

SENATE, No. 791

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 15, 1996

By Senator LaROSSA

1 **AN ACT** concerning the appointment of superintendents in Type I
2 school districts, amending N.J.S.18A:17-15 and supplementing
3 chapter 17 of the 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. N.J.S.18A:17-15 is amended to read as follows:

9 18A:17-15. The board of education [of a Type I district and] of
10 any Type II district, now having or hereafter authorized to have a
11 superintendent of schools, may, by contract appoint, for a term of not
12 less than three nor more than five years and expiring July 1, a
13 superintendent of schools by the recorded roll call majority vote of the
14 full membership of the board.

15 A superintendent of schools may be appointed for a like term also
16 in any other Type II district or in any other two or more Type II
17 districts as follows:

18 Application for the establishment of the office of superintendent of
19 schools for the district or districts shall be made to the county
20 superintendent of the county or the county superintendent of each of
21 the counties in which such district or districts are situate and if said
22 application is agreed to in writing by such county superintendent or
23 county superintendents and shall be approved by the commissioner and
24 the State board, the board of education of such a district so applying
25 may appoint a superintendent of schools for a single district in the
26 manner hereinbefore provided or the commissioner shall appoint,
27 subject to the approval of the State board, a superintendent of schools
28 for two or more districts making such application and the State board
29 shall apportion the expense of maintaining such a superintendent in
30 more than one district equitably between the districts.

31 (cf: P.L.1991, c.267, s.1)

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33 2. (New section) The superintendent of a Type I school district
34 shall be appointed by the chief executive officer of the municipality

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 constituting the district. An appointee shall be selected from
2 candidates recommended by the school board, and the appointment
3 shall be made with the advice and consent of the governing body. The
4 superintendent shall serve at the pleasure of the chief executive officer
5 or during the chief executive officer's term of office and until a
6 successor is appointed.

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8 3. (New section) The superintendent of a Type I school district
9 shall be the chief executive and administrative officer and shall have
10 general supervision over all aspects, including the fiscal operations and
11 instructional programs, of the schools of the district under rules and
12 regulations prescribed by the State board and shall keep himself
13 informed as to their condition and progress and shall report thereon,
14 from time to time, to, and as directed by, the chief executive officer of
15 the municipality. The superintendent shall have such other powers and
16 perform such other duties as may be prescribed by the chief executive
17 officer of the municipality.

18 The superintendent shall have a seat on the board of education and
19 the right to speak on all matters at meetings of the board, but shall
20 have no vote.

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22 4. (New section) The board of education of a Type I school
23 district which has a superintendent shall evaluate the performance of
24 the superintendent at least once a year. Each evaluation shall be in
25 writing and a copy shall be provided to the chief executive officer of
26 the municipality and the superintendent. The chief executive officer,
27 the superintendent and the board shall meet to discuss the findings.
28 The evaluations shall be based upon the goals and objectives of the
29 district, the responsibilities of the superintendent and such other
30 criteria as the State Board of Education shall by regulation prescribe.

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32 5. (New section) This act shall not impair the validity of any
33 contract of employment between a board of education and a
34 superintendent which was entered into prior to the effective date of
35 this amendatory and supplementary act.

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37 6. This act shall take effect immediately.

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STATEMENT

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42 This bill provides for the appointment of a superintendent of a Type
43 I school district by the chief executive officer of the municipality
44 which constitutes the district. In a Type I school district, the chief
45 executive officer of the municipality also appoints the members of the
46 school board. The appointment of the school superintendent would be

1 made from candidates recommended by the school board and subject
2 to the advice and consent of the governing body. Under the bill, the
3 superintendent would serve at the pleasure of the chief executive
4 officer or during the chief executive officer's term of office and until
5 a successor is appointed. The bill specifies that the superintendent of
6 a Type I school district would be the chief executive and
7 administrative officer with supervisory responsibilities over all aspects
8 of the schools of the districts, including the fiscal operations and
9 instructional programs, and would have other powers and duties as
10 may be prescribed by the chief executive officer of the municipality.
11 In addition, the superintendent would have a seat on the board of
12 education and the right to speak on all matters at meetings of the
13 board, but would not have a vote, a provision which currently applies
14 to all superintendents.

15 A board of education of a Type I school district which has a
16 superintendent is required to evaluate the performance of the
17 superintendent at least once a year. A copy of the evaluation would
18 be provided to the chief executive officer of the municipality and the
19 superintendent, and the chief executive officer, the superintendent and
20 the board would meet to discuss the findings.

21 Approval of the bill would not impair the validity of any contract of
22 employment between a board of education and a superintendent which
23 was entered into prior to the effective date of the act.

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28 Provides for appointment of school superintendent in Type I district
29 by chief executive officer of the municipality.