



Type II Districts with November Elections – Moving November Election to April

Beginning with the 2012 school election, Type II school boards of education, municipal governing bodies, or voters (by way of petition) were permitted to move the annual April school election to the date of the November general election, pursuant to *N.J.S.A. 19:60-1.1*. The statute requires that once the school election is moved to November, at least four annual November elections must be held prior to the adoption of a resolution or filing of a petition to move the date of the school district's annual school election to the third Tuesday in April. Those school districts that first held a school election in November 2015, will meet the four-year legal threshold after the November 2018 election is held. Subsequent to the November 2018 election, those school districts are eligible to move their school elections from November back to April first effective with the April 2019 election.

It is important to note that for districts that first moved their school election from April to November **subsequent** to November 2015, the four-year legal threshold for school elections has not been met for the 2019 election. Those districts must continue to hold November school elections until such time as four separate November elections have been held. Please refer to the schedule posted on the department's budget webpage at [NJDOE](#) for the various specific timing characteristics.

Once the four-year legal threshold has been met, procedures for moving the school election from November back to April are provided in *N.J.S.A. 19:60-1.1 (b)*. Specifically, for other than a Type II district with a board of school estimate, the election may be moved back to April by:

- Voter approval. Whenever a petition signed by not less than 15% of the number of legally qualified voters who voted in the district at the last preceding general election held for the election of electors for president and vice-president of the United States is filed with the board of education, the question of moving the date of the school district's annual election to the third Tuesday in April shall be submitted to the voters of the district at the next general election. Such a vote must be preceded by the filing of a petition with the board of education and no fewer than 60 days may have lapsed since the date of the filing of that petition.
- Board of education or municipal body or bodies taking action in the absence of voter approval. Upon the adoption of a resolution by the board of education of a local or regional school district, or the governing body (bodies) of the municipality or municipalities constituting the district. Prior to a municipality or municipalities holding a meeting for the adoption of the resolution to move the date of the annual school election, the governing body or bodies of the municipality or municipalities constituting the district, shall provide adequate notice of the meeting to the affected board or boards of education.

Accordingly, the election may be moved by voter petition, or by resolution of either the board or the municipal governing body. For a limited purpose regional school district, if all the constituent districts approve moving the date of the annual election to April, then the school election for the limited purpose regional shall also be held in April.

Although *N.J.S.A.* 19:60-1.1 (c) provides no statutory deadline for the date of the resolution, if the 2019 school election will be moved from November (2019) to April (2019), written notice of the change in the school election date must be given to the county clerk no less than 85 days prior to the third Tuesday in April to take effect for the 2019 election. For 2019, the 85th day prior to the third Tuesday in April is January 21, 2019. The department also recommends that a copy of the resolutions be provided to the county board of election, the county superintendent of elections (if there is one in the county), the applicable municipal clerks, the school board secretary, the State Division of Elections, the executive county superintendent, and the State Department of Community Affairs, Division of Local Government Services.

If a district moves from a November election back to an April election, then pursuant to *N.J.S.A.* 19:60-1.1 (b)(2) the election of board members goes back to April, therefore the current school board members would have a shorter term in the year of change due to the induction schedule of the members elected at the April election.

If you have questions or comments regarding moving the school election date, please email budget@doe.nj.gov or call Montu Patel, Office of School Finance, at (609) 376-3800.

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