



**Planning for Quality:
Ensuring the Educational Adequacy for
All Abbott Preschool Facilities**

Cynthia Rice, Senior Policy Analyst
Association for Children of New Jersey

www.acnj.org

Joan Ponessa, Director of Research
Education Law Center
www.edlawcenter.org

September 2004

Planning for Quality: Ensuring the Educational Adequacy for All Abbott Preschool Facilities

THE ISSUE

Since 1999, the implementation of high quality early childhood programs for 3 and 4 year olds living in New Jersey's poorest school districts have been required by the Supreme Court case of Abbott v. Burke (*Abbott V*)ⁱ. Part of the high quality equation includes that all children are housed in "educationally adequate facilities."

Little is known, however, about the facilities housing nearly 70% of Abbott preschoolers. These children's classrooms are located in buildings owned or leased by community providers or Head Start programs that subcontract with Abbott districts to provide early childhood programsⁱⁱ. As the sixth year of Abbott preschool begins, no analysis has been completed to ensure that these buildings are physically adequate to support the educational program required by the Supreme Court for these 3 and 4 year olds.

THE PROBLEM

While public preschool classrooms were assessed for educational adequacy in 1999, such an assessment was not required for community-based classrooms. Last year, the New Jersey Department of Education (DOE) collected a minimum amount of information on these buildings in the provider budget worksheets for the 2003-2004 school year. These worksheets were required to be completed by every Abbott subcontracting center and included information on whether the providers leased or owned their buildings and the number of Abbott classrooms in each facility. Analyzing the data collected from the worksheets is a first-step in better understanding the status of these facilities in both the district level and the state as a whole.

Building Status Ownership of Providers

Nearly two-thirds of Abbott provider facilities throughout the 30 districts are currently leased. (Table 1) Of the 537 Abbott preschool providers, 356 lease their facilities. Only 167 or 31 percent own them. In three of the four largest Abbott districts, (Jersey City, Newark and Trenton) the percentage of leased facilities is more than 63 percent. Of these three districts, Jersey City has the highest percentage of leased facilities. Of its 74 providers, 64 or 86 percent, lease their facilities and only 10 (14 percent) own them. (Figure 2)

The leased/owned issue is not exclusive to the larger Abbott districts. Many small and mid-sized districts are subcontracting with a high percentage of provider programs that lease their facilities. For example, all five of Harrison's providers lease their facilities. In Union City, 91.2 percent of community preschoolers rent their classrooms. Similarly in New Brunswick, 89.4 percent lease their facilities.

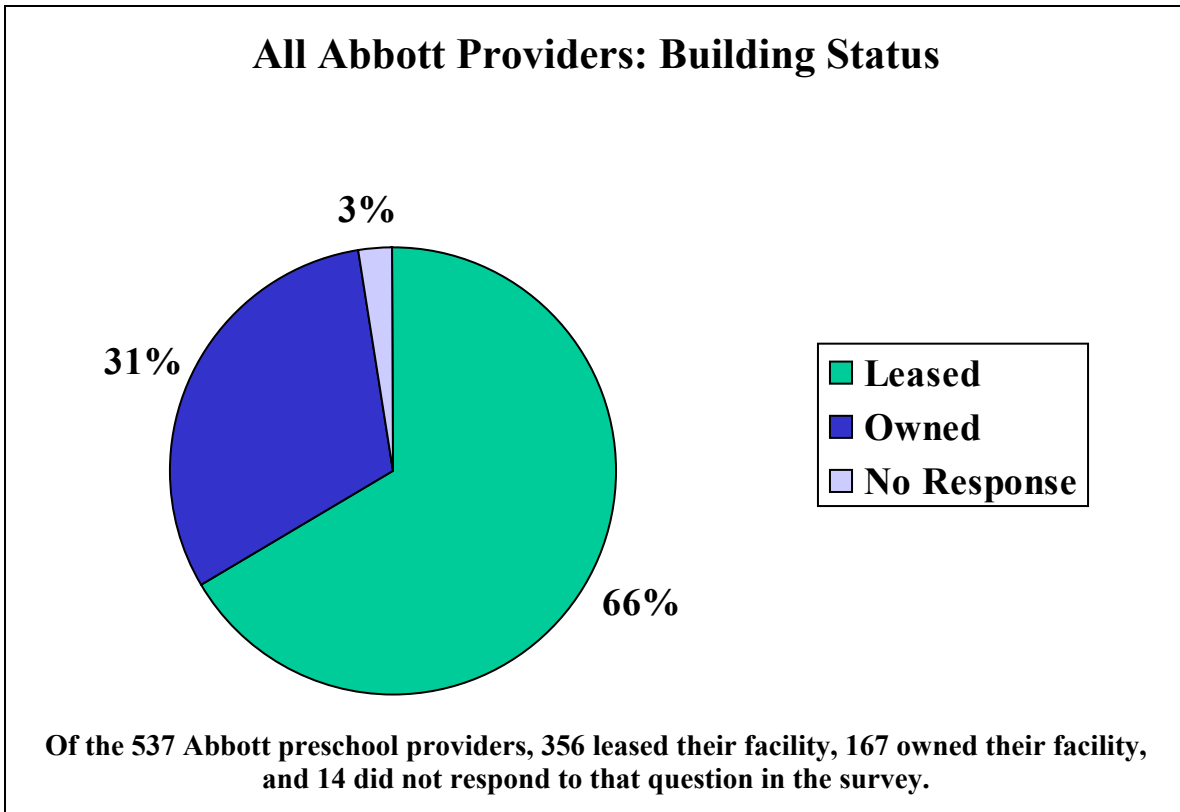
Table 1.

Status of Building Ownership for Preschool Providers Surveyed by DOE

District	Number of Providers Worksheets Completed	Number of Abbott Preschool Classrooms	Buildings Leased	% of total	Buildings Owned	% of total
Asbury Park	8	35	4	50	4	50
Bridgeton City	10	23	7	70	3	30
Burlington City	1	2	1	100	0	0
Camden City	36	91	14	39	22	61
East Orange	13	64	9	69	4	31
Elizabeth	10	37	6	60	4	40
Garfield City	2	10	1	50	1	50
Gloucester City	NP					
Harrison Town	5	22	5	100	0	0
Hoboken	8	27	4	50	2	25
Irvington	32	108	27	84	5	16
Jersey City	74	191	64	86	10	14
Keansburg	NP					
Long Branch	NP					
Millville City	6	17	3	50	3	50
Neptune Twp.	3	10	3	100	0	0
Newark	92	342	58	63	32	35
New Brunswick	19	94	17	89	2	11
Orange	17	53	13	76	4	24
Passaic	9	48	3	33	3	33
Paterson	48	245	16	33	28	58
Pemberton	4	13	2	50	1	25
Perth Amboy	4	15	1	25	3	75
Philipsburg Town	7	16	5	71	2	29
Plainfield City	17	74	13	76	4	24
Pleasantville City	7	17	4	57	2	29
Trenton	38	95	24	63	14	37
Union City	35	112	32	91	3	9
Vineland City	13	69	5	38	8	62
West New York	19	54	15	79	3	16
State Totals	537	1884	356	66	167	31

Data provided by the New Jersey Department of Education from the 2003-2004 budget forms
Note: Numbers may not add up to total because some providers did not answer question on DOE's worksheet

Figure 2.



Currently, the lease/own issue is critical in determining which buildings have access to facilities dollars. Pursuant to the Educational Facilities Construction and Financing Act (EFCFA), which authorizes \$6 billion in bond financing for Abbott school facilities, only preschool facilities owned and operated by a community provider can have access to these facilities dollarsⁱⁱⁱ. The availability of preschool facilities funding as interpreted by the DOE and the Schools Construction Corporation (SCC)^{iv} has limited the opportunities and the potential development of facilities projects outside the public schools. Preschool classrooms housed in leased facilities are prohibited from applying for school construction funds to improve or expand their building. Thus, the facilities housing 70 percent of the Abbott preschoolers have no access to funds in order to comply with the "educational adequacy" standard of the Court^v.

Summary of Preschool Facilities Planning Standards

- 950 Sq. Ft. Classrooms
- Classrooms no higher than second floor of building
- Attached toilet room
- Operable windows with inside locks
- Outdoor play space (100 sq.ft. per child using the space at any one time)
- Natural light
- Storage space for equipment; separate teacher storage area

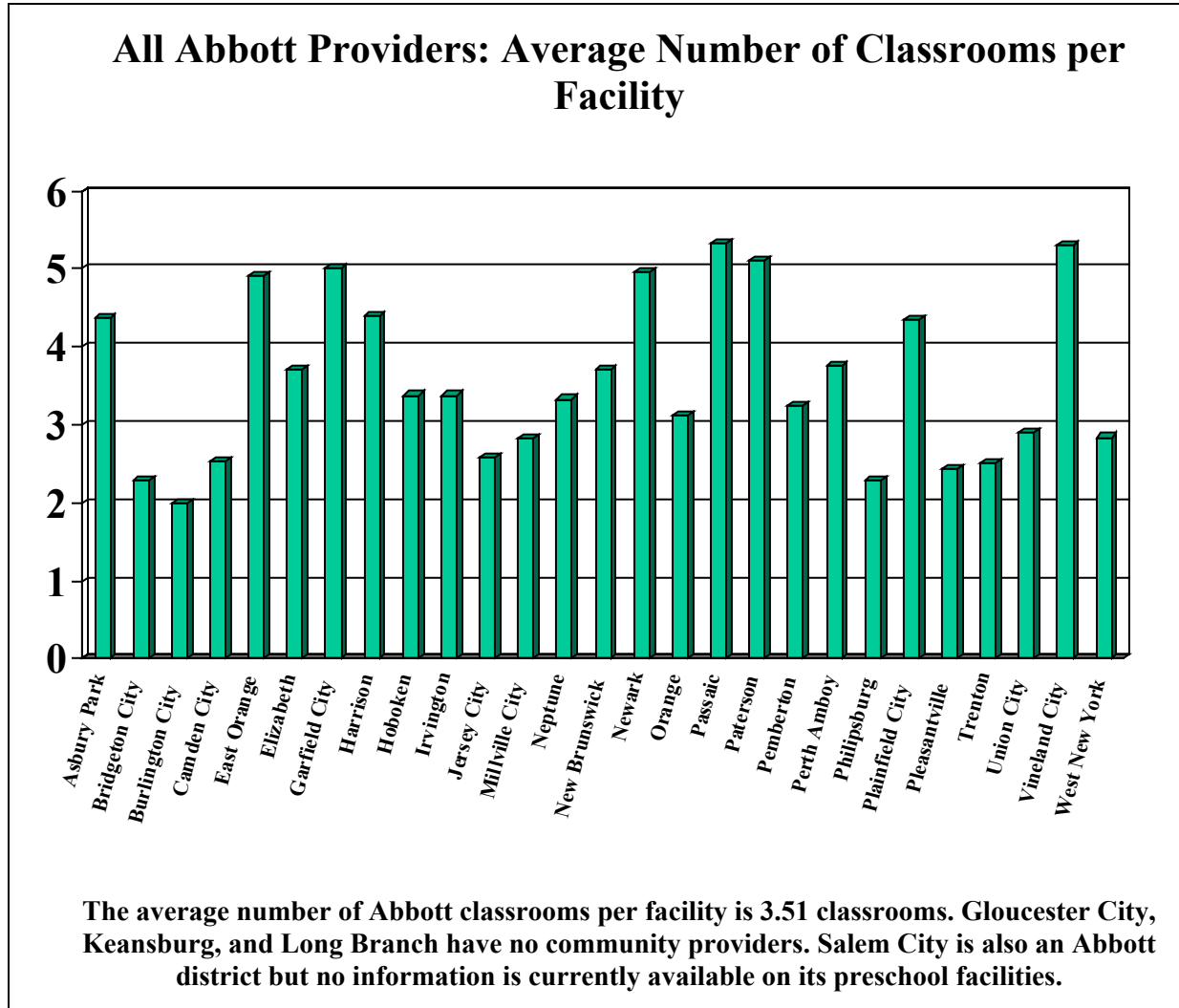
(These standards supplement the requirements mandated by the Department of Human Services.)

Moreover, preschool facilities standards were adopted by the state Board of Education in May 2004^{vi}. While these standards list preschool facilities requirements, including minimum square footage, bathroom and window requirements, natural light and outdoor play space, they only apply to the design and construction of new facilities or additions to existing facilities.

The Number of Abbott Preschool Classrooms Per Facility

Throughout the 30 Abbott districts, the average number of provider preschool classrooms per facility is 3.51 classrooms. (Salem City is a new Abbott district and was not included) The range, however, varies greatly. While Passaic's average is 5.33 classrooms per facility, Bridgeton's is only 2.3 classrooms per facility. (Figure 3)

Figure 3.



Two of the four largest school districts fall below the state average. As Figure 4 illustrates, Trenton only averages 2.5 classrooms per facility and Jersey City averages 2.58 classrooms per facility.

The issue becomes more problematic when evaluating the actual number of provider facilities with the capacity to house large numbers of preschool classrooms within their buildings. Recently, the DOE has been concerned about the economic efficiencies of funding smaller preschool programs. Regulations now require that any new Abbott subcontracting agency must have a minimum of six preschool classrooms.^{vii}

Figure 4.

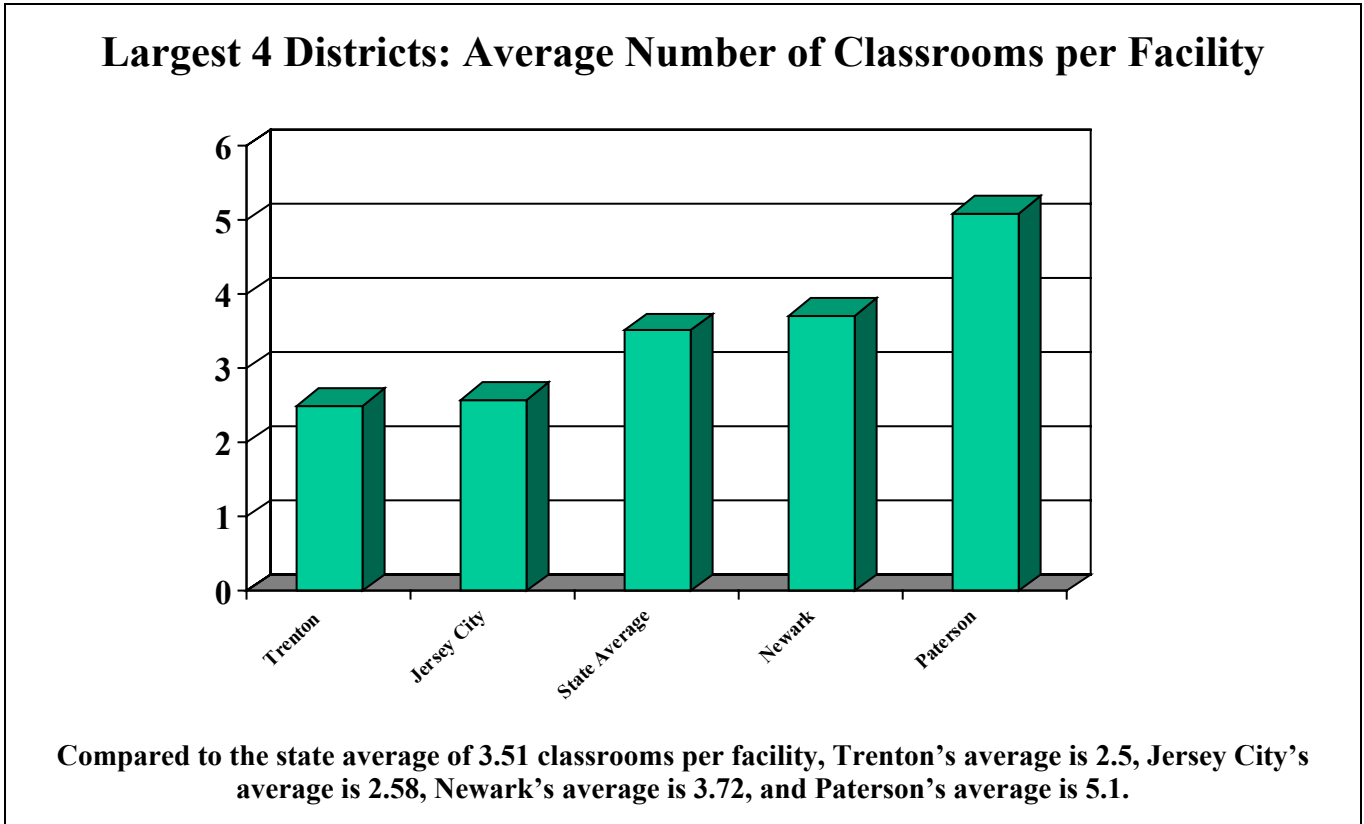
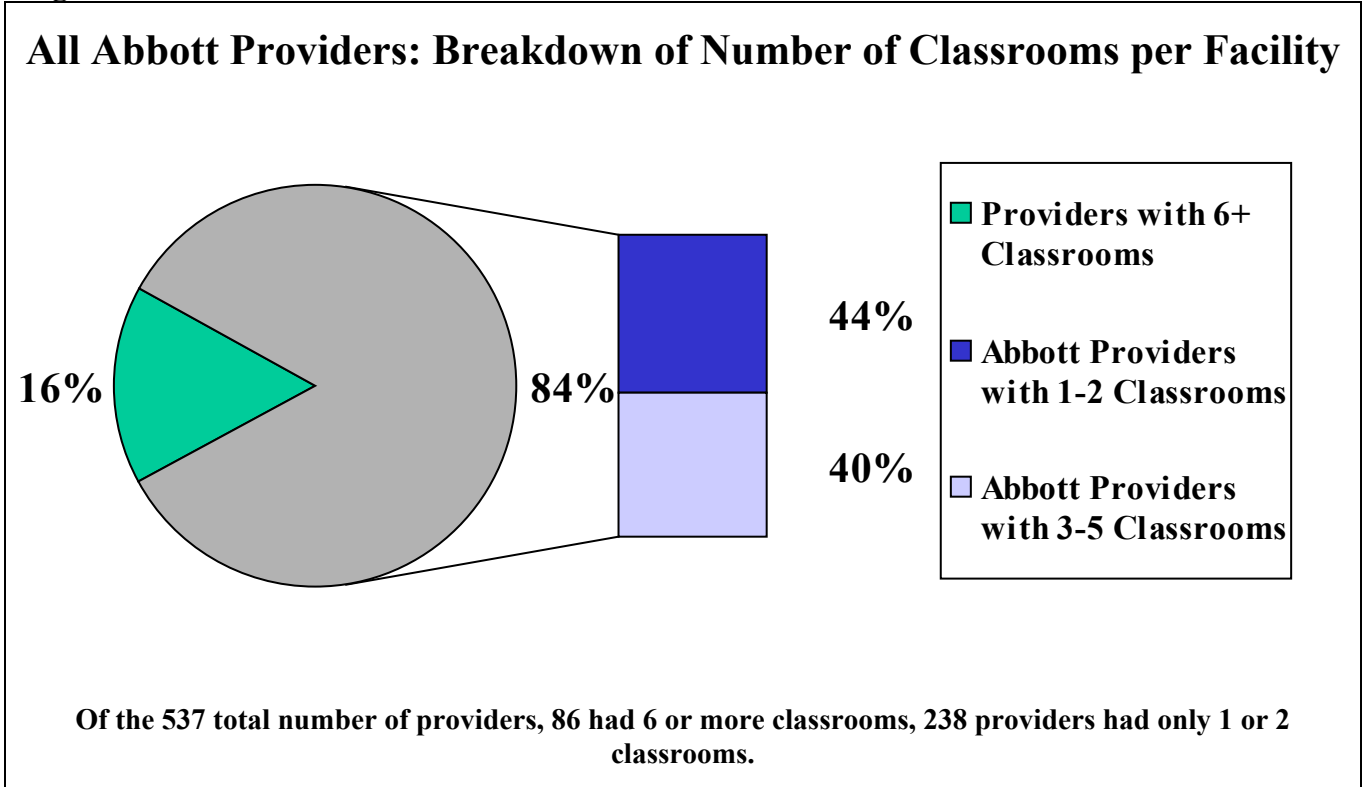


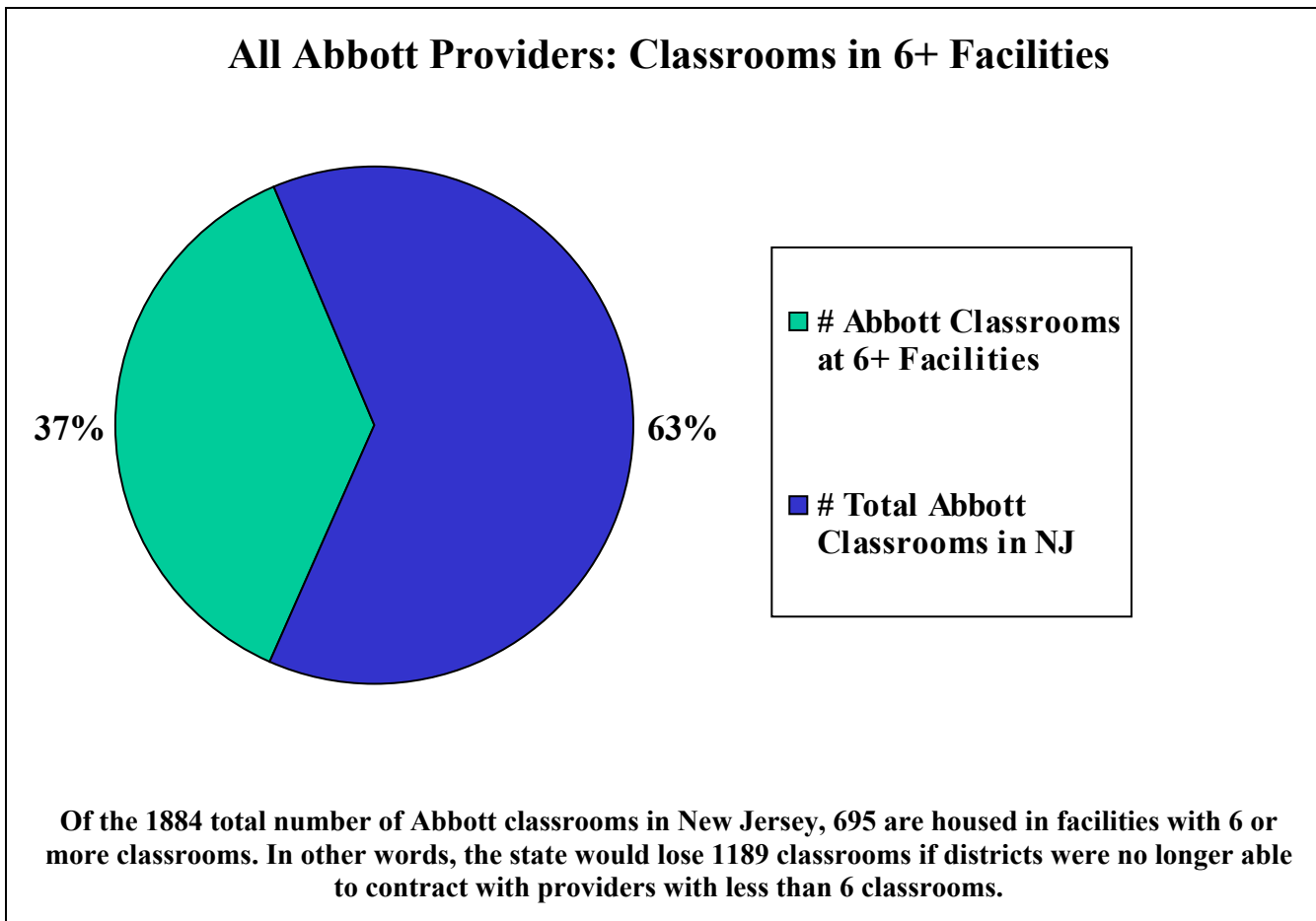
Figure 5.



However, most districts rely heavily on smaller programs. Currently, only 16 percent of the total number of Abbott providers has six or more classrooms. Of the 537 total number of provider facilities only 86 had six or more classrooms. (Figure 5)

Moreover, 15 of the Abbott districts had either no providers or just one provider with six or more classrooms. Only Newark, Paterson and New Brunswick were subcontracting with more than five providers that have six or more classrooms in their facilities. When broken down by classroom, of the 1,884 total number of Abbott preschool classrooms, 695 or 37 percent are housed in facilities with six or more classrooms. (Figure 6)

Figure 6.



Again, this problem is exacerbated in Trenton and Jersey City. Of Trenton's 38 providers, only three, or approximately 8 percent of the total, have six or more classrooms. Only 22 of its 95 preschool classrooms are housed in larger provider facilities. In Jersey City, the problem is worse. Of its 74 providers, only four, or 5 percent, have six or more classrooms. When broken down by classroom location, only 28 of Jersey City's 191 preschool classrooms are located in these four centers. (Figures 7 and 8)

Figure 7.

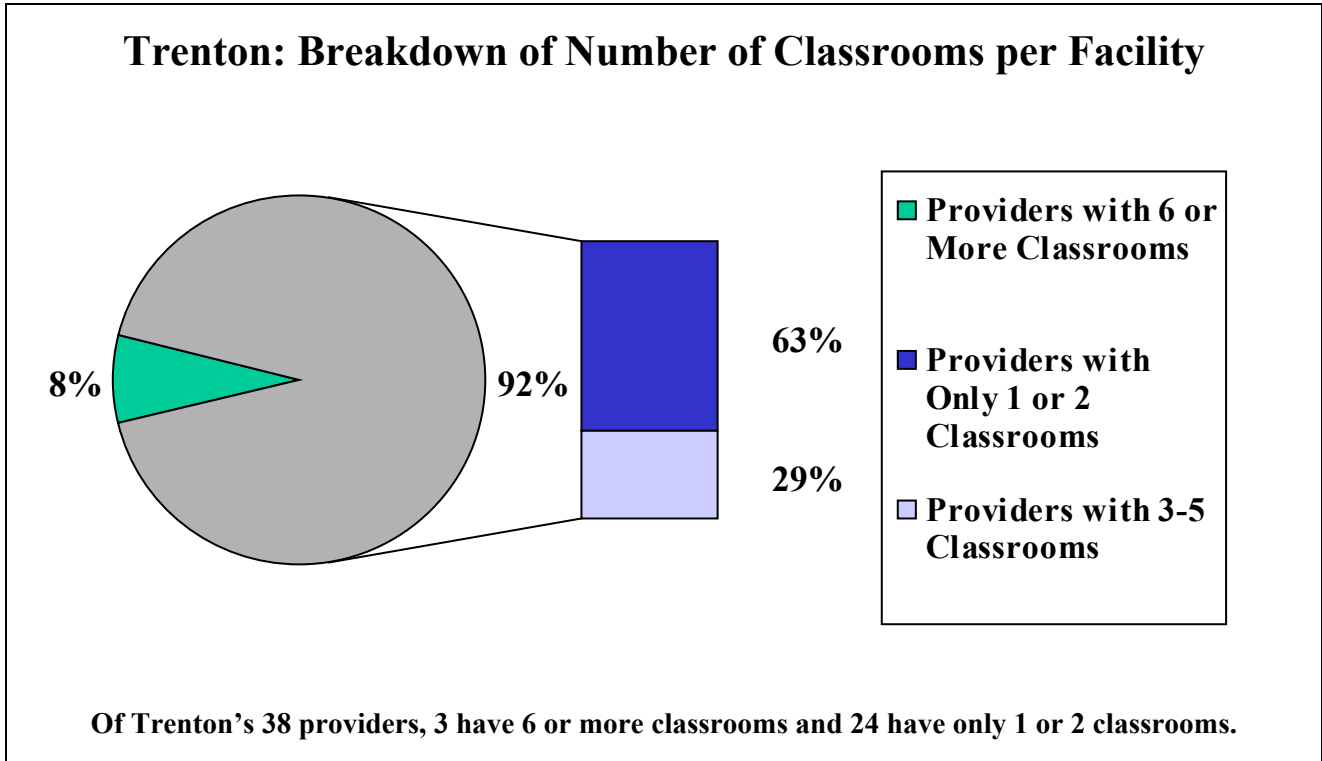
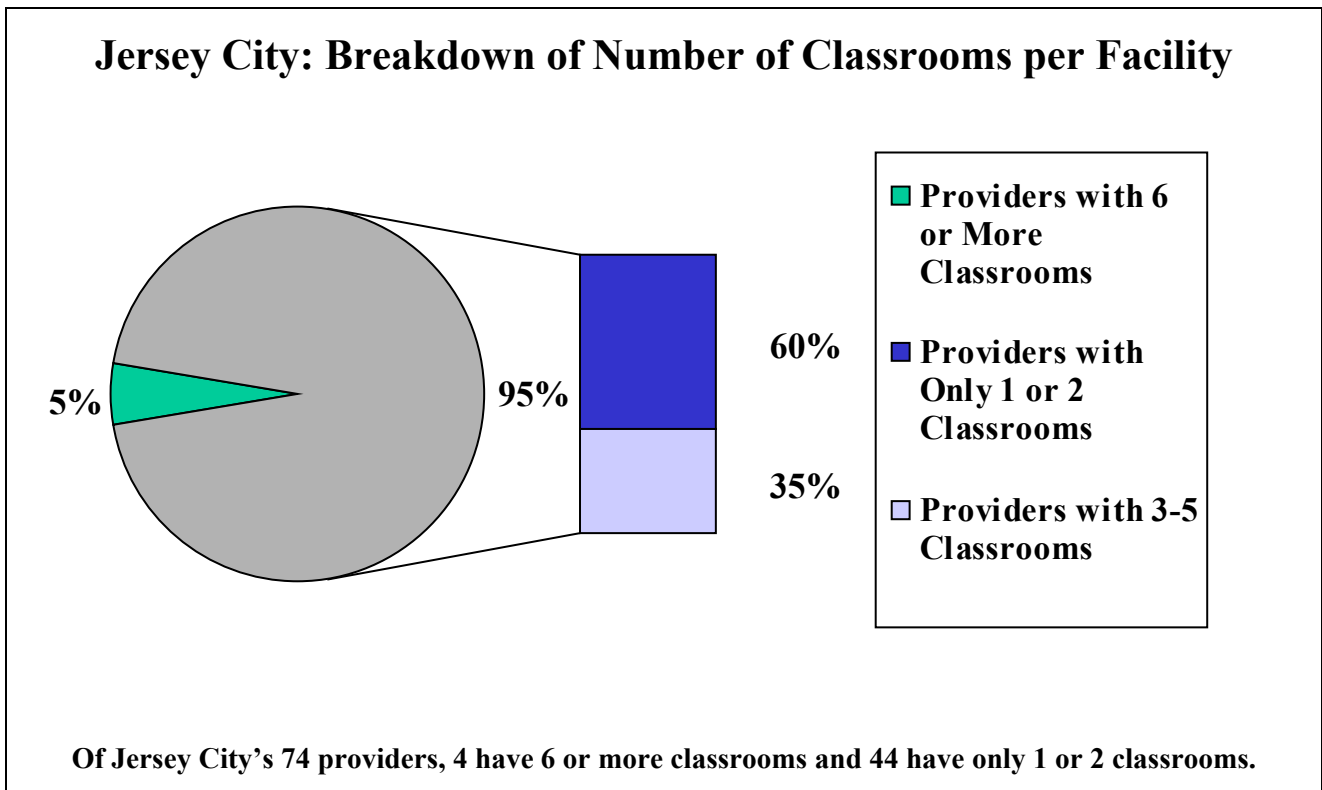
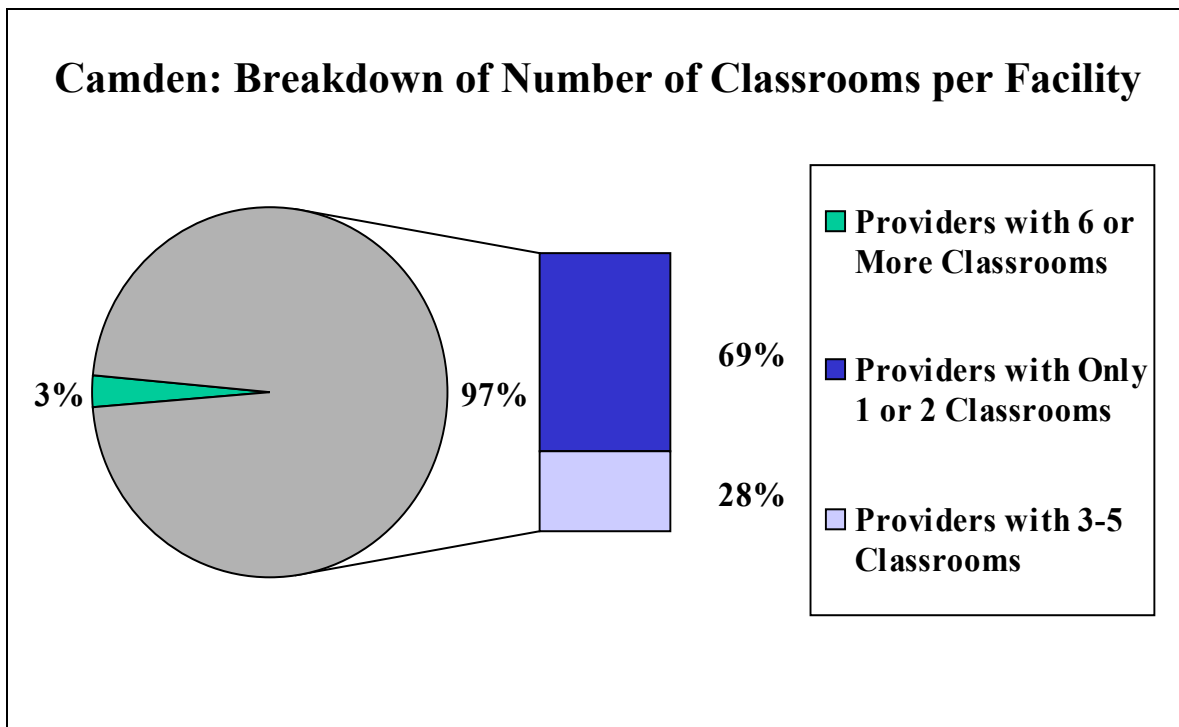


Figure 8.



The reality of the Abbott collaborative model is that most districts rely heavily on programs with limited number of classrooms. Throughout the districts, there are an inadequate number of larger provider programs that can meet the enrollment needs of the Abbott preschool population. Currently, 44 percent, or 238 of the total number of Abbott providers, have only one or two classrooms. This dependence on smaller programs is particularly prominent in some of the larger Abbott districts. In Camden, 25 of its 36 subcontracting facilities, nearly 70 percent, contain one or two classrooms. (Figure 9) In Trenton, 24 of its 38 providers, or about 63 percent, have one or two classrooms. Of Jersey City's 74 providers, 44 or 60 percent have one or two classrooms.

Figure 9.



This data sheds new light on how difficult and unrealistic it is for most districts to move towards subcontracting with larger providers. In most Abbott districts, without the smaller providers, the Abbott preschool program would not be able to meet its existing enrollment numbers.

Newark's Preliminary Preschool Facilities Assessment

This spring, the Newark Public Schools completed a preliminary facilities assessment of 90 subcontracting provider centers. The assessment found that 79% of the centers in Newark have adequate outdoor play areas, 58% have adequate natural light, and only 36% have toilets in classrooms. 29% of the centers have classrooms in the basement, 70% have classrooms on the first floor, and 24% on the second floor. Two of the centers have classrooms on the third floor.

These findings raise serious questions about the educational adequacy of many of these centers. The ability of the teachers in these centers to provide young children with the required program can be seriously jeopardized if its facility is substandard.

Results from Newark's Survey of Abbott Preschool Providers		
		Percent of Total
Number of Centers	90	
Number of Centers Owned	31	34%
Facilities Include Adequate Outdoor Play Area	71	79%
Classrooms Have Adequate Natural Light	52	58%
Facilities Have Toilets in Classrooms	32	36%
Number of Centers With Classrooms In:		
Basement	26	29%
1st Floor	63	70%
2nd Floor	22	24%
3rd Floor	2	2.2%
Data provided by Newark School District		

Just using staff time to accompany children to bathrooms outside the classroom is an obstacle to full implementation of a quality program. Basement classrooms and lack of outdoor play areas are also barriers to delivery of a quality program.

THE OPPORTUNITY

During this school year, all districts will be preparing district-wide long-range facilities planning (LRFPs). These plans must be submitted to the DOE by October 2005^{viii}. From now until October 2005, Abbott districts have the opportunity to carefully consider how and where they envision their preschool programs to be housed in the future. In order to ensure that the preschool component of their LRFPs is well planned and comprehensive, districts need adequate information to make informed decisions. Data on existing preschool facilities is critical to meet that end.

Long Range Facilities Planning

Every district in New Jersey will be required to develop a new district-wide long range plan by October 2005 to address each district's facility needs for the school years 2005-2006 through 2009-2010. Each plan must contain a list of all schools, the physical condition of each building, school enrollments, school capacities, locations, educational programs currently offered and proposed programs. The plans must also address the need for preschool classrooms, both district classrooms and community provider classrooms, to accommodate all 3 and 4 year olds in spaces that reflect DOE's preschool planning standards.

RECOMMENDATIONS

While the DOE's data collection provides a glimpse of the providers' facilities, it is only the first step in assessing whether these facilities meet the educationally adequate standard required by Abbott V. In order to adequately plan for Abbott preschool programs, the following is a list of recommendations that must be taken to move preschool facilities towards the Court's mandate:

- **Each district must complete a baseline facilities screening process that assesses key indicators, including classroom space configurations and size, natural lighting/outdoor connection and outdoor play space.** This initial screening would provide the districts with information to develop a master preschool facilities plan based on the DOE Preschool Facilities Planning Standards.
- **The DOE must develop a standard preschool facilities assessment instrument for provider buildings.** This is critical to ensure that every district collects the same information on their provider facilities. By using one instrument, the DOE will ensure a unified assessment for comparing facilities' needs between districts. Newark's assessment instrument, with minor adjustments, could be used as a framework for the development of a statewide instrument. This instrument should be presented to the districts as soon as possible, and be incorporated in the DOE's long-range planning software, presently being developed.
- **Districts must develop long-term preschool facilities plans.** Collecting the preliminary facilities data to gauge educational adequacy is not enough. With the majority of Abbott preschoolers being housed in leased facilities, a solution must be found to ensure that these children are in educationally adequate classrooms. With the help of the district's Early Childhood Advisory Council, each district should develop a long-term plan for Abbott preschool programs - a framework for where their preschool children will be housed over the next decade.
- **The facilities plans must be inclusive.** The district must include all provider buildings that will continue to be used to house Abbott preschoolers in their LRF if upgrading is required and possible. The district must plan for additional spaces either by converting other buildings, or new construction to accommodate "unhoused" students in programs run by providers. Leasing district-owned and upgraded buildings to providers is one option available.
- **A state advisory council/committee must be convened to address continued facilities funding barriers.** Facilities funding for preschool classrooms outside the public schools is difficult and requires creative solutions and alternative funding mechanisms developed by districts, the state and all stakeholders working together. More options for correcting deficiencies and upgrading providers' buildings are necessary for districts. Additional funding options must be explored by the State to support upgrading eligible providers' buildings. A state advisory council/committee should be convened to develop these much-needed solutions. Such a committee should be chaired by a representative of the SCC, and have as

its members both early childhood and facilities stakeholders, including state representatives, Head Start, provider representatives, district administrators, New Jersey Community Capital, New Jersey Institute of Technology, Local Initiatives Support Corporation (LISC), and the Housing Community Development Network. Such a council would be charged to develop potential alternatives and funding remedies to ensure that every Abbott preschooler, regardless of where they are housed, goes to school in an educationally adequate facility.

The recommendations are not meant to supplant providers under contract with the districts that are providing quality programs but to find ways to move toward equity in the facilities for all preschool children.

ⁱ Abbott v. Burke, 153 N.J.480(1998) also see <http://www.edlawcenter.org> for more information.

ⁱⁱ “The Abbott Preschool Program: Fifth Year Report on Enrollment and Budget” (October 2003) at <http://www.edlawcenter.org/ELCPublic/Publications/PDF/PreschoolFifthYearReport.pdf>

ⁱⁱⁱ “NJDOE Rules Neglect Preschool Facilities Needs” (January 2004) at http://www.edlawcenter.org/ELCPublic/elcnews_040109_PreschoolFacilitiesReport.pdf

^{iv} “ELC Comments on School Construction Corporation’s Proposed Regulations on Community Provider Facilities” (August 2003) at http://www.edlawcenter.org/ELCPublic/ELCNews_ProposedRules_030806.pdf

^v “Breaking Ground: Rebuilding New Jersey’s Urban Schools” at http://www.edlawcenter.org/ELCPublic/Publications/PDF/BreakingGround_April2004.pdf

^{vi} NJAC 6A:26-6.4 <http://www.state.nj.us/njded/code/title6a/chap26/amendment2/>

^{vii} NJAC 6A:26-3.11 <http://www.state.nj.us/njded/code/title6a/chap26/amendment2/>

^{viii} “The Long Term Facilities Planning Process: A Guide to Improving Education While Improving Communities (May, 2004), http://www.edlawcenter.org/ELCPublic/AbbottSchoolFacilities/FacilitiesPages/Resources/LRFP_Framework.pdf