SENATE EDUCATION COMMITTEE

STATEMENT TO

SENATE, No. 2181

STATE OF NEW JERSEY

DATED: MAY 6, 2024

The Senate Education Committee favorably reports Senate Bill No. 2181.

This bill provides for a three year period during which a person newly hired by a school district, charter school, or renaissance school project is not to be required to comply with the State residency requirement under R.S.52:14-7. This State residency requirement was established by law in 2011 and currently applies to all public officers and employees in the State, with certain limited exceptions.

The bill also specifies that a person newly hired by a school district, charter school, or renaissance school project who maintains or establishes a principal residence outside of this State during the three year period is not to be required to comply with the residency requirement after the end of the three year period, regardless of whether the person changes their principal residence or experiences a break in service or employment with a school district, charter school, or renaissance school project after the end of the three year period. Under the bill, a school district, charter school, or renaissance school seeking to fill an open position would be required to make a good faith effort to hire a person who maintains a principal residence in the State for the open position.

The bill requires the Department of Education, not later than 90 days after the end of the three year period, to submit a report to the Governor and the Legislature that evaluates the elimination of the residency requirement for persons hired by a school district, charter school, or renaissance school project during the three year period, with specific regard to its effectiveness, any unintended consequences, and any recommendations for legislation. Finally, the bill revises the definition of "school district," as that term is used in R.S.52:14-7, to include approved private schools for students with disabilities. The addition of approved private schools for students with disabilities to the definition of "school district" expressly provides that these schools are subject to the State residency requirement under R.S.52:14-7, and also expressly provides that these schools are subject to the three year exemption to the State residency requirement established under the bill.

This bill was pre-filed for introduction in the 2024-2025 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.