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# ASSEMBLY, No. 2175

## STATE OF NEW JERSEY 209th LEGISLATURE

INTRODUCED MARCH 2, 2000

**Sponsored by:**

**Assemblyman DAVID W. WOLFE**

**District 10 (Monmouth and Ocean)**

**Assemblyman JOSEPH R. MALONE, III**

**District 30 (Burlington, Monmouth and Ocean)**

**SYNOPSIS**

Revises mission of the New Jersey School of the Arts to provide assistance to secondary schools in meeting Visual and Performing Arts Standards; appropriates \$600,000.

**CURRENT VERSION OF TEXT**

As introduced.



1 AN ACT concerning the New Jersey School of the Arts, amending  
2 P.L.1969, c.95, repealing section 5 of P.L.1969, c.95, and making  
3 an appropriation.

4

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

7

8 1. Section 1 of P.L.1969, c.95 (C.18A:61A-1) is amended to read  
9 as follows:

10 1. It is hereby declared to be the policy of the State to foster,  
11 encourage and promote, and to provide assistance for, the cultural  
12 development of the citizens of New Jersey, and to this end the State  
13 Legislature hereby establishes a school for the **[professional training]**  
14 workplace readiness skills of students **[having exceptional talent]** in  
15 the performing, literary and visual arts which shall be defined as an  
16 educational institution of the State under the supervision and direction  
17 of the State Board of Education, to serve the students of New Jersey  
18 and to supplement and provide instruction to fulfill the Core  
19 Curriculum Content Standards for the Visual and Performing Arts  
20 adopted by the State Board of Education, to be known as the New  
21 Jersey School of the Arts, hereinafter referred to as "the school."

22 (cf: P.L. 1969, c. 95, s. 1)

23

24 2. Section 2 of P.L.1969, c.95 (C.18A:61A-2) is amended to read  
25 as follows:

26 2. The primary purpose of the school shall be the professional  
27 training of **[talented]** students in the fields of art, music, drama, **[the]**  
28 dance, and **[allied performing arts,]** creative writing at the **[high**  
29 **school]** secondary level of instruction, with emphasis placed upon  
30 performance of the arts~~[,]~~ and **[not upon]** academic studies of the  
31 arts. The school **[may also offer (a) high school academic subjects**  
32 **(grades 9 through 12) and accept qualified students in such grades**  
33 **from any school district in the State, (b)]** will provide such courses to  
34 any secondary school within the State and such other programs as are  
35 deemed necessary to meet the needs of its students and of the State,  
36 consistent with appropriations made and gifts received or solicited  
37 therefor, and **[(c)]** may co-operate with other secondary schools and  
38 institutions which provide such courses of instruction.

39 (cf: P.L.1969, c.95, s.2)

40

41 3. Section 3 of P.L.1969, c.95 (C.18A:61A-3) is amended to read  
42 as follows:

**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.**

1       3. The school shall be governed by a board of trustees consisting  
2 of 11 members, appointed by the Governor with the advice and  
3 consent of the Senate, who will serve terms of 6 years and until the  
4 appointment and qualification of their successors; except that, of the  
5 first appointees to the board, 4 members shall be appointed for terms  
6 of 6 years, 4 members for terms of 4 years, and 3 members for terms  
7 of 2 years, with all terms to commence on July 1 of the year in which  
8 the members shall be appointed. Members of the board shall serve  
9 without remuneration but shall be entitled to reimbursement for  
10 expenses incurred in the performance of their duties. The [chairman  
11 of the Arts Council of New Jersey] Secretary of State or a designee  
12 shall be an ex-officio member of the board of trustees. A vacancy in  
13 the membership of the board shall be filled by appointment for the  
14 unexpired term.

15 (cf: P.L.1969, c.95, s.3)

16

17       4. Section 4 of P.L.1969, c.95 (C.18A:61A-4) is amended to read  
18 as follows:

19       4. The board of trustees shall organize at a meeting to be called by  
20 the Commissioner of Education and annually thereafter by election  
21 from their number of a chairman and a vice chairman and appointment  
22 of a secretary, who may but need not be a member of the board of  
23 trustees, and such other officers as the board shall determine. The  
24 meeting for the election and appointment of officers shall be held not  
25 earlier than July 1 and not later than October 1 of each year. Officers  
26 shall serve for terms of [1] one year, and until their successors are  
27 selected and qualified. The board of trustees shall be known as "The  
28 Trustees of the New Jersey School of the Arts" and shall be a body  
29 corporate, with all the powers usually conferred upon such bodies and  
30 necessary to enable it to [acquire, hold and transfer property,] make  
31 contracts, and to exercise such other rights and privileges as may be  
32 necessary [for the management and administration of the school, and]  
33 for carrying out the provisions and purposes of this act. The school  
34 shall employ northern, central and southern coordinators and hire  
35 appropriate professional staff to implement programs in music, dance,  
36 visual arts and creative writing in each of the 21 counties of the State.

37 (cf: P.L.1983, c.244, s.1)

38

39       5. Section 6 of P.L.1969, c.95 (C.18A:61A-6) is amended to read  
40 as follows:

41       6. The board of trustees of the school shall, within the general  
42 policies and guidelines set by the State Board of Education, have  
43 general supervision over, and shall be vested with the conduct of, the  
44 school. It shall, within the general policies and guidelines set by the  
45 State Board of Education, have the power and duty to:

46       a. [ Adopt and use a corporate seal;

- 1           **b.]** Determine the educational curriculum and program of the  
2 school in accordance with the arts standards, frameworks and  
3 assessments;
- 4           **[c.] b.** Determine policies for the organization, administration and  
5 development of the school;
- 6           **[d.] c.** Study the educational and financial needs of the school;  
7 annually acquaint the Governor and Legislature with the condition of  
8 the school; and prepare, and after concurrence by and jointly with the  
9 State Board of Education, present the annual budget to the Governor  
10 and Legislature, in accordance with law;
- 11           **[e.] d.** Subject to the provisions of P.L.1944, chapter 112  
12 (C.52:27B-1 et seq.), direct and control the expenditures of the school  
13 in accordance with the provisions of the budget and the appropriations  
14 acts of the Legislature, except that with respect to transfers of funds  
15 pursuant to P.L.1944, chapter 112 (C.52:27B-1 et seq.), the school  
16 shall be deemed a spending agency, and as to funds received or  
17 solicited from other sources, in accordance with the terms**[,]** of any  
18 applicable trusts, gifts, bequests, or other special provisions**[:]**, the  
19 counsel, advice and assistance of the Division of Investment in the  
20 Department of the Treasury**[,]** shall be available to the board of  
21 trustees in the establishment and maintenance of endowment and trust  
22 funds;
- 23           **[f.] e.** With the approval of the State Board of Education appoint  
24 and fix the compensation of a director of the school who shall be its  
25 executive officer and shall serve at the pleasure of the board of  
26 trustees;
- 27           **[g.] f.** Appoint **[a treasurer and such deans and other]** members  
28 of the academic, administrative and teaching staffs as shall be required  
29 and fix their compensation and terms of employment in accordance  
30 with salary policies adopted by the State Board of Education, which  
31 salary policies shall prescribe qualifications for **[the various**  
32 **classifications and shall limit the percentage of]** the education staff  
33 that may be in any given classification;
- 34           **[h.] g.** Appoint, remove, promote and transfer such other officers,  
35 agents or employees as may be required for carrying out the purposes  
36 of the school and assign their duties, determine their salaries and  
37 prescribe qualifications for all positions, all in accordance with the  
38 provisions of Title **[11] 11A**, Civil Service, of the **[Revised] New**  
39 **Jersey Statutes**;
- 40           **[ i.** Grant diplomas and certificates subject to standards fixed by the  
41 State Board of Education;**]**
- 42           **[ j.] h.** Subject to the provisions of P.L.1954, chapter 48 (C.52:34-  
43 6 et seq.), to enter into contracts and agreements with the State or any  
44 of its political subdivisions or with the United States, or with any  
45 public body, department or other agency of the State or the United

1 States or with any individual, firm, or corporation which are deemed  
2 necessary or advisable by the board for carrying out the purposes of  
3 the school;

4 [k. Subject to the provisions of P.L.1954, chapter 48, purchase  
5 lands, buildings, equipment, materials and supplies; employ architects,  
6 engineers and other persons desired in the planning of buildings,  
7 equipment and facilities; secure bids, enter into contracts for and  
8 supervise the construction of such buildings, equipment and facilities;

9 l. If necessary, take and condemn land and other property in the  
10 manner provided by chapter 1 of Title 20, Eminent Domain, of the  
11 Revised Statutes, whenever authorized by law to purchase land or  
12 other property;

13 m.] i. Adopt[, after consultation with the advisory board, the  
14 director and faculty,] by-laws and make and promulgate such rules,  
15 regulations and orders, not inconsistent with the provisions of this act  
16 that are necessary and proper for the administration and operation of  
17 the school and the carrying out of its purposes;

18 [n.] j. Receive and accept private and corporate contributions for  
19 such purposes and upon such terms as the donor may prescribe  
20 consistent with the purposes of the school and general policies and  
21 guidelines set by the State Board of Education[;

22 o. With approval of the State Board of Education, fix tuition to be  
23 paid by students and by sending districts, as to high school students  
24 from such districts attending the school;

25 p. Prescribe entrance requirements so that professional training  
26 shall be available only to students having exceptional talent in one or  
27 more of the visual and performing arts].

28 (cf: P.L.1969, c.95, s.6)

29

30 6. Section 8 of P.L.1969, c.95 (C.18A:61A-8) is amended to read  
31 as follows:

32 8. As advisors to the board of trustees there [shall] may be an  
33 advisory board[, ] to consist of not less than 10 members who shall  
34 have achieved national[, ] or international distinction in the performing  
35 or visual arts as performers, playwrights, composers, or otherwise, to  
36 be [appointed by the Governor, to serve for terms of 8 years each;  
37 provided, that of the original advisory board, 1/3 shall be appointed  
38 for terms of 8 years, 1/3 shall be appointed for terms of 6 years,  
39 and 1/3 shall be appointed for terms of 4 years] selected by the  
40 board of trustees to assist in carrying out the provisions of this act.

41 The members of the advisory board shall be notified of all meetings  
42 of the board of trustees, and shall be invited to attend such meetings  
43 and to advise and counsel with the board of trustees, but the members  
44 of the advisory board shall not be entitled to vote. [Vacancies in the  
45 original membership of the said advisory board shall be filled by

1 election of replacement members by the advisory board, with the  
2 approval of the Governor, for terms of 8 years, or, if to fill a vacancy,  
3 for the remainder of the unexpired term.】 Members of the advisory  
4 board shall serve without remuneration at the pleasure of the board of  
5 trustees.

6 (cf: P.L.1969, c.95, s.8)

7

8 7. Section 5 of P.L.1969, c.95 (C.18A:61A-5) is repealed.

9

10 8. There is appropriated \$600,000 from the General Fund to the  
11 Department of Education for use by the trustees of the New Jersey  
12 School of the Arts in implementing the provisions of this act.

13

14 9. This act shall take effect immediately.

15

16

17

#### STATEMENT

18

19 This bill amends the statutes that established the New Jersey School  
20 of the Arts by legislation which was adopted in 1969 (P.L.1969, c.95)  
21 and which was never implemented. Under the bill, the school would  
22 not be located at a facility as originally conceived, but would rather  
23 consist of faculty available to assist New Jersey's secondary schools in  
24 fulfilling the requirements of the Core Curriculum Content Standards  
25 adopted by the State Board of Education for the Visual and  
26 Performing Arts. The school would employ a director, secretarial  
27 support staff and northern, central and southern coordinators along  
28 with appropriate professional staff to implement programs in music,  
29 dance, visual arts and creative writing in each of the 21 counties of the  
30 State.

31 An appropriation of \$600,000 is made to the Department of  
32 Education for use by the trustees of the school in implementing the  
33 new mission of the school.

34 A section of law requiring the trustees to select a site for the school  
35 is repealed and several subsections of law related to the acquisition of  
36 a facility are deleted.



# ASSEMBLY EDUCATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 2175**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: MAY 8, 2000

The Assembly Education Committee favorably reports Assembly Bill No. 2175 with committee amendments.

As amended by the committee, this bill amends the statutes that established the New Jersey School of the Arts by legislation which was adopted in 1969 (P.L.1969, c.95) and which was never implemented. Under the bill, the school would not be located at a facility as originally conceived, but would rather consist of faculty available to assist New Jersey's secondary schools in fulfilling the requirements of the Core Curriculum Content Standards adopted by the State Board of Education for the Visual and Performing Arts. The school would employ a director, secretarial support staff and northern, central and southern coordinators along with appropriate professional staff to implement programs in music, dance, visual arts and creative writing in each of the 21 counties of the State.

A section of law requiring the trustees to select a site for the school is repealed and several subsections of law related to the acquisition of a facility are deleted.

The committee amended the bill to remove the \$600,000 appropriation.

# ASSEMBLY APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

### ASSEMBLY, No. 2175

# STATE OF NEW JERSEY

DATED: JUNE 8, 2000

The Assembly Appropriations Committee reports favorably Assembly Bill No. 2175 (1R).

Assembly Bill No. 2175 (1R) amends the statutes that established the New Jersey School of the Arts by legislation that was adopted in 1969 (P.L.1969, c.95), but was never implemented. Under the bill, the school would not be located at a facility, as originally conceived, but would rather consist of faculty available to assist New Jersey's secondary schools in fulfilling the requirements of the Core Curriculum Content Standards adopted by the State Board of Education for the Visual and Performing Arts. The school would employ a director, secretarial support staff and northern, central and southern coordinators along with appropriate professional staff to implement programs in music, dance, visual arts and creative writing in each of the 21 counties of the State.

The bill repeals a section of law requiring the trustees to select a site for the school and deletes several subsections of law related to the acquisition of a facility.

#### FISCAL IMPACT:

The prior committee, at the request of the Department of Education, removed the \$600,000 appropriation in the bill. According to the department, an administrative budget resolution will be forthcoming to address the funding of this program for FY 2001; thereafter the program costs will become part of the department's annual budget.

[First Reprint]

**ASSEMBLY, No. 2175**

**STATE OF NEW JERSEY**  
**209th LEGISLATURE**

INTRODUCED MARCH 2, 2000

**Sponsored by:**

**Assemblyman DAVID W. WOLFE**

**District 10 (Monmouth and Ocean)**

**Assemblyman JOSEPH R. MALONE, III**

**District 30 (Burlington, Monmouth and Ocean)**

**Co-Sponsored by:**

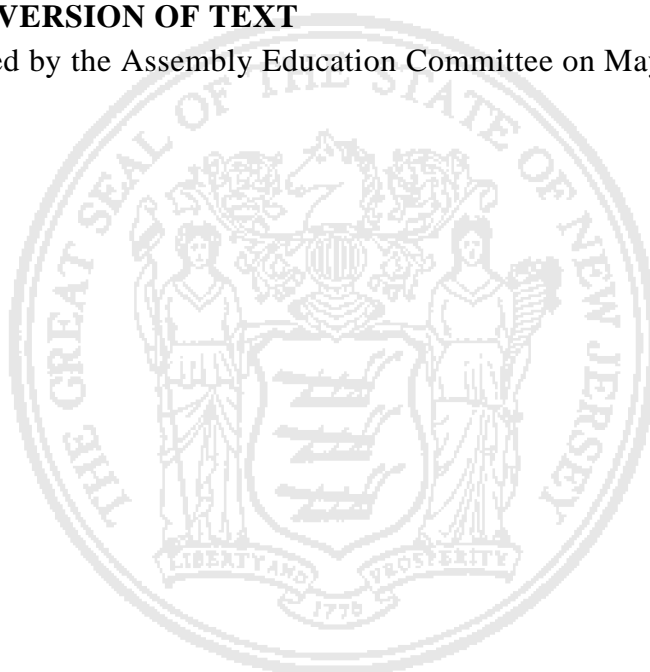
**Senators Allen and Palaia**

**SYNOPSIS**

Revises mission of the New Jersey School of the Arts to provide assistance to secondary schools in meeting Visual and Performing Arts Standards.

**CURRENT VERSION OF TEXT**

As reported by the Assembly Education Committee on May 8, 2000, with amendments.



**(Sponsorship Updated As Of: 6/30/2000)**

1 AN ACT concerning the New Jersey School of the Arts, amending  
2 P.L.1969, c.95<sup>1</sup> [.,] and<sup>1</sup> repealing section 5 of P.L.1969, c.95<sup>1</sup> [,]  
3 and making an appropriation]<sup>1</sup>.

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

7  
8 1. Section 1 of P.L.1969, c.95 (C.18A:61A-1) is amended to read  
9 as follows:

10 1. It is hereby declared to be the policy of the State to foster,  
11 encourage and promote, and to provide assistance for, the cultural  
12 development of the citizens of New Jersey, and to this end the State  
13 Legislature hereby establishes a school for the [professional training]  
14 workplace readiness skills of students [having exceptional talent] in  
15 the performing, literary and visual arts which shall be defined as an  
16 educational institution of the State under the supervision and direction  
17 of the State Board of Education, to serve the students of New Jersey  
18 and to supplement and provide instruction to fulfill the Core  
19 Curriculum Content Standards for the Visual and Performing Arts  
20 adopted by the State Board of Education, to be known as the New  
21 Jersey School of the Arts, hereinafter referred to as "the school."  
22 (cf: P.L.1969, c.95, s.1)

23

24 2. Section 2 of P.L.1969, c.95 (C.18A:61A-2) is amended to read  
25 as follows:

26 2. The primary purpose of the school shall be the professional  
27 training of [talented] students in the fields of art, music, drama, [the]  
28 dance, and [allied performing arts,] creative writing at the [high  
29 school] secondary level of instruction, with emphasis placed upon  
30 performance of the arts[.,] and [not upon] academic studies of the  
31 arts. The school [may also offer (a) high school academic subjects  
32 (grades 9 through 12) and accept qualified students in such grades  
33 from any school district in the State, (b)] will provide such courses to  
34 any secondary school within the State and such other programs as are  
35 deemed necessary to meet the needs of its students and of the State,  
36 consistent with appropriations made and gifts received or solicited  
37 therefor, and [(c)] may co-operate with other secondary schools and  
38 institutions which provide such courses of instruction.

39 (cf: P.L.1969, c.95, s.2)

40

41 3. Section 3 of P.L.1969, c.95 (C.18A:61A-3) is amended to read

**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> Assembly AED committee amendments adopted May 8, 2000.

1 as follows:

2 3. The school shall be governed by a board of trustees consisting  
3 of 11 members, appointed by the Governor with the advice and  
4 consent of the Senate, who will serve terms of 6 years and until the  
5 appointment and qualification of their successors; except that, of the  
6 first appointees to the board, 4 members shall be appointed for terms  
7 of 6 years, 4 members for terms of 4 years, and 3 members for terms  
8 of 2 years, with all terms to commence on July 1 of the year in which  
9 the members shall be appointed. Members of the board shall serve  
10 without remuneration but shall be entitled to reimbursement for  
11 expenses incurred in the performance of their duties. The [chairman  
12 of the Arts Council of New Jersey] Secretary of State or a designee  
13 shall be an ex-officio member of the board of trustees. A vacancy in  
14 the membership of the board shall be filled by appointment for the  
15 unexpired term.

16 (cf: P.L.1969, c.95, s.3)

17

18 4. Section 4 of P.L.1969, c.95 (C.18A:61A-4) is amended to read  
19 as follows:

20 4. The board of trustees shall organize at a meeting to be called by  
21 the Commissioner of Education and annually thereafter by election  
22 from their number of a chairman and a vice chairman and appointment  
23 of a secretary, who may but need not be a member of the board of  
24 trustees, and such other officers as the board shall determine. The  
25 meeting for the election and appointment of officers shall be held not  
26 earlier than July 1 and not later than October 1 of each year. Officers  
27 shall serve for terms of [1] one year, and until their successors are  
28 selected and qualified. The board of trustees shall be known as "The  
29 Trustees of the New Jersey School of the Arts" and shall be a body  
30 corporate, with all the powers usually conferred upon such bodies and  
31 necessary to enable it to [acquire, hold and transfer property,] make  
32 contracts, and to exercise such other rights and privileges as may be  
33 necessary [for the management and administration of the school, and]  
34 for carrying out the provisions and purposes of this act. The school  
35 shall employ northern, central and southern coordinators and hire  
36 appropriate professional staff to implement programs in music, dance,  
37 visual arts and creative writing in each of the 21 counties of the State.

38 (cf: P.L.1983, c.244, s.1)

39

40 5. Section 6 of P.L.1969, c.95 (C.18A:61A-6) is amended to read  
41 as follows:

42 6. The board of trustees of the school shall, within the general  
43 policies and guidelines set by the State Board of Education, have  
44 general supervision over, and shall be vested with the conduct of, the  
45 school. It shall, within the general policies and guidelines set by the  
46 State Board of Education, have the power and duty to:

- 1 a. [Adopt and use a corporate seal;
- 2 b.] Determine the educational curriculum and program of the  
3 school in accordance with the arts standards, frameworks and  
4 assessments;
- 5 [c.] b. Determine policies for the organization, administration and  
6 development of the school;
- 7 [d.] c. Study the educational and financial needs of the school;  
8 annually acquaint the Governor and Legislature with the condition of  
9 the school; and prepare, and after concurrence by and jointly with the  
10 State Board of Education, present the annual budget to the Governor  
11 and Legislature, in accordance with law;
- 12 [e.] d. Subject to the provisions of P.L.1944, chapter 112  
13 (C.52:27B-1 et seq.), direct and control the expenditures of the school  
14 in accordance with the provisions of the budget and the appropriations  
15 acts of the Legislature, except that with respect to transfers of funds  
16 pursuant to P.L.1944, chapter 112 (C.52:27B-1 et seq.), the school  
17 shall be deemed a spending agency, and as to funds received or  
18 solicited from other sources, in accordance with the terms[, ] of any  
19 applicable trusts, gifts, bequests, or other special provisions[; ], the  
20 counsel, advice and assistance of the Division of Investment in the  
21 Department of the Treasury[, ] shall be available to the board of  
22 trustees in the establishment and maintenance of endowment and trust  
23 funds;
- 24 [f.] e. With the approval of the State Board of Education appoint  
25 and fix the compensation of a director of the school who shall be its  
26 executive officer and shall serve at the pleasure of the board of  
27 trustees;
- 28 [g.] f. Appoint [a treasurer and such deans and other] members  
29 of the academic, administrative and teaching staffs as shall be required  
30 and fix their compensation and terms of employment in accordance  
31 with salary policies adopted by the State Board of Education, which  
32 salary policies shall prescribe qualifications for [the various  
33 classifications and shall limit the percentage of] the education staff  
34 that may be in any given classification;
- 35 [h.] g. Appoint, remove, promote and transfer such other officers,  
36 agents or employees as may be required for carrying out the purposes  
37 of the school and assign their duties, determine their salaries and  
38 prescribe qualifications for all positions, all in accordance with the  
39 provisions of Title [11] 11A, Civil Service, of the [Revised] New  
40 Jersey Statutes;
- 41 [i. Grant diplomas and certificates subject to standards fixed by the  
42 State Board of Education;]
- 43 [j.] h. Subject to the provisions of P.L.1954, chapter 48 (C.52:34-  
44 6 et seq.), to enter into contracts and agreements with the State or any  
45 of its political subdivisions or with the United States, or with any

1 public body, department or other agency of the State or the United  
2 States or with any individual, firm, or corporation which are deemed  
3 necessary or advisable by the board for carrying out the purposes of  
4 the school;

5 [k. Subject to the provisions of P.L.1954, chapter 48, purchase  
6 lands, buildings, equipment, materials and supplies; employ architects,  
7 engineers and other persons desired in the planning of buildings,  
8 equipment and facilities; secure bids, enter into contracts for and  
9 supervise the construction of such buildings, equipment and facilities;

10 l. If necessary, take and condemn land and other property in the  
11 manner provided by chapter 1 of Title 20, Eminent Domain, of the  
12 Revised Statutes, whenever authorized by law to purchase land or  
13 other property;

14 m.] i. Adopt[, after consultation with the advisory board, the  
15 director and faculty,] by-laws and make and promulgate such rules,  
16 regulations and orders, not inconsistent with the provisions of this act  
17 that are necessary and proper for the administration and operation of  
18 the school and the carrying out of its purposes;

19 [n.] j. Receive and accept private and corporate contributions for  
20 such purposes and upon such terms as the donor may prescribe  
21 consistent with the purposes of the school and general policies and  
22 guidelines set by the State Board of Education[;

23 o. With approval of the State Board of Education, fix tuition to be  
24 paid by students and by sending districts, as to high school students  
25 from such districts attending the school;

26 p. Prescribe entrance requirements so that professional training  
27 shall be available only to students having exceptional talent in one or  
28 more of the visual and performing arts].

29 (cf: P.L.1969, c.95, s.6)

30

31 6. Section 8 of P.L.1969, c.95 (C.18A:61A-8) is amended to read  
32 as follows:

33 8. As advisors to the board of trustees there [shall] may be an  
34 advisory board[, ] to consist of not less than 10 members who shall  
35 have achieved national[, ] or international distinction in the performing  
36 or visual arts as performers, playwrights, composers, or otherwise, to  
37 be [appointed by the Governor, to serve for terms of 8 years each;  
38 provided, that of the original advisory board, 1/3 shall be appointed  
39 for terms of 8 years, 1/3 shall be appointed for terms of 6 years, and  
40 1/3 shall be appointed for terms of 4 years] selected by the board of  
41 trustees to assist in carrying out the provisions of this act. The  
42 members of the advisory board shall be notified of all meetings of the  
43 board of trustees, and shall be invited to attend such meetings and to  
44 advise and counsel with the board of trustees, but the members of the  
45 advisory board shall not be entitled to vote. [Vacancies in the original

1 membership of the said advisory board shall be filled by election of  
2 replacement members by the advisory board, with the approval of the  
3 Governor, for terms of 8 years, or, if to fill a vacancy, for the  
4 remainder of the unexpired term.] Members of the advisory board  
5 shall serve without remuneration at the pleasure of the board of  
6 trustees.

7 (cf: P.L.1969, c.95, s.8)

8

9 7. Section 5 of P.L.1969, c.95 (C.18A:61A-5) is repealed.

10

11 <sup>1</sup>[8. There is appropriated \$600,000 from the General Fund to the  
12 Department of Education for use by the trustees of the New Jersey  
13 School of the Arts in implementing the provisions of this act.]<sup>1</sup>

14

15 <sup>1</sup>[9.] §.<sup>1</sup> This act shall take effect immediately.



P.L. 2000, CHAPTER 115, *approved September 8, 2000*  
Assembly, No. 2175 (*First Reprint*)

1 AN ACT concerning the New Jersey School of the Arts, amending  
2 P.L.1969, c.95<sup>1</sup> [.] and<sup>1</sup> repealing section 5 of P.L.1969, c.95<sup>1</sup> [  
3 and making an appropriation]<sup>1</sup>.  
4

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

7  
8 1. Section 1 of P.L.1969, c.95 (C.18A:61A-1) is amended to read  
9 as follows:

10 1. It is hereby declared to be the policy of the State to foster,  
11 encourage and promote, and to provide assistance for, the cultural  
12 development of the citizens of New Jersey, and to this end the State  
13 Legislature hereby establishes a school for the [professional training]  
14 workplace readiness skills of students [having exceptional talent] in  
15 the performing, literary and visual arts which shall be defined as an  
16 educational institution of the State under the supervision and direction  
17 of the State Board of Education, to serve the students of New Jersey  
18 and to supplement and provide instruction to fulfill the Core  
19 Curriculum Content Standards for the Visual and Performing Arts  
20 adopted by the State Board of Education, to be known as the New  
21 Jersey School of the Arts, hereinafter referred to as "the school."  
22 (cf: P.L.1969, c.95, s.1)  
23

24 2. Section 2 of P.L.1969, c.95 (C.18A:61A-2) is amended to read  
25 as follows:

26 2. The primary purpose of the school shall be the professional  
27 training of [talented] students in the fields of art, music, drama, [the]  
28 dance, and [allied performing arts,] creative writing at the [high  
29 school] secondary level of instruction, with emphasis placed upon  
30 performance of the arts[.] and [not upon] academic studies of the  
31 arts. The school [may also offer (a) high school academic subjects  
32 (grades 9 through 12) and accept qualified students in such grades  
33 from any school district in the State, (b)] will provide such courses to  
34 any secondary school within the State and such other programs as are  
35 deemed necessary to meet the needs of its students and of the State,  
36 consistent with appropriations made and gifts received or solicited  
37 therefor, and [(c)] may co-operate with other secondary schools and  
38 institutions which provide such courses of instruction.  
39 (cf: P.L.1969, c.95, s.2)

**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> Assembly AED committee amendments adopted May 8, 2000.

1       3. Section 3 of P.L.1969, c.95 (C.18A:61A-3) is amended to read  
2 as follows:

3       3. The school shall be governed by a board of trustees consisting  
4 of 11 members, appointed by the Governor with the advice and  
5 consent of the Senate, who will serve terms of 6 years and until the  
6 appointment and qualification of their successors; except that, of the  
7 first appointees to the board, 4 members shall be appointed for terms  
8 of 6 years, 4 members for terms of 4 years, and 3 members for terms  
9 of 2 years, with all terms to commence on July 1 of the year in which  
10 the members shall be appointed. Members of the board shall serve  
11 without remuneration but shall be entitled to reimbursement for  
12 expenses incurred in the performance of their duties. The [chairman  
13 of the Arts Council of New Jersey] Secretary of State or a designee  
14 shall be an ex-officio member of the board of trustees. A vacancy in  
15 the membership of the board shall be filled by appointment for the  
16 unexpired term.

17 (cf: P.L.1969, c.95, s.3)

18

19       4. Section 4 of P.L.1969, c.95 (C.18A:61A-4) is amended to read  
20 as follows:

21       4. The board of trustees shall organize at a meeting to be called by  
22 the Commissioner of Education and annually thereafter by election  
23 from their number of a chairman and a vice chairman and appointment  
24 of a secretary, who may but need not be a member of the board of  
25 trustees, and such other officers as the board shall determine. The  
26 meeting for the election and appointment of officers shall be held not  
27 earlier than July 1 and not later than October 1 of each year. Officers  
28 shall serve for terms of [1] one year, and until their successors are  
29 selected and qualified. The board of trustees shall be known as "The  
30 Trustees of the New Jersey School of the Arts" and shall be a body  
31 corporate, with all the powers usually conferred upon such bodies and  
32 necessary to enable it to [acquire, hold and transfer property,] make  
33 contracts, and to exercise such other rights and privileges as may be  
34 necessary [for the management and administration of the school, and]  
35 for carrying out the provisions and purposes of this act. The school  
36 shall employ northern, central and southern coordinators and hire  
37 appropriate professional staff to implement programs in music, dance,  
38 visual arts and creative writing in each of the 21 counties of the State.

39 (cf: P.L.1983, c.244, s.1)

40

41       5. Section 6 of P.L.1969, c.95 (C.18A:61A-6) is amended to read  
42 as follows:

43       6. The board of trustees of the school shall, within the general  
44 policies and guidelines set by the State Board of Education, have  
45 general supervision over, and shall be vested with the conduct of, the  
46 school. It shall, within the general policies and guidelines set by the

- 1 State Board of Education, have the power and duty to:
- 2 a. [Adopt and use a corporate seal;
- 3 b.] Determine the educational curriculum and program of the  
4 school in accordance with the arts standards, frameworks and  
5 assessments;
- 6 [c.] b. Determine policies for the organization, administration and  
7 development of the school;
- 8 [d.] c. Study the educational and financial needs of the school;  
9 annually acquaint the Governor and Legislature with the condition of  
10 the school; and prepare, and after concurrence by and jointly with the  
11 State Board of Education, present the annual budget to the Governor  
12 and Legislature, in accordance with law;
- 13 [e.] d. Subject to the provisions of P.L.1944, chapter 112  
14 (C.52:27B-1 et seq.), direct and control the expenditures of the school  
15 in accordance with the provisions of the budget and the appropriations  
16 acts of the Legislature, except that with respect to transfers of funds  
17 pursuant to P.L.1944, chapter 112 (C.52:27B-1 et seq.), the school  
18 shall be deemed a spending agency, and as to funds received or  
19 solicited from other sources, in accordance with the terms[, ] of any  
20 applicable trusts, gifts, bequests, or other special provisions[;], the  
21 counsel, advice and assistance of the Division of Investment in the  
22 Department of the Treasury[, ] shall be available to the board of  
23 trustees in the establishment and maintenance of endowment and trust  
24 funds;
- 25 [f.] e. With the approval of the State Board of Education appoint  
26 and fix the compensation of a director of the school who shall be its  
27 executive officer and shall serve at the pleasure of the board of  
28 trustees;
- 29 [g.] f. Appoint [a treasurer and such deans and other] members  
30 of the academic, administrative and teaching staffs as shall be required  
31 and fix their compensation and terms of employment in accordance  
32 with salary policies adopted by the State Board of Education, which  
33 salary policies shall prescribe qualifications for [the various  
34 classifications and shall limit the percentage of] the education staff  
35 that may be in any given classification;
- 36 [h.] g. Appoint, remove, promote and transfer such other officers,  
37 agents or employees as may be required for carrying out the purposes  
38 of the school and assign their duties, determine their salaries and  
39 prescribe qualifications for all positions, all in accordance with the  
40 provisions of Title [11] 11A, Civil Service, of the [Revised] New  
41 Jersey Statutes;
- 42 [i. Grant diplomas and certificates subject to standards fixed by the  
43 State Board of Education;]
- 44 [j.] h. Subject to the provisions of P.L.1954, chapter 48 (C.52:34-  
45 6 et seq.), to enter into contracts and agreements with the State or any

1 of its political subdivisions or with the United States, or with any  
2 public body, department or other agency of the State or the United  
3 States or with any individual, firm, or corporation which are deemed  
4 necessary or advisable by the board for carrying out the purposes of  
5 the school;

6 [k. Subject to the provisions of P.L.1954, chapter 48, purchase  
7 lands, buildings, equipment, materials and supplies; employ architects,  
8 engineers and other persons desired in the planning of buildings,  
9 equipment and facilities; secure bids, enter into contracts for and  
10 supervise the construction of such buildings, equipment and facilities;

11 l. If necessary, take and condemn land and other property in the  
12 manner provided by chapter 1 of Title 20, Eminent Domain, of the  
13 Revised Statutes, whenever authorized by law to purchase land or  
14 other property;

15 m.] i. Adopt[, after consultation with the advisory board, the  
16 director and faculty,] by-laws and make and promulgate such rules,  
17 regulations and orders, not inconsistent with the provisions of this act  
18 that are necessary and proper for the administration and operation of  
19 the school and the carrying out of its purposes;

20 [n.] j. Receive and accept private and corporate contributions for  
21 such purposes and upon such terms as the donor may prescribe  
22 consistent with the purposes of the school and general policies and  
23 guidelines set by the State Board of Education[;

24 o. With approval of the State Board of Education, fix tuition to be  
25 paid by students and by sending districts, as to high school students  
26 from such districts attending the school;

27 p. Prescribe entrance requirements so that professional training  
28 shall be available only to students having exceptional talent in one or  
29 more of the visual and performing arts].

30 (cf: P.L.1969, c.95, s.6)

31

32 6. Section 8 of P.L.1969, c.95 (C.18A:61A-8) is amended to read  
33 as follows:

34 8. As advisors to the board of trustees there [shall] may be an  
35 advisory board[, ] to consist of not less than 10 members who shall  
36 have achieved national[, ] or international distinction in the performing  
37 or visual arts as performers, playwrights, composers, or otherwise, to  
38 be [appointed by the Governor, to serve for terms of 8 years each;  
39 provided, that of the original advisory board, 1/3 shall be appointed  
40 for terms of 8 years, 1/3 shall be appointed for terms of 6 years, and  
41 1/3 shall be appointed for terms of 4 years] selected by the board of  
42 trustees to assist in carrying out the provisions of this act. The  
43 members of the advisory board shall be notified of all meetings of the  
44 board of trustees, and shall be invited to attend such meetings and to  
45 advise and counsel with the board of trustees, but the members of the

1 advisory board shall not be entitled to vote. [Vacancies in the original  
2 membership of the said advisory board shall be filled by election of  
3 replacement members by the advisory board, with the approval of the  
4 Governor, for terms of 8 years, or, if to fill a vacancy, for the  
5 remainder of the unexpired term.] Members of the advisory board  
6 shall serve without remuneration at the pleasure of the board of  
7 trustees.

8 (cf: P.L.1969, c.95, s.8)

9

10 7. Section 5 of P.L.1969, c.95 (C.18A:61A-5) is repealed.

11

12 <sup>1</sup>[8. There is appropriated \$600,000 from the General Fund to the  
13 Department of Education for use by the trustees of the New Jersey  
14 School of the Arts in implementing the provisions of this act.]<sup>1</sup>

15

16 <sup>1</sup>[9.] §.<sup>1</sup> This act shall take effect immediately.

17

18

19

20

21 Revises mission of the New Jersey School of the Arts to provide  
22 assistance to secondary schools in meeting Visual and Performing Arts  
23 Standards.

## CHAPTER 115

AN ACT concerning the New Jersey School of the Arts, amending P.L.1969, c.95 and repealing section 5 of P.L.1969, c.95.

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

1. Section 1 of P.L.1969, c.95 (C.18A:61A-1) is amended to read as follows:

C.18A:61A-1 Declaration of policy.

1. It is hereby declared to be the policy of the State to foster, encourage and promote, and to provide assistance for, the cultural development of the citizens of New Jersey, and to this end the State Legislature hereby establishes a school for the workplace readiness skills of students in the performing, literary and visual arts which shall be defined as an educational institution of the State under the supervision and direction of the State Board of Education, to serve the students of New Jersey and to supplement and provide instruction to fulfill the Core Curriculum Content Standards for the Visual and Performing Arts adopted by the State Board of Education, to be known as the New Jersey School of the Arts, hereinafter referred to as "the school."

2. Section 2 of P.L.1969, c.95 (C.18A:61A-2) is amended to read as follows:

C.18A:61A-2 Purpose of school.

2. The primary purpose of the school shall be the professional training of students in the fields of art, music, drama, dance, and creative writing at the secondary level of instruction, with emphasis placed upon performance of the arts and academic studies of the arts. The school will provide such courses to any secondary school within the State and such other programs as are deemed necessary to meet the needs of its students and of the State, consistent with appropriations made and gifts received or solicited therefor, and may co-operate with other secondary schools and institutions which provide such courses of instruction.

3. Section 3 of P.L.1969, c.95 (C.18A:61A-3) is amended to read as follows:

C.18A:61A-3 Board of trustees.

3. The school shall be governed by a board of trustees consisting of 11 members, appointed by the Governor with the advice and consent of the Senate, who will serve terms of six years and until the appointment and qualification of their successors; except that, of the first appointees to the board, four members shall be appointed for terms of six years, four members for terms of four years, and three members for terms of two years, with all terms to commence on July 1 of the year in which the members shall be appointed. Members of the board shall serve without remuneration but shall be entitled to reimbursement for expenses incurred in the performance of their duties. The Secretary of State or a designee shall be an ex-officio member of the board of trustees. A vacancy in the membership of the board shall be filled by appointment for the unexpired term.

4. Section 4 of P.L.1969, c.95 (C.18A:61A-4) is amended to read as follows:

C.18A:61A-4 Organization, operation of board; coordinators.

4. The board of trustees shall organize at a meeting to be called by the Commissioner of Education and annually thereafter by election from their number of a chairman and a vice chairman and appointment of a secretary, who may but need not be a member of the board of trustees, and such other officers as the board shall determine. The meeting for the election and appointment of officers shall be held not earlier than July 1 and not later than October 1 of each year. Officers shall serve for terms of one year, and until their successors are selected and qualified. The board of trustees shall be known as "The Trustees of the New Jersey School of the Arts" and shall be a body corporate, with all the powers usually conferred upon such bodies and necessary to enable it to make contracts, and to exercise such other rights and privileges as may be necessary for carrying out the provisions and purposes of this act. The school shall employ northern, central and southern coordinators and hire appropriate professional staff to implement programs in music, dance, visual arts and creative writing in each of the 21 counties

of the State.

5. Section 6 of P.L.1969, c.95 (C.18A:61A-6) is amended to read as follows:

C.18A:61A-6 Board supervision; powers, duties.

6. The board of trustees of the school shall, within the general policies and guidelines set by the State Board of Education, have general supervision over, and shall be vested with the conduct of, the school. It shall, within the general policies and guidelines set by the State Board of Education, have the power and duty to:

a. Determine the educational curriculum and program of the school in accordance with the arts standards, frameworks and assessments;

b. Determine policies for the organization, administration and development of the school;

c. Study the educational and financial needs of the school; annually acquaint the Governor and Legislature with the condition of the school; and prepare, and after concurrence by and jointly with the State Board of Education, present the annual budget to the Governor and Legislature, in accordance with law;

d. Subject to the provisions of P.L.1944, c.112 (C.52:27B-1 et seq.), direct and control the expenditures of the school in accordance with the provisions of the budget and the appropriations acts of the Legislature, except that with respect to transfers of funds pursuant to P.L.1944, c.112 (C.52:27B-1 et seq.), the school shall be deemed a spending agency, and as to funds received or solicited from other sources, in accordance with the terms of any applicable trusts, gifts, bequests, or other special provisions, the counsel, advice and assistance of the Division of Investment in the Department of the Treasury shall be available to the board of trustees in the establishment and maintenance of endowment and trust funds;

e. With the approval of the State Board of Education appoint and fix the compensation of a director of the school who shall be its executive officer and shall serve at the pleasure of the board of trustees;

f. Appoint members of the academic, administrative and teaching staffs as shall be required and fix their compensation and terms of employment in accordance with salary policies adopted by the State Board of Education, which salary policies shall prescribe qualifications for the education staff that may be in any given classification;

g. Appoint, remove, promote and transfer such other officers, agents or employees as may be required for carrying out the purposes of the school and assign their duties, determine their salaries and prescribe qualifications for all positions, all in accordance with the provisions of Title 11A, Civil Service, of the New Jersey Statutes;

h. Subject to the provisions of P.L.1954, c.48 (C.52:34-6 et seq.), to enter into contracts and agreements with the State or any of its political subdivisions or with the United States, or with any public body, department or other agency of the State or the United States or with any individual, firm, or corporation which are deemed necessary or advisable by the board for carrying out the purposes of the school;

i. Adopt bylaws and make and promulgate such rules, regulations and orders, not inconsistent with the provisions of this act that are necessary and proper for the administration and operation of the school and the carrying out of its purposes;

j. Receive and accept private and corporate contributions for such purposes and upon such terms as the donor may prescribe consistent with the purposes of the school and general policies and guidelines set by the State Board of Education.

6. Section 8 of P.L.1969, c.95 (C.18A:61A-8) is amended to read as follows:

C.18A:61A-8 Advisory board.

8. As advisors to the board of trustees there may be an advisory board to consist of not less than 10 members who shall have achieved national or international distinction in the performing or visual arts as performers, playwrights, composers, or otherwise, to be selected by the board of trustees to assist in carrying out the provisions of this act. The members of the advisory board shall be notified of all meetings of the board of trustees, and shall be invited to attend such

meetings and to advise and counsel with the board of trustees, but the members of the advisory board shall not be entitled to vote. Members of the advisory board shall serve without remuneration at the pleasure of the board of trustees.

Repealer.

7. Section 5 of P.L.1969, c.95 (C.18A:61A-5) is repealed.

8. This act shall take effect immediately.

Approved September 8, 2000.