

# SENATE, No. 702

## STATE OF NEW JERSEY 218th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2018 SESSION

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**SYNOPSIS**

Requires that school district's request for permission to use unrecognized position title include list of abolished positions and positions in which there have been layoffs and detailed job descriptions for them.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel.



1 AN ACT concerning school district personnel and supplementing  
2 chapter 27 of Title 18A of the New Jersey Statutes.

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

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7 1. A school district, in submitting a written request to the  
8 executive county superintendent of schools for permission to use an  
9 unrecognized position title as required pursuant to State Board of  
10 Education regulations, shall include, along with any other  
11 information required by the State board: a list of all positions  
12 abolished in the school district in the prior calendar year, or that  
13 will be abolished upon the approval of the unrecognized position  
14 title, and a detailed job description for each of these positions; and  
15 a list of all positions in which there have been layoffs in the district  
16 in the prior calendar year, or positions in which there will be layoffs  
17 upon the approval of the unrecognized position title, and a detailed  
18 job description for each of these positions. The school district shall  
19 also include in the request the number of times within the prior  
20 three school years that it has submitted a request for permission to  
21 use an unrecognized position title.

22 If the detailed job description of the proposed unrecognized  
23 position title is substantially similar to the detailed job description  
24 of a position abolished in the prior calendar year or that will be  
25 abolished upon the approval of the unrecognized position title, or a  
26 position in which there has been a layoff in the prior calendar year  
27 or in which there will be a layoff upon the approval of the  
28 unrecognized position title, the executive county superintendent  
29 may not approve the unrecognized position title. In this case the  
30 school district's request shall be forwarded to the Commissioner of  
31 Education who shall be responsible for a final determination on the  
32 approval or disapproval of the request.

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34 2. This act shall take effect immediately.

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STATEMENT

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39 Under current State Board of Education regulations at  
40 N.J.A.C.6A:9B-5.5, if a board of education desires to use an  
41 unrecognized position title in the district, the board is required to  
42 submit to the executive county superintendent a written request for  
43 permission to use the proposed title prior to appointing a candidate.  
44 According to the regulation, the request must include a detailed job  
45 description for the proposed title. This bill would require that the  
46 request also include: a list of all positions abolished in the school  
47 district in the prior calendar year, or that will be abolished upon the  
48 approval of the unrecognized position title, and a detailed job

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1 description for each of these positions; and a list of all positions in  
2 which there have been layoffs in the district in the prior calendar year,  
3 or positions in which there will be layoffs upon the approval of the  
4 unrecognized position title, and a detailed job description for each of  
5 these positions. In addition, the school district must also include in its  
6 request the number of times within the prior three school years that it  
7 has submitted a request for permission to use an unrecognized position  
8 title.

9 If the detailed job description of the proposed unrecognized  
10 position title is substantially similar to the detailed job description of  
11 an abolished position or a position that will be abolished upon the  
12 approval of the unrecognized position title, or a position in which there  
13 has been a layoff or in which there will be a layoff upon the approval  
14 of the unrecognized position title, the executive county superintendent  
15 may not approve the unrecognized position. In this case the executive  
16 county superintendent will be required to forward the request to the  
17 Commissioner of Education, and it will be the commissioner's  
18 responsibility to make the final determination on the request.