

[Second Reprint]  
**SENATE, No. 966**

**STATE OF NEW JERSEY**  
**216th LEGISLATURE**

INTRODUCED JANUARY 27, 2014

**Sponsored by:**

**Senator RONALD L. RICE**

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**Senator SHIRLEY K. TURNER**

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**Senators Gill, Ruiz, Assemblyman Caputo, Assemblywomen Oliver, Jimenez, Pintor Marin, Spencer, Assemblymen McKeon, Gusciora, Coughlin, Assemblywomen Caride, Mosquera and Tucker**

**SYNOPSIS**

Establishes procedures for the approval of the closure of a public school.

**CURRENT VERSION OF TEXT**

As amended by the General Assembly on May 22, 2014.

(Sponsorship Updated As Of: 6/17/2014)

1 AN ACT concerning procedures for closing a public school and  
2 supplementing chapter 33 of Title 18A of the New Jersey  
3 Statutes.

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

7  
8 1. a. As used in this section, “school closure” means the  
9 termination of the use of a school building, other than a temporary  
10 facility, that necessitates the reassignment of current and future  
11 students to the remaining school buildings of the school district or  
12 to a newly-constructed school building.

13 b. A board of education or State district superintendent shall  
14 obtain the approval of the Commissioner of Education prior to  
15 implementing a school closure. An application for the approval of a  
16 school closure shall include assurances that:

17 (1) the school closure is consistent with the district’s approved  
18 long range facilities plan because there is either sufficient capacity  
19 in the remaining school buildings to house the district’s students for  
20 the succeeding five years, or a feasibility study has demonstrated  
21 that the benefits of constructing a new school building are greater  
22 than the benefits of rehabilitating any school building that is  
23 proposed to be closed, and does not increase the number of  
24 unhoused students in the district’s remaining schools;

25 (2) the school closure will not result in an increased use of  
26 temporary facilities;

27 (3) the reassignment of students to other schools will not  
28 produce, sustain, or contribute to unlawful segregation of student  
29 populations on the basis of race or national origin, socioeconomic  
30 status, disability status, or English language proficiency; and

31 (4) the reassignment of students to other schools will not lead to  
32 unreasonably burdensome transportation requirements for students.

33 c. Notwithstanding the provisions of sections 2 and 6 of  
34 P.L.1987, c.399 (C.18A:7A-35 and C.18A:7A-39) <sup>1</sup>or any other  
35 section of law<sup>1</sup> to the contrary, a State district superintendent shall  
36 <sup>2</sup>**[obtain the approval of]** present the application to<sup>2</sup> the board of  
37 education <sup>2</sup>at a public meeting, and the application shall be noted in  
38 the minutes of the meeting,<sup>2</sup> prior to <sup>2</sup>the State district  
39 superintendent<sup>2</sup> submitting <sup>2</sup>**[an]** the<sup>2</sup> application for approval of a  
40 school closure to the commissioner.

41 d. The commissioner shall provide a school district with  
42 written notification of the determination regarding the school  
43 closure.

**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:

<sup>1</sup>Senate SED committee amendments adopted January 30, 2014.

<sup>2</sup>General Assembly floor amendments adopted May 22, 2014.

**S966 [2R] RICE, TURNER**

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- 1       2. This act shall take effect immediately and shall be applicable
- 2 to any application for the approval of a school closure submitted on
- 3 or after January 1, 2014.