

Public Notice

Education

State Board of Education

Notice of Receipt and Action on Petition for Rulemaking

Representation from Sending School District to Board of Receiving District

N.J.S.A. 18A:38-8.2

Petitioner: Bonnie Adams, President, Bass River Board of Education.

Take notice that on June 6, 2022, the New Jersey State Board of Education (State Board) received a petition for rulemaking from the petitioner requesting that the State Board amend N.J.S.A. 18A:38-8.2, which sets forth the criteria for a school district that sends students to another school district pursuant to N.J.S.A. 18A:38-8 to qualify for representation on the receiving school district board of education.

The State law states that the sending school district shall have no representation on the receiving district board of education if the students from the sending school district comprise less than 10 percent of the total student enrollment in the grades in which the sending school district's students will be enrolled. The law also stipulates that the sending school district shall have one representative on the receiving district board of education if the number of students from the sending school district meets or exceeds the 10 percent threshold.

The petition states that the State law should be amended to state that “[a]ny sending New Jersey school district shall serve and vote on all matters regarding student residents in the receiving school district.”

The petition also states that the requested change will allow a member of the Bass River Board of Education, as a sending school district, to serve on the Little Egg Harbor Township

District Board of Education, which is a receiving school district. The petition further states that the change is necessary to allow the sending school district to represent resident students because the sending school district pays tuition via taxes regardless of the criteria for the student enrollment percentage.

The State Board does not have the authority to amend State law as that is the responsibility of the New Jersey Legislature. Therefore, the petitioner's request is denied.