

ASSEMBLY, No. 2339

STATE OF NEW JERSEY

INTRODUCED SEPTEMBER 19, 1996

By Assemblywomen GILL and TURNER

1 AN ACT concerning transportation services for certain pupils and
2 amending 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 Whenever in any district there are elementary and secondary school
14 pupils whose route to and from their public school of attendance
15 requires walking along or across a highway owned or maintained by
16 a county or the State, the district shall provide transportation to and
17 from school for these pupils, unless the Department of Education in
18 consultation with the Department of Transportation certify that the
19 route does not pose a threat to student safety.

20 When any school district provides any transportation for public
21 school pupils to and from school pursuant to this section,
22 transportation shall be supplied to school pupils residing in such
23 school district in going to and from any remote school other than a
24 public school, not operated for profit in whole or in part, located
25 within the State not more than 20 miles from the residence of the
26 pupil; except that if the district is located in a county of the third class
27 with a population of not less than 80,000 and not more than 120,000
28 transportation shall be provided to a nonpublic school located outside
29 the State not more than 20 miles from the residence of the pupil, if
30 there is no appropriate nonpublic school within the State located
31 closer to the residence of the pupil; provided the per pupil cost of the
32 lowest bid received does not exceed \$675 for the 1992-93 school year
33 or the amount determined for subsequent years pursuant to section 2
34 of P.L.1981, c.57 (C.18A:39-1a), and if such bid shall exceed that cost

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 then the parent, guardian or other person having legal custody of the
2 pupil shall be eligible to receive \$675 for the 1992-93 school year or
3 the amount determined pursuant to section 2 of P.L.1981, c.57
4 (C.18A:39-1a) for subsequent years toward the cost of his
5 transportation to a qualified school other than a public school,
6 regardless of whether such transportation is along established public
7 school routes. It shall be the obligation of the parent, guardian or
8 other person having legal custody of the pupil attending a remote
9 school, other than a public school, not operating for profit in whole or
10 in part, to register said pupil with the office of the secretary of the
11 board of education at the time and in the manner specified by rules and
12 regulations of the State board in order to be eligible for the
13 transportation provided by this section. If the registration of any such
14 pupil is not completed by September 1 of the school year and if it is
15 necessary for the board of education to enter into a contract
16 establishing a new route in order to provide such transportation, then
17 the board shall not be required to provide it, but in lieu thereof the
18 parent, guardian or other person having legal custody of the pupil shall
19 be eligible to receive \$675 or the amount determined pursuant to
20 section 2 of P.L.1981, c.57 (18A:39-1a), or an amount computed by
21 multiplying $1/180$ times the number of school days remaining in the
22 school year at the time of registration, times \$675 for the 1992-93
23 school year or the amount determined pursuant to section 2 of
24 P.L.1981, c.57 (C.18A:39-1a) for subsequent years, whichever is the
25 smaller amount. Whenever any regional school district provides any
26 transportation for pupils attending schools other than public schools
27 pursuant to this section, said regional district shall assume
28 responsibility for the transportation of all such pupils, and the cost of
29 such transportation for pupils below the grade level for which the
30 regional district was organized shall be prorated by the regional
31 district among the constituent districts on a per pupil basis, after
32 approval of such costs by the county superintendent. This section
33 shall not require school districts to provide any transportation for
34 pupils attending a school other than a public school, where the only
35 transportation presently provided by said district is for school children
36 transported pursuant to chapter 46 of Title 18A of the New Jersey
37 Statutes or for pupils transported to a vocational, technical or other
38 public school offering a specialized program. Any transportation to a
39 school, other than a public school, shall be pursuant to the same rules
40 and regulations promulgated by the State board as governs
41 transportation to any public school.

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

44 Nothing in this section shall be so construed as to prohibit a board
45 of education from making contracts for the transportation of pupils to
46 a school in an adjoining district, when such pupils are transferred to

1 the district by order of the county superintendent, or when any pupils
2 shall attend school in a district other than that in which they shall
3 reside by virtue of an agreement made by the respective boards of
4 education.

5 Nothing herein contained shall limit or diminish in any way any of
6 the provisions for transportation for children pursuant to chapter 46
7 of this Title.

8 (cf: P.L.1992, c.33, s.1)

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10 2. This act shall take effect immediately and shall first apply to the
11 1997-98 school year.

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STATEMENT

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16 This bill would entitle any elementary or secondary school pupil to
17 transportation services, notwithstanding that an elementary school
18 pupil lives less than 2 miles and a secondary school pupil lives less
19 than 2 1/2 miles from school, if the route to and from school requires
20 the student to walk along or across a highway owned or maintained by
21 a county or the State, unless the Department of Education in
22 consultation with the Department of Transportation certify that the
23 route does not pose a threat to student safety.

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28 Requires school districts to provide transportation services to pupils
29 walking to school along a county or State highway.