

# ASSEMBLY, No. 3618

## STATE OF NEW JERSEY 218th LEGISLATURE

INTRODUCED MARCH 12, 2018

**Sponsored by:**

**Assemblywoman AMY H. HANDLIN**

**District 13 (Monmouth)**

**Assemblyman EDWARD H. THOMSON**

**District 30 (Monmouth and Ocean)**

**SYNOPSIS**

Provides alternative method for municipalities whose non-operating district was eliminated to join certain regional districts and withdraw from others at same time.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/22/2018)

1 AN ACT concerning regional school districts and supplementing  
2 chapter 13 of Title 18A of the New Jersey Statutes.

3

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

6

7 1. a. Notwithstanding any provision of law to the contrary,  
8 the governing body of a municipality whose non-operating district  
9 was eliminated on July 1, 2009, together with the board of  
10 education of a constituent district of a limited purpose regional  
11 district with a grade seven through grade 12 configuration that has  
12 experienced a decline in its resident enrollment that is greater than  
13 25 percent from October 2008 to October 2016 and whose resident  
14 enrollment as of October 2016 was less than 400 students, may  
15 study and investigate whether it is advisable to establish a limited  
16 purpose regional school district with a grade pre-kindergarten  
17 through grade six configuration. If both the governing body of the  
18 municipality and the board of education of the constituent district  
19 determine that it is advisable and the commissioner upon  
20 consultation agrees, the governing body of the municipality and the  
21 board of education of the constituent district shall by resolution  
22 frame and adopt a proposal to that effect and shall submit upon the  
23 same day, in the constituent district and in the municipality, at a  
24 special school election, or at an election to be held on the third  
25 Tuesday in April or on the date of the general election, the question  
26 whether or not the proposal shall be approved, briefly describing  
27 the contents of the resolution and stating the date of its adoption.  
28 They may also submit at the special election as part of the proposal  
29 any other provision which may be submitted at such a special  
30 election under the provisions of this chapter.

31 If the proposal is adopted in the municipality and in the  
32 constituent district pursuant to N.J.S.18A:13-35, and the proposal  
33 set forth in subsection b. of this section is also adopted, the  
34 municipality and the constituent district shall upon the effective  
35 date of the proposal adopted pursuant to this subsection or the  
36 proposal adopted pursuant to subsection b. of this section,  
37 whichever effective date is later, create a limited purpose regional  
38 district with a grade pre-kindergarten through grade six  
39 configuration and the municipality shall cease to be a constituent  
40 district of the new district established pursuant to section 2 of  
41 P.L.2009, c.78 (C.18A:8-44).

42 b. Notwithstanding any provision of law to the contrary, the  
43 governing body of a municipality whose non-operating district was  
44 eliminated on July 1, 2009, together with the board of education of  
45 a limited purpose regional district with a grade seven through grade  
46 12 configuration that has experienced a decline in its resident  
47 enrollment that is greater than 25 percent from October 2008 to  
48 October 2016 and whose resident enrollment as of October 2016

1 was less than 400 students, may study and investigate whether it is  
2 advisable to enlarge the regional district to include the municipality  
3 therein. If both the governing body of the municipality and the  
4 board of education of the regional district determine that it is  
5 advisable and the commissioner upon consultation agrees, the  
6 governing body of the municipality and the board of education of  
7 the regional district shall by resolution frame and adopt a proposal  
8 to that effect and shall submit upon the same day, in the regional  
9 district and in the municipality, at a special school election, or at an  
10 election to be held on the third Tuesday in April or on the date of  
11 the general election, the question whether or not the proposal shall  
12 be approved, briefly describing the contents of the resolution and  
13 stating the date of its adoption. They may also submit at the special  
14 election as part of the proposal any other provision which may be  
15 submitted at such a special election under the provisions of this  
16 chapter.

17 If the proposal is adopted in the municipality and in the regional  
18 district pursuant to N.J.S.18A:13-44, and the proposal set forth in  
19 subsection a. of this section is also adopted, the municipality shall  
20 upon the effective date of the proposal adopted pursuant to this  
21 subsection or the proposal adopted pursuant to subsection a. of this  
22 section, whichever effective date is later, become a constituent  
23 member of that regional district and cease to be a member of any  
24 other regional district with a grade nine through twelve  
25 configuration.

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27 2. This act shall take effect immediately.

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#### STATEMENT

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32 This bill provides a process for permitting the governing body of  
33 a municipality whose non-operating district was eliminated in 2009,  
34 to form a new limited purpose regional district for the provision of  
35 pre-kindergarten through grade six, and to join another existing  
36 limited purpose regional district for the purpose of providing grade  
37 seven through grade twelve. The bill specifies that the new limited  
38 purpose regional district for the elementary school grades may be  
39 formed by the municipality only with a constituent district of a  
40 limited purpose regional district with a grade seven through grade  
41 12 configuration that has experienced a decline in its resident  
42 enrollment that is greater than 25 percent from October 2008 to  
43 October 2016 and whose resident enrollment as of October 2016  
44 was less than 400 students. Pursuant to these criteria, there are only  
45 two constituent districts with which the municipality may form the  
46 new regional district for elementary school education, Atlantic  
47 Highlands School District or Highlands School District. For the  
48 purposes of providing grade seven through grade twelve, the

1 municipality is permitted to seek to become a constituent member  
2 of Henry Hudson Regional School District, which currently consists  
3 of only two constituent districts, Atlantic Highlands School District  
4 and Highlands School District.

5 Under the provisions of the bill, the municipality along with the  
6 applicable board of education will study and investigate whether it  
7 is advisable to form or enlarge, as appropriate, the limited purpose  
8 regional district. If the municipality and the board of education  
9 determine that it is advisable, and the Commissioner of Education  
10 agrees, a proposal to that effect will be submitted to the voters. If  
11 both proposals are adopted, on whichever proposal's effective date  
12 is later, the municipality will form a new limited purpose regional  
13 district for pre-kindergarten through grade six purposes and will  
14 become a member of Henry Hudson Regional School District for  
15 grade seven through grade 12 purposes. In addition, the  
16 municipality at that time will cease to be a constituent district of the  
17 new district established upon the elimination of the non-operating  
18 district, and will also cease to be a member of any other regional  
19 district with a grade nine through grade twelve configuration.