

§§1-7 -
C.18A:46-47 to
18A:46-53
§§8,9 -
C.18A:54-12.1 &
18A:54-12.2
§10 - Note to
N.J.S.18A:4-15

P.L. 2007, CHAPTER 222, *approved January 3, 2008*
Senate Committee Substitute (*First Reprint*) for
Senate, No. 460

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

EXPLANATION – Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

¹ Senate floor amendments adopted February 27, 2006.

1 members shall serve for terms of three years and shall continue to
2 serve until their successors are appointed and qualify. A vacancy in
3 the board shall be deemed to exist, and shall be filled, in the manner
4 prescribed in P.L.1979, c.302 (C.40A:9-12.1).

5 Each appointed member shall be a citizen and resident of the
6 county and shall have been a citizen and resident for at least two
7 years immediately preceding becoming a member of the board. If
8 an appointed member ceases to be a resident of the county,
9 membership on the board shall cease.

10 c. Of the initial members appointed to the board of education
11 established pursuant to subsection a. of this section, two shall serve
12 a one-year term, two shall serve a two-year term, and two shall
13 serve a three-year term. Thereafter when a term of one of the
14 appointed members expires, the vacancy shall be filled as provided
15 pursuant to this section and the member shall serve a three year
16 term from November 1 next succeeding the date of his appointment.
17

18 2. Whenever a board of education is established pursuant to
19 subsection a. of section 1 of this act, the board of education of the
20 county special services school district and the board of education of
21 the county vocational school district shall be dissolved upon the
22 first organization of the consolidated board.
23

24 3. Each board of education established pursuant to subsection a.
25 of section 1 of this act shall organize annually on ¹~~November~~
26 July¹ 1 by the election of a president and vice-president, unless
27 ¹~~November~~ July¹ 1 falls on Sunday, in which case the board shall
28 organize on the following day.

29 If the organization meeting cannot take place on the day
30 hereinabove provided for by reason of a lack of a quorum or for any
31 other reason, the meeting shall be held within 3 days thereafter.
32

33 4. ¹Nothing in this act shall be deemed to authorize the
34 consolidation of a county special services school district and a
35 county vocational school district into one school district.¹ If a
36 consolidated board of education is established pursuant to
37 subsection a. of section 1 of this act, the county special services
38 school district and the county vocational school district shall
39 continue to be funded, operated, and maintained as independent
40 school districts.
41

42 ¹5. All employees of a board of education dissolved pursuant to
43 this act shall continue in their respective assignments in the county
44 special services school district or the county vocational school
45 district. A consolidated board of education established pursuant to
46 this act shall recognize, preserve, and maintain all rights to tenure,
47 seniority, pension, leaves of absence, and all other terms and
48 conditions of employment, whether created by statute, regulation,
49 contract, or past practice. Any periods of employment with a board

1 of education dissolved pursuant to this act shall count toward the
2 acquisition of tenure and any other rights, benefits, or emoluments
3 to the same extent as if all employment had been with the
4 consolidated board of education established pursuant to this act.¹

5
6 '6. All collective bargaining units and their respective majority
7 representatives in existence in the county special services school
8 district and the county vocational school district prior to the
9 consolidation of the boards of education shall be maintained
10 without change under a consolidated board of education established
11 pursuant to this act, unless they are otherwise altered through an
12 appropriate petition to the Public Employment Relations
13 Commission for a change in representation or bargaining units.¹

14
15 '[5.] 7.¹ If a board of chosen freeholders establishes a board of
16 education pursuant to subsection a. of section 1 of this act,
17 whenever in any law, rule, regulation, contract, document, judicial
18 or administrative proceeding or otherwise, reference is made to the
19 board of education of the county special services school district, the
20 same shall mean and refer to the consolidated board.

21
22 '[6.] 8.¹ Notwithstanding any provision of this chapter to the
23 contrary, a board of chosen freeholders may, by resolution,
24 establish one board of education for the county special services
25 school district established pursuant to section 1 of P.L.1971, c.271
26 (C.18A:46-29) and the county vocational school district established
27 pursuant to chapter 54 of Title 18A of the New Jersey Statutes,
28 according to the provisions of sections 1 through '[4] 6¹ of P.L. ,
29 c. (C.) (pending before the Legislature as this bill).

30
31 '[7.] 9.¹ If a board of chosen freeholders establishes a board of
32 education pursuant to subsection a. of section 1 of P.L. , c.
33 (C.) (pending before the Legislature as this bill), whenever in any
34 law, rule, regulation, contract, document, judicial or administrative
35 proceeding or otherwise, reference is made to the board of
36 education of the county vocational school district, the same shall
37 mean and refer to the consolidated board.

38
39 '[8.] 10.¹ The State Board of Education shall promulgate rules
40 pursuant to the "Administrative Procedure Act," P.L.1968, c.410
41 (C.52:14B-1 et seq.), to effectuate the provisions of this act.

42
43 '[9.] 11.¹ This act shall take effect immediately.

44
45
46
47 Permits the consolidation of the boards of education of a county
48 vocational school district and a county special services school
49 district into one board.