

**18A:6-31.3 et seq.**  
**LEGISLATIVE HISTORY CHECKLIST**  
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**LAWS OF:** 1995    **CHAPTER:** 294  
**NJSA:** 18A:6-31.3 (New school district – employees' rights)

**BILL NO:** A957 (Substituted for S1266)

**SPONSOR(S):** Rocco

**DATE INTRODUCED:** January 11, 1994

**COMMITTEE:**            **ASSEMBLY:** Education

**SENATE:** Education

**AMENDED DURING PASSAGE:** Yes

**DATE OF PASSAGE:**            **ASSEMBLY:** December 18, 1995

**SENATE:** December 21, 1995

**DATE OF APPROVAL:** December 22, 1995

**FOLLOWING ARE ATTACHED IF AVAILABLE:**

**FINAL TEXT OF BILL:** Second Reprint enacted

**A957**

**SPONSORS STATEMENT:** (Begins on page 2 of introduced bill) Yes

**COMMITTEE STATEMENT:**                            **ASSEMBLY:** Yes

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

**S1266**

**SPONSORS STATEMENT:** (Begins on page 2 of original bill) Yes

**COMMITTEE STATEMENT:**                            **ASSEMBLY:** No

**SENATE:** Yes

**FLOOR AMENDMENT STATEMENTS:** No

**LEGISLATIVE FISCAL ESTIMATE:** No

(continued)

**VETO MESSAGE:**

Yes

**GOVERNOR'S MESSAGE ON SIGNING:**

No

**FOLLOWING WERE PRINTED:**

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**REPORTS:**

No

**HEARINGS:**

No

**NEWSPAPER ARTICLES:**

No

LAW

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblyman ROCCO

1 AN ACT concerning employees of certain school districts and  
2 supplementing chapter 6 of Title 18A of the New Jersey  
3 Statutes.

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

7 1. As used in this act, "new school district" means a local  
8 school district, regional school district, a school district involved  
9 in a sending-receiving relationship, a jointure commission, a  
10 county special services school district, an educational services  
11 commission, or any other school district or combination thereof  
12 established following the effective date of this act whether  
13 established by law, court order, or rule, regulation or order of the  
14 Commissioner or State Board of Education or otherwise and  
15 irrespective of the nature of the constituent districts or entities  
16 forming the new school district. A new school district shall not  
17 include a State-operated school district established by the State  
18 Board of Education pursuant to P.L.1987, c.399 (C.18A:7A-34 et  
19 seq.).

20 In the event that the school district of a municipality or  
21 districts in a group of municipalities are abolished and a  
22 subsequent district formed, the district subsequently formed shall  
23 constitute a new school district under this act and the previously  
24 existing school district or districts shall be considered the  
25 affected or constituent districts under this act.

26 2. Whenever a new school district is created, the terms and  
27 conditions of employment, whether established through a  
28 collective bargaining agreement or past practice, of the largest  
29 constituent school district which is affected, replaced or  
30 displaced by, or forms part of the new school district, shall apply  
31 until a successor agreement is negotiated with the majority  
32 representative of the new school district. As used in this section  
33 the term largest constituent school district means that school  
34 district which employs the largest number of teaching staff  
35 members.

36 In the event that there is an employee bargaining unit in a  
37 constituent school district with the next largest number of  
38 employees and with a majority representative of the unit, which  
39 is not so represented in the largest school district, the terms and  
40 conditions of employment for all employees holding positions in  
41 that unit in the new school district shall apply provided that the  
42 terms and conditions of employment shall only apply to the new  
43 school district's employees in that bargaining unit.

44 3. Whenever a new school district is created, the tenure and  
45 seniority rights of all employees from the affected, constituent,

1 replaced or displaced districts which form or are a part of, or are  
2 affected, replaced or displaced by the new school district, shall  
3 be recognized and preserved by the new school district and all  
4 periods of employment in any of the school districts shall count  
5 toward acquisition of tenure and seniority in the new school  
6 district. All statutory and contractual rights to tenure, seniority,  
7 accumulated sick leave, leave of absence, and pension of an  
8 employee acquired through employment in any of the districts  
9 shall be recognized by the new school district.

10 4. Following consideration of the tenure and seniority rights of  
11 employees provided pursuant to section 3 of this act or pursuant  
12 to any other section of law, a new school district shall fill all  
13 vacancies and available positions from a pool of qualified  
14 employees prior to interviewing applicants or hiring new  
15 employees. The pool of qualified employees shall consist of all  
16 employees of the constituent, affected, displaced or replaced  
17 school districts who are not entitled to continued employment in  
18 the new school district because of tenure or seniority status. A  
19 new school district shall not hire any other employee until all  
20 employees in the labor pool are employed by the new school  
21 district.

22 5. Nothing in this act shall be construed to limit, restrict, or  
23 reduce the rights or benefits of any employee provided under any  
24 other section of law or regulation.

25 6. This act shall take effect immediately.

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#### STATEMENT

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30 This bill provides that whenever a new school district is  
31 created, the terms and conditions of employment of the largest  
32 constituent school district which is affected, replaced or  
33 displaced by, or forms part of the new school district, shall apply  
34 until a successor agreement is negotiated with the majority  
35 representative of the new district. The bill defines "largest  
36 constituent school district" as the district which employs the  
37 largest number of teaching staff members and a "new school  
38 district" as a local school district, a regional school district, a  
39 district involved in a sending-receiving relationship, a jointure  
40 commission, a county special services school district, an  
41 educational services commission, or any other school district or  
42 combination thereof established following the bill's effective  
43 date.

44 The bill further provides that in the event that there is a  
45 different employee bargaining unit in a constituent school district  
46 with the next largest number of employees and with a majority  
47 representative of the unit, the terms and conditions of  
48 employment for all employees holding positions in that unit in the  
49 new school district shall apply provided that the terms and  
50 conditions of employment shall only apply to the new school  
51 district's employees in that bargaining unit.

52 The bill protects the statutory and contractual rights to tenure,  
53 seniority, accumulated sick leave, leave of absence, and pension  
54 of an employee acquired through employment in any of the

1 affected, constituent, replaced or displaced districts. The bill  
2 also provides that following consideration of tenure and seniority  
3 rights, a new school district shall fill all vacancies and available  
4 positions from a pool of qualified employees prior to interviewing  
5 new applicants or hiring new employees. The pool is to consist of  
6 all employees of the constituent, affected, displaced or replaced  
7 school districts who are not entitled to continued employment in  
8 the new district.

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13 Provides for protection of the rights of employees in newly  
14 formed school districts.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 957

STATE OF NEW JERSEY

DATED: JUNE 13, 1994

The Assembly Education favorably reports Assembly Bill No. 957.

This bill provides that whenever a new school district is created, the terms and conditions of employment of the largest constituent school district which is affected, replaced or displaced by, or forms part of the new school district, shall apply until a successor agreement is negotiated with the majority representative of the new district. The bill defines "largest constituent school district" as the district which employs the largest number of teaching staff members. A "new school district" is defined as a local school district, a regional school district, a district involved in a sending-receiving relationship, a jointure commission, a county special services school district, an educational services commission, or any other school district or combination thereof established following the bill's effective date.

The bill further provides that in the event that there is a different employee bargaining unit in a constituent school district with the next largest number of employees and with a majority representative of the unit, the terms and conditions of employment for all employees holding positions in that unit in the new school district shall apply provided that the terms and conditions of employment shall only apply to the new school district's employees in that bargaining unit.

The bill protects the statutory and contractual rights to tenure, seniority, accumulated sick leave, leave of absence, and pension of an employee acquired through employment in any of the affected, constituent, replaced or displaced districts. The bill also provides that following consideration of tenure and seniority rights, a new school district shall fill all vacancies and available positions from a pool of qualified employees prior to interviewing new applicants or hiring new employees. The pool is to consist of all employees of the constituent, affected, displaced or replaced school districts who are not entitled to continued employment in the new district.

This bill was prefiled for introduction in the 1994-95 legislative session. As reported, the bill includes the changes required by technical review which has been performed.

SENATE EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 957

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 1, 1994

The Senate Education Committee favorably reports Assembly Bill No. 957 with committee amendments.

As amended, this bill provides that whenever a new school district is created, the terms and conditions of employment of the largest constituent school district which is affected, replaced or displaced by, or forms part of the new school district, shall apply until a successor agreement is negotiated with the majority representative of the new district. The bill defines "largest constituent school district" as the district which employs the largest number of teaching staff members. A "new school district" is defined as a local school district, a regional school district, a district involved in a sending-receiving relationship, a jointure commission, a county special services school district, an educational services commission, or any other school district or combination thereof established following the bill's effective date.

The bill further provides that in the event that there is a different employee bargaining unit in a constituent school district with the next largest number of employees and with a majority representative of the unit, the terms and conditions of employment for all employees holding positions in that unit in the new school district shall apply provided that the terms and conditions of employment shall only apply to the new school district's employees in that bargaining unit.

The bill protects the statutory and contractual rights to tenure, seniority, accumulated sick leave, leave of absence, and pension of an employee, other than an employee who is a superintendent, which have been acquired through employment in any of the affected, constituent, replaced or displaced districts. The bill also provides that following consideration of tenure and seniority rights, a new school district shall fill all vacancies and available positions from a pool of qualified employees prior to interviewing new applicants or hiring new employees. The pool is to consist of all employees of the constituent, affected, displaced or replaced school districts who are not entitled to continued employment in the new district.

The committee amended the bill to provide an exception to the protection of such rights as tenure and seniority for employees who are superintendents.

As reported, this bill is identical to S-1266 with Senate committee amendments.

10/27/94/dc  
11/1495

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TR 0148

SENATE SED COMMITTEE

AMENDMENTS

to

ASSEMBLY, No. 957

(Sponsored by Assemblyman ROCCO)

**ADOPTED**  
NOV 20 1994

REPLACE SECTION 3 TO READ:

3. Whenever a new school district is created, the tenure and seniority rights of all employees from the affected, constituent, replaced or displaced districts which form or are a part of, or are affected, replaced or displaced by the new school district, except for employees who are superintendents,<sup>1</sup> shall be recognized and preserved by the new school district and all periods of employment in any of the school districts shall count toward acquisition of tenure and seniority in the new school district. All statutory and contractual rights to tenure, seniority, accumulated sick leave, leave of absence, and pension of an employee other than an employee who is a superintendent,<sup>1</sup> which have been<sup>1</sup> acquired through employment in any of the districts shall be recognized by the new school district.



ASSEMBLY BILL NO. 957  
(First Reprint)

To the General Assembly:

Pursuant to Article V, Section I, Paragraph 14 of the New Jersey Constitution, I am returning Assembly Bill No. 957 (First Reprint) with my recommendations for reconsideration.

The purpose of this bill is to ensure that the creation of a new school district will not negatively impact on the job security and compensation of employees of the affected school districts. Certainly, the goal of the bill is meritorious in seeking a smooth transition for employees impacted by the establishment of a new school district. However, a number of provisions of the bill may actually make it more difficult for school districts to regionalize or to provide services jointly and are not necessary to accomplish the objectives of the bill.

First, the bill applies to sending-receiving relationships which do not actually involve the creation of a new school district. Application of the bill in these circumstances may be counterproductive in discouraging school districts to participate in such joint arrangements. Second, the language of the bill would provide greater protection to nontenured staff than they would otherwise be entitled in the old school district. In this regard, the bill should conform with the existing rights of nontenured staff. Third, the bill requires that a preference list for nontenured staff be maintained in perpetuity until all such employees have received employment in the new school district. This provision will create undue administrative problems for the new school district.

These concerns should be addressed in a manner which will adequately balance the need to protect the rights of employees with

STATE OF NEW JERSEY  
EXECUTIVE DEPARTMENT

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the need to provide the new school district with flexibility in personnel decisions.

Therefore, I herewith return Assembly Bill No. 957 (First Reprint) and recommend that it be amended as follows:

- Page 1, Section 1, Lines 8-9: Delete "a school district involved in a sending-receiving relationship" and insert "a county vocational school district"
- Page 1, Section 1, Line 10: After "district," insert "or"
- Page 1, Section 1, Lines 11-16: Delete from ", or any other school district" to "forming the new school district"
- Page 2, Section 4, Line 21: After "who" insert "would otherwise be entitled to continued employment in that district in the following school year but"
- Page 2, Section 4, Line 22: Delete "A" and insert "During the school year in which the new district is established, a"
- Page 2, Section 4, Line 23: Delete "any other employee" and insert "an employee for a particular position"
- Page 2, Section 4, Line 24: Delete "are employed" and insert "qualified to fill the position have been offered employment"

Respectfully,

/s/ Christine Todd Whitman

GOVERNOR

[seal]

Attest:

/s/ Margaret M. Foti

Chief Counsel to the Governor

[SECOND REPRINT]

ASSEMBLY, No. 957

STATE OF NEW JERSEY

PRE-FILED FOR INTRODUCTION IN THE 1994 SESSION

By Assemblyman ROCCO

1 AN ACT concerning employees of certain school districts and  
2 supplementing chapter 6 of Title 18A of the New Jersey  
3 Statutes.

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

7 1. As used in this act, "new school district" means a local  
8 school district, regional school district, a <sup>2</sup>county vocational<sup>2</sup>  
9 school district <sup>2</sup>[involved in a sending-receiving relationship]<sup>2</sup>, a  
10 jointure commission, a county special services school district,  
11 <sup>2</sup>or<sup>2</sup> an educational services commission <sup>2</sup>[, or any other school  
12 district or combination thereof established following the  
13 effective date of this act whether established by law, court  
14 order, or rule, regulation or order of the Commissioner or State  
15 Board of Education or otherwise and irrespective of the nature of  
16 the constituent districts or entities forming the new school  
17 district]<sup>2</sup>. A new school district shall not include a  
18 State-operated school district established by the State Board of  
19 Education pursuant to P.L.1987, c.399 (C.18A:7A-34 et seq.).

20 In the event that the school district of a municipality or  
21 districts in a group of municipalities are abolished and a  
22 subsequent district formed, the district subsequently formed shall  
23 constitute a new school district under this act and the previously  
24 existing school district or districts shall be considered the  
25 affected or constituent districts under this act.

26 2. Whenever a new school district is created, the terms and  
27 conditions of employment, whether established through a  
28 collective bargaining agreement or past practice, of the largest  
29 constituent school district which is affected, replaced or  
30 displaced by, or forms part of the new school district, shall apply  
31 until a successor agreement is negotiated with the majority  
32 representative of the new school district. As used in this section,  
33 the term largest constituent school district means that school  
34 district which employs the largest number of teaching staff  
35 members.

36 In the event that there is an employee bargaining unit in a  
37 constituent school district with the next largest number of  
38 employees and with a majority representative of the unit, which  
39 is not so represented in the largest school district, the terms and  
40 conditions of employment for all employees holding positions in  
41 that unit in the new school district shall apply provided that the  
42 terms and conditions of employment shall only apply to the new  
43 school district's employees in that bargaining unit.

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:

<sup>1</sup> Senate SED committee amendments adopted November 10, 1994.

<sup>2</sup> Assembly amendments adopted in accordance with Governor's  
recommendations September 18, 1995.

1       3. Whenever a new school district is created, the tenure and  
2 seniority rights of all employees from the affected, constituent,  
3 replaced or displaced districts which form or are a part of, or are  
4 affected, replaced or displaced by the new school district,  
5 except for employees who are superintendents,<sup>1</sup> shall be  
6 recognized and preserved by the new school district and all  
7 periods of employment in any of the school districts shall count  
8 toward acquisition of tenure and seniority in the new school  
9 district. All statutory and contractual rights to tenure, seniority,  
10 accumulated sick leave, leave of absence, and pension of an  
11 employee other than an employee who is a superintendent,  
12 which have been<sup>1</sup> acquired through employment in any of the  
13 districts shall be recognized by the new school district.

14       4. Following consideration of the tenure and seniority rights of  
15 employees provided pursuant to section 3 of this act or pursuant  
16 to any other section of law, a new school district shall fill all  
17 vacancies and available positions from a pool of qualified  
18 employees prior to interviewing applicants or hiring new  
19 employees. The pool of qualified employees shall consist of all  
20 employees of the constituent, affected, displaced or replaced  
21 school districts who would otherwise be entitled to continued  
22 employment in that district in the following school year but<sup>2</sup> are  
23 not entitled to continued employment in the new school district  
24 because of tenure or seniority status. <sup>2</sup>[A] During the school year  
25 in which the new district is established, a<sup>2</sup> new school district  
26 shall not hire <sup>2</sup>[any other] an<sup>2</sup> employee <sup>2</sup>for a particular  
27 position<sup>2</sup> until all employees in the labor pool <sup>2</sup>[are employed]  
28 qualified to fill the position have been offered employment<sup>2</sup> by  
29 the new school district.

30       5. Nothing in this act shall be construed to limit, restrict, or  
31 reduce the rights or benefits of any employee provided under any  
32 other section of law or regulation.

33       6. This act shall take effect immediately.

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38 Provides for protection of the rights of employees in newly  
39 formed school districts.

**SENATE, No. 1266**  
**STATE OF NEW JERSEY**

INTRODUCED JUNE 23, 1994

By Senator PALAIA

1 AN ACT concerning employees of certain school districts and  
2 supplementing chapter 6 of Title 18A of the New Jersey  
3 Statutes.

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

7 1. As used in this act, "new school district" means a local  
8 school district, regional school district, a school district involved  
9 in a sending-receiving relationship, a jointure commission, a  
10 county special services school district, an educational services  
11 commission, or any other school district or combination thereof  
12 established following the effective date of this act whether  
13 established by law, court order, or rule, regulation or order of the  
14 Commissioner or State Board of Education or otherwise and  
15 irrespective of the nature of the constituent districts or entities  
16 forming the new school district. A new school district shall not  
17 include a State-operated school district established by the State  
18 Board of Education pursuant to P.L.1987, c.399 (C.18A:7A-34 et  
19 seq.).

20 In the event that the school district of a municipality or  
21 districts in a group of municipalities are abolished and a  
22 subsequent district formed, the district subsequently formed shall  
23 constitute a new school district under this act and the previously  
24 existing school district or districts shall be considered the  
25 affected or constituent districts under this act.

26 2. Whenever a new school district is created, the terms and  
27 conditions of employment, whether established through a  
28 collective bargaining agreement or past practice, of the largest  
29 constituent school district which is affected, replaced or  
30 displaced by, or forms part of the new school district, shall apply  
31 until a successor agreement is negotiated with the majority  
32 representative of the new school district. As used in this section,  
33 the term largest constituent school district means that school  
34 district which employs the largest number of teaching staff  
35 members.

36 In the event that there is an employee bargaining unit in a  
37 constituent school district with the next largest number of  
38 employees and with a majority representative of the unit, which  
39 is not so represented in the largest school district, the terms and  
40 conditions of employment for all employees holding positions in  
41 that unit in the new school district shall apply provided that the  
42 terms and conditions of employment shall only apply to the new  
43 school district's employees in that bargaining unit.

44 3. Whenever a new school district is created, the tenure and  
45 seniority rights of all employees from the affected, constituent,

1 replaced or displaced districts which form or are a part of, or are  
2 affected, replaced or displaced by the new school district, shall  
3 be recognized and preserved by the new school district and all  
4 periods of employment in any of the school districts shall count  
5 toward acquisition of tenure and seniority in the new school  
6 district. All statutory and contractual rights to tenure, seniority,  
7 accumulated sick leave, leave of absence, and pension of an  
8 employee acquired through employment in any of the districts  
9 shall be recognized by the new school district.

10 4. Following consideration of the tenure and seniority rights of  
11 employees provided pursuant to section 3 of this act or pursuant  
12 to any other section of law, a new school district shall fill all  
13 vacancies and available positions from a pool of qualified  
14 employees prior to interviewing applicants or hiring new  
15 employees. The pool of qualified employees shall consist of all  
16 employees of the constituent, affected, displaced or replaced  
17 school districts who are not entitled to continued employment in  
18 the new school district because of tenure or seniority status. A  
19 new school district shall not hire any other employee until all  
20 employees in the labor pool are employed by the new school  
21 district.

22 5. Nothing in this act shall be construed to limit, restrict, or  
23 reduce the rights or benefits of any employee provided under any  
24 other section of law or regulation.

25 6. This act shall take effect immediately.

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#### STATEMENT

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30 This bill provides that whenever a new school district is  
31 created, the terms and conditions of employment of the largest  
32 constituent school district which is affected, replaced or  
33 displaced by, or forms part of the new school district, shall apply  
34 until a successor agreement is negotiated with the majority  
35 representative of the new district. The bill defines "largest  
36 constituent school district" as the district which employs the  
37 largest number of teaching staff members and a "new school  
38 district" as a local school district, a regional school district, a  
39 district involved in a sending-receiving relationship, a jointure  
40 commission, a county special services school district, an  
41 educational services commission, or any other school district or  
42 combination thereof established following the bill's effective  
43 date.

44 The bill further provides that in the event that there is a  
45 different employee bargaining unit in a constituent school district  
46 with the next largest number of employees and with a majority  
47 representative of the unit, the terms and conditions of  
48 employment for all employees holding positions in that unit in the  
49 new school district shall apply provided that the terms and  
50 conditions of employment shall only apply to the new school  
51 district's employees in that bargaining unit.

52 The bill protects the statutory and contractual rights to tenure,  
53 seniority, accumulated sick leave, leave of absence, and pension  
54 of an employee acquired through employment in any of the

1 affected, constituent, replaced or displaced districts. The bill  
2 also provides that following consideration of tenure and seniority  
3 rights, a new school district shall fill all vacancies and available  
4 positions from a pool of qualified employees prior to interviewing  
5 new applicants or hiring new employees. The pool is to consist of  
6 all employees of the constituent, affected, displaced or replaced  
7 school districts who are not entitled to continued employment in  
8 the new district.

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13 Provides for protection of the rights of employees in newly  
14 formed school districts.

SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 1266

with committee amendments

STATE OF NEW JERSEY

DATED: NOVEMBER 1, 1994

The Senate Education Committee favorably reports Senate Bill No. 1266 with committee amendments.

As amended, this bill provides that whenever a new school district is created, the terms and conditions of employment of the largest constituent school district which is affected, replaced or displaced by, or forms part of the new school district, shall apply until a successor agreement is negotiated with the majority representative of the new district. The bill defines "largest constituent school district" as the district which employs the largest number of teaching staff members. A "new school district" is defined as a local school district, a regional school district, a district involved in a sending-receiving relationship, a jointure commission, a county special services school district, an educational services commission, or any other school district or combination thereof established following the bill's effective date.

The bill further provides that in the event that there is a different employee bargaining unit in a constituent school district with the next largest number of employees and with a majority representative of the unit, the terms and conditions of employment for all employees holding positions in that unit in the new school district shall apply provided that the terms and conditions of employment shall only apply to the new school district's employees in that bargaining unit.

The bill protects the statutory and contractual rights to tenure, seniority, accumulated sick leave, leave of absence, and pension of an employee, other than an employee who is a superintendent, which have been acquired through employment in any of the affected, constituent, replaced or displaced districts. The bill also provides that following consideration of tenure and seniority rights, a new school district shall fill all vacancies and available positions from a pool of qualified employees prior to interviewing new applicants or hiring new employees. The pool is to consist of all employees of the constituent, affected, displaced or replaced school districts who are not entitled to continued employment in the new district.

The committee amended the bill to provide an exception to the protection of such rights as tenure and seniority for employees who are superintendents.

As reported, this bill is identical to A957 with Senate committee amendments.



SENATE SED COMMITTEE

AMENDMENTS

to

SENATE, No. 1266  
(Sponsored by Senator PALAIA)

**ADOPTED**  
NOV 10 1994

REPLACE SECTION 3 TO READ:

3. Whenever a new school district is created, the tenure and seniority rights of all employees from the affected, constituent, replaced or displaced districts which form or are a part of, or are affected, replaced or displaced by the new school district, except for employees who are superintendents,<sup>1</sup> shall be recognized and preserved by the new school district and all periods of employment in any of the school districts shall count toward acquisition of tenure and seniority in the new school district. All statutory and contractual rights to tenure, seniority, accumulated sick leave, leave of absence, and pension of an employee other than an employee who is a superintendent, which have been<sup>1</sup> acquired through employment in any of the districts shall be recognized by the new school district.