

SENATE, No. 4617

STATE OF NEW JERSEY
222nd LEGISLATURE

INTRODUCED OCTOBER 1, 2026

Sponsored by:
Senator ROBERT W. SINGER
District 30 (Monmouth and Ocean)

SYNOPSIS

Regulates appointment of assistant State monitors in certain school districts;
revises duties and establishes term limit of State monitor.

CURRENT VERSION OF TEXT

As introduced.



1 AN ACT concerning State monitors in certain school districts and
2 amending and supplementing P.L.2006, c.15.

3
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*
5 *of New Jersey:*

6
7 1. Section 2 of P.L.2006, c.15 (C.18A:7A-55) is amended to
8 read as follows:

9 2. a. In addition to the powers provided pursuant to P.L.2005,
10 c.235, P.L.1996, c.138 (C.18A:7F-1 et al.), and P.L.2007, c.260
11 (C.18A:7F-43 et al.) or any other law, the Commissioner of
12 Education shall have the authority to appoint a State monitor [and
13 additional staff, as necessary,] to provide direct oversight of a
14 board of education's business operations and personnel matters if:
15 the school district receives an adverse or a disclaimer of opinion by
16 its independent auditor in the annual audit required pursuant to
17 N.J.S.18A:23-1; or any two or more of the following circumstances
18 apply to the school district:

19 (1) the school district ends the fiscal year with a deficit balance
20 as calculated for budgetary purposes in the general fund, special
21 revenue fund, or capital projects fund, with the exception of a
22 capital projects fund deficit caused by the issuance of bond
23 anticipation notes;

24 (2) the school district receives a qualified opinion by its
25 independent auditor in the annual audit required pursuant to
26 N.J.S.18A:23-1;

27 (3) the school district receives an adverse, disclaimer, or
28 qualified opinion by its independent auditor under the single audit
29 section for State or federal awards in the annual audit required
30 pursuant to N.J.S.18A:23-1;

31 (4) the school district receives any audit findings by its
32 independent auditor identified as material weaknesses in internal
33 controls;

34 (5) the school district fails to develop and implement a plan
35 acceptable to the commissioner or [his] the commissioner's
36 designee to address a potential or actual deficit balance in the
37 general fund, special revenue fund, or capital projects fund, with the
38 exception of a capital projects fund deficit caused by the issuance of
39 bond anticipation notes;

40 (6) the school district fails to implement a plan from the prior
41 year which causes any findings from the independent auditor to be
42 repeated;

43 (7) the school district is required to return federal funds once it
44 is determined that the school district's expenditures are not in
45 compliance with the grant requirements; or

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 (8) the school district submits the annual audit after the
2 submission date required pursuant to N.J.S.18A:23-1.

3 b. The State monitor shall:

4 (1) oversee the fiscal management and expenditures of school
5 district funds, including, but not limited to, budget reallocations and
6 reductions, approvals of purchase orders, budget transfers, and
7 payment of bills and claims;

8 (2) oversee the operation and fiscal management of school
9 district facilities, including the development and implementation of
10 recommendations for redistricting and restructuring of schools;

11 (3) ensure development and implementation of an acceptable
12 plan to address the circumstances set forth in subsection a. of this
13 section which resulted in the appointment of the State monitor. The
14 plan shall include measurable benchmarks and specific activities to
15 address the deficiencies of the school district;

16 (4) oversee all district staffing, including the ability to hire,
17 promote, and terminate employees;

18 (5) have authority to override a chief school administrator's
19 action and, except as otherwise provided in paragraph (2) of
20 subsection a. of section 2 of P.L. , c. (C.) (pending before
21 the Legislature as this bill), a vote by the board of education on any
22 of the matters set forth in this subsection, except that all actions of
23 the State monitor shall be subject to the education, labor, and
24 employment laws and regulations, including the "New Jersey
25 Employer-Employee Relations Act," P.L.1941, c.100 (C.34:13A-1
26 et seq.), and collective bargaining agreements entered into by the
27 school district. The authority provided in this paragraph shall not
28 be construed as permitting the State monitor to recommend against,
29 or otherwise interfere with, the educational placement decisions
30 provided in a student's individualized education program, unless
31 otherwise provided in law;

32 (6) attend all meetings of the board of education, including
33 closed sessions; and

34 (7) meet with the board of education on at least a quarterly basis
35 to discuss with the members of the board the past actions of the
36 board which led to the appointment of the State monitor and to
37 provide board members with education and training that address the
38 deficiencies identified in board actions.

39 c. The Commissioner of Education shall notify the State Board
40 of Education following the appointment of a State monitor pursuant
41 to subsection a. of this section. The State monitor shall report
42 directly to the commissioner or **his** the commissioner's designee
43 on a weekly basis. The State monitor, and any assistant State
44 monitor appointed pursuant to section 2 of P.L. , c. (C.)
45 (pending before the Legislature as this bill), shall **also** report
46 monthly to the board of education and members of the public at the
47 regularly scheduled board of education meeting.

1 d. For purposes of the "New Jersey Tort Claims Act,"
2 N.J.S.59:1-1 et seq., the State monitor shall be considered a State
3 officer, but for all other purposes the State monitor shall be
4 considered an employee of the district.

5 e. The State monitor shall **provide oversight in the school**
6 **district until the commissioner determines that** serve a term of 24
7 months and oversee the implementation of the plan required
8 pursuant to paragraph (3) of subsection b. of this section. The
9 school district shall then have 12 months to ensure that all remedial
10 actions required under the plan have been implemented and the
11 necessary local capacity and fiscal controls have been restored to
12 **school** the district operations without direct oversight by an
13 appointed State monitor. At the end of the 12-month period, the
14 commissioner shall determine whether it is necessary to reappoint a
15 State monitor pursuant to subsection a. of this section. If the
16 commissioner determines it is necessary to reappoint a State
17 monitor, the commissioner shall provide the district with a written
18 determination, which shall include a statement of reasons that
19 supports the commissioner's determination. After providing the
20 requisite written determination, the commissioner may reappoint a
21 State monitor pursuant to this section.

22 f. The salary of the State monitor shall be fixed by the
23 commissioner and adjusted from time to time as the commissioner
24 deems appropriate. The school district shall assume the total cost of
25 the State monitor **and necessary additional staff** appointed
26 pursuant to subsection a. of this section. The State monitor shall
27 have the authority to appoint legal counsel if legal action is taken
28 against **him** the State monitor while acting in **his** the State
29 monitor's official duties as a State monitor or as needed upon
30 approval of the commissioner.

31 (cf: P.L.2007, c.260, s.24)

32
33 2. (New section) a. The Commissioner of Education may
34 appoint additional staff, including one or more assistant State
35 monitors, to support the State monitor appointed pursuant to section
36 2 of P.L.2006, c.15 (C.18A:7A-55). If the commissioner
37 determines it is necessary to appoint one or more assistant State
38 monitors pursuant to this section, the commissioner shall:

39 (1) provide written notice to the board of education explaining
40 the need for the appointment; and

41 (2) obtain approval from the board prior to appointing any
42 additional assistant State monitor, which approval shall be signified
43 by a recorded roll call majority vote of the board's full membership.

44 b. The commissioner shall notify the State Board of Education
45 following the appointment of an assistant State monitor pursuant to
46 subsection a. of this section. The assistant State monitor shall
47 report directly to the State monitor on a weekly basis. The assistant

1 State monitor shall assist with the State monitor's monthly report
2 pursuant to subsection c. of section 2 of P.L.2006, c.15 (C.18A:7A-
3 55).

4 c. For purposes of the "New Jersey Tort Claims Act,"
5 N.J.S.59:1-1 et seq., an assistant State monitor appointed pursuant
6 to this section shall be considered a State officer, but for all other
7 purposes the assistant State monitor shall be considered an
8 employee of the district.

9 d. An assistant State monitor shall serve a term of 24 months
10 and assist with the implementation of the plan required pursuant to
11 paragraph (3) of subsection b. of section 2 of P.L.2006, c.15
12 (C.18A:7A-55). The school district shall then have 12 months to
13 ensure that all remedial actions required under the plan have been
14 implemented and the necessary local capacity and fiscal controls
15 have been restored to the district without direct oversight by an
16 appointed assistant State monitor. At the end of the 12-month
17 period, the commissioner shall determine whether it is necessary to
18 reappoint an assistant State monitor. If the commissioner
19 determines it is necessary to reappoint an assistant State monitor,
20 the commissioner shall provide the district with a written
21 determination, which shall include a statement of reasons that
22 supports the commissioner's determination. After providing the
23 requisite written determination, the commissioner may reappoint an
24 assistant State monitor pursuant to this section.

25 e. The State shall assume the total cost of any assistant State
26 monitor or any additional staff appointed pursuant to this section.

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28 3. This act shall take effect immediately.

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STATEMENT

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33 This bill regulates the appointment of assistant State monitors in
34 certain school districts, revises the duties of the State monitor, and
35 establishes term limits for both assistant State monitors and State
36 monitors.

37 Under the provisions of the "School District Fiscal
38 Accountability Act," the Commissioner of Education has the
39 authority to appoint a State monitor and additional staff, as
40 necessary, to provide direct oversight of a board of education's
41 business operations and personnel matters if certain requirements
42 are met. Pursuant to the authority to appoint additional staff, the
43 commissioner has appointed assistant State monitors in certain
44 circumstances to support the appointed State monitor.

45 This bill clarifies that the commissioner may appoint any
46 additional staff, including one or more assistant State monitors, to
47 support the State monitor. If the commissioner determines it is
48 necessary to appoint one or more assistant State monitors, the

1 commissioner is required to: (1) provide written notice to the board
2 of education explaining the need for the appointment; and (2) obtain
3 the approval of a roll call majority vote of the board prior to
4 appointing any assistant State monitor. The bill requires an
5 assistant State monitor to report weekly to the State monitor and
6 assist the State monitor with the State monitor's monthly reporting
7 requirement under current law.

8 Under current law, the State monitor has the authority to override
9 a chief school administrator's action and a vote by the board of
10 education on any matter related to the State monitor being
11 appointed. This bill clarifies that this authority is not to be
12 construed to permit the State monitor to recommend against, or
13 otherwise interfere with, the educational placement decisions
14 provided in a student's individualized education program.

15 Current law further provides that the State monitor is to provide
16 oversight in the school district until the commissioner determines
17 that all remedial actions required under the plan have been
18 implemented and the necessary local capacity and fiscal controls
19 have been restored to school district operations.

20 This bill amends current law to establish a term limit for both the
21 State monitor and assistant State monitor. The bill imposes a 24-
22 month term on each monitor. The bill provides that the school
23 district will then have 12 months to ensure that all remedial actions
24 required under the plan have been implemented and the necessary
25 local capacity and fiscal controls have been restored to the district
26 without direct oversight by the State monitor or an appointed State
27 monitor. At the end of the 12-month period, the commissioner is
28 required to determine whether it is necessary to reappoint a State
29 monitor or assistant State monitor. If the commissioner determines
30 it is necessary to reappoint a State monitor or an assistant State
31 monitor, the commissioner is required to provide the district with a
32 written determination that includes a statement of reasons that
33 supports the commissioner's determination. After providing the
34 requisite written determination, the commissioner is authorized to
35 reappoint a State monitor or an assistant State monitor if the
36 conditions required under current law continue to persist.

37 Additionally, under current law, a school district is required to
38 assume the salary and other costs associated with the State monitor
39 and any additional staff appointed by the commissioner, including
40 assistant State monitors. This bill amends current law to require the
41 State to bear the salary and costs associated with any additional
42 staff, including assistant State monitors. A district is still required
43 under the bill to pay the salary and costs associated with the State
44 monitor.