

ASSEMBLY, No. 1358

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.

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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 more than two miles from their public school of
10 attendance or secondary school pupils who live more than 2 1/2 miles
11 from their public school of attendance, the district shall provide
12 transportation to and from school for these pupils.

13 When any school district provides any transportation for public
14 school pupils to and from school pursuant to this section,
15 transportation shall be supplied to school pupils residing in such
16 school district in going to and from any remote school other than a
17 public school, not operated for profit in whole or in part, located
18 within the State not more than 20 miles from the residence of the
19 pupil; except that if the district has a population density, according to
20 the most recent decennial Census, of less than 50 persons per square
21 mile and is located in a county of the third class transportation shall be
22 provided to a nonpublic school located within the State not more than
23 30 miles from the residence of the pupil; or except that if the district
24 is located in a county of the third class with a population of not less
25 than 80,000 and not more than 120,000 transportation shall be
26 provided to a nonpublic school located outside the State not more than
27 20 miles from the residence of the pupil, if there is no appropriate
28 nonpublic school within the State located closer to the residence of the
29 pupil; provided the per pupil cost of the lowest bid received does not
30 exceed \$675 for 1991-92 school year and if such bid shall exceed said
31 cost then the parent, guardian or other person having legal custody of
32 the pupil shall be eligible to receive said amount toward the cost of his

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

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

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

46 Nothing herein contained shall limit or diminish in any way any of

1 the provisions for transportation for children pursuant to chapter 46
2 of this Title.

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

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5 2. This act shall take effect immediately and shall be applicable
6 beginning with the 1992-93 school year.

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STATEMENT

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11 This bill would extend the limit for transportation of nonpublic
12 school students to 30 miles in sparsely populated rural school districts.
13 School districts are currently only required to provide transportation
14 for a student attending a nonpublic school which is 20 miles or less
15 from the student's residence. However, some school districts in rural,
16 lightly populated counties do not have adequate nonpublic school
17 choices within the 20 mile limit. This bill would allow students from
18 districts with a population density of 50 persons per square mile or
19 less in a county of the third class (Cumberland, Hunterdon, Salem,
20 Sussex, and Warren) to receive transportation services or State aid if
21 the nonpublic school of attendance is within 30 miles of the student's
22 home.

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27 Extends the limit for transportation of students in sparsely populated
28 rural school districts to 30 miles.