

ASSEMBLY, No. 2046

STATE OF NEW JERSEY 219th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2020 SESSION

Sponsored by:

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District 29 (Essex)

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District 14 (Mercer and Middlesex)

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District 33 (Hudson)

SYNOPSIS

Authorizes executive county superintendent of schools to require implementation of shared services arrangements.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning the authority of the executive county
2 superintendent of schools and amending N.J.S.18A:7-8.

3

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

6

7 1. N.J.S.18A:7-8 is amended to read as follows:

8 18A:7-8. Each executive county superintendent shall:

9 a. Visit and examine from time to time all of the schools under
10 his general supervision and exercise general supervision over them
11 in accordance with the rules prescribed from time to time by the
12 State board;

13 b. Keep himself informed as to the management, methods of
14 instruction and discipline and the courses of study and textbooks in
15 use, the condition of the school libraries, and the condition of the
16 real and personal property, particularly in respect to the
17 construction, heating, ventilation and lighting of school buildings,
18 in the local districts under his general supervision, and make
19 recommendations in connection therewith;

20 c. Advise with and counsel the boards of education of the local
21 districts under his general supervision and of any other district of
22 the county when so requested, in relation to the performance of
23 their duties;

24 d. Promote administrative and operational efficiencies and cost
25 savings within the school districts in the county while ensuring that
26 the districts provide a thorough and efficient system of education.
27 The executive county superintendent shall require collaboration
28 among school districts in expanding the implementation of shared
29 services among school districts within the county and outside of the
30 county. The executive county superintendent may require a school
31 district to enter into a shared services arrangement with another
32 district, a municipality, the county, or other unit of local
33 government within that county for the provision of administrative,
34 business, purchasing, public or nonpublic pupil transportation, or
35 other school district service if the arrangement will result in cost
36 savings for the districts or other units of local government involved;

37 e. **Based on standards adopted by the commissioner,**
38 **recommend to the commissioner, who is hereby granted the**
39 **authority to effectuate those recommendations, that certain school**
40 **districts be required to enter arrangements with one or more other**
41 **school districts or educational services commissions for the**
42 **consolidation of the district's administrative services;** **(Deleted by**
43 **amendment, P.L. , c.) (pending before the Legislature as this bill)**

44 f. Recommend to the commissioner the elimination of laws the
45 executive county superintendent determines to be unnecessary State

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 education mandates, other than the categories of laws set forth in
2 section 3 of P.L.1996, c.24 (C.52:13H-3);
- 3 g. Eliminate districts located in the county that are not
4 operating schools on the effective date of P.L.2009, c.78 (C.18A:8-
5 43 et al.), in accordance with a plan and schedule included in the
6 plan submitted to and approved by the commissioner;
- 7 h. No later than three years following the effective date of
8 sections 42 to 58 of P.L.2007, c.63 (C.18A:7-11 et al.), recommend
9 to the commissioner a school district consolidation plan to eliminate
10 all districts, other than county-based districts and other than
11 preschool or kindergarten through grade 12 districts in the county,
12 through the establishment or enlargement of regional school
13 districts. After the approval of the plan by the commissioner, the
14 executive county superintendent shall require each board of
15 education covered by a proposal in the plan to conduct a special
16 school election, at a time to be determined by the executive county
17 superintendent, and submit thereat the question whether or not the
18 executive county superintendent's proposal for the regionalization
19 of the school district shall be adopted. The question shall be
20 deemed adopted if it receives a vote in accordance with the
21 provisions of N.J.S.18A:13-5. If the question is adopted by the
22 voters, then the regional district shall be established or enlarged in
23 accordance with chapter 13 of Title 18A of the New Jersey Statutes;
- 24 i. Promote coordination and regionalization of pupil
25 transportation services through means such as reviewing bus routes
26 and schedules of school districts and nonpublic schools within the
27 county;
- 28 j. Review and approve, according to standards adopted by the
29 commissioner, all employment contracts for superintendents of
30 schools, assistant superintendents of schools, and school business
31 administrators in school districts within the county, prior to the
32 execution of those contracts;
- 33 k. Request the commissioner to order a forensic audit and to
34 select an auditor for any school district in the county upon the
35 determination by the executive county superintendent, according to
36 standards adopted by the commissioner, that the accounting
37 practices in the district necessitate such an audit;
- 38 l. Review all school budgets of the school districts within the
39 county, and may, pursuant to section 5 of P.L.1996, c.138
40 (C.18A:7F-5), disapprove a portion of a school district's proposed
41 budget if he determines that the district has not implemented all
42 potential efficiencies in the administrative operations of the district
43 or if he determines that the budget includes excessive non-
44 instructional expenses. If the executive county superintendent
45 disapproves a portion of the school district's budget pursuant to this
46 paragraph, the school district shall deduct the disapproved amounts
47 from the budget prior to publication of the budget, and during the

- 1 budget year the school district shall not transfer funds back into
2 those accounts;
- 3 m. Permit a district to submit to the voters a separate proposal
4 or proposals for additional funds pursuant to paragraph (9) of
5 subsection d. of section 5 of P.L.1996, c.138 (C.18A:7F-5), only if:
6 (1) the district provides the executive county superintendent with
7 written documentation that the district has made efforts to enter into
8 shared arrangements with other districts, municipalities, counties,
9 and other units of local government for the provision of
10 administrative, business, purchasing, public and nonpublic
11 transportation, and other required school district services; (2) the
12 district certifies and provides written documentation that the district
13 participates in on-going shared arrangements; or (3) the district
14 certifies and provides written documentation that entering such
15 shared arrangements would not result in cost savings or would
16 result in additional expenses for the district;
- 17 n. Promote cooperative purchasing within the county of
18 textbooks and other instructional materials;
- 19 o. Coordinate with the Department of Education to maintain a
20 real time Statewide and district-wide database that tracks the types
21 and capacity of special education programs being implemented by
22 each district and the number of students enrolled in each program to
23 identify program availability and needs;
- 24 p. Coordinate with the Department of Education to maintain a
25 Statewide and district-wide list of all special education students
26 served in out-of-district programs and a list of all public and private
27 entities approved to receive special education students that includes
28 pertinent information such as audit results and tuition charges;
- 29 q. Serve as a referral source for districts that do not have
30 appropriate in-district programs for special education students and
31 provide those districts with information on placement options in
32 other school districts;
- 33 r. Conduct regional planning and identification of program
34 needs for the development of in-district special education programs;
- 35 s. Serve as a liaison to facilitate shared special education
36 services within the county including, but not limited to direct
37 services, personnel development, and technical assistance;
- 38 t. Work with districts to develop in-district special education
39 programs and services including providing training in inclusive
40 education, positive behavior supports, transition to adult life, and
41 parent-professional collaboration;
- 42 u. Provide assistance to districts in budgetary planning for
43 resource realignment and reallocation to direct special education
44 resources into the classroom;
- 45 v. Report on a regular basis to the commissioner on progress in
46 achieving the goal of increasing the number of special education
47 students educated in appropriate programs with non-disabled
48 students;

1 w. Render a report to the commissioner annually on or before
2 September 1, in the manner and form prescribed by him, of such
3 matters relating to the schools under his jurisdiction as the
4 commissioner shall require; and

5 x. Perform such other duties as shall be prescribed by law.

6 Any budgetary action of the executive county superintendent
7 under this section may be appealed directly to the commissioner,
8 who shall render a decision within 15 days of the receipt of the
9 appeal. If the commissioner fails to issue a decision within 15 days
10 of the filing of an appeal, the budgetary action of the executive
11 county superintendent shall be deemed approved. The
12 commissioner shall by regulation establish a procedure for such
13 appeals.

14 Nothing in this section shall be construed or interpreted to
15 contravene or modify the provisions of the "New Jersey Employer-
16 Employee Relations Act," P.L.1941, c.100 (C.34:13A-1 et seq.), or
17 to limit or restrict the scope of negotiations as provided pursuant to
18 law, or to require an employer to enter into a subcontracting
19 agreement which affects the employment of any employee in a
20 collective bargaining unit represented by a majority representative
21 during the time that an existing collective bargaining agreement
22 with the majority representative is in effect.

23 Nothing in this section is intended to interfere with a school
24 district's ability to provide a thorough and efficient education.

25 (cf: P.L.2009, c.78, s.10)

26
27 2. This act shall take effect immediately.
28
29

30 STATEMENT

31
32 This bill directs each executive county superintendent of schools
33 to require collaboration among school districts in expanding the
34 implementation of shared services among school districts within the
35 county and outside of the county. The bill also permits the
36 executive county superintendent to require a district to enter into a
37 shared services arrangement with another district, a municipality,
38 the county, or other unit of local government within that county for
39 the provision of administrative, business, purchasing, public or
40 nonpublic pupil transportation, or other school district service if the
41 arrangement will result in cost savings for the districts or other units
42 of local government involved.