

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.

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