

STATE OF NEW JERSEY

INTRODUCED JANUARY 23, 1956

By Mr. McCAY

Referred to Committee on Education

An Act concerning education, 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 follows:

2 18:14-7. Any school district heretofore or hereafter created, which has
3 not heretofore designated a high school or schools outside such district for
4 the children thereof to attend, and which district lacks or shall lack high
5 school facilities within the district for the children thereof to attend, may
6 designate any high school or schools of this State as the school or schools
7 which the children of such district are to attend. Whenever 2 or more schools
8 are designated, the board of education of such school district shall make an
9 allocation and apportionment of pupils to the designated high schools.

10 If no such allocation or apportionment of pupils has been made by reso-
11 lution of the board of education of such district prior to the academic year
12 1943-1944, the actual allocation and apportionment of pupils to the designated
13 high schools in effect in the academic year 1943-1944 shall be deemed to be
14 the allocation and apportionment of pupils for the purpose of this section.
15 In the event that any district, which is not now sending pupils to a high school
16 or schools outside such district shall hereafter decide to designate 2 or more

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

17 high schools which the pupils of the district shall attend, and in the event that
18 such district shall fail to make an allocation and apportionment by resolution
19 of the board of education, then the actual allocation and apportionment of
20 pupils in effect in the first academic year of the designation shall be deemed to
21 be the allocation and apportionment of pupils for the purpose of this section.

22 No designation of a high school or schools heretofore or hereafter made
23 by any district either under this section or under any prior law shall be
24 changed or withdrawn, nor shall a district having such a designated high
25 school refuse to continue to receive high school pupils from such sending dis-
26 trict unless good and sufficient reason exists for such change and unless an
27 application therefor is made to and approved by the commissioner. Whenever
28 2 or more high schools have been designated, the commissioner shall make
29 equitable determinations on applications for change of designation and allo-
30 cation and apportionment by allocating and apportioning pupils of the send-
31 ing district to the designated high schools. Any sending or receiving district
32 aggrieved by the decision of the commissioner may appeal such decision to
33 the State Board of Education which, in its discretion, may affirm, revise or
34 modify such decision.

35 [In the event the said commissioner shall refuse to approve the appli-
36 cation of a district to make a change of designation or allocation and ap-
37 portionment, the district may appeal from the determination of the com-
38 missioner to the State board, and in its discretion that body may affirm such
39 determination or may approve the change of designation or allocation and
40 apportionment sought. In the event the commissioner approves the appli-
41 cation of a district to change a designation or allocation and apportionment,
42 the board of education of the school district having a high school which was
43 theretofore designated as the school to be attended by children of the dis-
44 trict making such application may appeal from such determination of the com-
45 missioner to the State board, and in its discretion that body may affirm such
46 determination or may deny the change of designation sought.]

47 The boards of education of the districts containing high schools so desig-
48 nated shall determine the tuition rate to be paid by the boards of education
49 of the districts sending pupils thereto, but in no case shall the tuition rate
50 exceed the actual cost per pupil. The board of education of each district
51 sending pupils to another district shall issue an order for the amount of such
52 tuition, signed by the president and district clerk or secretary of the board
53 of education, in favor of the custodian of the school moneys of the school dis-
54 trict having the high school being attended by such pupils, which order shall
55 be paid by the custodian of the school moneys of the district sending the
56 pupils, out of any moneys in his hands available for the current expenses of
57 such district.

58 2. This act shall take effect immediately.

STATEMENT

The purpose of this bill is to require any receiving high school to secure the approval of the Commissioner of Education before fixing a termination date for any school district which has designated said high school to receive its pupils.