

# ASSEMBLY, No. 4427

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED MAY 11, 2015

**Sponsored by:**

Assemblyman **JOHN J. BURZICHELLI**  
District 3 (Cumberland, Gloucester and Salem)  
Assemblyman **JAY WEBBER**  
District 26 (Essex, Morris and Passaic)

**Co-Sponsored by:**

Assemblyman Space and Assemblywoman Phoebus

**SYNOPSIS**

Extends voting rights of representatives of sending districts on receiving district board of education.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 12/11/2015)

1 AN ACT concerning the voting rights of certain school board  
2 members and amending P.L.1995, c.8.

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

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7 1. Section 1 of P.L.1995, c.8 (C.18A:38-8.1) is amended to read  
8 as follows

9 1. In addition to the members of the board of education of a  
10 Type I and Type II school district provided by law, in a school  
11 district which is receiving pupils from another district or districts  
12 pursuant to N.J.S.18A:38-8, there shall be an additional member as  
13 provided pursuant to section 2 of this act to represent the board of  
14 education of each sending district. Any additional member shall be  
15 a member of the board of education of a sending district designated  
16 annually by the board of that district and shall be eligible to vote on  
17 the following matters before the receiving district board of  
18 education:

19 a. Tuition to be charged the sending district by the receiving  
20 district and the bill lists or contracts for the purchase, operation or  
21 maintenance of facilities, equipment and instructional materials to  
22 be used in the education of the pupils of the sending district;

23 b. New capital construction to be utilized by sending district  
24 pupils;

25 c. Appointment, transfer or removal of teaching staff members  
26 providing services to pupils of the sending district, including any  
27 teaching staff member who is a member of the receiving district's  
28 central administrative staff; **[and]**

29 d. Addition or deletion of curricular and extracurricular  
30 programs involving pupils of the sending district;

31 e. Any matter directly involving the sending district pupils or  
32 programs and services utilized by those pupils;

33 f. Approval of the annual receiving district budget;

34 g. Any collectively negotiated agreement involving employees  
35 who provide services utilized by sending district pupils;

36 h. Any individual employee contracts not covered by a  
37 collectively negotiated agreement, if those employees provide or  
38 oversee programs or services utilized by sending district pupils; and

39 i. Any matter concerning governance of the receiving district  
40 board of education including, but not limited to, the selection of the  
41 board president or vice-president, approval of board bylaws, and the  
42 employment of professionals or consultants such as attorneys,  
43 architects, engineers, or others who provide services to the  
44 receiving district board of education.

45 (cf: P.L.1996, c.103, s.1)

**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.**

1       2. This act shall take effect immediately.

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STATEMENT

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6       This bill broadens the voting rights of representatives of sending  
7 districts who are eligible for membership on the receiving district  
8 board of education. The current statute permits the representatives  
9 to vote on the tuition which the receiving district will charge the  
10 sending district and certain bill lists or contracts; new capital  
11 construction to be utilized by sending district pupils; the  
12 appointment, transfer or removal of certain teaching staff members  
13 and professional administrative staff; and the addition or deletion of  
14 curricular and extracurricular programs involving pupils of the  
15 sending district. This bill provides that the representative would  
16 also vote on any matter directly involving the sending district pupils  
17 or programs and services utilized by them; approval of the annual  
18 receiving district budget; any collectively negotiated agreement  
19 involving employees who provide services utilized by sending  
20 district pupils; any individual employee contracts not covered by a  
21 collectively negotiated agreement, if those employees provide or  
22 oversee programs or services utilized by sending district pupils; and  
23 any matter concerning governance of the receiving board, including,  
24 but not limited to, the selection of the board president and vice-  
25 president, approval of board bylaws, and the employment of  
26 professionals or consultants such as attorneys, architects, engineers,  
27 or others who provide services to the receiving district board of  
28 education.