

SENATE, No. 1088

STATE OF NEW JERSEY

INTRODUCED MAY 9, 1996

By Senators SINGER and CARDINALE

1 AN ACT concerning the payment of transportation costs for homeless
2 students and amending P.L.1989, c.290.

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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. Section 3 of P.L.1989, c.290 (C.18A:7B-12.1) is amended to
8 read as follows:

9 3. The district of residence for a homeless child determined
10 pursuant to section 19 of P.L.1979, c.207 (C.18A:7B-12) shall be
11 responsible for the education of the homeless child. The district of
12 residence shall determine the educational placement of the child after
13 consulting with the parent or guardian. This determination shall be:
14 a. to continue the child's education in the school district of last
15 attendance, b. to enroll the child in the district of residence if the
16 district of residence is not the district of last attendance, or c. to enroll
17 the child in the school district where the child is temporarily living,
18 whichever is in the child's best interest. If the parent or guardian
19 objects to the determination made by the district of residence, the
20 county superintendent of schools shall be notified and within 48 hours
21 shall determine the placement of the child based on criteria established
22 by the State Board of Education. Any appeals regarding the
23 determination shall be resolved according to rules established by the
24 State Board of Education.

25 When the homeless child attends school in a district other than the
26 district of residence, the district of residence shall pay the costs of
27 tuition for the child to attend school in that district[and]. The district
28 of residence shall also pay for any transportation costs incurred by that
29 district until the end of the school year provided that district is
30 adjacent to the district of residence. When the homeless child attends
31 school in the district of residence while temporarily residing in
32 another district, the district of residence shall provide for
33 transportation to and from school pursuant to the provisions of
34 [N.J.S.18A:58-7] N.J.S.18A:39-1 until the end of the school year

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 provided that the district in which the child is temporarily residing is
2 adjacent to the district of residence.

3 (cf: P.L.1989, c.290, s.3)

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5 2. This act shall take effect immediately.

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STATEMENT

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10 This bill limits the responsibility of a school district to pay for or
11 provide transportation services to a homeless child. When the law
12 was originally enacted which required a district which is determined
13 to be the district of residence for a homeless child to provide or pay
14 for transportation services, it was assumed that a child's designation
15 as homeless would be a temporary one. What has occurred in some
16 instances, however, is that although a child may continue to live in
17 another community for an extended period of time, that child
18 continues to be designated as homeless requiring the designated
19 district of residence to continue its responsibility for transportation
20 for an inordinate period of time.

21 This bill provides that a school district which is determined to be
22 the district of residence for a homeless child who is attending school
23 in another district would only be required to pay for any
24 transportation costs incurred by that district until the end of the
25 school year provided that district is adjacent to the district of
26 residence. Similarly, if a child who is designated homeless is
27 residing in another district but attending school in the district of
28 residence, the district of residence would only be required to
29 provide transportation services if the district in which the child is
30 residing is adjacent to the district of residence and then only until
31 the end of the school year.

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36 Limits the payment of transportation costs for homeless students.