

18A:6-51; 18A:6-55 and 18A:6-56

LEGISLATIVE HISTORY CHECKLIST

HJSA 18A:6-51; 18A:6-55 and 18A:6-56 (Educational Services Commission--
School Boards' representation)

LAWS OF 1979 CHAPTER 356

Bill No. S3414

Sponsor(s) Dwyer and others

Date Introduced Sept. 10, 1979

Committee: Assembly Education

Senate Education

Amended during passage Yes

~~xx~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly Jan. 3, 1980

Senate Dec. 3, 1979

Date of approval Jan. 29, 1980

Following statements are attached if available:

Sponsor statement Yes ~~xx~~

Committee Statement: Assembly Yes ~~xx~~

Senate Yes ~~xx~~

Fiscal Note ~~xxs~~ No

Veto message ~~xxs~~ No

Message on signing Yes ~~xx~~

Following were printed:

Reports ~~xxs~~ No

Hearings ~~xxs~~ No

Attorney General Opinion mentioned in Sponsor's statement is an Informal Opinion.

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SENATE, No. 3414

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 10, 1979

By Senators DWYER, HAMILTON, WEISS, GREGORIO
and ERRICHETTI

Referred to Committee on Education

AN ACT to amend "An act concerning education, authorizing the establishment of educational services commissions, prescribing their functions, powers and duties, and supplementing Title 18A of the New Jersey Statutes," approved August 6, 1968 (P. L. 1968, c. 243).

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

1 1. Section 1 of P. L. 1968, c. 243 (C. 18A:6-51) is amended to
2 read as follows:

3 1. Definitions:

4 (a) "Educational Services Commission" means an agency estab-
5 lished or to be established in one or more counties for the purpose
6 of carrying on programs of educational research and development
7 and providing to public school districts such educational and
8 administrative services as may be authorized pursuant to rules
9 of the State Board of Education.

10 (b) "Commission" means county educational services com-
11 mission.

12 (c) "State board" means the State Board of Education.

13 (d) "Commissioner" means the Commissioner of Education.

14 (e) "Operation expenses" means those funds devoted to or
15 required for the regular or ordinary operating expenses of the
16 commission, including administrative, maintenance and salary
17 expenses, and purchase or rental of real and personal property,
18 but excluding contracted services expense.

19 (f) "Contracted services expense" means funds devoted to or
20 required for services provided pursuant to contracts with school
21 districts whether member districts of the commission or not, or
22 contracts with 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.**

23 (g) "Member district" means a public school district located in
 24 the county or counties in which a commission is established which
 25 is authorized by this act to be a constituent part of the commission,
 26 to participate in the election of members of the governing body of
 27 the commission, and to contract with the commission for one or
 28 more of its services.

29 (h) "School administrator" means the superintendent***[.]*** *or*
 30 administrative principal***[.]**, business manager or assistant superin-
 31 tendent for business of a local school district**[.]***.

1 2. Section 5 of P. L. 1968, c. 243 (C. 18A:6-55) is amended to
 2 read as follows:

3 5. The board of directors shall consist of one representative
 4 from each member board of education, *which may be a school ad-*
 5 *ministrator, ****[board secretary]**** or a local board of education*
 6 *member* and the county superintendent or county superintendents,
 7 as the case may be, of the county or counties in which the member
 8 school districts are located. Each member of the board of directors
 9 shall have one vote.

1 3. Section 6 of P. L. 1968, c. 243 (C. 18A:6-56) is amended to
 2 read as follows:

3 6. Members of the board of directors representing school dis-
 4 tricts shall be elected by their respective boards of education from
 5 among the membership of such boards of education***[.]*** *or* *their*
 6 *school ***[administrators or board secretries]*** *administrator*.*
 7 Should **[a member]** *the representative* cease to be a member *or*
 8 *employee* of the board of education which elected him, his place on
 9 the board of **[education]** *directors* shall become vacant, and the
 10 board of education which elected him shall elect another of its
 11 members, *or school ***[administrators or board secretaries]*** *ad-*
 12 *ministrator** to fill the vacancy for the remainder of the term for
 12A which the vacating member had been elected.

13 The members of the first board of directors shall serve until the
 14 regular annual organization meeting next ensuing and for 1 year
 15 or 2 years thereafter as their first terms shall be established accord-
 16 ing to an assignment of original terms in which the names of the
 17 school districts shall be arranged in order alphabetically and then
 18 numbered consecutively, beginning with the number 1, and those
 19 districts having odd numbers in such alphabetical list shall be
 20 assigned an original term of 2 years, and those districts having
 21 even numbers in such list having an original term of 1 year. After
 22 the original term, the term of office of a school district member of
 23 the board of directors shall be for 2 years.

1 4. This act shall take effect immediately.

STATEMENT

Currently, many boards of education select their superintendent as the representative of the board of education to the County Educational Services Commission. A recent Attorney General's opinion stated that only elected members of a board of education are eligible to serve as the local board's representative to the Educational Services Commission. This has resulted in an inability for Educational Services to achieve quorums.

Many local boards of education wish to name the superintendent, administrative principal, business manager, board secretary or assistant superintendent for business as the representative to the commission.

This legislation gives local boards of education the option to select the superintendent, administrative principal, business manager, board secretary or assistant superintendent for business as the representative of the board to the Educational Services Commission.

S. 3414 (1979)

1 SA 6 51

1979 c32-

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 3414

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with Assembly committee amendment

STATE OF NEW JERSEY

DATED: DECEMBER 17, 1979

The Assembly Education Committee favorably reports this bill and endorses the statement of the Senate Education Committee. The amendment by the Assembly Education Committee was of a technical nature.

REFERENCE BILL
SENATE EDUCATION COMMITTEE

STATEMENT TO
SENATE, No. 3414
with Senate committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 19, 1979

The Senate Education Committee favorably reports this bill which, as amended, gives local boards of education the option to select the superintendent or administrative principal as the representative of the board to the Educational Services Commission.

Currently, many boards of education select their superintendent as the representative of the board of education to the County Educational Services Commission. A recent Attorney General's opinion stated that only elected members of a board of education are eligible to serve as the local board's representative to the Educational Services Commission. This has resulted in an inability for Educational Services to achieve quorums.

COMMITTEE AMENDMENTS:

The committee has amended this bill to provide that only the chief school administrator (superintendent or administrative principal) may serve as representative of the board.