

ASSEMBLY, No. 2640

STATE OF NEW JERSEY 212th LEGISLATURE

INTRODUCED FEBRUARY 23, 2006

Sponsored by:

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

SYNOPSIS

Permits the consolidation of the boards of education of a county vocational school district and a county special services school district into one board.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning county vocational school districts and county
2 special services school districts and supplementing chapters 46
3 and 54 of Title 18A of the New Jersey Statutes.

4
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*
6 *of New Jersey:*

7
8 1. a. Notwithstanding any provisions of law to the contrary, a
9 board of chosen freeholders may, by resolution, establish one board
10 of education for the county special services school district
11 established pursuant to section 1 of P.L.1971, c.271 (C.18A:46-29)
12 and the county vocational school district established pursuant to
13 chapter 54 of Title 18A of the New Jersey Statutes. This board of
14 education shall be known as “The Board of Education of the Special
15 Services School District and the Vocational School District of the
16 county of...” This board shall have all the powers, functions and
17 duties provided to a board of education of a county special services
18 school district pursuant to article 8 of chapter 46 of Title 18A of the
19 New Jersey Statutes and a board of education of a county vocational
20 school district pursuant to article 3 of chapter 54 of Title 18A of the
21 New Jersey Statutes.

22 b. The consolidated board of education established pursuant to
23 subsection a. of this section shall consist of the county
24 superintendent of schools, ex officio, and six persons to be
25 appointed by the chief elected executive officer of the county, or the
26 director of the board of chosen freeholders, with the advice and
27 consent of the remaining members of the board of chosen
28 freeholders, as appropriate to the appointment procedures
29 established by the form of government of the county. In any county
30 having a county mental health board, the chairman thereof, or his
31 designee, shall also serve as an ex-officio, nonvoting member of the
32 board. At least three of the appointed members shall have an
33 interest in children with an educational disability or in the field of
34 mental health and at least three of the appointed members shall have
35 an interest in the field of vocational education. The appointed
36 members shall serve for terms of three years and shall continue to
37 serve until their successors are appointed and qualify. A vacancy in
38 the board shall be deemed to exist, and shall be filled, in the manner
39 prescribed in P.L.1979, c.302 (C.40A:9-12.1).

40 Each appointed member shall be a citizen and resident of the
41 county and shall have been a citizen and resident for at least two
42 years immediately preceding becoming a member of the board. If
43 an appointed member ceases to be a resident of the county,
44 membership on the board shall cease.

45 c. Of the initial members appointed to the board of education
46 established pursuant to subsection a. of this section, two shall serve
47 a one-year term, two shall serve a two-year term, and two shall
48 serve a three-year term. Thereafter when a term of one of the

1 appointed members expires, the vacancy shall be filled as provided
2 pursuant to this section and the member shall serve a three year
3 term from November 1 next succeeding the date of his appointment.
4

5 2. Whenever a board of education is established pursuant to
6 subsection a. of section 1 of this act, the board of education of the
7 county special services school district and the board of education of
8 the county vocational school district shall be dissolved upon the
9 first organization of the consolidated board.
10

11 3. Each board of education established pursuant to subsection a.
12 of section 1 of this act shall organize annually on November 1 by
13 the election of a president and vice-president, unless November 1
14 falls on Sunday, in which case the board shall organize on the
15 following day.

16 If the organization meeting cannot take place on the day
17 hereinabove provided for by reason of a lack of a quorum or for any
18 other reason, the meeting shall be held within 3 days thereafter.
19

20 4. If a consolidated board of education is established pursuant to
21 subsection a. of section 1 of this act, the county special services
22 school district and the county vocational school district shall
23 continue to be funded, operated, and maintained as independent
24 school districts.
25

26 5. If a board of chosen freeholders establishes a board of
27 education pursuant to subsection a. of section 1 of this act,
28 whenever in any law, rule, regulation, contract, document, judicial
29 or administrative proceeding or otherwise, reference is made to the
30 board of education of the county special services school district, the
31 same shall mean and refer to the consolidated board.
32

33 6. Notwithstanding any provision of this chapter to the contrary,
34 a board of chosen freeholders may, by resolution, establish one
35 board of education for the county special services school district
36 established pursuant to section 1 of P.L.1971, c.271 (C.18A:46-29)
37 and the county vocational school district established pursuant to
38 chapter 54 of Title 18A of the New Jersey Statutes, according to the
39 provisions of sections 1 through 4 of P.L. , c. (C.) (pending
40 before the Legislature as this bill).
41

42 7. If a board of chosen freeholders establishes a board of
43 education pursuant to subsection a. of section 1 of P.L. , c.
44 (C.) (pending before the Legislature as this bill), whenever in any
45 law, rule, regulation, contract, document, judicial or administrative
46 proceeding or otherwise, reference is made to the board of
47 education of the county vocational school district, the same shall
48 mean and refer to the consolidated board.

1 8. The State Board of Education shall promulgate rules pursuant
2 to the "Administrative Procedure Act," P.L.1968, c.410 (C.52:14B-
3 1 et seq.), to effectuate the provisions of this act.

4

5 9. This act shall take effect immediately.

6

7

8

STATEMENT

9

10 This bill will permit a board of chosen freeholders to consolidate
11 the boards of education of the county special services school district
12 and the county vocational school district into a single board. The
13 board will be known as "The Board of Education of the Special
14 Services School District and the Vocational School District of the
15 county of ...". This board will have all the powers, functions and
16 duties provided pursuant to law to a board of education of a county
17 special services school district and a board of education of a county
18 vocational school district.

19 The consolidated board will consist of the county superintendent
20 of schools, ex officio, and six persons to be appointed by the chief
21 elected executive officer of the county, or the director of the board
22 of chosen freeholders, with the advice and consent of the remaining
23 members of the board of chosen freeholders, as appropriate to the
24 appointment procedures established by the form of government of
25 the county. In any county having a county mental health board, the
26 chairman thereof, or his designee, will also serve as an ex-officio,
27 nonvoting member of the board. At least three of the appointed
28 members will have an interest in children with an educational
29 disability or in the field of mental health and at least three will have
30 an interest in the field of vocational education. The appointed
31 members will serve for terms of three years.

32 If the board of chosen freeholders establishes a consolidated
33 board pursuant to the provisions of this bill, the county special
34 services school district and the county vocational school district
35 will continue to be funded, operated, and maintained as independent
36 school districts.