

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:7A-31.1 to 18A:7A-31.4 (State operated school districts-- Joint Commission on public schools to monitor)

LAWS OF: 1987 CHAPTER: 400

BILL NO: S3692

Sponsor(s): Stockman and Feldman

Date Introduced: September 14, 1987

Committee: Assembly: -----

Senate: Education

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: January 11, 1988

Senate: December 17, 1988

Date of Approval: January 13, 1988

following statements are attached if available:

Sponsor statement: Yes

Committee statement: Assembly No

Senate Yes

Fiscal Note: No

Veto Message: No

Message on Signing: No

Following were printed:

Reports: No

Hearings: No

See newspaper clipping files "New Jersey-school, districts -1987 and 1988" and "New Jersey- Education, public-1987 and 1988" in New Jersey Reference Department.

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CHAPTER 400 LAWS OF N.J. 1987
APPROVED 1-13-88

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SENATE, No. 3692

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 14, 1987

By Senators STOCKMAN and FELDMAN

Referred to Committee on Education

AN ACT concerning the monitoring and evaluation of school districts, supplementing P. L. 1975, c. 212 (C. 18A:7A-1 et seq.), amending P. L. 1975, c. 16 and making an appropriation.

1 BE IT ENACTED *by the Senate and General Assembly of the State*
2 *of New Jersey:*

1 1. (New section) The Legislature finds and declares that:

2 Under Article VIII, section IV, paragraph 1 of the New Jersey
3 Constitution, the Legislature must maintain and support a thor-
4 ough and efficient system of free public schools for all the chil-
5 dren in the State.

6 Therefore, it is the responsibility of the Legislature to ensure
7 that each school district in this State fulfills the obligation to
8 provide quality education to all its pupils. In recognition of this
9 responsibility, the Legislature has established the Joint Commit-
10 tee on the Public Schools, a permanent committee which is to
11 conduct a continuing study of the finances, administration and
12 operation of the State's public schools.

13 While the "Public School Education Act of 1975," P. L. 1975,
14 c. 212 (C. 18A:7A-1 et seq.) directed the Commissioner of Edu-
15 cation, with the approval of the State Board of Education, to
16 develop a uniform Statewide system for evaluating the perfor-
17 mance of each school, the law specifies that that system is to be
18 reviewed by the Joint Committee on the Public Schools, since the
19 fundamental constitutional responsibility cannot be delegated.

20 Given the scope of the changes in the "Public School Educa-
21 tion Act of 1975" provided for by P. L. , c. (C.)
22 (now pending before the Legislature as the Assembly Committee

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 printed in italics thus is new matter.

Matter enclosed in asterisks or stars has been adopted as follows:

***—Senate committee amendments adopted November 9, 1987.**

23 Substitute for Assembly Bill No. 2926 3rd OCR), and the un-
 24 precedented nature of the proposal to create a State-operated
 25 school district pursuant to P. L. , c. (C.) (now
 26 pending before the Legislature as Assembly Bill No. 2927 3rd
 27 OCR), it is imperative that the Joint Committee on the Public
 28 Schools monitor the implementation of this legislation in order to
 29 assess the impact of this initiative on the quality of public educa-
 30 tion in New Jersey.

1 2. (New section) Whenever the Commissioner of Education
 2 directs the Department of Education to undertake a comprehen-
 3 sive compliance investigation of a local school district pursuant
 4 to section 14 of P. L. 1975, c. 212 (C. 18A:7A-14), the commis-
 5 sioner shall immediately inform the Joint Committee on the Pub-
 6 lic Schools, created pursuant to P. L. 1975, c. 16 (C. 52:9R-1), of
 7 that directive. The commissioner shall make the evaluation and
 8 monitoring reports regarding the district available to the com-
 9 mittee, and shall keep the committee apprised of the progress
 10 and the final outcome of the comprehensive compliance investiga-
 11 tion.

1 3. (New section) Whenever the State Board of Education issues
 2 an administrative order establishing a State-operated school dis-
 3 trict pursuant to section 15 of P. L. 1975, c. 212 (C. 18A:7A-15),
 4 the commissioner shall immediately inform the Joint Committee
 5 on the Public Schools of that administrative order, and shall ad-
 6 vise the committee as to the causes of the district's failure to
 7 achieve certification through local district initiatives.

1 4. (New section) a. Within ***three*** *six* months following the
 2 establishment of a State-operated school district, the commissioner
 3 shall present to the Joint Committee on the Public Schools the
 4 corrective action plan developed for the district.

5 b. On a periodic basis, but not less than once each year, the
 6 commissioner shall provide a detailed report to the committee on
 7 the progress made in the implementation of the corrective action
 8 plan and the prospects for the return of the district to local control.

9 c. The Joint Committee on the Public Schools, in cooperation
 10 with the commissioner, ***shall*** *may* develop a plan for moni-
 11 toring the administration of a State-operated school district and
 12 the implementation of the corrective action plan. The plan devel-
 13 oped by the committee shall include provisions for independent
 14 documentation and assessment.

1 5. (New section) Five years following the effective date of this
 2 act, based upon the annual reports of the commissioner and its

3 own independent assessment and evaluation, the Joint Committee
 4 on the Public Schools shall report to the Governor and the Legis-
 5 lature on the extent to which the legislation authorizing the estab-
 6 lishment of State-operated school districts has facilitated the pro-
 7 vision of a thorough and efficient system of education to the chil-
 8 dren of State-operated districts. The report shall detail the
 9 progress made in each State-operated district, and shall include
 10 any recommendations for changes in the legislation which the
 11 committee deems appropriate.

1 6. Section 1 of P. L. 1975, c. 16 (C. 52:9R-1) is amended to
 2 read as follows:

3 1. There is hereby created a committee to be known as the
 4 "Joint Committee on the Public Schools." The committee shall
 5 consist of **[seven]** *six* members of the Senate, including **[five]**
 6 *two* members of the Senate Education Committee, to be appointed
 7 by the President of the Senate and **[seven]** *six* members of the
 8 Assembly, including **[five]** *two* members of the Assembly Educa-
 9 tion Committee, to be appointed by the Speaker of the General
 10 Assembly. No more than **[four]** *three* of the members from each
 11 House shall be of the same political party. All members shall
 12 serve without compensation and vacancies in the membership of
 13 the committee shall be filled in the same manner as the original
 14 appointments are made.

1 7. There is appropriated from the General Fund to the Legis-
 2 lature ***[\$500,000.00]*** **\$95,000.00** to implement the provisions of
 3 this act.

1 8. This act shall take effect immediately.

EDUCATION—GENERAL

Provides for the monitoring of State-operated school districts by
 the Joint Committee on the Public Schools, appropriates \$95,000.

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 4 on the Public Schools shall report to the Governor and the Legis-
 5 lature on the extent to which the legislation authorizing the estab-
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 10 Assembly. No more than **[four]** *three* of the members from each
 11 House shall be of the same political party. All members shall
 12 serve without compensation and vacancies in the membership of
 13 the committee shall be filled in the same manner as the original
 14 appointments are made.

1 7. There is appropriated from the General Fund to the Legis-
 2 lature \$500,000.00 to implement the provisions of this act.

1 8. This act shall take effect immediately.

STATEMENT

This bill provides that, whenever a State-operated school district is established by the State Board of Education, the administration of that district by the State would be monitored by the Joint Committee on the Public Schools. This would be accomplished through annual reports to the committee by the commissioner detailing the district's progress and by independent evaluation and assessment by the committee.

The Joint Committee on the Public Schools was established in 1975 (P. L. 1975, c. 16; C. 52:9R-1 et seq.) to provide for legislative oversight of the public school system in New Jersey. In addition, the committee was specifically charged with reviewing the regulations developed by the State Board of Education for the implementation of the "Public School Education Act of 1975." Given the scope of the changes in those regulations with regard

to monitoring and evaluation of local school districts, and the unprecedented proposal to establish State-operated school districts, it is important that the committee establish a plan to oversee this new initiative. The bill appropriates \$500,000.00 to the committee for the development of an independent assessment capability.

The bill also amends the statute establishing the joint committee (section 1 of P. L. 1975, c. 16) to reduce the membership from 14 to 12 and to provide that the membership of the joint committee is absolutely bi-partisan.

EDUCATION—GENERAL

Provides for the monitoring of State-operated school districts by the Joint Committee on the Public Schools, appropriates \$500,000.

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SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 3692

with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 9, 1987

The Senate Education Committee favorably reports Senate Bill No. 3692 with Senate committee amendments.

This bill establishes a procedure whereby the Joint Committee on the Public Schools, established pursuant to P. L. 1975, c. 16 (C. 52:9R-1 et seq.), would monitor the administration of a State-operated school district. Under the bill, whenever the Commissioner of Education ordered a comprehensive compliance investigation of a local school district, the Joint Committee would be advised immediately, would receive the monitoring and evaluation reports and would be kept apprised of the progress and the final outcome of the investigation.

Whenever the State Board of Education ordered the establishment of a State-operated school district, the Joint Committee would be immediately informed and advised of the causes for the district's failure. The Joint Committee would also receive the corrective action plan developed for the district, and would receive regular reports on the implementation of the plan and the progress of the district toward certification. In addition, the Joint Committee, in cooperation with the commissioner, could develop a plan for monitoring the administration of the State-operated district, including in the plan provisions for independent documentation and assessment.

Five years following the effective date of this act, the Joint Committee would report to the Governor and the Legislature on the impact on the quality of education of the establishment of State-operated school districts. The bill appropriated \$95,000.00 for the independent assessment and evaluation by the Joint Committee.

The bill also reduces the membership of the Joint Committee from 14 to 12, and provides that the committee shall have equal representation from each House and each political party.

The committee amended the bill to extend from three to six months the period within which the commissioner must provide the Joint Committee with a corrective action plan. Also, the development of an independent monitoring system would be at the discretion of the Joint Committee. The amendments reduce the appropriation to the Joint Committee from \$500,000.00 to \$95,000.00.