in 2008.
- Approximately 10 thousand scholarships awarded this past year at an average of \$1,184.

Pennsylvania

Educational Improvement Tax Credit (2001) [HB 996](#)

Pennsylvania Public School Code Act 4 and Act 2003-48

Program Specification:

- An annual business tax credit of up to \$300,000, worth 75 cents on the dollar for a one-year donation and 90 cents on the dollar for a two-year commitment.
- The annual cap was set at \$30 million with two-thirds allocated to scholarship organizations and one-third to educational improvement (app. \$19.8 million for scholarships).

- In FY 2009-2010, the program was cut from its previous level of \$75 million taking the total tax credits available through this program to \$60 million, with \$38 million dedicated to scholarships, \$15,600,000 dedicated to innovative educational programs in public schools and \$6,400,000 dedicated to pre-Kindergarten scholarships.

Student Eligibility:

- A student's family income must be below \$60,000 plus an additional \$12,000 per child. Private school students are eligible.

Program Facts:

- In 2006-07, this program allowed the creation of 33,400 scholarships.
- In 2009-2010 the number of scholarships awarded rose to 44,839.
- When the EITC was cut for the 2009-2010 year, the legislature agreed to further reduce the funding level to \$50 million for 2010-2011 with the hope to restore it to its original level of \$75 million the following year.

Rhode Island

Corporate Scholarship Tax Credit, 2006

Title 44-62 of the Rhode Island General Laws

Program Specifications:

- Tax credit available to corporations worth 75 percent of their total contribution to approved scholarship organizations capped at \$100,000 per business.
- If a corporation commits to a two year donation with their second year equal to a minimum of 80 percent of their initial year's donation, they can receive a tax credit worth 90 percent of their total contribution.
- Capped at \$1 million per year.

Student Eligibility:

- Family income of 250 percent of the poverty level.

Program Facts:

- For the 2009-2010 school year, the program has awarded 291 scholarships at an average of \$5,954 to 25 participating private schools.

State Personal Tax Credits and Deductions

Illinois

Education Expense Credit, 1999 (Public Act 093-0871)

Chapter 35 Section 201(m) of the Illinois Compiled Statutes

Program Specification:

- A personal tax credit of 25 percent of "educational expenses" that kicks in after the first \$250 is spent.
- Up to a total of \$500 in tax credits per family
- Covers tuition, books, and lab or activity fees, for students in public and private school.
- Kindergartens to 12th grade students under the age of 21 in an Illinois public or private school are eligible.

Iowa

Tax Credit for Educational Expenses, 1987

Iowa Code, Section 422.12

Program Specification:

- A personal income tax Credit that covers 25 percent of “educational expenses” up to \$250.
- Students in public or private schools are eligible.

Louisiana

School Tuition & Expense Tax Deduction, 2008

Louisiana Revised Statutes 47:293(9) (a) (xiv), (xv), and (xvi); and 297.10 through 297.12

- Eligible family may deduct 50 percent educational expenses up to \$5,000 per child.
- Educational expenses include: school tuition and fees, tuition and fees at university-run “lab schools,” uniforms, textbooks, curricular materials, and school supplies. Eligible home school expenses include textbooks and curricula necessary for homeschooling.
- The deduction cannot exceed family’s total taxable income.
- All students eligible if claimed as dependent.

Minnesota

Kindergarten to 12th Grade Education Deduction (1955) and Tax Credit (1997)

Minnesota Statutes, Section 290.0674

Program Specifications:

- Tax Deduction
 - 100 percent of educational expenses up to \$1,625 for each child in grades K-6 and \$2,500 for each child in grades 7-12.
 - Covers books, tutors, academic after-school programs and camps, music lessons, purchase or rental of musical instruments for a school music class, instructor fees for drivers education, tuition for full-day kindergarten, Kindergarten to 12th grade private school tuition, tuition for college or summer school courses that satisfy high school graduation requirements, some transportation costs, and up to \$200 for personal computer hardware and educational software.
- Tax Credit
 - 75 percent of educational expenses.
 - Includes all aforementioned expenses excluding private school tuition, transportation and tuition for college or summer school.
 - In 1999, the Minnesota tax program was expanded, adding an estimated 35,000 eligible families to the program. Qualifying expenses were also expanded to include tutoring, after-school or summer academic programs, music lessons, and back-to-school supplies. (*Minnesota Statute 290.0674*)

Student Eligibility:

- Tax Deduction
 - All students in Kindergarten to 12th grade students that have attended a school Minnesota, Iowa, North Dakota, South Dakota, or Wisconsin.

- Tax Credit
Families with annual income below \$37,500 and two children in Kindergarten to 12th grade. Income increases in \$2,000 increments per additional child.

Non-Educational State Personal Tax Credits

New York

Empire State Child Tax Credit

Program History:

- In 2006, Governor George Pataki proposed an Education Tax Credit for educational expenses, including tutoring, enrichment, after school activities for all Kindergarten to 12th grade students in any school, as well as tuition at qualifying non public schools.
- The bill was vehemently opposed by a very influential Teacher's Union.
- The Legislature ultimately passed a compromised bill as the "Child Tax Credit" for families with *school aged children* (aged 4-17).
- Expanded for FY 2009

Program Specifications:

- If you claimed the federal child tax credit, the amount of the Empire State child credit is the greater of
 - 33% of the portion of the federal child tax credit attributable to qualifying children, or
 - \$100 multiplied by the number of qualifying children.
- If you did not claim the federal child tax credit but meet all of the other eligibility requirements shown above, the amount of the Empire State child credit is:
 - \$100 multiplied by the number of qualifying children. (NY Dept. Taxation finance)

Student Eligibility:

- Single parents with incomes up to \$75,000, married parents filing separately with an income up to \$55,000 and married parents filing jointly with combined incomes up to \$110,000.

State Special Needs Scholarships

Florida

McKay Scholarship Program for Students with Disabilities, 1998 (Pilot program was 1999-2000 school year)

Current Money Appropriated: \$138.7 million

Original Money Appropriated: \$97.2 million

The amount of the scholarship is equal to the amount the public school would have received for the student OR the amount of the private school's tuition and fees, whichever is less. Parents are responsible for any tuition not covered by the scholarship. Scholarships range from \$5000-\$19,000.

Eligibility Requirements

- The student must have spent the prior school year in attendance at a Florida public school in grades K – 12; meaning, he or she was enrolled and reported by a school district for funding purposes during the preceding October and February full-time equivalent counts.

- The student was served under an Individualized Education Program (IEP) for the previous year.

Number of Scholarships

- Current year* - 20,926
- Since inception** - 141,645

Georgia

Georgia Special Needs Scholarship Program, 2007

Current Money Appropriated: Not available

Original Money Appropriated: \$5.6 million

The scholarship award will be the lesser of either the amount of state funds the public school system received for the student during the prior school year, OR the amount of tuition and fees charged by the private school. Parents are responsible for any tuition not covered by the scholarship. Average scholarship amount received per student: \$6,331.

Eligibility Requirements

- The student's parent(s) currently resides within Georgia and has been a Georgia resident for at least one year.
- The student has spent the entire immediate prior school year in attendance at a Georgia public school in grades K – 12.
- The student was enrolled and reported by a public school for funding purposes for the October and March full-time equivalent counts, or the student was reported as receiving special needs services.
- The student was served under an IEP during the immediate prior school year.

Number of Scholarships

- Current year* - Not available
- Since inception** – 2,288 (2007-2009)

Ohio

Ohio Department of Education Autism Scholarship Program, 2004 (made permanent law in 2009)

Money for the program is paid by individual school districts

The scholarship award is \$20,000 per school year for services that implement the child's IEP, OR the fee charged for the child by the Autism Scholarship Program provider(s), whichever is less.

A child who has been identified as autistic by his/her school district and for whom the school district has developed an IEP is eligible for the program.

Number of Scholarships

- Current year* - 1,600
- Since inception** - 5,565
-

Utah

Carson Smith Special Needs Scholarship Program, 2005

Current Money Appropriated: \$2 million

Original Money Appropriated: \$1.5 million

The scholarship amount is based on the weighted pupil unit (WPU), which determines how much funding per student a Utah public school gets. The student's IEP from public school or

the assessment team determines how many hours of special education services a student would receive:

- If the child would receive three or more hours of special education service per day in a public school, he or she qualifies for a scholarship up to \$6,442.50 (2.5 times the WPU).
- If the child would receive less than three hours of special education service per day, he or she qualifies for a Carson Smith Scholarship up to \$3,865.50 (1.5 times the WPU).

Scholarships cannot be more than the tuition and fees of the private school the student attends. Parents are responsible for any tuition not covered by the scholarship.

Eligibility Requirements

- The child's parent must be a resident of Utah
- The child must be school age: 5 by September 2 and less than 22 by the end of the school year
- The child must have one of the disabilities specified by the program requirements, including a specific learning disability
- The child must:
 - Be enrolled in a Utah public school in the 2009-10 school year, and be admitted to an eligible private school, OR
 - Be enrolled in or be admitted to an eligible private school, and have an assessment team determine that the student would qualify to receive special education services if enrolled in a public school.

Number of Scholarships

- Current year* - 622
- Since inception** - 2,219

*These numbers are as of May 25, 2010. Students may drop out of the program over the course of the year.

**This number reflects the sum of all the children in the program each year since its inception. However, there is overlap between the years since students often stay in the program for more than one year, so numbers do not represent unique individuals.

APPENDIX C

NON-TRADITIONAL RESOURCES FOR NONPUBLIC SCHOOL FUNDING

Beyond the traditional resources for funding of nonpublic schools such as discussed earlier in this report, the commission also sought to identify other lesser-known and non-traditional resources providing a range of programs and services to New Jersey schools.

PROGRAMS OFFERED THROUGH NEW JERSEY STATE GOVERNMENT ENTITIES

This section includes programs at the New Jersey Department of Education, New Jersey Commission on Higher Education, New Jersey Department of State, NJ Department of Agriculture, New Jersey Department of Children and Families, and others.

Because the proposed New Jersey State Budget will not be approved until after the submission of this report, the commission has included all programs that exist at the time of this report. We have noted where funding is proposed to be cut and/or programs eliminated as verified by the New Jersey State Department of Treasury for the upcoming fiscal year. They are included in the hope that budgets and related programs will be restored in future years.

New Jersey Commission on Higher Education

<http://www.state.nj.us/highereducation/>

College Bound Grant Program

The College Bound Grant Program, established in 1986, addresses the educational needs and aspirations of at-risk youth in grades 6-12 in districts formerly known as Abbotts. The grant supports pre-college educational enrichment activities to help ensure completion of secondary school; to increase college admission, retention, and graduation rates of these students; and to encourage the successful pursuit of postsecondary education in the sciences, mathematics, or technology. state wide, the programs serve over 2,000 students. A total of \$3.55 million was appropriated for College Bound in Fiscal 2008. It serves over 2,000 students at these 9 schools:

- Burlington County Community College
- Camden County Community College
- Cumberland County Community College
- Kean University
- Mercer County Community College
- New Jersey City University
- NJIT
- Passaic County Community College
- Rowan University

Dual Enrollment Grants

The Commission on Higher Education is funding programs at 15 New Jersey colleges and universities to create or expand dual enrollment of high school students in courses that award collegiate credit. Dual enrollment enables students to earn college credits while they are still enrolled in high school.

The grant gives priority to programs that target credit bearing courses in mathematics, science, and writing. Colleges will solicit students individually or operate the program through sustainable partnerships with local school districts.

Funds may be used to accommodate substantive meetings with selected school districts, reimburse employees for travel, for additional staff hours worked outside the traditional workday (if applicable), for training of high school teachers who will provide the instruction, and for tuition and books for students with demonstrated financial need. Funds from the grant may not be used to supplant current salaries, for food, or for other activities not directly related to the mission of the project.

The Dual Enrollment Initiative Grant program is funded by a three-year Federal grant. Funds for each grant may cover up to 50% of the program cost, including tuition reimbursement for students with demonstrated financial need. Fifty percent (50%) of the funding must come from partnership institutions, or through need-sensitive tuition revenues. The purpose of the program is to create and grow programs that could be self-sustaining after a potential three year grant cycle, so local funding agreements will be helpful in trying to replicate promising models across the state.

NJ Gear Up

GEAR UP (*Gaining Early Awareness and Readiness for Undergraduate Programs*) is a discretionary grant program funded by the United States Department of Education and administered by the New Jersey Commission on Higher Education. Its goal is to increase the number of low-income students who are prepared to enter and succeed in postsecondary education.

The NJ GEAR UP State Project has been awarded to the New Jersey Commission on Higher Education twice: in 1999 and 2005. In its efforts to prepare students for college, the project works with students, families, and teachers in 30 middle and high schools in five urban centers. The five higher education partner institutions encourage students to obtain college degrees by providing: after-school and Saturday tutoring, summer programs, mentoring, counseling, test preparation, information about financial aid, and college visits. The initiative also emphasizes the importance of taking rigorous high school courses to prepare for postsecondary education and includes scholarships for students who attend eligible New Jersey institutions. NJ GEAR UP also provides professional development for educators within GEAR UP target schools.

NJ GEAR UP students are also eligible for the state's Educational Opportunity Fund (EOF) program, which provides financial assistance and support services including a summer program before the freshman year in college. New Jersey's financial aid agency, the Higher Education Student Assistance Authority, partners with NJ GEAR UP to provide information about how to pay for college in New Jersey.

Parents and teachers of NJ GEAR UP students benefit as well. Parents receive early information about postsecondary education options and availability of financial aid, while teachers receive professional development in core content areas.

- **Gear UP New Jersey Partnership Programs**

A GEAR UP partnership is a locally-designed agreement among colleges and low-income middle schools, plus at least two other partners. These programs and their scholarships are funded through a separate grant offered by the United States Department of Education and are not administered by the New Jersey Commission on Higher Education. The goal of the partnership is to increase college-going rates among low-income youth. Partner organizations may include:

- community organizations
- businesses
- religious groups
- state education agencies
- parent groups
- non-profit organizations.

- **Gear UP Scholarships**
Scholarships are available to students who participated in one of the NJ GEAR UP State Project programs in 7th grade and remained active through their senior year in high school. Students who enroll in a bachelor’s or associate degree program at a licensed, degree-granting college or university in New Jersey and adhere to the guidelines governing the scholarship may receive up to the maximum Pell Grant Award each semester that they are eligible.

Awards are contingent upon federal funding and are not guaranteed. Awards may be renewed for up to 8 semesters for a 4-year degree program and up to 4 semesters for a 2-year degree program. Students must submit the Free Application for Federal Student Aid (FAFSA).

Pre-College Programs

New Jersey offers a wealth of precollege programs designed to provide academic support and enrichment activities to help children prepare for higher education and other opportunities. The intent of this website is to assist families, teachers, guidance counselors, and others in identifying the most appropriate options for their children or students. These programs are sponsored by colleges and universities in New Jersey.

PROGRAM NAME	CITY	INSTITUTION
Biz Ed	Camden	Rutgers University - Camden
CHAMP/GEAR UP	Camden	Rowan University
College Bound	Blackwood	Camden County College
College Bound	Jersey City	Hudson County Community College
College Bound in Burlington County	Pemberton	Burlington County College
Consortium for Pre-College Education in Greater Newark	Newark	Rutgers University - Newark
D.O. ShaD.O.\w Program	Stratford	UMDNJ - School of Osteopathic Medicine
Douglass Science Institute	New Brunswick	Rutgers University - New Brunswick - Douglass Residential College
ECC - College Bound Tech	Newark	Essex County College
EOF Summer Program	Caldwell	Caldwell College
EOF Summer Program	Pomona	Richard Stockton College of New Jersey
G.O.A.L. (Go On And Learn)	Pomona	Richard Stockton College of New Jersey
Gateway	Edison	Middlesex County College
Gloucester City College Bound	Blackwood	Camden County College
Governor's School on the Environment	Pomona	Richard Stockton College of New Jersey
Health Science Careers	Scotch Plains	UMDNJ - School of Health Related Professions (UMDNJ-SHRP)
Middle College Program	Teaneck	Fairleigh Dickinson University
NCRC Career Summer Institute	New Brunswick	Rutgers University - New Brunswick
Pre-medical Honors Program	Newark	UMDNJ - NJMS
Project Acceleration	South Orange	Seton Hall University
Project Adelante	Union	Kean University

Project Science	Jersey City	New Jersey City University
Rutgers Business School Pre-College Program	Newark	Rutgers University - Newark - Business School
Rutgers-Camden Future Scholars	Camden	Rutgers University - Camden
Saturday Academy	Newark	Rutgers University - Newark
Scholars Training and Enrichment Program (STEP)	Newark	Rutgers University - Newark - Business School
The Dorothy Dillahunt Summer Research Program for High School Student	Newark	UMDNJ - NJMS
The NJMS SMART Initiative - Science, Medicine And Related Topics	Newark	UMDNJ - NJMS
The Pre-college Experience	Mahwah	Ramapo College
The Public Health Research Institute Summer Research for High School Students	Newark	UMDNJ - NJMS
The Rutgers Future Scholars Program-Newark Campus	Newark	Rutgers University - Newark
UMDNJ-SOM Medical Science Academy	Stratford	UMDNJ - School of Osteopathic Medicine
UMDNJ-SOM Summer Prep Program	Stratford	UMDNJ - School of Osteopathic Medicine
Upward Bound	Blackwood	Camden County College
Upward Bound	Jersey City	New Jersey City University
Upward Bound	Paterson	Passaic County Community College
Upward Bound for English Language Learners	Camden	Rowan University
Upward Bound-TRIO Programs	Union	Kean University
Urban Pre-College Program	Madison	Fairleigh Dickinson University
Urban Pre-College Program (UPP)	Madison	Fairleigh Dickinson University
Yes We Can College Bound Program	Elizabeth	Union County College
Youth College/Upward Bound	Trenton	Mercer County Community College

Educational Opportunity Fund

The New Jersey Educational Opportunity Fund (EOF) was created by law in 1968 to ensure meaningful access to higher education for those who come from backgrounds of economic and educational disadvantage. The EOF assists low-income residents who are capable and motivated but lack adequate preparation for college study. Helping students succeed and graduate, the EOF supports a wide array of campus-based outreach and support services at institutions.

Students enrolled in an EOF program receive financial assistance through grants ranging from \$200 to \$2,500. These grants are renewable annually based upon continued eligibility. Students also receive support services such as counseling, tutoring, and developmental course work. There are a limited number of student spaces available at each campus program so it is important to apply early. Final determination of eligibility is made by the campus director.

The Fund is distinctive in the comprehensiveness of its approach. To ensure the opportunity to attend college, the Fund provides supplemental financial aid to help cover college costs (such as books, fees, room and board) that are not covered by the state's Tuition Aid Grant program. To ensure a viable opportunity to succeed and graduate, the Fund supports a wide array of campus-based outreach and support services at 28 public and 13 independent institutions.

New Jersey Department of Education

Division of Early Childhood Education (<http://www.state.nj.us/education/ece/>)

The Division of Early Childhood Education (DECE) of the New Jersey Department of Education has programmatic responsibility for preschool through 3rd grade (PK-3) programs. Working with PK-3 programs across the Department of Education, the Division of Early Childhood Education is responsible for the development, implementation, and alignment of program components with a focus on standards, curricula, and assessment.

Online Resources for Professional Development of Pre-K Educators

<http://www.state.nj.us/education/ece/pd/>

Funding for Preschool Education

The 2010 budget recognized that high quality preschool education is vital to improving student outcomes in districts with high concentrations of at-risk students. The 2010 budget provided \$596 million, an increase of over \$46 million, to continue the high level of support for existing preschool programs.

Were funding to become available again to expand the program, nonpublic schools are in a unique position due to a capacity of empty classrooms in existing facilities. Some non-health and safety accommodations such as space requirements, bathroom locations and number of entrances would need to be made in order to take advantage of this situation. It should be noted that many public schools do not have space to operate these programs in existing facilities. Short of building new facilities, the use of nonpublic school settings for these programs would be a cost effective and efficient use of funds.

Commission on Holocaust Education

Holocaust Education

<http://www.state.nj.us/education/holocaust/>

The core mission of the New Jersey Commission on Holocaust Education is to promote Holocaust education in the State of New Jersey. On a continual basis, the Commission shall survey the status of Holocaust/Genocide Education; design, encourage and promote the implementation of Holocaust and genocide education and awareness; provide programs in New Jersey; and coordinate designated events that will provide appropriate "memorialization" of the Holocaust on a regular basis throughout the state. The Commission will provide assistance and advice to the public and private schools and will meet with county and local school officials, and other interested public and private organizations, to assist with the study of the Holocaust and genocide.

The New Jersey Holocaust Commission is an autonomous body operating under its own policies and positions. It acts as a resource to the Department of Education to assist schools with various aspects of meeting the requirements of the mandate to provide Holocaust and genocide education. The commission provides curriculum outlines and suggested activities; identifies and publicizes demonstration sites for other districts to contact; and recommends informational resources and materials for teachers and students to use in the state.

Some of the many programs currently offered:

- Stereotyping: How to Identify and Deal with Stereotyping: A Workshop for Educators
- The 29th Annual Colloquium 65 Years of Bearing Witness: Our Commitment to Human Rights
- Improve Achievement in the Classroom While Teaching About Bias, Prejudice and Intolerance
- 2010 Summer Educators' Institute: Creating Multicultural Learning Environments
- Yankees and Nazis: How Americans Responded to Tragedy, 1933-1945 Some of the many curriculum guides offered:

- Genocide/Slavery Guide
- Amistad Interactive Textbook
- Words for All Time: Lessons of the Holocaust told in Students' Own Words
- Genocide in Darfur, Sudan — Instructional Guide
- Caring Makes a Difference (K-4)
- To Honor All Children (5-8)
- The Holocaust and Genocide: The Betrayal of Humanity (9-12)

Some of the other Guides Available in Hard Copy:

- Hitler Legacy
- Italians and the Holocaust
- The Genocide of the Armenians
- Native American
- The Killing of Cambodia
- The Forced Famine in Ukraine

New Jersey Department of Children and Families

School Based Programs—Funded from the “School Linked Services Program”

- School Based Youth Services Program (SBVSP)
- One school location per county, open to all youth ages 10-19 enrolled in that school only, provides mental health and family counseling services, substance abuse counseling, employment services, pregnancy prevention programs, learning support services, referrals to community based services and recreation.
- Adolescent Pregnancy Prevention Initiative
- This program is available to youth, at-risk or not, enrolled in the school that is home to the APPI program.
- Family Empowerment Program
- This program targets students and families with inter-generational distress related to substance abuse. Provides a comprehensive intervention integrating family, school and community resources—location not mentioned in materials.)
- Newark School-Based Health Centers
- A comprehensive health services program for children ages 0-21, centers located in neighborhood schools.
- Family Friendly Centers
- Afterschool programming for K-S students and their families. Collaboration with host schools and communities provide services in core areas of education, recreation, social services and enrichment.
- NJ Child Assault Prevention Project
- CAP trains children, parents, and teachers to prevent peer assault, stranger abduction and adult assault of children. CAP staff work closely with local school districts, parent/teacher associations, home school groups and other community groups.

Transitional Education Center—Funded under the “School Facilities Education Act”

This program is an alternative, year-round educational program designed to meet the need of an array of “at risk” students. The mission of the TEC program is to provide a comprehensive educational program which provides the at risk adolescent with the skills needed to create a positive life for themselves in order to promote their successful reintegration into future school, work and/or community endeavors.

The program supports and encourages each student to earn a diploma from their local high school or to return to their local districts to complete their education.

TEC programs are located in the following DCF Regional Schools:

- Atlantic Campus
- Cape May Campus
- Monmouth Campus
- Morris Campus
- Warren Campus

Program Objectives

- Serves students between 13 and 21 who have not completed high school;
- Accepts students placed by a Department of Children and Families agency or the courts;
- Accepts students referred by local school districts;
- Provides each student with an educational program based on the curriculum and graduation requirements of their local high school;
- Provides child study team services, as required;
- Provides New Jersey certified teachers;
- Provides an individually designed education program that supports student's strengths while meeting academic, social and employability skill needs;
- Exposes students to technology which supports real life applications;
- Assists students in their transition to post-secondary education or training;
- Teaches students alternatives to asocial behaviors through peer mediation, conflict resolution and drug/alcohol prevention; and
- Links the student with professional and community resources.

Project TEACH (Teen Education and Child Health) — Funded under the “School Facilities Education Act”

Project TEACH is an alternative, year-round education program for pregnant or parenting teens. Project TEACH serves students at risk of school failure.

The mission of the Project TEACH program is to provide a comprehensive educational program which provides pregnant and parenting adolescents with the skills needed to create a positive life for themselves and their children. The program strives to make sure that each student will receive a diploma from her local high school or return to their local school districts to complete their education. In any event, students do not leave the program until a support system is in place for them at home or in the community.

Project TEACH programs are located in:

- Atlantic TEACH Regional School
- Burlington TEACH Regional School
- Cape May TEACH Regional School
- Mercer TEACH Regional School
- Monmouth TEACH Regional School
- Warren TEACH Regional School

Each program:

- Serves students between 13 and 21 who have not completed high school

- Accepts students referred by local school districts and placed by a Department of Human Children and Families agency or the court
- Limits class size to no more than 12 girls at any one time
- Provides specialized case management services to support pre and post natal linkages to community resources and transitional support
- Provides each student with an educational program based on the curriculum and graduation requirements of her local high school
- Provides Child Study Team services, as required
- Provides NJ Certified teachers

Project TEACH licensed child care centers provide:

- On site care for infants 6 weeks to 2 1/2 years of age
- Primary care giving by well-trained 'educares'
- A loving, safe and stimulating environment
- Individualized age and developmentally appropriate curriculum

Students can enroll in Project TEACH anytime after they find out they are pregnant. Infants, and "expected" infants, are automatically enrolled into the licensed child care center with a student's acceptance into Project TEACH and available space in the nursery.

Technology for Life and Learning Center (TLLC)

Funded under the "School Facilities Education Act"

TLLC makes assistive technology services available to all students served by the Office of Education's educational programming. Services are specifically geared towards students with disabilities that affect communication, learning, academic achievement, and access to the environment. Services can be provided at OOE and in the referred student's school.

The TLLC provides two distinct programs: Augmentative and Alternative Communication (AAC) and Assistive Technology Educational Achievement Model (ATEAM). Both provide diagnostic and intervention services to enable students to become proficient users of assistive technology tools/strategies, thereby increasing their function in identified areas.

The AAC team works in consultation with staff to determine student need. Specifically, the TLLC will consult with program staff to create a plan for each student with regard to communication.

The ATEAM provides assistive technology services to ensure that students with disabilities, regardless of type or severity, have access to curriculum. The ATEAM will consult with educational program staff to ensure students are appropriately considered for assistive technology.

Once a student is identified by the MC Team or ATEAM, the process includes:

- evaluation of students' needs and skills;
- evaluation of use of assistive technology devices/strategies related to students' needs and skills in the areas of communication, access, and/or learning;
- development of a program to enhance communication and/or academic achievement/learning;
- student and staff training regarding the operation and integration of technology and strategies into classroom activities;
- a trial period with recommended technology; and
- ongoing technical assistance.

Both the MC Team and the ATEAM provide general services to DCF educational programs regarding technology related to communication, access to learning, and/or other areas as requested. Services may include:

- assisting staff in the process of assistive technology decision-making during the IEP process;
- recommendations for technology and tools to be used for classroom instruction;
- system operation and integration training related to technology used for classroom instruction; and
- recommendations for school-based technology purchases.

New Jersey Department of State

Office of Programs

- Amistad Commission

Note: There is no funding for this program in the proposed 2011 Budget.

The Amistad Commission ensures that the Department of Education and public schools of New Jersey implement materials and texts which integrate the history and contributions of African-Americans and the descendants of the African Diaspora. The Goals of the Commission include:

- To infuse the history of Africans and African-Americans into the social studies curriculum in order to provide an accurate, complete and inclusive history.
- To ensure that New Jersey teachers are equipped to effectively teach the revised social studies core curriculum content standards.
- To create and coordinate workshops, seminars, institutes, memorials and events which raise public awareness about the importance of the history of African-Americans to the growth and development of American society in global context.

The Amistad Exemplary Practices Grant

To ensure that New Jersey teachers are supported to effectively teach the revised social studies core curriculum content standards via the Amistad curriculum, to provide funding and programmatic assistance to teachers we offer the Amistad Annual Exemplary Awards. Up to 10 recipients are selected each year to receive the \$5000 grant to enhance their programmatic initiatives in the classroom. The New Jersey Amistad Commission will identify and catalog exemplary practices in schools across the state that incorporate and infuse African American history into the school's curriculum and lesson delivery. The purpose of this program is to recognize and celebrate the excellence achieved by New Jersey's public schools and to make information available describing designated exemplary practices readily accessible to educators throughout the state. Information describing the Amistad Commission's exemplary practices is available to all schools and the public.

Exemplary practices are those exemplary and/or innovative strategies that (1) infuse African-American history into the school's curriculum; (2) promote high student achievement; (3) address specific educational needs of students and the Core Curriculum Content Standards; (4) yield documented results meeting set objectives, and (5) can be replicated. Any New Jersey teacher, group of teachers, or school is eligible to participate. The competition is open to public schools serving students in pre-kindergarten to grade 12. The practice must have been in place for a minimum of one year prior to submission. Only one application per applicant may be submitted. Commercially developed practices will not be considered. In addition practices that are solely implemented around black history month will not be considered. There is no limit to the number of teachers within a school or district that may propose a practice for consideration.

- New Jersey Martin Luther King Commemorative Commission

Note: There is no funding for this program in the proposed 2011 Budget.

- The mission of the New Jersey Martin Luther King, Jr. Commemorative Commission is to raise public awareness of the ideals and philosophy of Dr. Martin Luther King, Jr. This includes:
 - A commitment to preserving constitutional freedoms for all Americans.
 - Assisting all components of American society to embrace Dr. King's messages on achieving social justice through nonviolent activism.
 - Celebrating our diversity, promoting education as well as accepting and appreciating others.
 - Helping youth make a difference in their lives and inspiring them to contribute to the well being of their families, schools, communities and government.
 - Encouraging the citizens of New Jersey to recognize their commonalities and to appreciate the potential strength of the racial, ethnic and cultural diversity that so richly enhances our great state and nation.

- V-Free Mini Grant Program

The V-Free Mini-Grant program was designed to help students develop projects and promote activities aimed at fostering positive environments in their schools and communities that are free of violence, vandalism and victimization. Any student or youth group, with the help of a teacher or advisor, can apply for a mini-grant. Funds range from \$1,500 to \$3,000 Martin Luther King, Jr. Youth Leadership Conference

In an effort to encourage youth to make daily positive choices, the King Commission hosts the regional Martin Luther King, Jr. Youth Leadership Conference throughout the academic school year at various colleges across the state. This conference targets high school students' grades 9-12 and is intended to motivate the youth to stay in school and make positive choices that will lead to a successful tomorrow. Students will take part in a variety of workshops such as planning for college, funding their college education, as well as, character and leadership development. The conference will be hosted in the North, Central and Southern New Jersey at various collegiate institutions.

- New Jersey Commission on American Indian Affairs

Note: There is no funding for this program in the proposed 2011 Budget.

Access to all resources through NJ Commission on American Indian Affairs website:

<http://www.state.nj.us/state/divisions/community/indian/>

The mission of the New Jersey Commission on American Indian Affairs is to ensure that the American Indian Tribal members and communities within the State of New Jersey have full opportunities for their own cultural, educational, social, economic, physical, mental health, and welfare development, as well as continue to contribute to and participate in the on-going life and development of the state's extended family.

NJ Historical Commission

All resources may be accessed through the NJ Historical Commission website:

<http://www.nj.gov/state/divisions/historical/>

- History Kids

An interactive, multimedia website for students in grades K-4, incorporating the New Jersey Core Curriculum Content Standards.

- Around and About NJ
These teaching guides were produced in connection with the Around and About New Jersey television series, eight, fifteen minutes programs, intended for elementary school students. However, they can be used independently from the television programs. Each guide contains a summary of the topic, suggested lessons and activities, primary source documents, maps, and illustrations.
- New Jersey Legacy
These teaching guides were produced in connection with the New Jersey Legacy television series, which traces the history of New Jersey from 1609 to the present. However, they can be used independently from the television programs. The guides are intended for middle and high school students. Each guide contains a summary of the topic, suggested lessons and activities, primary source documents, maps, and illustrations.
- NJ History Partnership Project
This interactive, multimedia website was produced by the New Jersey History Partnership Project, a collaboration of the Montville Township School District, Kean University, and the New Jersey Historical Commission. Funded by a Teaching American History grant from the U.S. Department of Education, it is intended for middle and high school students. The website contains topic summaries, suggested lessons and activities, bibliographies, primary source documents, maps, and illustrations on three units: the American Revolution, the Market Revolution, and the Progressive Era.
- A Topical Guide to Materials for Teaching New Jersey History
This two part guide is organized as follows: Part I is organized by topics and includes materials suitable for use in kindergarten through fourth grade. Part II is organized chronologically and by topic. Each topic is subdivided into two sections: (a) materials suitable for use in grades 5 through 8 and (b) materials suitable for use in grades 9 through 12.
- New Jersey History Syllabus Repository
 - History of New Jersey - Brookdale Community College
 - History of New Jersey - Seton Hall University
 - New Jersey from the Civil War to the Present - Drew University
 - New Jersey History course at Fairleigh Dickinson University

NJ State Council on the Arts

Access to all programs through the NJ State Council on the Arts website:

<http://www.njartscouncil.org/>

The Council's Arts Education Program is an expression of its strong, ongoing commitment to the goal of quality arts education for all New Jersey residents and of its unshakeable belief that arts education is fundamental to a sound and complete education for all students. To achieve this goal the Council works with a broad array of partners and collaborators including the NJ Department of Education and seeks in all that it undertakes to help schools meet the NJ Core Curriculum Content Standards in the Visual and Performing Arts as well to bolster curriculum in the literary arts. The Council seeks to achieve these goals through three principal means:

- A battery of Arts Education Cosponsored Programs carried out in partnership with numerous private non-profit organizations that place teaching artists in schools and after school settings, support teacher training, artist training, education reform, arts education advocacy and the development of model schools;
- Grants that include General Operating Support and Special General Program Support in

the category of Arts Basic to Education and Arts Education Special Initiative Grants to discipline-specific organizations to encourage their greater involvement with and impact on New Jersey schools;

- Funding policies and overall grant support that encourage, reward and help underwrite the vast array of arts education programs provided by arts organizations and community groups.

- Arts Basic to Education Grants

The Arts Basic to Education (ABE) category supports the operations of non-profit organizations (not schools) that have a focus on making the arts a basic part of a sound, quality education by providing school-time and school-based arts programs for students in pre-kindergarten to grade 12 that are directly connected to the curriculum and/or to professional development for teachers. Those programs provide direct learning about art, art forms, and the processes of creating and expressing art (not the learning of other subjects through arts) by teaching artists.

While such activities as student assembly programs, one-time or short-term workshops are important, valuable and much-needed supplements to arts education, the ABE category supports and encourages longer-term in-school programs that lead to further development of core curriculum in the arts and help meet school-defined goals. Therefore ABE stresses a direct and usually longer-term relationship between the non-profit provider of the arts learning experience and the educational institution. An ABE organization's program should be grade and learning level appropriate and taught in a sequential manner. The teaching artists involved should be reviewed for their artistic and education abilities and prepared to collaborate with teachers.

- Arts Education Special Initiative Grants (AESI)

Recipients of GOS or GPS are eligible to apply for this to support new or expanded programs that make substantial contributions to quality arts education in schools. This grant category intends to aid arts organizations in developing their full potential as community resources to educational systems throughout New Jersey and create a stronger infrastructure for arts education statewide.

- Arts Education Co-sponsored Programs

Through the Council's many co-sponsored projects in arts education, several important objectives are achieved: the annual placement of scores of professional artists in classrooms everywhere, the professional training of artists and educators to work effectively together, support for arts education advocacy and literacy in the arts, statewide focus on key issues, the creation of model, arts-infused schools, and more.

- Artists in Education (AIE)

AIE is the cornerstone of the overall NJSCA Arts Education Program and is cosponsored with the AIE Consortium consisting of two arts education organizations: Arts Horizons and Young Audiences New Jersey. Through this Artists-in-Education Residency grant program practicing professional artists are placed in long-term residencies (20-100 days) in schools across the state. Residencies are offered in all disciplines and at all grade levels. All schools can apply for one-year residencies. Those schools with experience working with artists are eligible to apply for 2-year sequential residencies, and those with little or no experience can apply for 2-year Planning & Implementation (P & I) grants. Artists eligible to conduct these residencies will have been approved through a peer panel process conducted by the Council.

- Residency Artists Certification

AIE residency artists are selected through a rigorous peer panel review process administered by the NJSCA. Applicants are evaluated for both the quality of their artwork and their ability to create lively, substantial and sequential arts programs in collaboration with teachers in educational settings.

- Artist Teacher Institute (ATI)
ATI is cosponsored with Arts Horizons, and is a 30 year old program in which educators participate in hands-on, intensive creative experiences with master teaching artists in order to grow artistically and as educators. The Institute is a non-residential, 10-day experience offered annually in both North and South Jersey. Teachers, school administrators, teaching artists and student teachers experience first-hand the process of learning through the arts. Daily discipline-based workshops are enhanced by sessions on important educational issues and critical topics in arts education. In addition, fall and spring follow up sessions are held at both sites.
- New Jersey Writers Project (NJWP):
The Council's longest standing partnership, the NJWP is cosponsored with Playwrights Theatre of NJ. It places poets, prose writers and playwrights in more than 150 schools and other learning environments in all 21 counties each year. In basic residencies, a writer spends 1 day planning and conducting a teacher-training workshop and 4 days teaching 4 classes in the craft of their genre. The NJWP also offers Sand 12 day writing residencies. Many schools are expanding beyond this basic format by adding public readings by students, workshops for parents and other site-specific activities. Special focused residencies are offered for Spanish speaking students, the critical elementary grades, students with special needs, and under-served communities.
- Greater Camden Area Artists in Education Program
This program, cosponsored with the Perkins Center for the Arts provides in-school short, medium and long term artist residencies in Camden, Burlington and Gloucester Counties with special emphasis on Camden City.
- Arts Creates Excellent Schools (ACES)
Arts Creates Excellent Schools (ACES) supports the development of arts-centered schools and provides technical assistance, leadership and dissemination of information on models of school reform through the arts. ACES is conducted in partnership with the AIE Consortium (Arts Horizons and Young Audiences NJ) and the New Jersey Department of Education. The ACES models developed by the three ACES pilot sites (Woodrow Wilson School, Union City School District; Logan Township Elementary School, Logan Township School District; and Glen Rock School District) will be available on the ACES homepage to be launched on the Department of Education web site.
- New Jersey Arts Education Collective (NJAEC)
The Collective is a partnership of 11 non-profit organizations whose mission is to provide the highest quality professional development for members of the arts and education community. The vision of the NJAEC is to provide a network of support that strengthens the field of arts education by developing skills and sharing resources through meetings, trainings and seminars. Professional development topics focus on current issues such as education reform movements, reaching all students, best practices for teaching artists, and building strong partnerships with schools and communities. At the heart of the NJAEC is the belief that Teaching Artists offer a unique contribution to New Jersey's students, teachers and communities by providing essential learning experiences in and through the arts.
- Poetry Out Loud
The National Endowment for the Arts and The Poetry Foundation have partnered with State Arts Agencies to support Poetry Out Loud, which encourages the nation's youth to learn about great poetry through memorization and performance. This program helps students master public speaking skills, build self-confidence and learn about their literary heritage. New Jersey Poetry Out Loud (NJPOL) was launched by the New Jersey State Council on the Arts, in partnership with Playwrights Theatre of NJ/New Jersey Writers Project, in 2006. NJPOL is a statewide

program, conducted with a growing partnership that includes the New Jersey Theater Alliance, Discover Jersey Arts and New Jersey Network. All NJ public and private high schools are eligible to participate. Students compete in classroom and school-wide competitions. The New Jersey state champion will advance to the National Finals in Washington D.C.

New Jersey State Museum

Access to all programs and scheduled through the New Jersey State Museum website:

<http://www.state.nj.us/state/museum/index.htm>

Offers educational programs at no or low cost to all schools and families including planetarium programs, natural history programs, archaeology programs, and fine art programs. Educators may borrow traveling exhibits, apply for scholarships and bus stipends for class trips.

NJ DEPARTMENT OF AGRICULTURE

USDA Fresh Food and Vegetable Program <http://www.fns.usda.gov/cnd/ffvp/ffvpdefault.htm>

The Department of Agriculture's Food and Nutrition Service (FNS) administers the Fresh Fruit and Vegetable Program (FFVP) at the national level. Within participating states, FFVP is primarily administered through State Departments of Education. Texas and New Jersey are the exceptions, where FFVP is administered by their Departments of Agriculture.

FFVP can be an important catalyst for change in our efforts to combat childhood obesity by helping children learn more healthful eating habits. The Program has been successful in introducing school children to a variety of produce that they otherwise might not have the opportunity to sample.

The various partnerships that FNS and state agencies have developed in the public and private sectors, as well as the dedicated work of school administrators, have contributed to the overall success and acceptance of the program. FFVP is consistent with and supports the recommendations of a recent report by the Institute of Medicine (IOM) to provide healthier snack choices in schools, including fruits and vegetables.

INDEPENDENT AND/OR COMMUNITY-BASED PROGRAMS AND SERVICES

New Jersey Governor's School

<http://www.state.nj.us/govschool/index.html>

The New Jersey Governor's School is a summer residential program for students who completed their junior year in high school. The curriculum emphasizes problem-solving, leadership training, and team interaction.

There are currently three Governor's Schools, each with a different academic emphasis:

- The Governor's School in the Sciences at Drew University focuses on such subjects as chemistry, physics, mathematics, quantum mechanics, combinatorics, and molecular orbital theory.
- The Governor's School on the Environment at The Richard Stockton College of New Jersey exposes students to intensive course in national/urban ecosystems, pollution, geopolitics of space, and the international food/water crisis.
- The Governor's School of Engineering and Technology on the Busch Campus of Rutgers, The State University of New Jersey

All applicants must be in their junior year of high school and a resident of New Jersey. Student tuition is covered by the program for accepted students.

Celebrate NJ! School Programs

Celebrate NJ! is a non-profit organization whose mission is to promote the best of New Jersey for generations to come. The organization makes available to all New Jersey schools, a range of no-fee, online programs designed to enhance curriculum-based learning in the areas of language arts literacy, social studies, science, and computer technology. For more information: www.celebratenj.org.

Programs include:

- 4th Grade NJ Studies Writing Program and Contest www.cnjgrade4.com
- STEP (Science, Technology, Environment Program) for Middle Schools www.cnjstep.com
- Classroom Connection Pen Pal Program www.cnjgrade4.com

NJ Center for Civic and Law-Related Education <http://civiced.rutgers.edu/>

A range of programs designed to enhance the teaching of civics, law, justice, citizenship, history, government and humanities in New Jersey Kindergarten to 12th grade schools through professional development programs for New Jersey teachers and legal resource people, and through statewide civic and law-related programs for students.

The New Jersey Center for Civic and Law-Related Education is located on the Livingston Campus of the Rutgers University in Piscataway, New Jersey. Created in 1990, the Center has provided training in LRE curriculum materials and teaching strategies to more than 5,000 educators and resource people, who have a direct impact on more than 500,000 students each year. The Center is affiliated with the LRE National Training and Dissemination program. The Center's programs are supported by grants, contracts and registration fees. The Center is a registered provider of professional development programs with the New Jersey Department of Education.

NJ After 3 Program

Note: There is no funding for this program in the proposed 2011 Budget.

In 2004, New Jersey After 3 was created to expand learning time through high-quality, cost-effective afterschool programs across urban, suburban and rural communities. As the first statewide public/private partnership of its kind in the nation, New Jersey After 3 works with public schools and community-based non-profits to deliver effective, research-based afterschool programs each school day, expanding learning time for thousands of students by more than 40% in 114 public schools statewide.

New Jersey After 3 programs: (1) keep children safe between the hours of 3 pm and 6 pm; (2) improve student achievement; (3) support working families; and (4) promote positive youth development.

New Jersey After 3 programs provide a unique environment where students find relevance in their math, reading and science classes, while immersing themselves in other subjects which no longer fit in the traditional school day frame. Fitness, arts, and character education curricula are thriving throughout the statewide network as 45 non-profit partners share their ongoing research, experience and best practices.

Liberty Science Center

Since 1998, Liberty Science Center, in collaboration with the New Jersey Department of Education, has undertaken one of the most extensive science education projects found anywhere in the nation.

With annual funding support from the New Jersey state government, Liberty Science Center provides New Jersey's most at risk students, along with their teachers and families, with onsite, offsite and online programs. By addressing the science education needs of these traditionally under-served children, we are endeavoring to improve their futures while helping to develop the well-qualified workforce needed by New Jersey companies.

In addition to onsite field trips, Liberty Science offers schools that are within a 125-mile radius of Jersey City, a number of Traveling Science Programs (for classrooms or entire schools). They also offer Electronic Field Trips (EFT5), interactive lessons delivered directly to students at school via videoconferencing. They are broadcast live from LSC exhibition floors or the laboratory setting in the Jennifer A. Chalsty Center for Science Learning and Teaching. Science educators help students explore a range of dynamic cross-curricular themes.

New Jersey State Chamber of Commerce

LearnDoEarn Program for Middle School and High School
www.learndoeearn.org

LearnDoEarn ensures that students use their middle and high school years to build the academic momentum they need to take them into and through college or into high-wage jobs. LearnDoEarn provides students with the information they--and their parents and teachers-- need to make the best possible research-based academic, behavioral, career, and financial decisions in middle and high school.

LearnDoEarn is a powerful suite of programs that will help inform, motivate, and guide students as they navigate their way toward the world beyond high school. LearnDoEarn uses eye-popping data to provide students with a statistical rationale, and makes a compelling case, for why they have no choice but to work hard and take challenging courses in mathematics, science and language arts if they want to be ready for college, ready for work, and ready for life.

Resources Available to Non-profit and Faith-based Organizations

Technology- free or low cost

- **HARDWARE**
 - **Tech Soup: Technology for Non-Profits, Refurbished Computers:**
<http://www.techsoup.org/stock/rci/>
 - **Tech Soup for Faith-Based Organizations, Technology Donations Program:**
<http://www.techsoup.org/stock/faithbased.asp?cg=sp>
 - **Computers for Classrooms:**
<http://www.computersforclassrooms.org/index.html>
 - **MacTreasures: Donated Macintosh computer equipment**
<http://www.mactreasures.com>
 - **Computers for Learning: Donation of surplus federal computers**
www.computers.fed.gov/School/general.asp
- **WEB HOSTING**
 - Free server for non-profits:
DreamHost: <http://www.dreamhost.com/hosting-nonprofit.html>

- Free webpages and blogs:
Wordpress: <http://www.wordpress.com>

Green Grant Programs for Schools- (Available at time of report)

- HP and DoSomething.org Challenge students to “Green” schools DoSomething.org and Hewlett-Packard have announced a new campaign designed to challenge teens to find new and innovative ways of conserving energy while reducing waste in their schools. In addition to traditional “green” projects such as recycling programs and community gardens, teens will be encouraged to explore ways of using technology to save energy. <http://www.dosomething.org/increaseyourgreen>
- Clorox Announces 2010 Green Heroes Grant Program
Grants totaling \$60,000 will be awarded to individuals, organizations, and schools across the United States working to make their communities a greener place to live....
<http://www.facebook.com/greenworks>
- Entries Invited for America’s Greenest School Contest
A grant of approximately \$20,000 plus a hybrid school bus and green audit by a LEED accredited professional will be given to a Kindergarten to 12th grade school nominated by its students for efforts to make it a greener place. www.americasgreenestschool.com

Service Learning Grants (Available at time of report)

- Habitat for Humanity and State Farm Offer Service-Learning Partnership Grants
With the support of State Farm, Habitat for Humanity International is offering a Service-Learning Partnership Grant program to provide funds for teachers and schools interested in developing and implementing service-learning projects in partnership with their local Habitat affiliate.

For the 2010-11 school year, teachers and local Habitat affiliates can jointly apply for a one-year grant of up to \$7,000 to cover educational expenses associated with the service-learning project. Of that, a maximum of \$5,000 may be used as support for the local Habitat affiliate. In addition, partnerships can apply for an additional travel scholarship grant of \$1,000 for teachers and affiliate staff to attend either the National Service-Learning Conference presented by the National Youth Leadership Council or the Youth Leadership Conference hosted by Habitat for Humanity International.

Eight Service-Learning Partnership grants will be awarded for the 2010-11 school year to new recipients. In addition, five grants will be awarded to schools that received a Service-Learning Partnership grant prior to 2010. Only one grant will be awarded per school system or affiliate, although the grant may involve multiple teachers and classrooms. Grants may be renewed at the end of the year. Service-Learning Partnership information and application are available at the Habitat Web site.

Miscellaneous Goods

- NAEIR: Donations of excess inventory from corporations
www.naeir.org
- FREecycle NETWORK: <http://www.freecycle.org/>
The Freecycle Network™ is made up of 4,793 groups with 7,208,000 members across the globe. It’s a grassroots and entirely non-profit movement of people who are giving (& getting) stuff for free in their own towns. It’s all about reuse and keeping good stuff out of landfills. Each local group is moderated by a local volunteer. Membership is free.

Finding Resources for Non-profits and Schools

- Foundation Center: www.foundationcenter.org
- Guide for Grants for Religion, Religious Welfare & Religious Education
http://foundationcenter.org/marketplace/catalog/product_downloadable.jhtml?id=prod2360009
- Blue Avocado Non-profit Magazine: www.blueavocado.org
- Grant Station: www.grantstation.com
- Education Grants: www.grantsalert.com