

ASSEMBLY, No. 1357

STATE OF NEW JERSEY

Introduced Pending Technical Review by Legislative Counsel

PRE-FILED FOR INTRODUCTION IN THE 1996 SESSION

By Assemblyman STUHLTRAGER

1 AN ACT concerning pupil transportation and amending
2 N.J.S.18A:39-1 and N.J.S.18A:39-1.1.

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

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7 1. N.J.S.18A:39-1 is amended to read as follows:

8 18A:39-1. Whenever in any district there are elementary school
9 pupils who live or who receive child care services at a location more
10 than two miles from their public school of attendance or secondary
11 school pupils who live more than 2½ miles from their public school of
12 attendance, the district shall provide transportation to and from school
13 for these pupils.

14 When any school district provides any transportation for public
15 school pupils to and from school pursuant to this section,
16 transportation shall be supplied to school pupils residing in such
17 school district in going to and from any remote school other than a
18 public school, not operated for profit in whole or in part, located
19 within the State not more than 20 miles from the residence of the
20 pupil; except that if the district is located in a county of the third class
21 with a population of not less than 80,000 and not more than 120,000
22 transportation shall be provided to a nonpublic school located outside
23 the State not more than 20 miles from the residence of the pupil, if
24 there is no appropriate nonpublic school within the State located
25 closer to the residence of the pupil; provided the per pupil cost of the
26 lowest bid received does not exceed \$675 for 1991-92 school year and
27 if such bid shall exceed said cost then the parent, guardian or other
28 person having legal custody of the pupil shall be eligible to receive said
29 amount toward the cost of his transportation to a qualified school
30 other than a public school, regardless of whether such transportation
31 is along established public school routes. It shall be the obligation of
32 the parent, guardian or other person having legal custody of the pupil

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

Matter underlined thus is new matter.

1 attending a remote school, other than a public school, not operating
2 for profit in whole or in part, to register said pupil with the office of
3 the secretary of the board of education at the time and in the manner
4 specified by rules and regulations of the State board in order to be
5 eligible for the transportation provided by this section. If the
6 registration of any such pupil is not completed by September 1 of the
7 school year and if it is necessary for the board of education to enter
8 into a contract establishing a new route in order to provide such
9 transportation, then the board shall not be required to provide it, but
10 in lieu thereof the parent, guardian or other person having legal
11 custody of the pupil shall be eligible to receive \$675 or the amount
12 determined pursuant to section 2 of P.L.1981, c.57 (C.18A:39-1a), or
13 an amount computed by multiplying 1/180 times the number of school
14 days remaining in the school year at the time of registration, times
15 \$675 or the amount determined pursuant to section 2 of P.L.1981,
16 c.57 (C.18A:39-1a), whichever is the smaller amount. Whenever any
17 regional school district provides any transportation for pupils
18 attending schools other than public schools pursuant to this section,
19 said regional district shall assume responsibility for the transportation
20 of all such pupils, and the cost of such transportation for pupils below
21 the grade level for which the regional district was organized shall be
22 prorated by the regional district among the constituent districts on a
23 per pupil basis, after approval of such costs by the county
24 superintendent. This section shall not require school districts to
25 provide any transportation for pupils attending a school other than a
26 public school, where the only transportation presently provided by said
27 district is for school children transported pursuant to chapter 46 of
28 Title 18A of the New Jersey Statutes or for pupils transported to a
29 vocational, technical or other public school offering a specialized
30 program. Any transportation to a school, other than a public school,
31 shall be pursuant to the same rules and regulations promulgated by the
32 State board as governs transportation to any public school.

33 The board of education may make rules and contracts for the pupil
34 transportation provided pursuant to this section.

35 Nothing in this section shall be so construed as to prohibit a board
36 of education from making contracts for the transportation of pupils to
37 a school in an adjoining district, when such pupils are transferred to
38 the district by order of the county superintendent, or when any pupils
39 shall attend school in a district other than that in which they shall
40 reside by virtue of an agreement made by the respective boards of
41 education.

42 Nothing herein contained shall limit or diminish in any way any of
43 the provisions for transportation for children pursuant to chapter 46
44 of this Title.

45 (cf: P.L.1990, c.52 s.50)

1 2. N.J.S.18A:39-1.1 is amended to read as follows:

2 18A:39-1.1. In addition to the provision of transportation for pupils
3 pursuant to N.J.S.18A:39-1 and N.J.S.18A:46-23, the board of
4 education of any district may provide, by contract or otherwise, in
5 accordance with law and the rules and regulations of the State board,
6 for the transportation of other pupils to and from school.

7 Whenever transportation is provided for elementary school pupils
8 pursuant to this section, transportation to and from school shall also
9 be provided to pupils who receive child care services at a location less
10 than two miles from the public school of attendance.

11 Districts shall not receive State aid pursuant to section 16 of
12 P.L.1990, c.52 (C.18A:7D-18) for the transportation of pupils
13 pursuant to this section.

14 (cf: P.L.1990, c.52, s.52)

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16 3. This act shall take effect immediately and shall first apply to
17 pupil transportation for the 1993-94 school year.

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STATEMENT

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22 This bill requires school districts to provide transportation from the
23 location of a pupil's child care provider within the school district so
24 long as the location of the child care provider is more than 2 miles
25 from school for elementary school students and 2½ miles for high
26 school students. State aid would then be provided to the school
27 district under the "Quality Education Act of 1990" to cover the costs
28 of transporting these pupils. The bill also requires that courtesy
29 transportation be extended to these pupils.

30 This bill addresses a problem faced by many families where a child
31 is being provided day care at a location outside the home but still
32 within the school district. Under current law the school district is not
33 required to provide transportation to school from this alternate
34 location even though it is within the school district and meets the
35 relevant distance requirements for pupil transportation.

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40 Requires school districts to provide pupil transportation from location
41 of child care provider in certain instances.