

18A:6-95.1 et al

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:6-95.1 et al. (Educational Improvement Centers - abolishes)

LAWS OF: 1983

CHAPTER: 186

Bill No: A3065

Sponsor(s): Muhler

Date Introduced: Jan. 31, 1983

Committee: Assembly: Education

Senate: Education

Amended during passage: ///

No Substituted for S3224 (not attached since identical to A3065)

Date of Passage:

Assembly: April 11, 1983

Senate: April 25, 1983

Date of Approval: May 11, 1983

Following statements are attached if available:

Sponsor statement: Yes //

Committee statement: Assembly Yes //

Senate /// No

Fiscal Note: /// No

Veto Message: /// No

Message on Signing: /// No

Following were printed:

Reports: • /// No

Hearings: /// No

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5-11-83

ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3065

STATE OF NEW JERSEY

ADOPTED APRIL 11, 1983

Sponsored by Assemblywoman MUHLER

AN ACT to amend the title of "An act concerning intermediate school districts and supplementing Title 18A and repealing P. L. 1977, c. 120 (C. 18A:6-92 to 18A:6-94)," approved June 29, 1978 (P. L. 1978, c. 58) so that the same shall read "An act concerning the educational information and resource center and supplementing Title 18A and repealing P. L. 1977, c. 120 (C. 18A:6-92 to C. 18A:6-94)," amending and supplementing the body of said act and repealing section 1 thereof.

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

1 1. (New section) There is established a local education agency
 2 to serve as an educational information and resource center to pro-
 3 vide, on request, support and assistance to teachers, administrators,
 4 parent and community groups, schools and colleges, the Department
 5 of Education, and other public agencies, through the delivery of
 6 materials, technique and expertise to improve school and community
 7 programs and services. The services provided by the center shall
 8 include: a lending library of educational and instructional materi-
 9 als, preparation of media and materials for informational and
 10 instructional purposes; an educational information storage and
 11 retrieval system; special topic seminars and conferences; and,
 12 consultant advice, information and expertise. The programs and
 13 services of the center shall not duplicate the programs of the
 14 Department of Education.

15 To the extent permitted by law, the educational information and
 16 resource center shall also provide support and service to nonprofit,
 17 nonpublic schools.

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.

1 2. (New section) The Commissioner of Education or his des-
 2 ignee shall meet prior to January 10 of each year with the executive
 3 director of the educational information and resource center to mu-
 4 tually communicate those programs and services which the depart-
 5 ment provides and which the educational information and resource
 6 center will provide during the calender year. The educational
 7 information and resource center shall cease to provide any pro-
 8 grams and services at the time that these programs and services
 9 are provided by the Department of Education so that there is no
 10 interruption in, or loss of services to, the population served.

1 3. (New section) State funding of the educational information
 2 and resource center shall be by direct appropriation of the Legisla-
 3 ture and shall not be derived from the proposed or actual operating
 4 budget of the Department of Education.

1 4. The title of P. L. 1978, c. 58 (C. 18A:6-95 et seq.) is amended
 2 to read as follows: An act concerning **[intermediate school dis-**
 3 **tricts]** *the educational information and resource center* and sup-
 4 plementing Title 18A and repealing P. L. 1977, c. 120 (C. 18A:6-92
 5 to C. 18A:6-94).

1 5. Section 2 of P. L. 1978, c. 58 (C. 18A:6-96) is amended to
 2 read as follows:

3 2. The government, control, conduct, management and adminis-
 4 tration of **[such]** the educational **[improvement centers]** *informa-*
 5 *tion and resource center* shall be vested in the board of directors

1 6. Section 3 of P. L. 1978, c. 58 (C. 18A:6-97) is amended to
 2 read as follows:

3 3. The board of directors shall be **[appointed by the Commis-**
 4 **sioner of Education and approved by the State Board of Education]**
 5 *selected through procedures established by the board of directors*
 6 and shall consist of 21 members **[not less than three of whom shall**
 7 **come from each of the counties within the region served]**. Mem-
 8 bers of the board of directors shall be **[appointed by the commis-**
 9 **sioner]** *selected* as follows:

10 a. Twelve teaching staff members to be selected from each of
 11 the following categories:

- 12 (1) special education teacher;
- 13 (2) vocational education teacher;
- 14 (3) K-2 teacher;
- 15 (4) 3-5 teacher;
- 16 (5) 6-8 teacher;
- 17 (6) 9-12 teacher;
- 18 (7) pupil personnel staff;
- 19 (8) elementary principal;

- 20 (9) secondary principal;
- 21 (10) curriculum supervisor;
- 22 (11) superintendent of schools;
- 23 (12) business manager/board secretary.

24 The section of teaching staff members from categories 1
 25 through 6 shall be made from a list of nominees provided by their
 26 respective county professional organizations representing local
 27 associations dealing with terms and conditions of employment. No
 28 one who is not a member of such an organization shall be excluded
 29 from consideration for such a list. The selection of teaching staff
 30 members from categories 7 through 12 shall be made from a list
 31 of nominees provided by their respective county professional or-
 32 ganizations.

- 33 b. **【One parent】** *Two parents*;
- 34 c. **【One representative】** *Two representatives* of a nonprofit, non-
 35 public school;
- 36 d. One representative of higher education;
- 37 e. Two members of local boards of education;
- 38 f. **【One designee of the Commissioner of Education】** (*Deleted*
 39 *by amendment, P. L., c.*);
- 40 g. **【One county superintendent】** (*Deleted by amendment, P. L.*
 41 *., c.*);
- 42 h. One representative of business and industry; and
- 43 i. One student representative.

44 Members of the board of directors **【shall reside or work in the**
 45 **region served by the center, and】** shall serve without compensation
 46 but shall be reimbursed for all reasonable and necessary expenses.

47 The term of office of the members shall be for three years be-
 48 ginning on July 1 and ending on June 30, except that of the mem-
 49 bers first appointed, seven shall be appointed for terms of one
 50 year; seven for terms of two years and seven for terms of three
 51 years.

52 Each member shall serve until his successor shall have been
 53 appointed and vacancies shall be filled in the same manner as the
 54 original appointment for the remainder of the unexpired terms.
 55 No members shall serve more than two successive terms. No mem-
 56 ber of **【any】** *the* board of directors shall be interested directly or
 57 indirectly in any contract with or claim against the board. When-
 58 ever a member of **【a】** *the* board of directors shall cease to be a
 59 bona fide resident of or an employee of an agency or firm located
 60 within the **【region served】** *State*, his or her membership in the
 61 board shall immediately cease and any member who fails to attend
 62 three consecutive meetings of the board without good cause may be
 63 removed by it.

1 7. Section 4 of P. L. 1978, c. 58 (C. 18A:6-98) is amended to
2 read as follows:

3 4. Any person employed by a public educational system or in-
4 stitution in a position which requires a certificate issued by the
5 State board of examiners or employed in a professional education
6 capacity by a school, college, or university which is either tax-
7 supported or operated under contract with the State or on behalf
8 of the State, who is a member of the board of directors of **[an]**
9 *the educational [improvement] information and resource* center
10 shall be entitled to time off from his or her duties as such employee,
11 without loss of pay, during the periods of his attendance at six
12 duly authorized meetings of the board per year.

1 8. Section 5 of P. L. 1978, c. 58 (C. 18A:6-99) is amended to
2 read as follows:

3 5. **[Each]** *The* board of directors shall meet and organize an-
4 nually, at a regular meeting held during the second week of Sep-
5 tember, by the election of a chairman, vice chairman, and such
6 other officers as the board shall determine. Such officers shall serve
7 until the following September meeting and until their successors
8 are elected. Vacancies in such offices shall be filled in the same
9 manner for the unexpired term only. The board of directors shall
10 hold public meetings at least once in each month at such times and
11 places as its rules may prescribe, at least half of which shall be
12 scheduled during evening hours.

1 9. Section 6 of P. L. 1978, c. 58 (C. 18A:6-100) is amended to
2 read as follows:

3 6. The board of directors of **[each]** *the educational [improve-*
4 *ment] information and resource* center, within the general rules
5 and regulations set by the State Board of Education, shall have
6 the general supervision over and be vested with the conduct of
7 the center. It shall have the power and duty to:

- 8 a. Adopt and use a corporate seal;
- 9 b. Determine policies for the organization, administration, and
10 development of the center;
- 11 c. Sue or be sued by its corporate name;
- 12 d. **[Annually study the educational needs of the region which it**
13 **serves according to a needs assessment procedure established**
14 **jointly by the four governing boards and approved by the State**
15 **Board of Education]** (*Deleted by amendment, P. L. . . . , c. . . .*);
- 16 e. Prepare an annual budget **[based upon those services which**
17 **address the needs of the region]** as determined by the board of
18 directors, **[with the approval of the commissioner, and jointly with**
19 **the commissioner,]** *to carry out the programs and services de-*

20 *scribed in section 1 of this amendatory and supplementary act and*
 21 present the annual budget to the Governor and the Legislature;

22 f. Disburse all moneys appropriated to the center by the State
 23 and all moneys received from grants, fees, auxiliary services and
 24 other sources;

25 g. Direct and control expenditures of the center pursuant to all
 26 provisions of law governing local school districts as set forth in
 27 Title 18A, and in accordance with the terms of any applicable
 28 trusts, bequests, or other special provisions. A system of book-
 29 keeping and accounting shall be adopted and instituted as pre-
 30 scribed by the State board. The board shall cause an annual audit
 31 of the center's accounts and financial transactions in the manner
 32 provided by N. J. S. 18A:23-1 et seq. All accounts of the center
 33 shall be subject to audit by the State at any time;

34 h. **【With the approval of the commissioner, appoint】** *Appoint*
 35 and fix compensation, terms and conditions of employment of an
 36 executive director **【in accordance with salary ranges and policies**
 37 **adopted by the State Board of Education and consistent with the**
 38 **State Compensation Plan】**. The executive director shall be secre-
 39 tary to the board of directors and shall serve at the pleasure of
 40 the board of directors;

41 i. Upon nomination by the executive director, appoint, remove,
 42 promote and transfer such other staff as may be required to carry
 43 out the provisions of the chapter, assign their duties, determine
 44 their salaries and prescribe qualifications for all positions **【in**
 45 **accordance with the salary ranges and policies consistent with the**
 46 **State Compensation Plan】**;

47 j. Enter into contracts and agreements with the State or any of
 48 its political subdivisions or with the United States, or any public
 48A body, department or any agency of the State or the United States
 48B or with any individual firm, or corporation, subject to the bidding
 49 requirements set forth in the "Public School Contracts Law"
 50 **【(P. L. 1977, c. 114,】 N. J. S. 18A:1, et seq.【)】**, which are deemed
 51 necessary or advisable by the board for carrying out the provi-
 52 sions of this chapter;

53 k. Accept from any governmental department, agency or other
 54 public or private body or from any other source grants or contri-
 55 butions of money or property which the board may use for any of
 56 its purposes;

57 l. Acquire, own, lease, use and operate property, subject to the
 58 facilities for the handicapped provisions set forth in N. J. S.
 59 18A:18A-17 and P. L. 1975, c. 221 (C. 52:32-11, et seq.) whether
 60 real, personal or mixed, or any interest therein, which is necessary
 61 or desirable for center purposes**【.】**;

62 m. Determine that any property owned by the center is no longer
 63 necessary for center purposes and to sell the same at such price
 64 and in such manner and upon such terms and conditions as [shall
 65 be] deemed appropriate [and with the approval of the com-
 66 missioner];

67 n. Adopt bylaws, make and promulgate such rules, regulations,
 68 and orders, not inconsistent with the provisions of this chapter or
 69 rules and regulations of the State Board of Education, as are
 70 necessary and proper for the administration and operation of the
 71 center and to implement the provisions of this act;

72 o. Appoint and regulate the duties, functions, powers and pro-
 73 cedures of committees, standing or special, from its members and
 74 such advisory committees or bodies, as it may deem necessary or
 75 conducive to the efficient management and operation of the center,
 76 consistent with this act and other applicable statutes;

77 p. Cause a report of the condition of the center and the center's
 78 property under its control and an itemized account of the condition
 79 of the finances of the center to be printed and submitted to the
 80 [commissioner] *Legislature* as soon as practicable after the close
 81 of the fiscal year; and it may

82 q. Utilize all available programs, services, and resources of
 83 other social agencies including institutions of higher education and
 84 local school districts to meet the [educational problems of the
 85 region] *center's plans and objectives.*

1 10. Section 7 of P. L. 1978, c. 58 (C. 18A:6-101) is amended to
 2 read as follows:

3 7. The executive director of [an] *the educational [improve-*
 4 *ment] information and resource* center shall be responsible to its
 5 board of directors and shall have such powers as shall be requisi-
 6 tioned for the executive management and conduct of the center
 7 and for the execution and enforcement of the bylaws, rules, regu-
 8 lations and orders governing the management, conduct and admin-
 9 istration of the center.

1 11. Section 8 of P. L. 1978, c. 58 (C. 18A:6-102) is amended to
 2 read as follows:

3 8. Notwithstanding the provisions of any other law, all employees
 4 of [an] *the educational [improvement] information and resource*
 5 center shall serve at the pleasure of the board of directors. Certifi-
 6 cated professional full-time employees shall be eligible for member-
 7 ship in the Teachers' Pension and Annuity Fund established pur-
 8 suant to N. J. S. 18A:66-1 et seq. and all other employees shall be
 9 members of the Public Employees Retirement System established
 10 pursuant to P. L. 1954, c. 84 (C. 43:15A-1 et seq.).

11 Notwithstanding the provisions of any other law, such persons
12 shall be entitled to supplemental compensation upon retirement as
13 set forth in section 1 of P. L. 1973, c. 130 (C. 11:14-9).

1 12. (New section) The assets of the educational improvement
2 centers shall be transferred to the Commissioner of Education
3 except that the assets of Educational Improvement Center-South
4 shall be transferred to the educational information and resource
5 center. All transfers shall be made as provided in the "State
6 Agency Transfer Act," P. L. 1971, c. 375 (C. 52:14D-1 et seq.).

1 13. (New section) The board of the Educational Improvement
2 Center-South shall become the board of the educational improve-
3 ment and resource center as of the effective date of this act, and
4 each member shall continue in office until the expiration of his
5 respective term and the qualification in office of his successor.

1 14. Section 1 of P. L. 1978, c. 58 (C. 18A :6-95) is repealed.

1 15. This act shall take effect July 1, 1983.

STATEMENT

This bill establishes the Educational Improvement Center-South as the Educational Information and Research Center, and repeals that part of the statute authorizing four educational improvement centers in the State.

ASSEMBLY, No. 3065
STATE OF NEW JERSEY

INTRODUCED JANUARY 31, 1983

By Assemblywoman MUHLER

AN ACT concerning the termination of educational improvement centers, supplementing chapter 6 of Title 18A of the New Jersey Statutes and repealing P. L. 1978, c. 58 (C. 18A:6-95 to C. 18A:6-102).

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

1. Educational improvement centers created pursuant to P. L.
2 1978, c. 58 (C. 18A:6-95 to C. 18A:6-102) shall terminate operations
3 no later than July 1, 1983. Termination of operations by an educa-
4 tional improvement center shall proceed according to subsections
5 a. and b. of this section.

6 a. On the effective date of this act, each educational improvement
7 center shall immediately prepare a plan to terminate its operations
8 by July 1, 1983. The plan shall be submitted to the Commissioner
9 of Education for approval. Implementation of the plan shall not be
10 commenced by an educational improvement center prior to approval
11 by the commissioner. Upon the effective date of this act, no further
12 expenditures shall occur by an educational improvement center
13 without the approval of the commissioner. A list of all existing
14 obligations of each educational improvement center, including the
15 creditor, date of obligation, and the amount and nature of the
16 obligation shall also be immediately prepared and forwarded to
17 the commissioner within five working days of the effective date
18 of this act. The commissioner shall have the authority to direct
19 the payment of the obligations and debts of an educational im-
20 provement center.

21 b: (1) To accomplish the goal of complete termination of opera-
 22 tions of each educational improvement center no later than July 1,
 23 1983, an educational improvement center's plan required by sub-
 24 section a. of this section shall provide for the transfer of all
 25 property, grants or contributions of money or property, of any
 26 kind to the commissioner.

27 (2) The assets of the educational improvement centers shall be
 28 transferred to the commissioner and shall be used by the commis-
 29 sioner to satisfy creditors of the educational improvement centers.
 30 All real and personal property and money controlled by the educa-
 31 tional improvement centers in which the State or federal govern-
 32 ment has an interest shall not be used to satisfy creditors in this
 33 manner. These assets shall be transferred to the commissioner
 34 subject to any terms, restrictions, limitations or other require-
 35 ments imposed by State or federal law.

36 (3) The transfer of assets of the educational improvement
 37 centers and the satisfaction of creditors from the aggregate assets
 38 pursuant to this subsection shall not constitute debts and liabilities
 39 of the State of New Jersey or any of its departments, agencies or
 40 officers.

1 2. P. L. 1978, c. 58 (C. 18A:6-95 to C. 18A:6-102) is repealed.

1 3. This act shall take effect immediately, but section 2 shall
 2 remain inoperative until July 1, 1983.

STATEMENT

The purpose of this bill is to repeal the statutory provisions
 which allow for educational improvement centers and to provide
 the procedure for their termination.

ASSEMBLY EDUCATION COMMITTEE
STATEMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 3065

STATE OF NEW JERSEY

DATED: APRIL 11, 1983

This bill, Assembly Committee Substitute for Assembly Bill No. 3065, establishes an educational information and resource center in South Jersey and authorizes it to take over all assets of the Educational Improvement Center in the southern region. In addition, this bill disestablishes the three Educational Improvement Centers in the central, northwest, and northern regions of the State.

It is the intent of the Assembly Education Committee that the Educational Information and Resource Center provide a mechanism for making the State responsive to local decision-making, providing services "on request," based upon priorities determined by local teaching staff members, boards, parents and citizens. This is in contrast to technical assistance provided by the Department of Education, which is allocated on the basis of State priorities to those districts in need of assistance according to criteria established by the department.

To ensure that no duplication occurs, the commissioner and the executive director of the Educational Information and Resource Center shall determine, at an annual meeting, on the basis of a needs assessment, the responsibilities of their respective agencies in providing technical assistance within the region served.