

LEGISLATIVE HISTORY CHECKLIST

NJSA: 18A:38-7.7 to 18A:38-7.9

(School district for child residing on federal property--specifies)

LAWS OF: 1988

CHAPTER: 12

Bill No: A2456

Sponsor(s): Palaia and Kyrillos

Date Introduced: February 8, 1988

Committee: Assembly: Education

Senate: -----

Amended during passage: Yes Amendments during passage denoted by asterisks.

Date of Passage: Assembly: February 29, 1988

Senate: March 28, 1988

Date of Approval: April 6, 1988

Following statements are attached if available:

Sponsor statement: Yes

Committee Statement: Assembly: Yes

Senate: No

Fiscal Note: No

Veto Message: No

Message on signing: Yes

Following were printed:

Reports: No

Hearings: No

[SECOND REPRINT]
ASSEMBLY, No. 2456

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 8, 1988

By Assemblymen PALAIA and KYRILLOS

1 AN ACT concerning the education of persons of school age who
reside on certain federal property and supplementing chapter
3 38 of Title 18A of the New Jersey Statutes.

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

7 1. The Legislature finds and declares that all persons of school
age who reside on federal property located within this State are
9 entitled under the New Jersey Constitution and the laws of this
State to a free public education.

11 2. a. After July 1, 1988, persons of school age who reside on
federal property which is located entirely within the geographic
13 boundaries of ¹two ²[contiguous] or more² school districts, one of
which is¹ a ¹[single]¹ constituent district of a limited purpose
15 regional district with more than six constituent districts in a
county of the fifth class shall be deemed to be domiciled in a
17 district to be designated by the county superintendent of schools.
These persons shall attend the schools of the designated district
19 and the designated district shall count these pupils in the
resident enrollment of the district for all State aid and all federal
21 funds provided under Pub. L. 81-874, 20 U.S.C. § 236 et seq.

23 b. The designated district shall be a district ¹[comprised of
more than one municipality and shall be a constituent district of
25 a limited purpose regional district with less than six constituent
districts within the same county. The] that contains within its
boundaries a portion of the federal property on which the pupils
27 reside. Not later than 10 days after the effective date of this act,
the board of education of any school district that seeks to be
29 designated by the county superintendent of schools pursuant to
this section shall adopt a resolution by majority vote of its

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:

¹ Assembly AED committee amendments adopted February 18, 1988.

² Assembly floor amendments adopted February 22, 1988.

1 members indicating its interest and the resolution shall be
 2 forwarded to the county superintendent. Based on a
 3 determination of the best interests of the pupils residing on
 4 federal property and pupils residing in the districts seeking
 5 designation, the¹ county superintendent ¹[of schools]¹ shall,
 6 within 30 days of the effective date of this act, certify to the
 7 Commissioner of Education which local school district ¹,if any,¹
 8 shall be the designated district. ¹Once the county superintendent
 9 has certified the designated district, the county superintendent
 10 may not revoke or alter that certification. In the event that no
 11 board of education adopts a resolution indicating an interest in
 12 being designated pursuant to this section, the county
 13 superintendent shall not designate a district and the pupils
 14 residing on the federal property shall attend the schools of the
 15 district in which they reside.¹

16 c. Notwithstanding the provisions of this section, those pupils
 17 residing on federal property prior to October 1, 1987 shall be
 18 permitted ¹at the option of each pupil¹ to continue in the school
 19 they were attending on September 30, 1987 until graduation from
 20 the school. For the purpose of calculating State and federal aid,
 21 ¹[these students] each pupil who elects to remain¹ shall continue
 22 to be included in the resident enrollment of the district in which
 23 they reside.

24 3. a. ¹[When] In the event the designated district is composed
 25 of more than one municipality, when¹ allocating equalized
 26 valuations, pursuant to the provisions of section 3 of P.L. 1975, c.
 27 212 (C. 18A:7A-3), for the purpose of calculating State aid,
 28 persons attending schools in the designated district pursuant to
 29 section 2 of this act shall be assigned to each municipality
 30 comprising the designated district in direct proportion to the
 31 number of persons ordinarily attending school from each
 32 municipality in the designated district without considering the
 33 persons attending pursuant to this act.

34 b. ¹[When] In the event the designated district is a constituent
 35 district of a limited purpose regional district, when¹ allocating
 36 equalized valuations, pursuant to the provisions of section 3 of
 37 P.L. 1975, c. 212 (C. 18A:7A-3), for the purpose of apportioning
 38 the amounts to be raised by taxes for the limited purpose regional
 39 district of which the designated district is a constituent district,

1 persons attending schools in the designated district pursuant to
section 2 of this act shall not be counted.

3 4. a. For the purpose of determining State aid for the 1988-89
school year, the September 30, 1987 resident enrollment of the
5 district designated pursuant to section 2 of this act shall be
increased by ¹the sum of a. the estimated number of pupils who
7 will reside on federal property and who will be enrolled on
September 30, 1988 and b.¹ 60% of the estimated number of
9 pupils who will reside on federal property and who are expected
to be enrolled during the 1988-89 school year ¹after September
11 30, 1988¹. The net current expense budget for the district for
the 1987-88 school year shall be increased by the amount
13 necessary to be budgeted for these pupils.

b. For the purpose of determining State aid for the 1989-90
15 school year, the September 30, 1988 ¹resident¹ enrollment of the
district designated pursuant to section 2 of this act shall be
17 increased by the estimated number of pupils who will reside on
federal property and who are expected to be enrolled during the
19 1988-89 school year ¹after September 30, 1988¹.

c. In the event the actual average daily enrollment of pupils on
21 federal property is less than the number of pupils estimated for
the purposes of this section, State aid for the designated district
23 shall be adjusted accordingly in a subsequent year.

d. In the event the provisions of this section require any
25 changes in the 1988-89 school year State aid entitlements of the
district in which the federal property is located or for ¹[the] any¹
27 limited purpose regional district of which the designated district
¹[is] may be¹ a constituent district, State aid for those districts
29 shall be adjusted accordingly in the 1989-1990 school year.

5. This act shall take effect immediately.

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EDUCATION

Children

35

Specifies school district for children residing on certain federal
37 property.

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STATEMENT

3 This bill provides that under certain specified circumstances
5 school age children residing on federal property located within
7 one school district shall be considered to be domiciled in another
9 school district designated by the county superintendent. The
students will attend the schools of the designated district and be
counted in the resident enrollment for the purposes of determining
State and federal aid.

The provisions of this bill would apply only to pupils residing on
11 federal property in Colts Neck Township. Under the provisions of
13 the bill these pupils would become students in the Tinton Falls
Schools.

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EDUCATION

17

Children

19 Specifies school district for children residing on certain federal
property.

A2456 (1988)

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 2456

with Assembly committee amendments

STATE OF NEW JERSEY

DATED: FEBRUARY 18, 1988

The Assembly Education Committee favorably reports Assembly, No. 2456 as amended.

As amended, this bill provides that children living on certain federal property shall be considered domiciled in a school district other than the school district in which they reside. The county superintendent shall designate the district in which the children shall be considered to be domiciled. The designated district must include within its boundaries a portion of the federal property on which the children reside and must indicate by a resolution adopted by the school board its interest in being so designated. The bill also provides a mechanism for adjusting the State aid entitlements of the districts affected by the bill during the transition period.

This bill is intended to accommodate the educational needs of the children who will occupy new housing being built at Earle Naval Ammunition Depot in Monmouth County. Children living on the base and already attending the public schools will have the option of graduating from their present school or transferring to the schools of the designated district.

The committee amendments clarify the sponsor's intent with respect to the procedure for selecting the designated district and for computing changes in the State aid entitlement.



OFFICE OF THE GOVERNOR

NEWS RELEASE

CN-001

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TRENTON, N.J. 08625

Release: THURS., APRIL 7, 1988

Governor Thomas H. Kean today signed the following legislation:

A-2352, sponsored by Assemblyman John Girgenti, D-Passaic and Assemblyman William Pascrell, D-Passaic permits the City of Paterson School District to reappropriate unspent bond proceeds.

The legislation is effective immediately.

A-2456, sponsored by Assemblyman Joseph Palaia, R-Monmouth and Assemblyman Joseph Kyrillos, R-Monmouth will allow the county school superintendent in Monmouth to designate the school district responsible for educating the children residing at Earle Naval base. Approximately 600 new students will be added when new residences are completed at Earle. It is expected that the children will be educated in the Tinton Falls school district.

The legislation is effective immediately.

A-2353, sponsored by Assemblyman John Rocco, R-Camden and Assemblyman Thomas Shusted, R-Camden and A-2469 sponsored by Assemblyman Robert Littell, R-Sussex and Assemblyman Chuck Haytaian, R-Warren validates school bond proceedings in Merchantville and Lafayette Township respectively.

The legislation is effective immediately.

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