

18A:58-2

LEGISLATIVE HISTORY CHECKLIST

NJSA 18A:58-2

Laws of 1975 Chapter 244

Bill No. S 3079

Sponsor(s) Wiley

Date Introduced February 27, 1975

Committee: Assembly -----

Senate Education

Amended during passage Yes

Amendments during passage denoted by asterisks.

Date of passage: Assembly August 1, 1975

Senate June 23, 1975

Date of approval Oct. 27, 1975

Following statements are attached if available:

Sponsor statement  No

Committee Statement: Assembly  No

Senate Yes

Fiscal Note Yes

Veto message  No

Message on signing Yes

Following were printed:

Reports  No

Hearings  No

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SENATE, No. 3079

STATE OF NEW JERSEY

INTRODUCED FEBRUARY 27, 1975

By Senator WILEY

Referred to the Committee on Education

AN ACT concerning State aid to education and amending N. J. S.  
18A:58-2.

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

1 1. 18A:58-2. For the purposes of this article, unless the context  
2-4 clearly requires a different meaning:

5 "Resident enrollment" shall mean the number of full-time pupils  
6 who are residents of the district and are enrolled in day schools  
7 on the last school day of September or on the last school day of  
8 May during the school year in which calculation of aid is made and  
9 are attending the public schools of the district or a school district  
10 or State college demonstration school to which the district of  
11 residence pays tuition; provided, that no district shall count in its  
12 enrollment any pupil regularly attending on a full-time basis a  
13 county vocational school in the same county.

14 "Weighted pupils" shall mean the number of resident pupils  
15 multiplied by the following units:

16	Kindergarten pupils	.75	units
17	Elementary pupils (grade 1 through grade 6)	1.0	units
18	Seventh and eighth-grade pupils not in ap-		
19	proved middle schools or junior high		
20	schools approved by the Commissioner of		
21	Education	1.15	units
22	Pupils in approved middle schools and in ap-		
23	proved junior high schools	1.25	units
24	Five and 6-year high school pupils (equated		
25	to full-time)	1.275	units
26	Senior and 4-year high school pupils		
27	(equated to full-time)	1.3	units

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

28	Vocational school pupils in vocational schools		
29	or classes (equated to full-time) . . . . .	2.0	units
30	Evening school pupils (equated to full-time)	1.0	units
31	Accredited evening high school pupils and		
32	pupils in post-graduate high school classes		
33	(equated to full-time) . . . . .	1.3	units

34    “AFDC children” shall mean the children aged 5 to 17 inclusive,  
35 in families residing in the school district and receiving aid through  
36 payments under a program of aid to families with dependent  
37 children certified to the commissioner by the Department of Insti-  
38 tutions and Agencies. Each such child shall be weighted by an addi-  
39 tional .75 units in counting the number of weighted children for the  
40 school district. With respect to regional school districts and their  
41 component districts, AFDC children shall be allocated among the  
42 regional district and its component districts in proportion to the  
43 number of resident pupils in each of them as determined from  
44 the enrollment on the last school day of September.

45    “Classification of school districts” shall mean the classification  
46 of school districts to be established pursuant to N. J. S. 18A:58-3  
47 in one of the following categories:

- 48    a. Nonoperating district, being one which operates no schools of  
49 its own;
- 50    b. Basic district, being one in which one or more schools are  
51 operated and which meets all basic requirements of school law;
- 52    c. Limited district, being a basic district which meets such other  
53 criteria as shall be prescribed by law;
- 54    d. Intermediate district, being a district which meets all require-  
55 ments of a limited district and which meets such other additional  
56 criteria as shall be prescribed by law;
- 57    e. Precomprehensive district, being a district which meets all  
58 requirements of an intermediate district and which meets such  
59 other additional criteria as shall be prescribed by law; or
- 60    f. Comprehensive district, being a district which meets all  
61 requirements of a precomprehensive district and which operates  
62 educational programs characterized by their diversity and high  
63 quality as prescribed for such classification by law.

64    “Equalized valuations” shall mean the equalized valuation of  
65 the taxing district or taxing districts as certified by the Director  
66 of the Division of Taxation on October 1 for the year in which the  
67 calculation of aid is made. In the event that the equalized table  
68 certified by the Director of the Division of Taxation shall be  
69 revised by the Division of Tax Appeals on or before January 15

70 of the next succeeding year, such revised valuation shall be used in  
71 any recomputation of aid.

72 “State average valuation per weighted resident pupil” shall  
73 mean the quotient resulting from dividing the total equalized  
74 valuations in the State of New Jersey as certified by the Director  
75 of the Division of Taxation on October 1 by the total number of  
76 weighted pupils of the State enrolled on the last school day of  
77 September.

78 “Minimum support aid” shall mean the product of the number  
79 of resident weighted pupils of the school district and one of the  
80 following rates:

81 Not less than ~~[\$100.00]~~ \*~~[\$110.00]~~\* \*\$100.00\* in a nonoperating  
81A district,

82 Not less than \$110.00 in a basic district,

83 Not less than \$122.50 in a limited district,

84 Not less than \$135.00 in an intermediate district,

85 Not less than \$147.50 in a precomprehensive district, or

86 Not less than \$160.00 in a comprehensive district.

87 “School district guaranteed valuation” shall mean the product  
88 of the number of resident weighted pupils of the school district  
89 and one of the following rates:

90 *Not less than \$30,000.00 in a nonoperating district,*

91 Not less than \$30,000.00 in a basic district,

92 Not less than \$33,750.00 in a limited district,

93 Not less than \$37,500.00 in an intermediate district,

94 Not less than \$41,250.00 in a precomprehensive district, or

95 Not less than \$45,000.00 in a comprehensive district.

96 “Current expense budget cost” shall mean the total appro-  
97 priation for current expenses including the salaries of the secre-  
98 tary of the board of education, the custodian of school moneys,  
99 principals, teachers, janitors, medical inspectors and truant officers;  
100 fuel, textbooks, school supplies, flags, transportation of pupils,  
101 tuition of pupils attending schools in other districts with the con-  
102 sent of the board, school libraries, truant schools, insurance,  
103 repairs and renewals to buildings, furniture, equipment or appa-  
104 ratus, and other incidental expenses of the schools.

105 “Net operating budget” shall mean the balance after deducting  
106 all estimated revenue from the current expense budget, except the  
107 amount to be raised by local taxation and incentive equalization  
108 aid apportioned.

109 “Approved special class” shall mean a class for physically handi-  
110 capped or mentally retarded children, and all other classes for  
111 atypical pupils approved by the commissioner.

112 "Atypical pupils" shall mean pupils who are physically handi-  
113 capped or mentally retarded and who are not accommodated  
114 through the school facilities usually provided for normal pupils.

115 "Evening school pupils" shall mean pupils enrolled in evening  
116 schools, except in classes for foreign-born residents, or in voca-  
117 tional schools, or in accredited evening high schools, or in schools  
118 known as adult schools.

119 "Accredited evening high school pupils" shall mean pupils  
120 enrolled in an approved evening high school.

121 "Vocational school pupils" shall mean pupils enrolled in courses  
122 of study for vocational education approved by the State board. No  
123 district shall count in its enrollment any pupil regularly attending  
124 on a full-time basis a county vocational school in the same county  
125 regardless of whether or not tuition is paid for such pupil, but such  
126 pupil shall be weighted and counted in the determination of State  
127 aid in the county vocational school operating a full-time program.

128 "Aid per resident weighted pupil" shall mean the quotient  
129 resulting from dividing the sum of the minimum support aid and  
130 the incentive equalization aid allocated to the school district by the  
131 number of weighted pupils on the last school day of September.

132 "Day school cost per pupil" shall mean the mean annual current  
133 operating cost of educating pupils, as determined by the commis-  
134 sioner with the approval of the board.

135 "Aid per resident pupil" shall mean the quotient resulting from  
136 dividing the sum of the minimum support aid and the incentive  
137 equalization aid allocated to the district by the number of resident  
138 pupils enrolled on the last school day of September.

139 "State aid" shall mean the sum of minimum support aid, incen-  
140 tive equalization aid, transportation reimbursement, atypical pupil  
141 reimbursement, county aid and county vocational school aid, as  
142 determined pursuant to this article.

1 2. This act shall take effect July 1, 1975.

SENATE EDUCATION COMMITTEE

STATEMENT TO

**SENATE, No. 3079**

with Senate committee amendments

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**STATE OF NEW JERSEY**

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DATED: APRIL 28, 1975

CURRENT STATUTORY PROVISIONS:

The present State School Incentive Equalization Aid Law (Bateman-Tanzman Act) provides that nonoperating school districts shall receive minimum aid, but shall not be eligible for incentive equalization aid (N. J. S. 18A:58-2). These provisions were included in an effort to encourage consolidation of nonoperating districts with neighboring districts. Such consolidations have not occurred.

PROPOSED CHANGES:

The purpose of this bill, with the proposed amendments, is to provide incentive equalization aid to nonoperating districts on the same basis as it is provided to all operating districts.

IMPACT:

Of the 17 nonoperating districts in the State this bill, as amended, would apply only to Victory Gardens in Morris county. All the other nonoperating districts have per pupil equalized property valuations in excess of the State guaranteed valuation of \$38,000.00 and, therefore, are not eligible for incentive equalization aid.

BACKGROUND:

Victory Gardens was created from a part of the township of Randolph by an act of the Legislature in 1951, subject to a referendum of all of the voters of the township held on September 18, 1951. The favorable vote in the referendum established a borough of approximately 0.2 square mile, with a population of slightly over 1,000 persons, including about 300 public school pupils. It consists of about 300 small cinder block homes constructed by the Federal Government during World War II to house workers at the Picatinny Arsenal. Of the few parcels of vacant land included within the borough boundaries, two have now been occupied by a motel and a garden apartment complex, while one, zoned for industrial purposes, remains vacant.

## FISCAL DATA

Victory Gardens has an equalized valuation per weighted pupil for the 1974-75 school year of \$12,932.00, compared with the State guaranteed valuation for 1974-75 of \$38,000.00. During the 1974-75 school year, the district will receive minimum aid of \$33,530.00 and "save harmless" aid of \$49,355.00, for a total formula aid of \$82,885.00. All school children are sent to the town of Dover schools at a 1974-75 tuition cost of \$345,278.00. The borough has one of the highest school tax rates in the State. An operating school district (basic district) of the same taxable property value as Victory Gardens would receive \$44,260.00 in minimum aid and \$206,377.00 in incentive equalization aid, for a total of \$250,637.00 in 1974-75.

## FISCAL IMPACT:

The total additional cost to the State of the bill as amended would be \$136,680.00.

FISCAL NOTE TO  
**SENATE, No. 3079**  
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**STATE OF NEW JERSEY**

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DATED: JULY 14, 1975

The Official Copy Reprint of Senate Bill No. 3079 provides incentive equalization aid to nonoperating school districts on the same basis as it is provided to all operating districts.

The Department of Education estimates that enactment of this legislation would require additional State aid in the amount of \$94,248.00 in fiscal 1975-76.

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The fiscal note is based on actual cost information.

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

FROM THE OFFICE OF THE GOVERNOR

OCTOBER 27, 1975

FOR FURTHER INFORMATION

FOR IMMEDIATE RELEASE

DICK CAMPBELL

Governor Brendan Byrne signed into law today a bill that would provide increased state school aid to poorer school districts which do not operate any schools.

The measure, S-3079, sponsored by Senator Stephen B. Wiley, D-Morris, would provide incentive equalization aid to non-operating school districts in which the amount of ratables per pupil is below the state guarantee of \$38,000. At present, non-operating school districts are not eligible for incentive equalization aid.

The only district that would qualify at the present time under the bill is the Morris County municipality of Victory Gardens. There are 16 other non-operating districts in the state, but 3 have no school children and 13 others have ratables in excess of the state guarantee.

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