

P.L.2016, CHAPTER 49, *approved September 6, 2016*  
Assembly, No. 2689 (*Second Reprint*)

1 **AN ACT** concerning security aid for nonpublic school students and  
2 supplementing chapter 58 of Title 18A of the New Jersey  
3 Statutes.

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5 **BE IT ENACTED** by the Senate and General Assembly of the State  
6 of New Jersey:

7  
8 1. This act shall be known and may be cited as the “Secure  
9 Schools for All Children Act.”

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11 2. As used in this act:  
12 "Nonpublic school" means an elementary or secondary school  
13 within the State, other than a public school, offering education for  
14 grades kindergarten through 12, or any combination of them,  
15 wherein any child may legally fulfill compulsory school attendance  
16 requirements and which complies with the requirements of Title VI  
17 of the "Civil Rights Act of 1964," Pub.L.88-352, (42 U.S.C.  
18 s.2000d et seq.).

19 "Support limit" means the maximum amount which may be  
20 appropriated each year for the purposes of this act for each student  
21 enrolled full-time in nonpublic schools of the State.

22  
23 3. A board of education of a school district in which a  
24 nonpublic school is located shall within the limit of funds  
25 appropriated or otherwise made available, adopt policies and  
26 procedures to provide the students who are enrolled full-time in the  
27 nonpublic school with security services, equipment, or technology  
28 to help ensure a safe and secure school environment.

29  
30 4. a. The superintendent of schools of each school district in  
31 which a nonpublic school is located shall confer annually with the  
32 chief school administrator of each of the nonpublic schools to:

33 (1) advise the nonpublic school of the limit of funds available  
34 pursuant to this act;

35 (2) agree upon the security services, equipment, or technology  
36 to be provided to the students of the nonpublic school, within the  
37 limit of the funds that are available; and

**EXPLANATION** – Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SBA committee amendments adopted June 23, 2016.

<sup>2</sup>Senate floor amendments adopted June 27, 2016.

1 (3) agree on the date when the board of education will meet to  
2 approve how the security services, equipment, or technology will be  
3 provided to the students of the nonpublic school.

4 b. In the event that the superintendent of schools and the chief  
5 school administrator of the nonpublic school are unable to agree  
6 regarding the security services, equipment, or technology to be  
7 provided for a safe and secure school environment, the executive  
8 county superintendent shall be consulted to determine the security  
9 services, equipment, or technology to be provided. The decision of  
10 the executive county superintendent shall be final.

11  
12 5. a. The support limit for the 2016-2017 school year shall be  
13 <sup>1</sup>[\$144.42] \$75<sup>1</sup>. For each school year thereafter the commissioner  
14 shall determine the support limit by multiplying the support limit  
15 for the previous school year times the sum of 1.0 plus the average  
16 annual percentage increase in the consumer price index for the New  
17 York and Philadelphia areas during the fiscal year preceding the  
18 prebudget year as reported by the United States Department of  
19 Labor.

20 b. On or before November 5 of each year, each board of  
21 education shall forward to the Commissioner of Education an  
22 estimate of the cost of providing, during the next school year, the  
23 security services, equipment, or technology required pursuant to  
24 this act and the number of students attending nonpublic schools  
25 located within the district as of the last school day of October of the  
26 current school year. The commissioner shall provide State aid to  
27 each school district in an amount equal to the number of nonpublic  
28 school students within the district identified by the district on or  
29 before November 5 multiplied by the State support limit. In the  
30 event that the expenditure incurred by any district is less than the  
31 amount of State aid received, the district shall refund the  
32 unexpended State aid after the completion of the school year, but  
33 not later than December 1 of the following school year.

34 c. If in any year, the amount of State aid appropriated is  
35 insufficient to carry out in full the provisions of this act, the  
36 commissioner shall apportion that appropriation among the districts  
37 in proportion to the State aid each district would have received had  
38 the full amount of State aid been appropriated. In any year, no  
39 district shall be required to make expenditures for the purposes of  
40 this act in excess of the amount of State aid received for these  
41 purposes.

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43 <sup>1</sup>6. A school district and a nonpublic school and their employees  
44 shall be immune from civil liability in the provision of security  
45 services, equipment, or technology pursuant to the provisions of this  
46 act <sup>2</sup>, except for actions that constitute gross negligence or willful  
47 misconduct<sup>2</sup> .<sup>1</sup>  
48

49 <sup>1</sup>[6.] 7.<sup>1</sup> The State Board of Education shall promulgate rules  
50 pursuant to the "Administrative Procedure Act," P.L.1968, c.410

1 (C.52:14B-1 et seq.), to effectuate the provisions of this act in a  
2 manner that comports with the provisions of the State and federal  
3 Constitutions, including a list of allowable expenditures for security  
4 services, equipment, or technology to ensure a safe and secure  
5 school environment for nonpublic school students.

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7 <sup>1</sup>**[7.] 8.**<sup>1</sup> This act shall take effect immediately and shall first  
8 apply to the 2016-2017 school year.

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14 “Secure Schools for All Children Act”; establishes State aid  
15 program for security services, equipment, or technology to ensure  
safe and secure school environment for nonpublic school students.