

ASSEMBLY, No. 254

STATE OF NEW JERSEY

INTRODUCED MARCH 27, 1944

By Miss DOREMUS

Referred to Committee on Education

AN ACT relating to the public schools of this State, and amending section 18:14-7 of the Revised Statutes.

1 BE IT ENACTED *by the Senate and General Assembly of the State of New*
2 *Jersey:*

1 1. Section 18:14-7 of the Revised Statutes is amended to read as fol
2 lows:

3 18:14-7. Any school district heretofore or hereafter created, which has
4 not heretofore designated a high school or schools outside such district for
5 the children thereof to attend, and which district lacks or shall lack high
6 school facilities within the district for the children thereof to attend, may
7 designate any high school or schools of this State as the school or schools
8 which the children of such district are to attend. Whenever two or more
9 schools are designated, the board of education of such school district shall
10 make an allocation and apportionment of pupils to the designated high
11 schools.

12 If no such allocation or apportionment of pupils has been made by reso-
13 lution of the board of education of such district prior to the academic year
14 1943-1944, the actual allocation and apportionment of pupils to the desig-
15 nated high schools in effect in the academic year 1943-1944 shall be deemed
16 to be the allocation and apportionment of pupils for the purpose of this sec-
17 tion. In the event that any district, which is not now sending pupils to a

18 high school or schools outside such district shall hereafter decide to desig-
19 nate two or more high schools which the pupils of the district shall attend,
20 and in the event that such district shall fail to make an allocation and ap-
21 portionment by resolution of the board of education, then the actual allo-
22 cation and apportionment of pupils in effect in the first academic year of the
23 designation shall be deemed to be the allocation and apportionment of pupils
24 for the purpose of this section.

25 No designation of a high school or schools heretofore or hereafter made
26 by any district either under this section or under any prior law shall be
27 changed unless good and sufficient reason exists for such change and unless
28 an application therefor is made to and approved by the commissioner. When-
29 ever two or more high schools have been designated, the commissioner
30 shall make equitable determinations on applications for change of designa-
31 tion and allocation and apportionment by allocating and apportioning pupils
32 of the sending district to the designated high schools.

33 In the event the said commissioner shall refuse to approve the applica-
34 tion of a district to make a change of designation or allocation and appor-
35 tionment, the district may appeal from the determination of the commis-
36 sioner to the State board, and in its discretion that body may affirm such
37 determination or may approve the change of designation or allocation and
38 apportionment sought. In the event the commissioner approves the applica-
39 tion of a district to change a designation or allocation and apportionment,
40 the board of education of the school district having a high school which was
41 theretofore designated as the school to be attended by children of the district
42 making such application may appeal from such determination of the com-
43 missioner to the State board, and in its discretion that body may affirm such
44 determination or may deny the change of designation sought.

45 The boards of education of the districts containing high schools so
46 designated shall determine the tuition rate to be paid by the boards of edu-
47 cation of the districts sending pupils thereto, but in no case shall the tuition
48 rate exceed the actual cost per pupil. The board of education of each dis-

49 trict sending pupils to another district shall issue an order for the amount
50 of such tuition, signed by the president and district clerk or secretary of
51 the board of education, in favor of the custodian of the school moneys of the
52 school district having the high school being attended by such pupils, which
53 order shall be paid by the custodian of the school moneys of the district
54 sending the pupils, out of any moneys in his hands available for the current
55 expenses of such district.

1 2. This act shall take effect immediately.

STATEMENT

The wording of the original act did not cover the matter of allocation or apportionment of pupils. The purpose of this act is to carry out more fully and clearly the intent of the original high school designation act. This amendment authorizes the allocation or apportionment of pupils from two or more sending districts on an equitable basis.

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7 designate any high school or schools of this State as the school or schools
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14 1943-1944, the actual allocation and apportionment of pupils to the desig-
15 nated high schools in effect in the academic year 1943-1944 shall be deemed
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17 tion. In the event that any district, which is not now sending pupils to a

18 high school or schools outside such district shall hereafter decide to designate two or more high schools which the pupils of the district shall attend, and in the event that such district shall fail to make an allocation and apportionment by resolution of the board of education, then the actual allocation and apportionment of pupils in effect in the first academic year of the designation shall be deemed to be the allocation and apportionment of pupils for the purpose of this section.

25 No designation of a high school or schools heretofore or hereafter made by any district either under this section or under any prior law shall be changed unless good and sufficient reason exists for such change and unless an application therefor is made to and approved by the commissioner. Whenever two or more high schools have been designated, the commissioner shall make equitable determinations on applications for change of designation and allocation and apportionment by allocating and apportioning pupils of the sending district to the designated high schools.

33 In the event the said commissioner shall refuse to approve the application of a district to make a change of designation or allocation and apportionment, the district may appeal from the determination of the commissioner to the State board, and in its discretion that body may affirm such determination or may approve the change of designation or allocation and apportionment sought. In the event the commissioner approves the application of a district to change a designation or allocation and apportionment, the board of education of the school district having a high school which was theretofore designated as the school to be attended by children of the district making such application may appeal from such determination of the commissioner to the State board, and in its discretion that body may affirm such determination or may deny the change of designation sought.

45 The boards of education of the districts containing high schools so designated shall determine the tuition rate to be paid by the boards of education of the districts sending pupils thereto, but in no case shall the tuition rate exceed the actual cost per pupil. The board of education of each dis-

49 trict sending pupils to another district shall issue an order for the amount
50 of such tuition, signed by the president and district clerk or secretary of
51 the board of education, in favor of the custodian of the school moneys of the
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