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LAW/RWH 3/24/09

P.L. 2008, CHAPTER 106, *approved December 4, 2008*
Assembly, No. 1113 (*First Reprint*)

1 AN ACT concerning superintendents of schools and amending
2 P.L.1991, c.267.

3
4 **BE IT ENACTED** by the Senate and General Assembly of the State
5 of New Jersey:

6
7 1. Section 4 of P.L.1991, c.267 (C.18A:17-20.1) is amended to
8 read as follows:

9 4. At the conclusion of the term of the initial contract or of any
10 subsequent contract as hereinafter provided, the superintendent
11 shall be deemed reappointed for another contracted term of the
12 same duration as the previous contract unless either: a. the board by
13 contract reappoints him for a different term which term shall be not
14 less than three nor more than five years, in which event
15 reappointments thereafter shall be deemed for the new term unless a
16 different term is again specified; or b. ¹[at least [one year] prior to
17 the expiration of the first or any subsequent contract]¹ the board
18 [shall notify] notifies the superintendent in writing that he will not
19 be reappointed at the end of the current term, in which event his
20 employment shall cease at the expiration of that term ¹, provided
21 that such notification shall be given prior to the expiration of the
22 first or any subsequent contract by a length of time equal to 30 days
23 for each year in the term of the current contract¹.

24 (cf: P.L.1991, c.267, s.4)

25
26 2. This act shall take effect immediately.

27
28
29 _____
30
31 Reduces notice that school district is required to give
32 superintendent of schools if district determines not to reappoint.

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:

¹Assembly AED committee amendments adopted May 12, 2008.

ASSEMBLY, No. 1113

STATE OF NEW JERSEY

213th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2008 SESSION

Sponsored by:

Assemblyman JOSEPH CRYAN

District 20 (Union)

Assemblyman JOHN J. BURZICHELLI

District 3 (Salem, Cumberland and Gloucester)

Assemblywoman JOAN M. VOSS

District 38 (Bergen)

Co-Sponsored by:

Assemblywoman Lampitt

SYNOPSIS

Eliminates one-year notice that a school district is required to give superintendent of schools if the district determines not to reappoint.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 3/14/2008)

A1113 CRYAN, BURZICHELLI

2

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7 1. Section 4 of P.L.1991, c.267 (C.18A:17-20.1) is amended to
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12 same duration as the previous contract unless either: a. the board by
13 contract reappoints him for a different term which term shall be not
14 less than three nor more than five years, in which event
15 reappointments thereafter shall be deemed for the new term unless a
16 different term is again specified; or b. **[at least one year]** prior to
17 the expiration of the first or any subsequent contract the board
18 **[shall notify]** notifies the superintendent in writing that he will not
19 be reappointed at the end of the current term, in which event his
20 employment shall cease at the expiration of that term.
21 (cf: P.L.1991, c.267, s.4)

22

23 2. This act shall take effect immediately.

24

25

26

STATEMENT

27

28 This bill eliminates the current requirement that a board of
29 education provide at least one year notice to the superintendent of
30 schools that he will not be reappointed at the end of the current
31 contract term. Under current law, if this one-year notice is not
32 given, the superintendent is deemed reappointed for another
33 contract term of the same duration as the previous contract. This
34 bill would continue to require written notification to the
35 superintendent prior to the expiration of the contract in the event
36 that the board determines not to reappoint him.

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.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 1113

with committee amendments

STATE OF NEW JERSEY

DATED: MAY 12, 2008

The Assembly Education Committee favorably reports Assembly Bill No. 1113 with committee amendments.

As amended by the committee, this bill changes the requirement that a board of education provide at least one year notice to a superintendent of schools if he will not be reappointed at the end of the current contract term. Under current law, if this one-year notice is not given, the superintendent is deemed reappointed for another contract term of the same duration as the previous contract. The bill reduces the time requirement for provision of the notice to 30 days for each year of the term of the current contract. Given statutory provisions establishing a minimum contract length of three years and a maximum length of five years, the minimum notice will range between 90 and 150 days under this bill.

The committee amended the bill to require that a board of education must provide a superintendent notice equal to 30 days for each year of the current contract term if it does not intend to reappoint the superintendent at the end of the current contract. The bill in its original form had eliminated any time requirement for notifying the superintendent.

This bill was pre-filed for introduction in the 2008-2009 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

[First Reprint]

ASSEMBLY, No. 1113

STATE OF NEW JERSEY

DATED: OCTOBER 2, 2008

The Senate Education Committee favorably reports Assembly Bill No. 1113 1R.

This bill changes the requirement that a board of education provide at least one year notice to a superintendent of schools if he will not be reappointed at the end of the current contract term. Under current law, if this one-year notice is not given, the superintendent is deemed reappointed for another contract term of the same duration as the previous contract. The bill reduces the time requirement for provision of the notice to 30 days for each full year of the term of the current contract. Given statutory provisions establishing a minimum contract length of three years and a maximum length of five years, the minimum notice will range between 90 and 150 days under this bill.

This bill is identical to Senate Bill No. 1898 which also was reported by the committee on this same date.

SENATE, No. 1898

STATE OF NEW JERSEY
213th LEGISLATURE

INTRODUCED JUNE 5, 2008

Sponsored by:

Senator SHIRLEY K. TURNER

District 15 (Mercer)

Co-Sponsored by:

Senator Beck

SYNOPSIS

Reduces notice that school district is required to give superintendent of schools if district determines not to reappoint.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 10/24/2008)

S1898 TURNER

2

1 AN ACT concerning superintendents of schools and amending
2 P.L.1991, c.267.

3

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

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13 contract reappoints him for a different term which term shall be not
14 less than three nor more than five years, in which event
15 reappointments thereafter shall be deemed for the new term unless a
16 different term is again specified; or b. **[at least one year prior to the**
17 **expiration of the first or any subsequent contract]** the board **[shall**
18 **notify]** notifies the superintendent in writing that he will not be
19 reappointed at the end of the current term, in which event his
20 employment shall cease at the expiration of that term, provided that
21 such notification shall be given prior to the expiration of the first or
22 any subsequent contract by a length of time equal to 30 days for
23 each year in the term of the current contract.

24 (cf: P.L.1991, c.267, s.4)

25

26 2. This act shall take effect immediately.

27

28

29

STATEMENT

30

31 This bill changes the requirement that a board of education
32 provide at least one year notice to a superintendent of schools if he
33 will not be reappointed at the end of the current contract term.
34 Under current law, if this one-year notice is not given, the
35 superintendent is deemed reappointed for another contract term of
36 the same duration as the previous contract. The bill reduces the
37 time requirement for provision of the notice to 30 days for each
38 year of the term of the current contract. Given statutory provisions
39 establishing a minimum contract length of three years and a
40 maximum length of five years, the minimum notice will range
41 between 90 and 150 days under this bill.

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.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1898

STATE OF NEW JERSEY

DATED: OCTOBER 2, 2008

The Senate Education Committee favorably reports Senate Bill No. 1898.

This bill changes the requirement that a board of education provide at least one year notice to a superintendent of schools if he will not be reappointed at the end of the current contract term. Under current law, if this one-year notice is not given, the superintendent is deemed reappointed for another contract term of the same duration as the previous contract. The bill reduces the time requirement for provision of the notice to 30 days for each full year of the term of the current contract. Given statutory provisions establishing a minimum contract length of three years and a maximum length of five years, the minimum notice will range between 90 and 150 days under this bill.

This bill is identical to Assembly Bill No. 1113 (1R) which also was reported by the committee on this same date.