

## OUTLINE

- **PROCESS TO CHANGE TAX ALLOCATION METHOD**
  - Only the regional board of education can authorize a referendum
  - Regional district can authorize a referendum to change to the following:
    - 100% pupil enrollment
    - Any combination of pupil enrollment or Property method
  - To pass, referendum must be approved by a majority of voters in each constituent district
- **PROCESS TO DISSOLVE AND THEN CREATE A NEW REGIONAL DISTRICT**
  - (1) Feasibility study completed
  - (2) Request to Executive County Superintendent to investigate
    - Individual boards and municipalities decide
    - Dissolution requires a majority of K-8 boards (3 of 4) AND majority of municipalities (3 of 5)
    - Each must pass a resolution requesting investigation and advisability report
  - (3) Executive County Superintendent
    - Initial meeting
      - Within 21 days, she must hold a meeting with constituents to discuss process
    - Advisability report
      - Issued within 60 days of request or receipt of feasibility study, whichever is later
      - Non-binding
      - Informational only
  - (4) Petition to Commissioner of Education
    - What is being requested? Authorization to conduct a referendum on the dissolution of regional district with specific requested reconfiguration following dissolution
    - Must be filed within 30 days after receipt of Superintendent report
    - Petition must be filed by at least a single community (i.e., the board and municipal council from one town)
    - Other boards and/or municipal councils may also simultaneously file petition
    - Within 15 days of filing the petition, any other board of municipal council may file an answer in opposition or support
  - (5) Board of Review
    - Commissioner will convene the Board of Review within 15 days after answers are filed
    - Board of Review will determine whether to authorize a referendum to put the issue before the voters

- (6) Referendum
  - If the Board of Review grants the petition and authorizes the referendum, a date will be selected for referendum
  - Governing bodies will work with County Superintendent to draft the referendum question
- (7) Outcome of Referendum
  - How does it pass?
    - Dissolution: Must pass by a majority of overall votes in entire regional district (i.e., all 5 towns) AND it must pass by a majority of votes in a majority of the “constituent districts”
      - Since Chester is a consolidated district, the regional is made up of 4 constituent districts
      - The vote must pass in 3 of the 4 districts
    - Creation: Requires a majority in each district wanting to join. In the Chesters, the vote must pass by a majority in all of Chester borough and Chester township combined (without regard to municipal boundaries)
  - What happens if it does not pass?
    - The passage of a referendum on creation would have to be contingent on passage of a referendum on dissolution – in other words, if the voters do not approve dissolving the district, there can be no creation of a new district
    - However, the passage of a referendum on dissolution need not be contingent on passage of a referendum to create a new district. In other words, the law permits a regional district to be dissolved even if no new regional is created in its place. Prior to the referendum, the Board of Review would have to decide what will happen if no new regional is created. There are two options: 1) make dissolution contingent on the creation of a new regional, in which case, dissolution would not occur if the vote on creating a regional did not pass; or 2) do not make dissolution contingent on the creation of a new regional, in which case the following will happen by operation of law:
      - Mendham Borough and Washington Township will take ownership of the buildings situated in their communities and each will become separate K-12 school districts. Their respective K-8 boards of education would expand into K-12 boards with responsibility for the education of all children in their towns K-12.
      - Chester and Mendham Township would have to make arrangements to educate their high school students via sending-receiving agreements.