

ASSEMBLY, No. 406

STATE OF NEW JERSEY 214th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2010 SESSION

Sponsored by:

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District 18 (Middlesex)

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District 20 (Union)

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District 12 (Mercer and Monmouth)

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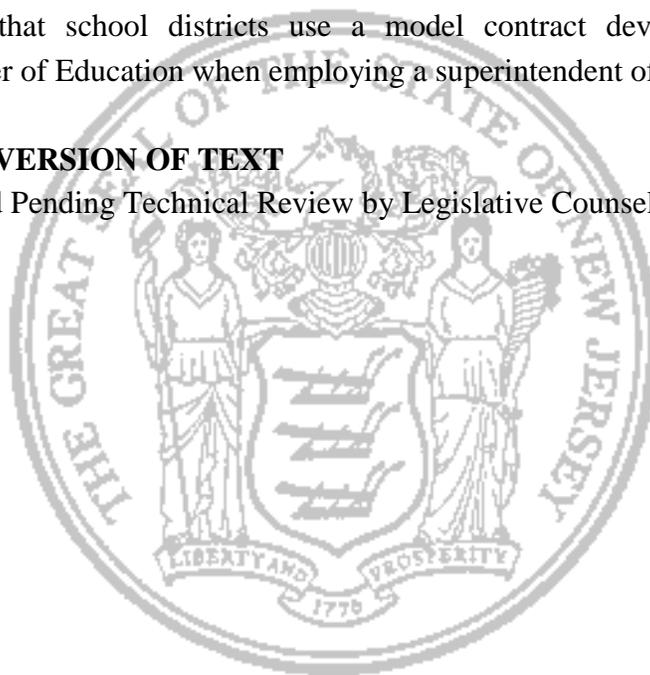
**Assemblymen Rumana, Wolfe, Malone, Assemblywoman Handlin,
Assemblymen O'Scanlon, Conners, Schaer, Assemblywomen Greenstein
and Angelini**

SYNOPSIS

Requires that school districts use a model contract developed by the Commissioner of Education when employing a superintendent of schools.

CURRENT VERSION OF TEXT

Introduced Pending Technical Review by Legislative Counsel



(Sponsorship Updated As Of: 9/14/2010)

1 AN ACT concerning employment contracts for certain employees of
2 school districts and supplementing chapter 17 of Title 18A of the
3 New Jersey Statutes.

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

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8 1. a. An employment contract entered into between a board of
9 education and a superintendent of schools shall be in writing using
10 the model employment contract developed by the Commissioner of
11 Education. The mandated model employment contract may be
12 altered by the school district and prospective superintendent of
13 schools only with the prior approval of the commissioner.

14 b. The commissioner, in consultation with the New Jersey
15 School Boards Association and the New Jersey Association of
16 School Administrators, shall develop a model employment contract
17 for superintendents of schools. The model contract shall address,
18 but need not be limited to, the following aspects of employment:
19 salary, health insurance, pension benefits, sick days, and vacation
20 leave. The model contract shall provide that salary, benefits, and
21 other emoluments shall not exceed those of similarly credentialed
22 and experienced superintendents in other districts in the region with
23 similar enrollment, academic achievement levels and challenges,
24 and grade span. The provisions of the model contract shall be in
25 compliance with all applicable laws including, but not limited to,
26 section 15 of P.L.2007, c.53 (C.18A:11-12), section 7 of P.L.2007,
27 c.53 (C.18A:17-15.1), section 44 of P.L.2007, c.92 (C.18A:30-3.5),
28 and section 46 of P.L.2007, c.92 (C.18A:30-9).

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30 2. Notwithstanding any provision of P.L.1968, c.410
31 (C.52:14B-1 et seq.) to the contrary, the Commissioner of
32 Education may adopt, immediately upon filing with the Office of
33 Administrative Law, such rules and regulations as the commissioner
34 deems necessary to effectuate the provisions of section 1 of P.L. ,
35 c. (C.) (pending before the Legislature as this bill) which shall
36 be effective for a period not to exceed 12 months following the
37 effective date of P.L. , c. (C.) (pending before the Legislature
38 as this bill). The regulations shall thereafter be amended, adopted,
39 or readopted by the commissioner in accordance with the provisions
40 of P.L.1968, c.410 (C.52:14B-1 et seq.); and the commissioner
41 shall, at a minimum, hold at least one public hearing in each of the
42 north, central, and southern regions of the State within 60 days of
43 the public notice of any regulations proposed by the commissioner
44 to be amended, adopted, or readopted pursuant to that act.

1 3. This act shall take effect immediately and shall apply to
2 contracts entered into or renewed on or after the 90th day following
3 the effective date of the act.

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STATEMENT

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8 This bill requires the Commissioner of Education, in consultation
9 with the New Jersey School Boards Association and the New Jersey
10 Association of School Administrators, to develop a model
11 employment contract for superintendents of schools. The contract
12 will address, but need not be limited to, the following aspects of
13 employment: salary, health insurance, pension benefits, sick days,
14 and vacation leave. The model contract must provide that salary,
15 benefits, and other emoluments do not exceed those of similarly
16 credentialed and experienced superintendents in other districts in
17 the region with similar enrollment, academic achievement levels
18 and challenges, and grade span. The provisions of the model
19 contract must also ensure compliance with all applicable laws
20 including recent enactments regarding travel restrictions, the
21 nullification of the employment contract in the case of certification
22 revocation, restrictions on the payment of supplemental
23 compensation for accumulated unused sick leave, and restrictions
24 on the use of vacation leave.

25 The bill requires a school district to use the model contract for
26 the employment of a superintendent of schools. The mandated
27 model employment contract may be altered by the school district
28 and prospective superintendent of schools only with the prior
29 approval of the commissioner.