

Boards of Education Appointed and Elected

September 20, 2021

Montclair Board of Education Public Town Hall Meeting

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New Jersey School Districts 2018

Appointed Boards of Education

41

Elected Boards of Education

544



New Jersey School Districts 2018

Appointed Boards of Education 41

- **County Vocational-Technical (18)**
- **County Special Services (5)**
- **County Spl Services and Vocational (3)**
- **Non-county based appointed boards (15)**



Board of Education Membership

QUALIFICATIONS

N.J.S.A. 18A:12-1, 1.2

- **Citizen and resident of the school district at least one-year preceding appointment or election**
- **Able to read and write**
- **Registered to vote and not disqualified**
- **Not be convicted of a disqualifying crime**



Board of Education Membership

Type I (Appointed) Boards

N.J.S.A. 18A:12- 5, 6, 7, 8, 9

- **Number of members – 5 or 7 by municipal ordinance, 9 in *cities of the first class* or by referendum**
- **Term of Office**
 - 5 member board – 5 years**
 - 7 or 9 member board – 3 years**



Board of Education Membership

Type I (Appointed) Boards

N.J.S.A. 18A:12- 5, 6, 7, 8, 9

- ***Cities other than cities of the first class***
 - Appointment by mayor, 4/1 - 4/15
 - Term begins 5/16
- ***Cities of the first class***
 - Appointment by mayor, month of June
 - Term begins July 1



Board of Education Membership

Type I (Appointed) Boards

N.J.S.A. 18A:12- 5, 6, 7, 8, 9

- **Vacancies filled by mayor or other CEO of municipality**
- **Filled within 30 days, for unexpired term**



Board of Education Membership

Type II (Elected) Boards

N.J.S.A. 18A:12- 10, 11, 12, 13, 14

- **Number of members – 9 or 3, 5, or 7 by law or referendum, three-year terms**
- **May increase or reduce number of members by referendum**
- **Annual School Election**
 - **April or November**



Type II Annual School Election

Type II (Elected) Boards Annual School Election

N.J.S.A. 19:60-1, 1.1

- **Third Tuesday in April (4/19/22)**
 - 14 districts, default date
- **First Tuesday after first Monday in November (11/8/22)**
 - 530 districts
 - No vote on the budget at or under cap



Type II Annual School Election

Type II (Elected) Boards

Cost of School Elections

N.J.S.A. 19:60-1, 1.1, 12

- **April Annual School Election and Special School Elections – all costs borne by the school district**
- **November Annual School Election – costs borne by the county; board pays any increased costs**



Type II Annual School Election

Annual School Election

Changing the Date – Voter Approval

N.J.S.A. 19:60-1.1

- **15% Registered Voters**
- **Board of Education Resolution**
- **Governing Body Resolution**
- **Notice to Gov Body, Bd of Ed, Clerk**



Type II Annual School Election

Annual School Election

Changing the Date Back – Voter Approval

N.J.S.A. 19:60-1.1

- **Return to April from November**
 - Only after four annual school elections
- **Return to November from April - ?**
- **Two-year moratorium, Study Commission – P.L.2016 c.27**



Board of Education Organization

Type I (Appointed) Boards

N.J.S.A. 18A:12- 5, 6, 7, 8, 9; N.J.S.A. 18A:10-3

- **Term begins with organization meeting, lasts until organization meeting following last year of term**
 - *Cities other than cities of the first class*
Organization meeting May 16
 - *Cities of the first class*
Organization meeting July 1 (?)



Board of Education Organization

Type II (Elected) Boards

N.J.S.A. 18A:12- 10,11,12,13,14; N.J.S.A. 18A:10-3

- **Term begins with organization meeting, lasts until organization meeting following last year of term**
 - **April School Election - Organization meeting occurs – 1st or 2nd week following election**
 - **November School Election – January 1-7**



Board of Education Vacancies

Type II (Elected) Boards

N.J.S.A. 18A:12-15

- **Vacancies generally filled by the board**
- **Vote - majority of remaining members of the board after vacancy occurs**
 - **If vacant for 65 days, Executive County Superintendent (ECS) appoints**



Board of Education Vacancies

Type II (Elected) Boards

N.J.S.A. 18A:12-15

- **Unexpired terms placed on the ballot in next annual school election when vacancy occurs**
 - **April Annual School Election - 60 Days before**
 - **November Annual School Election – before third Monday in July**



Board of Education Membership

Type II Appointed Boards

N.J.S.A. 18A:12-16, 17, 18, 19

- **Appointments of board members similar to Type I**
- **Unaware of any boards of this type**



School Budget Approval

Type I (Appointed) Boards

N.J.S.A. 18A:7F- 5, 6

N.J.S.A. 18A:22- 7, 10, 11, 12, 14

- **Adoption and filing of budget with ECS, March 4, 2022**
- **Executive County Superintendent approval March 23, 2022**
- **Public hearing before Board of School Estimate; March 23 – March 30**



School Budget Approval

Type I (Appointed) Boards

N.J.S.A. 18A:22-1

- **Board of School Estimate – Two board of education members; two governing body members; mayor or CEO of municipality**



School Budget Approval

Type I (Appointed) Boards

N.J.S.A. 18A:22- 7, 10, 11, 12, 14

- **Board of School Estimate – Adopt and certify budget to board of education and governing body**
- **At or after the public hearing, but not later than April 8, 2022**
- **Governing body includes tax levy in tax ordinance**



School Budget Approval

Type I (Appointed) Boards

N.J.A.C. 6A:23A-9.9

- **Application for Restoration of Reductions by board of education**
- **10 Working days after action by Board of School Estimate.**



School Budget Approval

Type II (Elected) Boards - April

N.J.S.A. 18A:7F- 5, 6

N.J.S.A. 18A:22- 7, 10, 11, 12, 14

- **Adoption and filing of budget with Executive County Superintendent, March 4, 2022**
- **Executive County Superintendent approval, April 13, 2022**
- **Public hearing before Board of Education; April 13 – April 20**



School Budget Approval

Type II (Elected) Boards - April

N.J.S.A. 18A:7F- 5, 6

N.J.S.A. 18A:22- 7, 10, 11, 12, 14

- **Adoption of budget, including amount to be raised by taxes, April 22, 2022**
- **At or after the public hearing, but not later than 18 days prior to the election**
- **Recorded roll call majority vote of full board membership**



School Budget Approval

Type II (Elected) Boards - April

- **Public Question submitted to county clerk; 18th day before the election**
- **School Election – 3rd Tuesday in April**
- **Polling hours 4 p.m. – 8 pm.; board of education may designate any greater hours from 6 a.m. – 8 p.m. *N.J.S.A. 19:15-2***



School Budget Approval

Type II (Elected) Boards - April

N.J.S.A. 18A:22-37, 18A:13-19

- **Voters approve – tax levy certified to county board of taxation by board of education**
- **Voters disapprove – budget sent to municipal governing body for review**
- **Governing body determines tax levy;
May 19, 2022**



School Budget Approval

Type II (Elected) Boards - April

N.J.A.C. 6A:23A-9.9

- **Governing body failure to certify**
- **Application for Restoration of Reductions by board of education**
- **10 Working days after action by governing body.**



School Budget Approval

Type II (Elected) Boards - November

N.J.S.A. 18A:7F- 5, 6

N.J.S.A. 18A:22- 7, 10, 11, 12, 14

- **Adoption and filing of budget with Executive County Superintendent, March 20 (3/20/18)**
- **Executive County Superintendent approval**
- **Public hearing before Board of Education; April 24 – May 7**



School Budget Approval

Type II (Elected) Boards - November

N.J.S.A. 18A:7F- 5, 6

N.J.S.A. 18A:22- 7, 10, 11, 12, 14, 32, 33

- **Adoption of budget, including amount to be raised by taxes**
- **At or after the public hearing, but not later than May 14, 2022**
- **Recorded roll call majority vote of full board membership**



School Budget Approval

Type II (Elected) Boards - November

N.J.S.A. 18A:7F- 5, 6

N.J.S.A. 18A:22- 7, 10, 11, 12, 14, 32, 33

- **Tax levy certified by the board of education to the county board of taxation - May 19, 2022**



School Capital Project Funding

School Bonds Authorization

N.J.S.A. 18A:24 – 10, 11, 12

- **Ordinance adopted by governing body from board of school estimate within a Type I school district, or**
- **Resolution adopted by a recorded roll call majority vote of the full membership of the board of education of a Type II district having a board of school estimate, or**



School Capital Project Funding

School Bonds Authorization

N.J.S.A. 18A:24 – 10, 11, 12

- Resolution adopted by the board of education, by a recorded majority vote of its full membership and is adopted by the legal voters, of any other type II district, including a regional district, authorizing the issuance of such bonds by the municipality or the district



Change in Classification

Submission of Question to Voters

N.J.S.A. 18A:9 – 4, 5, 6

- **Governing body by resolution**
- **Board of Education by resolution**
- **Voter petition – 15% of legally qualified voters, last general election for members of the general assembly, filed with municipal clerk or *board of education***
- **Four year moratorium after election**



Type I to Type II

Submission of Question to Voters

N.J.S.A. 18A:9 – 7, 8, 9, 10, 11

- **Vote for Adoption of Question**
- **If approved, district becomes Type II immediately, board members remain until expiration of terms**
- **Next school election, increase to nine members**
- **3 seats each year, 3-year terms, ASAP**



Type I to Type II – Orange 2018

Submission of Question to Voters

N.J.S.A. 18A:9 – 7, 8, 9, 10, 11

- All board member terms extended until January 2019
- March 13, 2018 Special School Election – one 8 month term, one 2 year 8 month term
- Three (3) three-year terms up for election November 2018



Type II to Type I

Submission of Question to Voters

N.J.S.A. 18A:9 – 7, 8, 9, 10, 11

- **Vote for Adoption of Question**
- **If approved, district becomes Type I
January 31; *Cities of the first class*
June 30**
- **New board members appointed by
the mayor effective February 1, July 1**



Appointed and Elected Boards

QUESTIONS?



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