

SENATE, No. 2296

STATE OF NEW JERSEY

INTRODUCED DECEMBER 1, 1997

By Senator PALAIA

1 AN ACT concerning school business administrators and amending  
2 N.J.S.18A:17-14.1, N.J.S.18A:28-5 and P.L.1996, c.111.

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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. N.J.S.18A:17-14.1 is amended to read as follows:

8 18A:17-14.1. A board or the boards of two [or more] districts  
9 may, under rules and regulations prescribed by the State board,  
10 appoint a school business administrator by a majority vote of all the  
11 members of the board, define his duties, which may include serving as  
12 secretary of one of the boards, and fix his salary, whenever the  
13 necessity for such appointment shall have been agreed to by the county  
14 superintendent of schools or the county superintendents of schools of  
15 the counties in which the districts are situate and approved by the  
16 commissioner and the State board. A school business administrator  
17 shall be appointed in the manner provided in this section, however  
18 when the boards of education of two [or more] school districts  
19 determine to share a school business administrator, the appointment  
20 shall comply with the provisions of section 4 of P.L.1996, c.111  
21 (C.18A:17-24.1).

22 Nothing in P.L.1996, c.111 (C.18A:17-24.1 et al.) shall prohibit a  
23 school district from subcontracting its school business administrator  
24 to another school district pursuant to the provisions of P.L.1973,  
25 c.208 (C.40:8A-1 et seq.) , in which case credit toward tenure  
26 acquisition shall accrue only in the primary district of employment.  
27 The provisions of P.L.1996, c.111 (C.18A:17-24.1 et al.) concerning  
28 the arrangement to share a school business administrator by two [or  
29 more] school districts shall not apply when a school district  
30 subcontracts its school business administrator to another school  
31 district.

32 (cf: P.L.1996, c.111, s.1)

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1       2. Section 4 of P.L.1996, c.111 (C.18A:17-24.1) is amended to  
2 read as follows:

3       4. The boards of education of two or more school districts may  
4 share a superintendent [or] and the boards of education of two school  
5 districts may share a school business administrator[, or both]. Boards  
6 of education may share both a superintendent and a school business  
7 administrator. A shared superintendent or business administrator shall  
8 be subject to the same rules governing eligibility for employment as are  
9 superintendents or business administrators of a single district. The  
10 decision to share a school business administrator shall be made jointly  
11 by the boards of education of the districts, in consultation with the  
12 superintendents of the respective districts, subject to the final approval  
13 of the Commissioner of Education. The decision to share a  
14 superintendent shall be made jointly by the boards of education of the  
15 districts, subject to the final approval of the Commissioner of  
16 Education. The procedure shall be as follows:

17       a. Should [two or more] districts, after careful study and  
18 opportunity for community input, decide to share a superintendent or  
19 school business administrator, the districts shall mutually prepare a  
20 report for submission to the county superintendent or county  
21 superintendents if the districts are in different counties. The report  
22 shall outline the anticipated advantages to the districts and the  
23 feasibility of a shared arrangement. The report shall set forth a plan  
24 explaining how the shared arrangement will operate, and shall also  
25 address such items as community support for the arrangement, effect  
26 on services to the respective districts, division of the superintendent's  
27 or business administrator's time between the districts, availability of  
28 administrative backup, likelihood of situations creating conflict of  
29 interest, and financial advantages of the arrangement.

30       b. The county superintendent or superintendents shall review the  
31 plan and forward a recommendation to the Commissioner of  
32 Education who shall approve or disapprove the plan.

33 (cf: P.L.1996, c.111, s.4)

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35       3. Section 8 of P.L.1996, c.111( C.18A:17-24.5) is amended to  
36 read as follows:

37       8. The position of shared superintendent or shared business  
38 administrator shall not be a tenurable position. If [two or more]  
39 boards of education appoint an individual from within one of the  
40 school districts to a shared position, the individual shall retain all  
41 tenure rights accrued in the positions in which he previously served  
42 within the district. However, in no event shall the districts be required  
43 to appoint a tenured individual from within any of the districts to fill  
44 a shared position.

45 (cf: P.L.1996, c.111, s.8)

1       4. Section 12 of P.L.1996, c.111( C.18A:17-24.9) is amended to  
2 read as follows:

3       12. The provisions of P.L.1996, c.111 (C.18A:17-24.1 et al.) shall  
4 govern the sharing of a superintendent or school business  
5 administrator by [two or more] boards of education and shall not be  
6 deemed inconsistent with the provisions of P.L.1973, c.208  
7 (C.40:8A-1 et seq.) insofar as that act may authorize the  
8 subcontracting of school district administrative services.  
9 (cf: P.L.1996, c.111, s.12)

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11       5. N.J.S.18A:28-5 is amended to read as follows:

12       18A:28-5. The services of all teaching staff members employed in  
13 the positions of teacher, principal, other than administrative principal,  
14 assistant principal, vice-principal, assistant superintendent, and all  
15 school nurses including school nurse supervisors, head school nurses,  
16 chief school nurses, school nurse coordinators, and any other nurse  
17 performing school nursing services and such other employees as are in  
18 positions which require them to hold appropriate certificates issued by  
19 the board of examiners, serving in any school district or under any  
20 board of education, excepting those who are not the holders of proper  
21 certificates in full force and effect and school business administrators  
22 shared by two [or more] school districts, shall be under tenure during  
23 good behavior and efficiency and they shall not be dismissed or  
24 reduced in compensation except for inefficiency, incapacity, or  
25 conduct unbecoming such a teaching staff member or other just cause  
26 and then only in the manner prescribed by subarticle B of article 2 of  
27 chapter 6 of this Title, after employment in such district or by such  
28 board for:

29       (a) Three consecutive calendar years, or any shorter period which  
30 may be fixed by the employing board for such purpose; or

31       (b) Three consecutive academic years, together with employment  
32 at the beginning of the next succeeding academic year; or

33       (c) The equivalent of more than three academic years within a  
34 period of any four consecutive academic years.

35       For purposes of this chapter, tenure in any of the administrative or  
36 supervisory positions enumerated herein shall accrue only by  
37 employment in that administrative or supervisory position. Tenure so  
38 accrued shall not extend to any other administrative or supervisory  
39 position and nothing herein shall limit or restrict tenure rights which  
40 were or may be acquired pursuant to N.J.S.18A:28-6 in a position in  
41 which the individual actually served.

42 (cf: P.L.1996, c.111, s.3)

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44       6. This act shall take effect immediately.

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STATEMENT

This bill provides that only two school districts may share a school business administrator. Under current law two or more school districts are permitted to share a school business administrator.

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Permits only two school districts to share a school business administrator.