

# ASSEMBLY, No. 2216

## STATE OF NEW JERSEY 216th LEGISLATURE

INTRODUCED JANUARY 27, 2014

**Sponsored by:**

**Assemblywoman BONNIE WATSON COLEMAN**

**District 15 (Hunterdon and Mercer)**

**Assemblywoman MILA M. JASEY**

**District 27 (Essex and Morris)**

**Assemblyman THOMAS P. GIBLIN**

**District 34 (Essex and Passaic)**

**Co-Sponsored by:**

**Assemblyman Caputo**

**SYNOPSIS**

Establishes procedures for the approval of the closure of a public school.

**CURRENT VERSION OF TEXT**

As introduced.



**(Sponsorship Updated As Of: 2/11/2014)**

1 AN ACT concerning procedures for closing a public school and  
2 supplementing chapter 33 of Title 18A of the New Jersey  
3 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. As used in this section, “school closure” means the  
9 termination of the use of a school building, other than a temporary  
10 facility, that necessitates the reassignment of current and future  
11 students to the remaining school buildings of the school district or  
12 to a newly-constructed school building.

13 b. A board of education or State district superintendent shall  
14 obtain the approval of the Commissioner of Education prior to  
15 implementing a school closure. An application for the approval of a  
16 school closure shall include assurances that:

17 (1) the school closure is consistent with the district’s approved  
18 long range facilities plan because there is either sufficient capacity  
19 in the remaining school buildings to house the district’s students for  
20 the succeeding five years, or a feasibility study has demonstrated  
21 that the benefits of constructing a new school building are greater  
22 than the benefits of rehabilitating any school building that is  
23 proposed to be closed, and does not increase the number of  
24 unhoused students in the district’s remaining schools;

25 (2) the school closure will not result in an increased use of  
26 temporary facilities;

27 (3) the reassignment of students to other schools will not  
28 produce, sustain, or contribute to unlawful segregation of student  
29 populations on the basis of race or national origin, socioeconomic  
30 status, disability status, or English language proficiency; and

31 (4) the reassignment of students to other schools will not lead to  
32 unreasonably burdensome transportation requirements for students.

33 c. Notwithstanding the provisions of sections 2 and 6 of  
34 P.L.1987, c.399 (C.18A:7A-35 and C.18A:7A-39) to the contrary, a  
35 State district superintendent shall obtain the approval of the board  
36 of education prior to submitting an application for approval of a  
37 school closure to the commissioner.

38 d. The commissioner shall provide a school district with  
39 written notification of the determination regarding the school  
40 closure.

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42 2. This act shall take effect immediately and shall be applicable  
43 to any application for the approval of a school closure submitted on  
44 or after January 1, 2014.

STATEMENT

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This bill provides that a school district board of education or State district superintendent must obtain approval from the Commissioner of Education prior to implementing a school closure. An application for approval of a school closure must include assurances that the proposed closure: 1) is consistent with the district's approved long range facilities plan; 2) will not lead to an increased use of temporary facilities; 3) will not contribute to unlawful segregation of student populations; and 4) will not cause unreasonably burdensome transportation requirements for students. These assurances are similar, but not identical, to those currently required under State board of Education regulations.

The bill also requires that a State district superintendent obtain the approval of the school district board of education prior to submitting a school closure plan to the commissioner. The bill's provisions would be applicable to any school closure plan submitted for approval on or after January 1, 2014.