Sponsored by:
Senator DOUGLAS J. STEINHARDT
District 23 (Hunterdon, Somerset and Warren)

SYNOPSIS
Increases sending district representation on receiving district’s board of education in certain circumstances.

CURRENT VERSION OF TEXT
As reported by the Senate Education Committee on November 27, 2023, with amendments.
AN ACT concerning board of education representation for districts involved in sending-receiving relationships and amending P.L.1995, c.8.

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

1. Section 2 of P.L.1995, c.8 (C.18A:38-8.2) is amended to read as follows:
   2. A school district which is sending pupils to another school district pursuant to N.J.S.18A:38-8 shall have representation on the board of education of the receiving school district as follows:
      a. (1) If the pupils of the sending district comprise less than 10 percent of the total enrollment of the pupils in the grades of the receiving district in which the pupils of the sending district will be enrolled, the sending district shall have no representation on the receiving district board of education.
      (2) If the pupils of the sending district comprise at least 10 percent of the total enrollment of the pupils in the grades of the receiving district in which the pupils of the sending district will be enrolled, the sending district shall have one representative on the receiving district board of education.
      b. (1) If the total number of pupils of two or more sending districts, which do not qualify for representation under subsection a. of this section, comprise at least 15 percent of the total enrollment of the pupils in the grades of the receiving district in which the pupils of the sending districts will be enrolled, they shall have collectively two representatives on the receiving district board of education. The annual designation of the representatives, in the event more than two districts collectively qualify under this subsection, shall be rotated among the boards of education of the sending districts according to a schedule determined by the joint agreement of the boards.
      (2) If the total number of pupils of two or more sending districts, which do not qualify for representation under subsection a. of this section or [subsection b. of] this [section] subsection, comprise at least 10 percent of the total enrollment of the pupils in the grades of [the] a' receiving district [that is located in a county of the third class, having a population greater than 100,000 people but less than 120,000 people according to the 2020 federal decennial census,] in which the pupils of the sending districts will be enrolled, [they] the sending districts shall have collectively one representative on the receiving district’s board of education. The annual designation of the representative shall be rotated among the boards of education of the sending districts.

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:
Senate SED committee amendments adopted November 27, 2023.
districts according to a schedule determined by the joint agreement
of the boards.

(3) If the total number of pupils of two or more sending
districts, which do not qualify for representation under subsection a.
of this section or paragraphs (1) or (2) of this subsection, comprise
at least 10 percent of the total enrollment of the pupils in the grades
of the receiving district in which the pupils of the sending districts
will be enrolled, the sending districts may have collectively one
representative on the receiving district’s board of education, subject
to the approval of a majority of the board’s members. The annual
designation of the representative shall be rotated among the boards
of education of the sending districts according to a schedule
determined by the joint agreement of the boards.

(4) If the receiving district has pupils enrolled from two or more
sending districts, which do not qualify for representation under
subsection a, of this section or paragraphs (1) or (2), or (3) of
subsection b of this section, the sending districts shall collectively have one non-voting representative on the
receiving district board of education. The annual designation of the
representative shall be rotated among the boards of education of the
sending districts according to a schedule determined by the joint
agreement of the boards.

c. Notwithstanding the provisions of subsections a. and b. of
this section, the number of representatives designated by the
sending districts to be additional members shall not exceed three
additional voting members on a receiving board with originally
nine or more voting members, two additional voting members on
a receiving board with originally seven or eight voting members,
and one additional voting member on a receiving board with
originally less than seven voting members. In the event that this
restriction results in an unequal representation of sending districts,
the annual designation of the representative or representatives shall
be rotated among the boards of education of the sending districts
according to a schedule determined by the joint agreement of the
boards.

d. A representative of a sending district board of education
shall be designated at the meeting of the board which is closest in
time to the annual organizational meeting of the receiving district
board of education and shall serve a one-year term beginning with
the organizational meeting of the receiving district board. The
representative shall be subject to the rules and procedures of the
receiving district board of education.

e. The calculation of percentages required under this section
shall be based on the number of pupils reported as of the last school
day prior to October 16 of each prebudget year.
(cf: P.L.1996, c.138, s.65)

2. This act shall take effect immediately.