

R.S. 18A:39-1

(1967 Amendment)

September 20, 1967

LEGISLATIVE NOTES ON R.S. ~~18A:39-1~~ 18A:39-1
(Transportation of children remote from school)

1967 Amendment

1966 - 3 bills and one resolution introduced.
(see previous legislative history)

COPY NO. 2

1967 - Bills introduced:

- A60 - Withdrawn (A21 substituted) (copy enclosed).
- A808 - In Education Committee (copy enclosed).
- S72 - In Rev. & Amend. of Law Committee (copy enclosed).
- S499 - In Education Committee (copy enclosed).

The bill which became law was:

L. 1967, Chapter 74 - A21
Introduced January 30 by Mr. Skevin (and 31 others).
Bill had statement.

March 13 - Committee Substitute passed Assembly.

Although Governor Hughes and Senator Feldman (Chm'n., Senate Education Committee) had stated there would be no public hearings on A21, the large public demand for hearings did bring results:

April 5 - Public hearing held by Senate Committee on Education.

April 6 - Public hearing held

974.90 N.J. Legislature. Senate. Committee

E24 on Education.

1967a Public hearing 3 vols.

May 1 - Passed Senate amended.

May 1 - Senate Amendment passed in Assembly.

974.90 Public hearing
E24 on school bus
1968c Law of 1967

The State Library has a large file of newspaper articles which appeared in the early months of 1967 during the debate over A21. (V.P. - N.J. - School transportation). We are enclosing the following which discuss the 20-mile limit:

- "10-mile busing limit?" Bergen Record, 5-6-67.
- "Senators may overhaul the school busing bill". Newark Star Ledger, 4-7-67.
- "New Assembly bill written for private school busing". Newark Evening News, 2-15-67.
- "NJEA fights busing, wants more hearings". Bergen Record, 4-3-67.
- "School bus bill passed". Newark Evening News, 3-14-67.

Amended by:

RS/PC

L. 1968 - Chap 29 - 3675 Intro April by Bateman.
Not amended during passage
No statement

L. 1968 - Chap 29 - 3675 Intro June 10 by Haelig

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ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 21

STATE OF NEW JERSEY

ADOPTED MARCH 6, 1967

AN ACT concerning the transportation of pupils to and from school, amending section 18:14-8 of the Revised Statutes, ***[and]*** amending "The State School Aid Act of 1954," approved June 30, 1954 (P. L. 1954, c. 85)*, and amending chapter 130 of the laws of 1963.*

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

3 1. Section 18:14-8 of the Revised Statutes is amended to read as
4 follows:

5 18:14-8. Whenever in any district there are children living
6 remote from any schoolhouse, the board of education of the district
7 may make rules and contracts for the transportation of such
8 children to and from school, including the transportation of school
9 children to and from school, other than a public school, except such
10 school as is operated for profit in whole or in part.

11 When any school district provides any transportation for public
12 school children to and from school pursuant to this section, trans-
13 portation **[from any point in such established school route to any**
14 **other point in such established school route]** shall be supplied to
15 school children residing in such school district in going to and
16 from any remote school other than a public school, except such
17 school as is operated for profit in whole or in part, located within
18 the State not more than 20 miles from the residence of the child,
19 regardless of whether such transportation is along established pub-
20 lic school routes. *It shall be the obligation of the parent, guardian
21 or other person having legal custody of the child attending a remote
22 school other than a public school, except such schools operating
23 for profit in whole or in part, to register said child with the office
24 of the secretary of the board of education at the time and in the
25 manner specified by rules and regulations of the State Board of
26 Education in order to be eligible for the transportation provided
27 by this act. Whenever any regional school district provides any

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

1 transportation for pupils attending schools other than public
2 schools pursuant to this act, said regional district shall assume
3 responsibility for the transportation of all such pupils, and the
4 cost of such transportation for pupils below the grade level for
5 which the regional was organized, shall be prorated by the regional
6 district to the constituent districts on a per pupil basis after ap-
7 proval of such cost by the county superintendent of schools. This
8 paragraph shall not require school districts to provide any trans-
9 portation to children attending a school other than a public school
10 where the only transportation presently provided by said district
11 is for school children transported pursuant to chapter 29 of the
12 laws of 1966, as amended and supplemented or for school children
13 transported to a vocational, technical or other public school offer-
14 ing a specialized program.* Any ***[such]*** transportation *to a
15 school other than a public school, except such school as is operated
16 for profit in whole or in part,* shall be pursuant to the same rules
17 and regulations promulgated by the State Board of Education as
18 governs transportation to any public school.

19 Nothing in this section shall be so construed as to prohibit a
20 board of education from making contracts for the transportation
21 of children to a school in an adjoining district when such children
22 are transferred to the district by order of the county superintend-
23 ent of schools, or when any children shall attend school in a district
24 other than that in which they shall reside by virtue of an agree-
25 ment made by the respective boards of education.

26 Nothing herein contained shall limit or diminish in any way any
27 of the provisions for transportation for children pursuant to chap-
28 ter 29 of the laws of 1966, as amended and supplemented.

29 2. Section 7 of chapter 85 of the laws of 1954 of which this act
30 is amendatory is amended to read as follows:

31 7. Each district shall also be paid 75% of the cost to the district
32 of transportation of pupils to a **[public]** school when the necessity
33 for such transportation and the cost and the method thereof have
34 been approved by the county superintendent of schools of the
35 county in which the district paying the cost of such transportation
36 is situated.

37 *3. Section 1 of chapter 130 of the laws of 1963, is amended to
38 read as follows:

39 1. In addition to the provision of transportation for children
40 living remote from any schoolhouse, and for mentally retarded and
41 physically handicapped children, the board of education of any
42 school district may provide, by contract or otherwise, in accordance
43 with law and the rules and regulations of the State Board of Edu-

1 cation, for the transportation of other children to and from
2 **[public]** school.

3 *The cost of transporting children pursuant to this act shall not*
4 *be included in calculating the amount of State aid for transporta-*
5 *tion of pupils.**

6 ***[3.]** *4.* This act shall take effect on July 1, 1967.

ASSEMBLY, No. 21

STATE OF NEW JERSEY

INTRODUCED JANUARY 30, 1967

By Assemblymen SKEVIN, YESKO, McLAUGHLIN, CARLTON, McLEON, A.E. BROWN, ALBANESE, Assemblywoman KORDJA, Assemblymen BIBER, GRECCO, McDERMOTT, AZZOLINA, A. S. SMITH, FEKETY HIGGINS, FRIEDLAND, BRIGIANI, WOODSON, SWEENEY, GAVAN, HENDERSON, WEGNER, HAUSER, HYLAND, CRYAN, LEMBO, DODD, PARKER, J. F. BROWN, BIANCARDI, DOREN, HORN and FARRINGTON

Referred to Committee on Education

AN ACT concerning the transportation of pupils to and from school and amending section 18:14-8 and supplementing chapter 14 of Title 18 of the Revised Statutes.

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

1 1. Section 18:14-8 of the Revised Statutes is amended to read as follows:
2 18:14-8. Whenever in any district there are children living remote from
3 any schoolhouse, the board of education of the district may make rules and
4 contracts for the transportation of such children to and from school, includ-
5 ing the transportation of school children to and from school other than a
6 public school, except such school as is operated for profit in whole or in part.

7 *As used in this section, "remote" means a distance from home to school*
8 *of 2 or more miles in the case of children attending grades kindergarten*
9 *through eighth and 2 and one-half or more miles in the case of children at-*
10 *tending grades ninth through twelfth. The distance in each case is to be*
11 *measured by the most directly accessible route from home to school.*

12 When any school district provides any transportation for public school
13 children to and from school, transportation **[from any point in such estab-**
14 **lished school route to any other point in such established school route]** shall
15 be supplied to school children residing in such school district in going to and
16 from school other than a public school, except such school as is operated for

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17 profit in whole or in part, located in the district or in another
 18 located not more than 20 miles from a child's home and serving
 19 residing in the district.

20 Nothing in this section shall be so construed as to require a school district
 21 to furnish transportation to a child directly to or from his home.

22 Nothing in this section shall be so construed as to prohibit a board of
 23 education from making contracts for the transportation of children:

24 a. to a school in an adjoining district when such children are transferred
 25 to the district by order of the county superintendent of schools, or

26 b. [when any children shall attend] to a school in a district other than
 27 that in which they shall reside by virtue of an agreement made by the respective
 28 boards of education, or

29 c. at local expense to and from school, including the transportation of
 30 school children to and from school other than a public school, except such
 31 school as is operated for profit in whole or in part located in the district at
 32 a distance which is less than remote from a child's home, and if provided shall
 33 be offered equally to all children in like circumstances residing in the district.

34 School transportation authorized pursuant to this section may be provided
 35 jointly by the boards of education of 2 or more districts by agreement
 36 pursuant to chapter 27 of the laws of 1950.

1 2. In the event that any controversy or dispute shall arise between the
 2 parent or guardian of any child and a school district for failure to provide
 3 transportation in accordance with Revised Statutes 18:14-8, the matter shall
 4 be referred to the county superintendent of schools of the county for a determination
 5 thereon and his determination shall be binding subject to appeal to
 6 the Commissioner and State Board of Education pursuant to Revised Statutes
 7 18:3-14 and 18:3-15.

1 3. This act shall take effect immediately.

STATEMENT

FISCAL DATA

This bill amends section 18:14-8 and supplements chapter 14 of Title 18 of the Revised Statutes.

The amendment to section 18:14-8 defines "remote" in the manner set forth in lines 7 to 11, inclusive, in the bill, and supplements chapter 14 of Title 18 of the Revised Statutes by including the requirement of the local school districts to transport children to and from school, other than a public school, except such school as is operated for profit in whole or in part located in the district.

It is estimated by the Department of Education that such enactment will require an increase in State reimbursement for pupil transportation in the amount of approximately \$6,053,325.00 for the fiscal year 1967-68 and \$5,019,147.00 for

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"The State School Aid Act of 1954," approved June 30, 1954
(P. L. 1954, c. 85).

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3 1. Section 18:14-8 of the Revised Statutes is amended to read as
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9 children to and from school, other than a public school, except such
10 school as is operated for profit in whole or in part.

11 When any school district provides any transportation for public
12 school children to and from school *pursuant to this section*, trans-
13 portation [from any point in such established school route to any
14 other point in such established school route] shall be supplied to
15 school children residing in such school district in going to and
16 from *any remote* school other than a public school, except such
17 school as is operated for profit in whole or in part, *located within*
18 *the State not more than 20 miles from the residence of the child,*
19 *regardless of whether such transportation is along established pub-*
20 *lic school routes. Any such transportation shall be pursuant to the*
21 *same rules and regulations promulgated by the State Board of*
22 *Education as governs transportation to any public school.*

23 Nothing in this section shall be so construed as to prohibit a
24 board of education from making contracts for the transportation
25 of children to a school in an adjoining district when such children
26 are transferred to the district by order of the county superintend-
27 ent of schools, or when any children shall attend school in a district

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is not enacted and is intended to be omitted in the law.**

1 other than that in which they shall reside by virtue of an agree-
2 ment made by the respective boards of education.

3 *Nothing herein contained shall limit or diminish in any way any*
4 *of the provisions for transportation for children pursuant to chap-*
5 *ter 29 of the laws of 1966, as amended and supplemented.*

6 2. Section 7 of chapter 85 of the laws of 1954 of which this act
7 is amendatory is amended to read as follows:

8 7. Each district shall also be paid 75% of the cost to the district
9 of transportation of pupils to a **[public]** school when the necessity
10 for such transportation and the cost and the method thereof have
11 been approved by the county superintendent of schools of the
12 county in which the district paying the cost of such transportation
13 is situated.

14 3. This act shall take effect on July 1, 1967.

SENATE COMMITTEE AMENDMENTS TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR
ASSEMBLY, No. 21

STATE OF NEW JERSEY

ADOPTED APRIL 17, 1967

Amend page 1, title, line 2, after "Statutes," delete "and".

Amend page 1, title, line 4, after "(P. L. 1954, c. 85)", insert ", and amending chapter 130 of the laws of 1963".

Amend page 1, section 1, line 20, after the word "*routes.*", insert the following new sentences: "It shall be the obligation of the parent, guardian or other person having legal custody of the child attending a remote school other than a public school, except such schools operating for profit in whole or in part, to register said child with the office of the secretary of the board of education at the time and in the manner specified by rules and regulations of the State Board of Education in order to be eligible for the transportation provided by this act. Whenever any regional school district provides any transportation for pupils attending schools other than public schools pursuant to this act, said regional district shall assume responsibility for the transportation of all such pupils, and the cost of such transportation for pupils below the grade level for which the regional was organized, shall be prorated by the regional district to the constituent districts on a per pupil basis after approval of such cost by the county superintendent of schools. This paragraph shall not require school districts to provide any transportation to children attending a school other than a public school where the only transportation presently provided by said district is for school children transported pursuant to chapter 29 of the laws of 1966, as amended and supplemented."

Amend page 1, section 1, line 20, after the word "*Any*", delete "*such*".

Amend page 1, section 1, line 20, after the word "*transportation*", insert "to a school other than a public school, except such school as is operated for profit in whole or in part,".

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

Amend page 2, section 2, line 13, after line 13, insert the following new section:

“3. Section 1 of chapter 130 of the laws of 1963 is amended to read as follows:

“1. In addition to the provision of transportation for children living remote from any schoolhouse, and for mentally retarded and physically handicapped children, the board of education of any school district may provide, by contract or otherwise, in accordance with law and the rules and regulations of the State Board of Education, for the transportation of other children to and from **[public]** school.

“The cost of transporting children pursuant to this act shall not be included in calculating the amount of State aid for transportation of pupils.”.

Amend page 2, section 3, line 14, delete “3.”, and insert in lieu thereof “4.”.

ADDITIONAL SENATE AMENDMENT TO
ASSEMBLY COMMITTEE SUBSTITUTE FOR

ASSEMBLY, No. 21

STATE OF NEW JERSEY

ADOPTED APRIL 24, 1967

In addition to Senate committee amendments adopted April 17, 1967,
add the following:

After the words "pursuant to chapter 29 of the laws of 1966, as amended and supplemented", add "or for school children transported to a vocational, technical or other public school offering a specialized program".