

18A:46-23

LEGISLATIVE HISTORY CHECKLIST

(Handicapped children--provide transportation to school)

WJSA 18A:46-23

LAWS OF 1979

CHAPTER 429

Bill No. A881

Sponsor(s) Bornheimer

Date Introduced Feb. 23, 1978

Committee: Assembly Education

Senate Education

Amended during passage Yes

~~xx~~ Amendments during passage denoted by asterisks

Date of Passage: Assembly July 16, 1979

Senate Jan. 3, 1980

Date of approval Feb. 11, 1980

Following statements are attached if available:

Sponsor statement Yes ~~xx~~

Committee Statement: Assembly Yes ~~xx~~

Senate ~~Yes~~ No

Fiscal Note Yes ~~xx~~

Veto message ~~Yes~~ No

Message on signing Yes ~~xx~~

Following were printed.

Reports ~~Yes~~ No

Hearings ~~Yes~~ No

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[OFFICIAL COPY REPRINT]
ASSEMBLY, No. 881

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 23, 1978

By Assemblyman BORNHEIMER

Referred to Committee on Education

AN ACT concerning the transportation of handicapped pupils and amending N. J. S. 18A:46-23.

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

1 1. N. J. S. 18A:46-23 is amended to read as follows:

2 18A:46-23. The board of education shall furnish **[daily]** trans-
3 portation ***[within the State]*** to all children found under this
4 chapter to be handicapped who shall qualify therefor pursuant to
5 law and it shall furnish such transportation for a lesser distance
6 also to any handicapped child, if it finds upon the advice of the
7 examiner, his handicap to be such as to make transportation
8 necessary or advisable.

9 *The board of education shall furnish transportation ***[within the***
10 *State]* to all children ***[attending a State of New Jersey operated***
11 *or]* *being sent by local boards of education to an* approved*
12 *12-month program pursuant to N. J. S. 18A:46-14, or any other*
12A *program approved pursuant to N. J. S. 18A:46-14 and who*
13 *qualify therefor pursuant to law, during the entire time the child is*
14 *attending such a program ***[regardless of whether or not the board***
15 *is providing the funds for the child to attend the program]*. The*
16 *board shall furnish such transportation for a lesser distance also*
17 *to such handicapped child, if it finds upon the advice of the exam-*
18 *iner, his handicap to be such as to make such transportation*
19 *necessary or advisable.*

20 The school district shall be entitled to State aid for such **[daily]**
21 transportation in the amount of ***[100%]* *90%*** of the cost to the
22 district of furnishing such transportation to a program approved
23 under this chapter in New Jersey when the necessity for such
24 transportation and the cost and method thereof have been approved
25 by the county superintendent of the county in which the district
26 paying the cost of such transportation is situated.

1 2. This act shall take effect July 1 next following its enactment.

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

STATEMENT

Some education programs for handicapped pupils are provided in sheltered workshops operated by the State on a 12-month basis. In these cases the school district is responsible for the transportation of these pupils during the school year but not during the summer recess. This bill would require school districts to transport these pupils during the summer recess and would provide State aid for 100% of the cost of such transportation. This is the same State aid they receive for such transportation during the school year.

A. 881 (1979)

ASSEMBLY EDUCATION COMMITTEE

STATEMENT TO

ASSEMBLY, No. 881

STATE OF NEW JERSEY

DATED: JULY 9, 1979

PURPOSE:

Assembly Bill No. 881 permits boards of education to receive State aid for transporting handicapped children who are transported on a weekly basis, to and from residential educational facilities, and for transporting handicapped children to educational programs during the summer.

BACKGROUND:

Currently, school districts are only reimbursed for transporting children on a daily basis to and from an educational facility. Districts do not receive State aid for transporting students to a residential facility on Monday and returning such children home on Friday. Neither do districts receive State aid for transporting handicapped children to educational programs during the summer.

The Department of Education has interpreted the current statute to mean that school districts only receive transportation aid for students transported on a daily basis. Assembly Bill No. 881 amends the current statutes to enable districts to receive transportation aid for students who qualify for treatment under 18A:46-14 and who are being transported to State-operated or State-approved schools regardless of whether they are transported daily or weekly.

FISCAL IMPLICATIONS:

It is estimated that an additional \$650,000.00 will be needed to provide transportation to handicapped children for the following purposes:

1. Daily transportation out of State during the school year.
2. Weekend or periodic transportation (holidays, etc.).
3. Sheltered workshop transportation during summer months.

FISCAL NOTE TO
ASSEMBLY, No. 881

STATE OF NEW JERSEY

DATED: JULY 28, 1978

Assembly Bill No. 881 provides for transportation to schools for handicapped children during the summer months.

The Department of Education estimates that enactment would require an additional expenditure of \$400,000.00 the first year of operation. Inflation and a possible increase in the number of eligible students could affect future costs.

It has been estimated that there are 1,000 children eligible and participating in this program.

The cost was originally estimated at \$2,000.00 per student for 10 months transportation or \$200.00 per child per month.

Therefore, the department's estimate was arrived at by multiplying $\$400.00 \times 1,000 \text{ children} = \$400,000.00$.

The fiscal note is based on an estimate of costs rather than actual cost information.

In compliance with written request received, there is hereby submitted a fiscal estimate for the above bill, pursuant to P. L. 1962, c. 27.

S-536, sponsored by Senator Matthew Feldman (D-Bergen), which amends the "Professional Marriage Counseling Act" to expand the educational requirements for persons to qualify to take the examinations to include individuals with a "post-graduate degree in marriage and family counseling."

Formerly, the educational requirements could be satisfied only by a master's degree in social work or a doctorate in marriage or pastoral counseling, psychology, sociology of the family, family life education or a closely allied field of study."

This bill will permit individuals who have completed a special two-year program in marriage and family counseling offered at Seton Hall University (the only college in New Jersey which offers such a program) to be eligible to qualify for examinations as marriage counselors.

A-881, sponsored by Assemblyman James W. Bornheimer (D-Middlesex), which amends the current statutes to require boards of education to furnish:

- daily transportation for handicapped children who have been placed by the boards of education in out-of-state day programs;
- periodic transportation for handicapped children who have been placed by the boards of education in out-of-state residential programs; and
- summer transportation for children who have been placed in twelve-month special education programs.

The bill makes New Jersey statutes consistent with federal law, which requires that all handicapped children are availed of a free, appropriate public education, including special education and related services, such as transportation.

The bill takes effect July 1, 1980, and the Department of Education intends to use funds from a federal block grant to pay the costs, which have been estimated at \$650,000 annually.

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