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LAW/KR

P.L.2013, CHAPTER 231, *approved January 17, 2014*  
Assembly, No. 735 (*First Reprint*)

1 AN ACT concerning eligibility for attendance in a school district  
2 and supplementing chapter 38 of Title 18A of the New Jersey  
3 Statutes.

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

7  
8 1. Notwithstanding the provisions of N.J.S.18A:38-1 or any  
9 other law, rule, or regulation to the contrary, a child who moves out  
10 of a school district as a result of domestic violence, sexual abuse or  
11 other family crises shall be permitted to remain enrolled in that  
12 district for the remainder of the school year. If the child remains  
13 enrolled in the district for the remainder of the school year, the  
14 school district shall provide transportation services to the child,  
15 provided the child lives remote from school, and the State shall  
16 <sup>1</sup>**[pay]** reimburse the school district for<sup>1</sup> the cost of the  
17 transportation services.

18 <sup>1</sup>Nothing in this section shall be construed to affect the rights of  
19 homeless students pursuant to section 19 of P.L.1979, c.207  
20 (C.18A:7B-12), section 3 of P.L.1989, c.290 (C.18A:7B-12.1), or  
21 any other applicable State or federal law.<sup>1</sup>

22  
23 2. The State Board of Education shall promulgate rules  
24 pursuant to the "Administrative Procedure Act," P.L.1968, c.410  
25 (C.52:14B-1 et seq.), to effectuate the provisions of this act. The  
26 rules shall include family crisis situations, other than those listed in  
27 section 1 of this act, which shall permit a child to remain enrolled in  
28 the school district.

29  
30 3. This act shall take effect immediately.

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34  
35 Permits a child who moves out of a school district due to a  
36 family crisis to remain enrolled in that district until the end of the  
37 school year.

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

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate SED committee amendments adopted June 6, 2013.

# ASSEMBLY, No. 735

## STATE OF NEW JERSEY 215th LEGISLATURE

PRE-FILED FOR INTRODUCTION IN THE 2012 SESSION

**Sponsored by:**

**Assemblyman TIMOTHY J. EUSTACE**

**District 38 (Bergen and Passaic)**

**Co-Sponsored by:**

**Assemblywomen Jasey and Wagner**

**SYNOPSIS**

Permits a child who moves out of a school district due to a family crisis to remain enrolled in that district until the end of the school year.

**CURRENT VERSION OF TEXT**

Introduced Pending Technical Review by Legislative Counsel



A735 EUSTACE

2

1 AN ACT concerning eligibility for attendance in a school district  
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3 Statutes.

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8 1. Notwithstanding the provisions of N.J.S.18A:38-1 or any  
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12 district for the remainder of the school year. If the child remains  
13 enrolled in the district for the remainder of the school year, the  
14 school district shall provide transportation services to the child,  
15 provided the child lives remote from school, and the State shall pay  
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21 rules shall include family crisis situations, other than those listed in  
22 section 1 of this act, which shall permit a child to remain enrolled in  
23 the school district.

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25 3. This act shall take effect immediately.

26  
27  
28 STATEMENT

29  
30 This bill provides that if a child moves out of a school district as  
31 a result of domestic violence, sexual abuse or other family crisis,  
32 the child must have the option of remaining enrolled in that district  
33 until the end of the school year. If the child remains enrolled in the  
34 district for the remainder of the school year, the school district will  
35 be responsible for providing transportation services to the child,  
36 provided the child lives remote from the school. The State will be  
37 responsible for paying the cost of the transportation services. An  
38 elementary school pupil lives remote from school if he lives more  
39 than two miles from the school and a secondary school pupil lives  
40 remote from school if he lives more than 2 1/2 miles from the  
41 school.

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

**ASSEMBLY, No. 735**

**STATE OF NEW JERSEY**

DATED: OCTOBER 22, 2012

The Assembly Education Committee reports favorably Assembly Bill No. 735.

This bill provides that if a child moves out of a school district as a result of domestic violence, sexual abuse or other family crisis, the child must have the option of remaining enrolled in that district until the end of the school year. If the child remains enrolled in the district for the remainder of the school year, the school district will be responsible for providing transportation services to the child, provided the child lives remote from the school. The State will be responsible for paying the cost of the transportation services. An elementary school pupil lives remote from school if he lives more than two miles from the school and a secondary school pupil lives remote from school if he lives more than 2 1/2 miles from the school.

This bill was pre-filed for introduction in the 2012-2013 session pending technical review. As reported, the bill includes the changes required by technical review, which has been performed.

# SENATE EDUCATION COMMITTEE

## STATEMENT TO

### **ASSEMBLY, No. 735**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 6, 2013

The Senate Education Committee favorably reports Assembly Bill No. 735 with committee amendments.

As amended, this bill provides that if a child moves out of a school district as a result of domestic violence, sexual abuse or other family crisis, the child must have the option of remaining enrolled in that district until the end of the school year. If the child remains enrolled in the district for the remainder of the school year, the school district will be responsible for providing transportation services to the child, provided the child lives remote from the school. The State will be responsible for paying the cost of the transportation services. An elementary school pupil lives remote from school if he lives more than two miles from the school and a secondary school pupil lives remote from school if he lives more than 2 1/2 miles from the school.

The committee amended the bill to: clarify that the State would reimburse the school district for the costs of transportation services provided pursuant to the bill; and specify that the provisions of the bill are not to be construed to affect any rights that homeless students currently have under State or federal law.

As reported by the committee, this bill is identical to Senate Bill No. 1438, with committee amendments, which also was reported by the committee on this same date.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**ASSEMBLY, No. 735**

# **STATE OF NEW JERSEY**

DATED: JANUARY 6, 2014

The Senate Budget and Appropriations committee reports favorably Assembly Bill No. 735 (1R).

The bill provides that if a child moves out of a school district as a result of domestic violence, sexual abuse or other family crisis, the child must have the option of remaining enrolled in that district until the end of the school year. If the child remains enrolled in the district for the remainder of the school year, the school district will be responsible for providing transportation services to the child, provided the child lives remote from the school. The State will be responsible for reimbursing the school district for the cost of the transportation services. An elementary school pupil lives remote from school if he lives more than two miles from the school and a secondary school pupil lives remote from school if he lives more than 2 1/2 miles from the school.

As considered by the committee, this bill is identical to Senate Bill No. 1438 (1R), as also reported by the committee.

### FISCAL IMPACT:

The Office of Legislative Services notes that the bill may lead to an indeterminate expenditure increase for the State. The eventual cost would be determined by the number of students who move out of their current school district as a result of domestic violence, sexual abuse, or other family crisis, who opt to remain enrolled in the original school district and require transportation services. Under the bill, the State would reimburse school districts for any transportation costs incurred.



# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## ASSEMBLY, No. 735

### STATE OF NEW JERSEY 215th LEGISLATURE

DATED: JANUARY 7, 2014

#### SUMMARY

- Synopsis:** Permits a child who moves out of a school district due to a family crisis to remain enrolled in that district until the end of the school year.
- Type of Impact:** Expenditure Increase in General Fund or Property Tax Relief Fund
- Agencies Affected:** Department of Education

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate Increase - See comments below		

- The Office of Legislative Services notes that Assembly Bill No. 735 (1R) would likely lead to an indeterminate increase in State expenditures. The factors that would determine the cost of the legislation include the number of students who relocate and require transportation services, and the costs incurred by school districts (and reimbursed by the State) when providing transportation.

#### BILL DESCRIPTION

Assembly Bill No. 735 (1R) of 2012 provides that a child who has moved out of a school district as a result of domestic violence, sexual abuse, or other family crisis may remain enrolled in that school district for the balance of the school year. In the event that the child remains enrolled in the district and lives more than two miles (2.5 miles for high school students) from the school, then the district would provide transportation services for the student, and the State would reimburse the district for the cost of providing the transportation. It should be noted that the provisions of this bill are not applicable to a child who is homeless, who would be subject to the provisions of section 19 of P.L.1979, c.207 (C.18A:7B-12), section 3 of P.L.1989, c.290 (C.18A:7B-12.1) and any other applicable State or federal law.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services notes that Assembly Bill No. 735 (1R) would lead to an indeterminate expenditure increase for the State. The eventual cost of the legislation would be determined by the number of students who move out of their current school district as a result of domestic violence, sexual abuse, or other family crisis, who opt to remain enrolled in the original school district and require transportation services. Under the legislation, the State would reimburse school districts for any transportation costs incurred.

*Section: Education*  
*Analyst: Allen T. Dupree*  
*Lead Fiscal Analyst*  
*Approved: David J. Rosen*  
*Legislative Budget and Finance Officer*

This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).

# SENATE, No. 1438

## STATE OF NEW JERSEY 215th LEGISLATURE

INTRODUCED FEBRUARY 6, 2012

**Sponsored by:**

**Senator M. TERESA RUIZ**

**District 29 (Essex)**

**Senator DIANE B. ALLEN**

**District 7 (Burlington)**

**SYNOPSIS**

Permits a child who moves out of a school district due to a family crisis to remain enrolled in that district until the end of the school year.

**CURRENT VERSION OF TEXT**

As introduced.



(Sponsorship Updated As Of: 6/7/2013)

1 AN ACT concerning eligibility for attendance in a school district  
2 and supplementing chapter 38 of Title 18A of the New Jersey  
3 Statutes.

4  
5 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
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8 1. Notwithstanding the provisions of N.J.S.18A:38-1 or any  
9 other law, rule, or regulation to the contrary, a child who moves out  
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12 district for the remainder of the school year. If the child remains  
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38 elementary school pupil lives remote from school if he lives more  
39 than two miles from the school and a secondary school pupil lives  
40 remote from school if he lives more than 2 1/2 miles from the  
41 school.

# SENATE EDUCATION COMMITTEE

## STATEMENT TO

### **SENATE, No. 1438**

with committee amendments

# **STATE OF NEW JERSEY**

DATED: JUNE 6, 2013

The Senate Education Committee favorably reports Senate Bill No. 1438 with committee amendments.

As amended, this bill provides that if a child moves out of a school district as a result of domestic violence, sexual abuse or other family crisis, the child must have the option of remaining enrolled in that district until the end of the school year. If the child remains enrolled in the district for the remainder of the school year, the school district will be responsible for providing transportation services to the child, provided the child lives remote from the school. The State will be responsible for reimbursing the school district for the cost of the transportation services. An elementary school pupil lives remote from school if he lives more than two miles from the school and a secondary school pupil lives remote from school if he lives more than 2 1/2 miles from the school.

The committee amended the bill to: clarify that the State would reimburse the school district for the costs of transportation services provided pursuant to the bill; and specify that the provisions of the bill are not to be construed to affect any rights that homeless students currently have under State or federal law.

As reported by the committee, this bill is identical to Assembly Bill No. 735, with committee amendments, which also was reported by the committee on this same date.

# SENATE BUDGET AND APPROPRIATIONS COMMITTEE

## STATEMENT TO

[First Reprint]

**SENATE, No. 1438**

# **STATE OF NEW JERSEY**

DATED: JANUARY 6, 2014

The Senate Budget and Appropriations committee reports favorably Senate Bill No. 1438 (1R).

The bill provides that if a child moves out of a school district as a result of domestic violence, sexual abuse or other family crisis, the child must have the option of remaining enrolled in that district until the end of the school year. If the child remains enrolled in the district for the remainder of the school year, the school district will be responsible for providing transportation services to the child, provided the child lives remote from the school. The State will be responsible for reimbursing the school district for the cost of the transportation services. An elementary school pupil lives remote from school if he lives more than two miles from the school and a secondary school pupil lives remote from school if he lives more than 2 1/2 miles from the school.

As considered by the committee, this bill is identical to Assembly Bill No. 735 (1R), as also reported by the committee.

### FISCAL IMPACT:

The Office of Legislative Services notes that the bill may lead to an indeterminate expenditure increase for the State. The eventual cost would be determined by the number of students who move out of their current school district as a result of domestic violence, sexual abuse, or other family crisis, who opt to remain enrolled in the original school district and require transportation services. Under the bill, the State would reimburse school districts for any transportation costs incurred.

# LEGISLATIVE FISCAL ESTIMATE

[First Reprint]

## SENATE, No. 1438 STATE OF NEW JERSEY 215th LEGISLATURE

DATED: JANUARY 7, 2014

### SUMMARY

**Synopsis:** Permits a child who moves out of a school district due to a family crisis to remain enrolled in that district until the end of the school year.

**Type of Impact:** Expenditure Increase in General Fund or Property Tax Relief Fund

**Agencies Affected:** Department of Education

#### Office of Legislative Services Estimate

<b>Fiscal Impact</b>	<b><u>Year 1</u></b>	<b><u>Year 2</u></b>	<b><u>Year 3</u></b>
<b>State Cost</b>	Indeterminate Increase- See comments below		

- The Office of Legislative Services notes that Senate Bill No. 1438 (1R) would likely lead to an indeterminate increase in State expenditures. The factors that would determine the cost of the legislation include the number of students who relocate and require transportation services, and the costs incurred by school districts (and reimbursed by the State) when providing transportation.

### BILL DESCRIPTION

Senate Bill No. 1438 (1R) of 2012 provides that a child who has moved out of a school district as a result of domestic violence, sexual abuse, or other family crisis may remain enrolled in that school district for the balance of the school year. In the event that the child remains enrolled in the district and lives more than two miles (2.5 miles for high school students) from the school, then the district would provide transportation services for the student, and the State would reimburse the district for the cost of providing the transportation. It should be noted that the provisions of this bill are not applicable to a child who is homeless, who would be subject to the provisions of section 19 of P.L.1979, c.207 (C.18A:7B-12), section 3 of P.L.1989, c.290 (C.18A:7B-12.1) and any other applicable State or federal law.

## **FISCAL ANALYSIS**

### ***EXECUTIVE BRANCH***

None received.

### ***OFFICE OF LEGISLATIVE SERVICES***

The Office of Legislative Services notes that Senate Bill No. 1438 (1R) would lead to an indeterminate expenditure increase for the State. The eventual cost of the legislation would be determined by the number of students who move out of their current school district as a result of domestic violence, sexual abuse, or other family crisis, who opt to remain enrolled in the original school district and require transportation services. Under the legislation, the State would reimburse school districts for any transportation costs incurred.

*Section: Education*  
*Analyst: Allen T. Dupree*  
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*Approved: David J. Rosen*  
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This legislative fiscal estimate has been produced by the Office of Legislative Services due to the failure of the Executive Branch to respond to our request for a fiscal note.

This fiscal estimate has been prepared pursuant to P.L.1980, c.67 (C.52:13B-6 et seq.).