

SENATE, No. 828

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 26, 1996

By Senator BUBBA

1 AN ACT concerning the termination of certain sending-receiving
2 relationships and supplementing chapter 38 Title 18A of the New
3 Jersey Statutes.

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

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8 1. The Legislature finds and declares that there are a number of
9 school districts within the State which have experienced difficulty with
10 the sending-receiving relationship in which the district is involved; and
11 that it would be in the best interests of the operation of those districts
12 and the education of the students within those districts to test possible
13 solutions and gather information on the manner in which the
14 difficulties of such relationships might be resolved.

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16 2. a. There is established within the Department of Education a
17 sending-receiving school district termination pilot program. The pilot
18 program shall be conducted in Burlington, Camden and Passaic
19 counties and shall provide that the board of education of any school
20 district which is located in those counties which sends students to
21 another school district may, notwithstanding the provisions of
22 N.J.S.18A:38-13 and N.J.S.18A:38-21, terminate a sending receiving
23 relationship if:

24 (1) The sending district has been in a sending-receiving relationship
25 for not less than five years;

26 (2) The sending district has, by resolution, determined to enter into
27 a new sending-receiving agreement for a period of not less than five
28 years subsequent to the termination of its sending-receiving
29 relationship;

30 (3) The Commissioner of Education makes a determination that the
31 termination will not adversely affect the racial composition of the
32 sending and receiving school districts; and

33 (4) A petition of the sending district to terminate the
34 sending-receiving relationship has not been denied since January 1,
35 1988 by the Commissioner of Education, the State Board of
36 Education, or the New Jersey courts for reasons based upon the

1 impact on the racial composition of the pupil population of the
2 districts.

3 b. Any school district which has taken final action to terminate its
4 sending-receiving relationship pursuant to this section shall notify the
5 receiving school district no later than December 1 of the school year
6 prior to the school year in which the termination is to occur.

7 c. Any secondary school student in the sending district at the time
8 of termination of the sending-receiving relationship shall be permitted
9 to complete his secondary education within the receiving district. The
10 sending-receiving relationship shall be continued for these students.

11 d. Five years following the effective date of this act, the
12 Commissioner of Education shall submit to the Governor and the
13 Legislature an evaluation of the sending-receiving district termination
14 pilot program and a recommendation on the advisability of its
15 continuation or expansion to other counties within the State.

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17 3. This act shall take effect immediately.

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STATEMENT

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21 This bill establishes a sending-receiving school district termination
22 pilot program within the Department of Education. Under the bill's
23 provisions, the pilot program is to be conducted in Burlington,
24 Camden, and Passaic counties and within those counties any school
25 district which sends its students to another school district may
26 terminate that relationship under the following conditions: the
27 sending-receiving relationship is at least five years old; the sending
28 district has, by resolution, determined to enter into a new
29 sending-receiving agreement for a period of not less than five years;
30 and the Commissioner of Education determines that the termination
31 will not adversely affect the racial composition of the sending and
32 receiving districts. The bill provides that secondary school pupils
33 would be permitted to continue in the receiving district until
34 graduation. Five years following the bill's effective date, the
35 Commissioner of Education is to submit to the Governor and the
36 Legislature an evaluation of the sending-receiving district termination
37 pilot program and a recommendation on the advisability of its
38 continuation or expansion to other counties within the State.

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42 Establishes a sending-receiving school district termination pilot
43 program in DOE.